

UNITED STATES OF AMERICA

1

ASSASSINATION RECORDS REVIEW BOARD

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PUBLIC HEARING

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Federal Building

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1100 Commerce

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Room 7A23

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Dallas, Texas

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Friday, November 18, 1994

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The above-entitled proceedings commenced, pursuant to

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notice, at 10:00 a.m., John R. Tunheim, chairman, presiding.

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PRESENT FOR ASSASSINATION RECORDS REVIEW BOARD:

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JOHN R. TUNHEIM, *Chairman*

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HENRY F. GRAFF, *Member*

3

KERMIT L. HALL, *Member*

4

WILLIAM L. JOYCE, *Member*

5

ANNA K. NELSON, *Member*

6

DAVID G. MARWELL, *Executive Director*

7

8

WITNESSES:

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JIM MARRS

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DAVID J. MURRAH

11

ADELE E.U. EDISEN

12

GARY MACK

13

ROBERT VERNON

14

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1 THOMAS WILSON

2 WALLACE MILAM

3 BEVERLY OLIVER MASSEGEE

4 STEVE OSBORN

5 PHILIP TenBRINK

6 JOHN McLAUGHLIN

7 GARY L. AGUILAR

8 HAL VERB

9 THOMAS MEROS

10 LAWRENCE SUTHERLAND

11 JOSEPH BACKES

12

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1 WITNESSES [continued]:

2 MARTIN SHACKELFORD

3 ROY SCHAEFFER

4 KENNETH SMITH

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P R O C E E D I N G S

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[10:05 a.m.]

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CHAIRMAN TUNHEIM: Good morning everyone, and

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welcome everyone to this public hearing held today in Dallas by the

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Assassination Records Review Board.

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The Review Board is an independent Federal agency that

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was established by Congress for a very important purpose, to identify

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and secure all the materials and documentation regarding the

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assassination of President John Kennedy and its aftermath.

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The purpose is to provide to the American public a

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complete record of this national tragedy, a record that is fully

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accessible to anyone who wishes to go see it.

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The members of the Review Board, which is a part-time

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citizen panel, were nominated by President Clinton and confirmed by

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1 the United States Senate. I am John Tunheim, Chair of the Board, I
2 am also the Chief Deputy Attorney General from Minnesota. The
3 members of the Board to my right Dr. Henry Graff, who is Professor
4 Emeritus of History at Columbia University; Dr. Kermit Hall, who is
5 Dean of the College of Humanities at the Ohio State University in
6 Columbus. To my left, Dr. Anna Nelson, who is Professor of History
7 at the American University in Washington, D.C.; and Dr. William
8 Joyce who is Associate Librarian at Princeton University.

9 Then to my far left is the Executive Director for the
10 Review Board, David Marwell. We have additional staff members
11 here today that I would just like to mention their names briefly
12 because they will be here helping us with the hearing today, Sheryl
13 Walter and Tracy Shycoff, Jeremy Gunn, Tom Samoluk. Also with
14 us today is our liaison from the National Archives, Mr. Steve Tilley.

1 A major responsibility of the Review Board is to review
2 secret Federal government records and decide which records are to be
3 made public immediately and which records will have postponed
4 release dates, and we expect that review process to begin within three
5 months.

6 Today, however, the Review Board is in Dallas for a
7 different purpose. Our focus today is the search for additional
8 assassination records. We are seeking input about materials that are
9 related to the assassination, where such material may be located, and
10 why the material is relevant. We are holding this hearing in Texas
11 because we believe there are records in this area, in this State, that
12 are essential to a complete record of this event.

13 I want to point out and ask you to remember that the
14 Review Board has been charged with the responsibility of securing a
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1 complete record of the assassination and its aftermath. The Review
2 Board is not reinvestigating the assassination of President Kennedy.
3 Our purpose really is to lift the veil of secrecy that has surrounded the
4 records of the assassination and the follow-up investigations and to be
5 very open with the public about our activities because in the final
6 analysis, it is really up to the American people to decide for
7 themselves what happened nearly 31 years ago in Dallas.

8 The Congress has determined that it is time to make
9 complete the public record of the assassination and the Review Board
10 is her today to carry out that mandate, and we appreciate the help
11 of all of our witnesses today toward that end.

12 Let me just review very briefly some groundrules for our
13 hearing. We will recess today at 12:30 p.m., and reconvene at 2:00
14 p.m. We don't intend to go beyond the hour of 4:00 p.m. this

1 afternoon, and we may finish earlier if the schedule allows us to do so.

2 We are asking each witness to provide testimony to us for
3 no longer than ten minutes. At the close of each testimony, the
4 Board may wish to ask questions, members of the Board may wish to
5 ask questions of the witness. In order to keep moving and to allow
6 all who wish to testify an opportunity to speak, I may ask some
7 witnesses to cut their testimony short.

8 We will accept anyone's written testimony for the hearing
9 record, which we will keep open for a short period of time to allow
10 people to send follow-up testimony in to us. We will publish a
11 transcript of this hearing that will be available to the public.

12 I thank you all for your assistance and for your interest,
13 and I will ask Mr. Marwell to introduce our first witness.

14 MR. MARWELL: Is Mr. Jim Marrs here? Mr. Marrs.

1 CHAIRMAN TUNHEIM: *Good morning, Mr. Marrs.*

2 MR. MARRS: *Good morning.*

3 *Mr. Chairman, lady and gentlemen, first off, my name is*
4 *Jim Marrs. I am a native of the Dallas-Fort Worth Metroplex. I*
5 *am a journalist and as such I have worked for several Texas*
6 *newspapers including more than a decade at the nearby Fort Worth*
7 *Star Telegram.*

8 *During my career, I had the opportunity to meet many of*
9 *the key characters of the JFK assassination saga. As a college*
10 *student, I was in the Carousel Club and met Jack Ruby prior to the*
11 *assassination, also have interviewed Marguerite Oswald, Marina*
12 *Oswald, John DeMohrenschildt, General Edmund Walker, and many*
13 *others including Dealey Plaza witnesses, police and government*
14 *officials.*

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1 Since 1976, I have taught a course on the Kennedy
2 assassination at the University of Texas at Arlington and, of course,
3 my book *Crossfire: The Plot to Kill Kennedy* was a basis for the
4 Oliver Stone movie *JFK*.

5 Now having established who I am, let me, since I am up to
6 the plate first, let me welcome you to Dallas and, if you have not
7 been here before, let me assure you that you are going to find Dallas a
8 very hospitable and friendly place, and I hope that your stay here is
9 very enjoyable.

10 As I am sure you all are becoming very aware, the JFK
11 assassination is, indeed, one of the world's greatest murder mysteries.

12 The more you study this case, the less you know for certain. The
13 medical evidence, which should be the best evidence, is in total
14 disarray, even imminent medical authorities cannot agree on what

1 this evidence is much less what it means. Living eyewitnesses have
2 had their testimony challenged due to the number of years that have
3 passed. Even the physical evidence and primary FBI reports have
4 come under fire and rightly so.

5 In my own investigations, I have found too numerous
6 instances of FBI reports which do not accurately reflect what
7 witnesses tried to tell them and other activities which were conducted
8 in a manner to incriminate Lee Harvey Oswald. But to get to the
9 crux of the case, I would like to present you this morning with what I
10 consider to be the smoking gun of this case, and it is available right
11 now, it is in the public record, and it can be found on page 193 of
12 the Warren Commission transcript of January 27th, 1964. This is
13 well before they got into their investigative phase, well before they
14 reached any permanent conclusions.

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1 Understand that the Zapruder film established that the
2 shooting sequence occurred within six seconds and the FBI laboratory
3 established that it took two seconds just to cock and fire the Oswald
4 rifle. This means that it was only possible for three shots to be fired
5 within the timeframe of the shooting. One shot struck Kennedy in
6 the head, reportedly, and fragmented, and a second shot reportedly
7 missed and nicked a bystander by the name of James Teague near the
8 triple underpass. This leaves only one shot to account for seven
9 wounds to both Kennedy and Connolly. Now this one bullet strike
10 known as the Single Bullet Theory is pretty ridiculous, but for the
11 sake of argument let's look at this government's premise.

12 The Warren Commission report stated: President
13 Kennedy was first struck by a bullet which entered the back of his
14 neck and exited through the lower front portion of his neck. The

1 bullet passed through Kennedy's neck and struck Connolly. They
2 even show us a nice little diagram of the bullet passing through
3 Kennedy's neck.

4 The problem here is that at no time did a bullet traverse
5 President Kennedy's neck. You can see the death certificate plainly
6 states that a wound occurred in the posterior back at the level of the
7 third thoracic vertebrae, which is between the shoulder blades. This is
8 marked on the autopsy face sheet clearly, and is marked at the
9 bottom verified and signed by Dr. George Burkley, Kennedy's personal
10 physician.

11 Seibert O'Neill's FBI report of the autopsy says Dr. Humes
12 located an opening which appeared to be a bullet hole which was
13 below the shoulders and two inches to the right of the middle line of
14 the spinal column. It is all right there.

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1 *Secret Service Agent Glenn Bennett in his typed notes*
2 *made from handwritten notes made less than an hour after the*
3 *shooting said, I saw the shot hit the President about four inches down*
4 *from the right shoulder, the exact location.*

5 *Officer Clint Hill from the Secret Service, who was the*
6 *only agent to react that day, to the Warren Commission said -- they*
7 *asked: Did you see any other wound than the head wound? He*
8 *said: Yes, sir. I saw an opening in the back about six inches below*
9 *the neckline to the right hand side of the spinal column.*

10 *Available today in the National Archives are Kennedy's*
11 *bloody shirt and jacket, both of which show a bullet hole low in the*
12 *back to the right of the midline of the spinal column. The bullet*
13 *struck President Kennedy in the back.*

14 *Now back to page 193, January 27, 1964, Warren*

1 Report, we hear their own Chief Counsel J. Lee Rankin state: It
2 seems quite apparent now, since we have a picture of where the bullet
3 entered in the back, that the bullet entered below the shoulder blade
4 to the right of the backbone, which is below the place where the
5 picture shows the bullet came out of the neckband of the shirt in
6 front.

7 You have a bullet low in the back and you have a bullet
8 wound in the throat. If you connect these two wounds, and I assure
9 you they do not connect -- but, again, I am going with the
10 government's own documents here -- if you connect those that is an
11 upwards trajectory. As anybody knows, simple physics, a
12 high-powered supersonic missile cannot travel upward and then twist
13 in midair and come back down and strike Governor Connolly.

14 This document not only shows the lie of the Single Bullet
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1 Theory, but shows that the Warren Commission, an official body of
2 the U.S. Government knew it was a lie in January of 1964, and yet
3 they chose to show us a little diagram of a bullet going through the
4 neck and report to us that the bullet went through the neck and did
5 not pose any problems.

6 I cannot overemphasize the importance of this point
7 because if the Single Bullet Theory falls, as it does based on the
8 statement from the Warren Commission's own Chief Counsel, then the
9 lone assassin theory also falls and we are into conspiracy just like the
10 House Select Committee on Assassinations included in the 1970s.

11 It is this type of information which has trickled out over
12 the past 31 years and has led researchers and the vast majority of
13 the American public to disbelieve the government's lone assassin
14 theory. So now we must treat the subject of conspiracy seriously,
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1 and for this reason it is especially important for you people on the
2 Assassination Records Review Board to look closely at the question of
3 conspiracy and the government records which might contain evidence
4 of such.

5 I think, lady and gentlemen, you are going to find you are
6 dealing with two conspiracies here. One was the conspiracy to kill
7 the President, and it obviously was quite successful. Who did it, who
8 committed it, how many gunmen, from which trajectory, how many
9 shots, we don't know. That is what is being debated. I am not sure
10 that you are going to find the answers to those questions in these
11 government records that you are looking for.

12 But the second conspiracy was the conspiracy to cover-up
13 the truth of the first conspiracy, and this one was not quite so
14 successful. Today there is very much evidence to show that officials

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1 high within the U.S. Government committed acts designed not to find
2 truthful answers but rather to hide the truth from the American
3 public.

4 For example, consider yourselves detectives. You arrive
5 on the crime scene and here is the victim's body. The uniformed
6 police present you with four suspects. By the way, they tell you, we
7 caught Suspect Number 4 destroying evidence, withholding evidence,
8 altering evidence, fabricating evidence and intimidating witnesses.
9 Now who are you going to believe committed the crime? Suspect
10 Number 4. In this case Suspect Number 4 represents persons within
11 the Federal Government of the United States. The crimes mentioned
12 have been documented. So the government that we turn to for
13 information on this case includes some of the very suspects in the case.

14 With this in mind, I would ask you to watch very carefully
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1 for misdirection, obfuscation, deceit when dealing with these
2 government documents.

3 Now briefly I would like to turn to the central character
4 of the assassination, Lee Harvey Oswald. The Government and its
5 apologists continue to claim that any investigation into the Kennedy
6 assassination is a waste of time because Lee Oswald acting alone was
7 the person responsible for the assassination. If this is true, and I
8 hope I just disproved that by showing you that it was impossible for
9 the Single Bullet Theory to work and therefore it is impossible for one
10 single assassination, but if it is true, then why should there be
11 anything classified in this case. If it was one lone nut at the wrong
12 place at the wrong time, the Cold War is over and any intelligence
13 agents from the 1960s have probably already retired. There is no
14 longer any need for secrecy in this case, or is there?

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1 Let me share with you this brief thing. First, I want to
2 point to two documents. The first is a memo from J. Edgar Hoover
3 to the Office of Security at the State Department, it is dated June
4 3rd, 1960. In this memo, which was also sent to the Office of Naval
5 Intelligence, Hoover writes: Since there is a possibility that an
6 imposter is using Oswald's birth certificate, any current information
7 the Department of State may have concerning subject will be
8 appreciated.

9 What a bombshell. We were told that nobody within the
10 government paid much attention to Oswald, and yet here is a
11 document showing that no less than J. Edgar Hoover personally was
12 aware of Lee Harvey Oswald three years before the assassination, and
13 that he had reason to suspect that someone was posing as Oswald,
14 indicating a possible intelligence connection.

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1 Now listen to the words of Oswald's mother, Marguerite,
2 in an interview reprinted in Exhibit 1808 of the Warren Commission
3 volumes: Lee was 16 years old when he wanted to enlist in the
4 Marines. The circumstances in which he chose this least branch of
5 service, in my opinion, are in glaring contradictions to the reports
6 according to which Lee frequented with Communists at this time and
7 was himself a Red and admirer of Karl Marx. For my part, in taking
8 into consideration what I know about the life of my son, I think that
9 on the contrary he was recruited by the CIA and he was sent by this
10 organization to Russia and then to Dallas to infiltrate subversive
11 organizations and, who knows, to expose a conspiracy against
12 Kennedy.

13 Now there is evidence to support this idea. It is well
14 documented that Oswald left a note styled as a warning with the FBI

1 two weeks prior to the assassination, despite claims that the note
2 warned FBI agents to leave Oswald's wife alone or he would take
3 action, it has been established that an FBI official in Dallas ordered
4 this note destroyed after the assassination. This was a blatant act of
5 destruction of evidence and leaves the impression that the note must
6 have contained something other than a threat against the FBI,
7 because if it had I think we all know it would have been printed on
8 the front cover of Life Magazine.

9 Now, Mrs. Oswald adds: This is a theory, but it seems to
10 me that it conforms to my son's conduct on the day in 1954 when
11 he came home accompanied by an officer in uniform. This officer
12 told me that the country needed boys like Lee, alert, educated and
13 loyal, and that I should let him enlist in the Marines despite his youth.
14 I hesitated a little and then gave my consent.

1 This sounds like the start of a career in intelligence and
2 other bits of evidence only give further support to this idea. I have a
3 list of these and I will leave this with you, the 201 File, Personnel File,
4 that was discovered within the CIA. The recently released documents
5 from the Soviet Union which clearly show that the Soviets considered
6 Oswald a spy. The ease with which Oswald received passports, both
7 before and after his trip to Russia. The fact that he used the word
8 "microdots" in conversation with his coworkers, which is a method, a
9 spy method, of course. His possession of a tiny Minox spy camera
10 which carried a serial number that showed it was not commercially
11 available.

12 So we see that beginning with the 1960 Hoover warning
13 we see the very real possibility that there may have been more than
14 one Lee Harvey Oswald. Within the Warren Commission volumes

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1 there are school records showing that during the fall semester of
2 1953, Oswald attended 89 days at Beauregard Junior High School in
3 New Orleans missing only one day, yet there are also records showing
4 that during this same period Oswald attended 66 days at Public
5 School Number 44 in New York City. One person cannot be in two
6 separate places at the same time.

7 Officially the Oswalds moved from New York to New
8 Orleans in early '54, and yet there are some people, including a Mr.
9 William Timmer, who has told us that as a youngster he met Oswald
10 when he lived in Stanley, North Dakota. Now Timmer and others
11 may have been mistaken, but on two separate occasions in a Moscow
12 interview with reporter Aline Mosby and in talking to New Orleans
13 Police Lieutenant Francis Martello in the summer of 1963, Oswald
14 himself referred to his move to North Dakota, and yet there is no
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1 record in the official record. There is no notice of him being in North
2 Dakota.

3 Finally, I will leave you the story of Oswald attending W.C.
4 Stripling Junior High School in Fort Worth, both his mother and his
5 brother Robert told the Warren Commission that Lee entered junior
6 high school in Fort Worth, and Robert specifically named Stripling
7 Junior High School, and yet records presented by the Commission
8 clearly show that Lee entered junior high school in New York where
9 he and his mother had moved in August of 1952. There was no
10 further mention of Stripling Junior High. However, just very
11 recently we located and spoke with a Mr. Frank Kudlaty who now
12 lives in Waco just south of here. In 1963, Mr. Kudlaty was the
13 Assistant Principal at W.C. Stripling High School. He said that the
14 day after the assassination, a Saturday, his principal ordered him to

1 go to the school and provide FBI agents with records on Lee Harvey
2 Oswald. He said he handed over a file of school records to the FBI.
3 There is no mention of these records in the Warren Commission
4 Report or volumes.

5 Mr. Kudlaty told us that this was the first time since
6 1963 that anyone had even asked him about these records, and lady
7 and gentlemen, this is one of my main points. There has yet to be a
8 true and full investigation of this case.

9 So I hope you see now how extremely vital it is to release
10 all the records pertaining to Oswald, even things so minute as his
11 school records. There are thousands -- your job is not as
12 investigators, however there are thousands of investigators in this
13 country, private citizens who are spending their own time and money
14 to solve this case. They deserve full disclosure from their own

1 government, especially in light of the fact that the government and
2 its apologists still maintain that there is nothing amiss with the
3 assassination story.

4 I hope in my own small way I have shown you the need to
5 produce the documents necessary to bring the assassination case to a
6 truthful conclusion, particularly we need Oswald's early school records
7 in Fort Worth, New York and New Orleans. We need all medical
8 records, all military records, all employment and Social Security and
9 tax records. I know there has been some controversy over where his
10 tax forms have been released. Surely we could see his tax forms.
11 The Cold War is over, there can no longer be any justifiable excuse of
12 national security in holding back assassination material. The only
13 possible security involved would be for those who do not want the
14 truth of the assassination revealed to the public. Its time for

1 consideration of embarrassment to the FBI or the CIA or the
2 Pentagon has long passed. It is now time for the government to
3 open its files on one of the most traumatic events in this nation's
4 history. And you people are the ones, I think, who can effect this
5 turn to full and honest disclosure, and I thank you for your time and
6 attention.

7 CHAIRMAN TUNHEIM: Thank you, Mr. Marrs.

8 Do members of the Board have any questions?

9 [No response.]

10 CHAIRMAN TUNHEIM: Thank you very much. We
11 appreciate your being here today.

12 MR. MARRS: Thank you.

13 MR. MARWELL: Is Dr. Murrah here?

14 MR. MURRAH: My name is David Murrah. I am an
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1 Associate Director of Libraries and Director of the Southwest
2 Collection at Texas Tech University in Lubbock.

3 CHAIRMAN TUNHEIM: Good morning, Dr. Murrah.

4 MR. MURRAH: Mr. Chairman and others, I appreciate
5 the opportunity to tell you about the Kennedy assassination materials
6 housed at the Southwest Collection at Texas Tech University. The
7 Southwest Collection is a major historical repository for the American
8 Southwest, and within that capacity the repository has received over
9 a number of years donations of personal papers and other materials
10 from former Texas Attorney General and Texas Tech Alumnus
11 Waggoner Carr.

12 As you probably know, Mr. Carr served as Attorney
13 General of Texas from 1963 to 1967. Shortly after the
14 assassination of President Kennedy Mr. Carr began his own

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1 investigation but subsequently acquiesced to Federal authorities as well
2 as the Warren Commission and became liaison to the Warren
3 Commission. In that capacity, Mr. Carr acquired copies of relevant
4 documents from a number of sources, including the Dallas Police files
5 and Dallas County Sheriff Bill Decker's report.

6 Shortly after the conclusion of the Commission's work, in
7 June of 1967, Mr. Carr sent copies of this material, which comprised
8 about 2,500 items, to the Southwest Collection for inclusion with
9 other papers and material that he had already donated. This
10 material was inventoried by staff within months of its receipt, and
11 consequently was made available to the public and has been available
12 to the public for nearly three decades. I have furnished to you a
13 copy of that inventory from our files as Attachment A to my
14 prepared remarks.

1 However, to the best of my knowledge, the collection
2 received very little use until the release of the Oliver Stone movie JFK
3 in late 1991. It is also my understanding that Mr. Carr furnished
4 the same set of materials to other universities in the State, but I
5 cannot confirm that other than through hearsay know that the
6 University of Texas and perhaps Texas A&M and another university or
7 two received the same set of materials.

8 In 1988, Mr. Carr made another large donation of his
9 personal and political papers which also included another set of the
10 Kennedy assassination materials, also photocopies as was the first
11 donation. Much of this donation duplicated the 1967 material, and
12 I have furnished to you a portion of that inventory as well.

13 Other items in this particular donation were original
14 materials and included letters written to Carr during his involvement

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1 in the investigation as well as notes taken by Carr and his assistant
2 Robert Davis during witness interrogations and news clippings dating
3 from the 1960s through the late 1970s.

4 In July 1991, the Southwest Collection listed the Carr
5 papers online through the OCLC bibliographic utility which links
6 13,000 libraries around the world. This listing carried computer
7 searchable subject headings such as the John F. Kennedy assassination,
8 Lee Harvey Oswald, Jack Ruby and J.D. Tippit. Yet to the best of
9 my knowledge this wide dissemination to the scholarly community
10 produced no inquiries from the public at large.

11 Extensive use of the Carr papers by assassination
12 researchers did not occur until the release of the movie JFK and the
13 publication of a story in the February 6, 1992, issue of the Dallas
14 Observer which called attention to Texas Tech's possession of the
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1 Waggoner Carr papers. Southwest Collection was soon besieged by
2 assassination researchers as well as the curious general public.

3 In the interest of security and conservation, the Southwest
4 Collection then microfilmed every document from the Carr papers
5 pertaining to the assassination. Great care was taken to compare
6 the two sets of assassination materials in order to eliminate
7 duplication and to create as complete a set as possible and I furnish to
8 you Attachment D which is an inventory of the microfilm set. It is
9 our policy to sell copies of that microfilm on request. To date we
10 have had no requests for the film.

11 I have also attached representative pages from the Carr
12 papers which are examples of the various kinds of materials that are
13 included there. The Southwest Collection also holds material which
14 pertains to the assassination in the papers of the late former

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1 Congressman George H. Mahan, and in the papers of Dallas
2 broadcaster Gordon McClendon. I might add, Mr. Mahan was in, I
3 believe, the fourth car behind the President's vehicle during the
4 parade, and he promptly recorded his memories of that and we have
5 those original comments within his papers. In the McClendon papers
6 are the broadcast of radio station KLIF as they were recorded as the
7 radio station covered the events at that time.

8 In addition, the Southwest Collection has done extensive
9 oral history interviews with Waggoner Carr pertaining to the
10 assassination.

11 After the initial flurry of interest shortly after the release
12 of the movie, user interest has declined sharply. But one researcher
13 did call me from out-of-state to inquire about the materials, and in
14 the conversation he had mentioned that he had written six books on

1 the Kennedy assassination. I responded, that's great, and I
2 proceeded to tell them that we had put on microfilm the papers that
3 we had in case that he wanted to acquire the reels. His response was
4 as follows, that is good to know but I hate to ask a dumb question,
5 but what is microfilm. Well, in summary, the Kennedy assassination
6 materials housed at Texas Tech have been available to the public for
7 at least 26 years and yet until the JFK movie was released little use
8 was made of them.

9 I would suggest to you that careful and meticulous
10 scholars would have and should have utilized this material years ago.
11 Careful and meticulous scholars do not have to be told the definition
12 of microfilm.

13 I would also add that Texas Tech University would be
14 pleased to furnish to this Board the microfilm copy of this

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1 *assassination material that we hold and will do so upon your request.*

2 *Thank you again for the opportunity to share with you*
3 *about what we have.*

4 *CHAIRMAN TUNHEIM: Thank you, Dr. Murrah.*

5 *Are there questions?*

6 *Mr. Joyce?*

7 *MR. JOYCE: David, are any of the collections in your*
8 *repository closed in any way and unavailable for research?*

9 *MR. MURRAH: None of these materials are closed. We*
10 *do have restricted collections but none pertain at all to the*
11 *assassination.*

12 *MR. JOYCE: And are you aware of any additional*
13 *material that might be related to these collections that is still in*
14 *private hands?*

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1 MR. MURRAH: I am not personally, no.

2 MR. JOYCE: Thank you.

3 DR. NELSON: What percentage of your documents are
4 originals? That is, there is only one copy and it is in your collection,
5 would you say? You mentioned some correspondence in here. Are
6 there a lot of original documentation?

7 MR. MURRAH: Well, of the -- most of the material is
8 photocopied and is not original to us. The only things that are
9 original are the things that were created as part of the personal
10 papers of Waggoner Carr, including his diary, relative correspondence,
11 and the inquiries, and so forth, and as well as his own notes within
12 the Waggoner Carr papers.

13 Within the Mahan papers, it is all original material, yes,
14 ma'am.

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1 DR. NELSON: If some of his personal papers are there
2 and they are original, obviously that is valuable. I was just curious to
3 know how much of it was.

4 MR. MURRAH: In regards to the whole of what we have,
5 only a small percent is original. Yes, ma'am.

6 CHAIRMAN TUNHEIM: Dr. Murrah, I have just a couple
7 of points. What is the total volume of documents or pages that the
8 university has that are relevant to the assassination?

9 MR. MURRAH: I would refer you to Item B2 in the
10 material I have, if you have that before you, the attachments to my
11 remarks. I am sorry, let me back up and refer you to Item
12 A2 -- A1, the inventory for the 1967 donation, 2,479 items which
13 are listed there, and then the 1988 donation, there are 6,190 items.

14 So we received about two-thirds more material there within the

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1 second donation that was not within the first, that is material
2 pertaining directly to the Kennedy assassination, out of a total
3 donation of 55,000 items which represent other Waggoner Carr
4 personal papers.

5 CHAIRMAN TUNHEIM: I noticed in the materials, the
6 Carr papers, a reference to autopsy reports. The autopsy records
7 related to President Kennedy are exempt from the Act. They are in
8 the collection of the National Archives that is closed. What kinds of
9 materials are included in this referenced autopsy reports, do you
10 recall?

11 MR. MURRAH: It has been a while since I looked at that.
12 The one item that I do remember is the medical report that was
13 filled out at the time of the autopsy. It is only a guess on my part,
14 but this very well may be copies of material that otherwise has been

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1 *restricted at other places.*

2 *DR. HALL: But it is material that is open in your --*

3 *MR. MURRAH: But it has always been open in our place.*

4 *We received no instructions whatsoever at the time of donation that*
5 *it was to be restricted at all.*

6 *CHAIRMAN TUNHEIM: We may follow-up with you on*
7 *that.*

8 *MR. MURRAH: Any further questions?*

9 *DR. GRAFF: I would just like to inquire, you said the*
10 *interest picked up after the movie JFK.*

11 *MR. MURRAH: Yes, sir.*

12 *DR. GRAFF: Has that continued steady or has there been*
13 *some decline, can you tell us?*

14 *MR. MURRAH: It was very steady for about three*

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1 months. I examined our use records, and we had approximately 90
2 individuals who made use of that collection shortly after the release of
3 the movie. No, after about three months it fell off quite rapidly, and
4 I would say over the last year-and-a-half or so we have had no more
5 than two or three inquiries to use the collection.

6 DR. GRAFF: Thank you.

7 CHAIRMAN TUNHEIM: Thank you, Dr. Murrah. This
8 type of information is exactly what we are looking for and we
9 appreciate you being with us today.

10 DR. MURRAH: Thank you.

11 MR. MARWELL: Adele Edisen.

12 MS. EDISEN: Good morning.

13 CHAIRMAN TUNHEIM: Good morning, Ms. Edisen.

14 MS. EDISEN: And thank you for your consideration and

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1 the opportunity to speak. I received a call from Mr. Marwell. My
2 name is Adele Elvira Uskali Edisen. Professionally I have a bachelor's
3 degree and a doctorate degree in physiology from the University of
4 Chicago. My field is neurophysiology. I am a neuroscientist.

5 At the time I will be speaking about 1963 from personal
6 experience, but before I do I could give you a brief run down of my
7 background. I have been on the faculty and have done research at
8 Tulane University School of Medicine, at LSU School of Medicine. In
9 fact, in 1963, I was there as a third year post-doctoral fellow of the
10 National Institute of Neurological Diseases and Blindness of the
11 National Institutes of Health. I have also been on the faculty of
12 Rockefeller University, that was much later; St. Mary's Dominican
13 College in New Orleans, Delgado College in New Orleans; the University
14 of Texas at San Antonio; and I am currently teaching part-time at

1 Palo Alto College which is a community college of San Antonio. I
2 have also been associated with the Mind Science Foundation in San
3 Antonio in the past.

4 I am seeking specific records which I mentioned in my
5 letter, and there are some others, but perhaps it would be best to give
6 you an idea of the experience I had. I am willing to give you also a
7 narrative that I wrote in 1975 to give to my attorney in the event of
8 my death in case something happened to me so that there would be a
9 record somewhere because we could not obtain records from the
10 Secret Service or the FBI with whom I had an interview on November
11 24th, 1963.

12 In 1962, I tried to get back into my field of research
13 after having three children. My children at that time, in '63, were
14 seven, five and three, and I was offered the opportunity to apply for a

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1 post-doctoral fellowship. I had already had two years of
2 post-doctoral fellowship support from that institute, that was at
3 Tulane, and Dr. Sidney Harris of LSU's School of Medicine,
4 Department of Physiology suggested that I apply and he told me in
5 December that he had received a phone call from a Dr. Jose Rivera of
6 the Institute telling him that I had been granted that award.

7 Since my husband had been ill that was a very important
8 award, and by the time that these meetings occurred in April of the
9 Federation of American Societies for Experimental Biology, which is
10 an umbrella organization of six major biological societies including the
11 physiological, American Physiological Society, I had accomplished a
12 certain amount of research on a volunteer basis, and I had enough
13 results to report.

14 So I went to these meetings which were held in Atlantic
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1 City and it was there that I met the individual I am going to be
2 speaking about, Jose Rivera, who was manning a booth at the
3 convention hall there.

4 Well, to make this story shorter, I befriended him or he
5 befriended me, I was planning to go to Bethesda in Washington and
6 visit with colleagues and friends at the NIH and also to see the NIH,
7 and so he had, in the course of our conversations and so on, invited
8 me to his home to have dinner with him and his wife and daughter,
9 and also to help me obtain hotel, motel space for my visit in Bethesda
10 after these meetings, and to give me a site-seeing tour, and so on.

11 It turned out he had taught at Loyola University in New
12 Orleans, and we knew some people in common who were, for
13 example, Dr. Fred Brazda who was Chairman of Biochemistry at LSU
14 Medical School and a few other people.

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1 So, at any rate, I won't go into all the detail in the
2 interest of time, but I will submit my narrative to you. I also wrote
3 a short paper which was published in *The Third Decade*, which is a
4 research journal of the assassination of President Kennedy, published
5 and edited by Dr. Jerry Rose. This article, this short article was
6 written by me under a pseudonym of K.S. Turner, I was looking
7 trying to find one of the Secret Service agents because I have not yet
8 received any records of my interviews with them.

9 Mr. Rivera, or Dr. Rivera or Colonel Rivera he also called
10 himself, mentioned to me, and this is April 1963, seven months
11 before the assassination, on Monday night April the 22nd, it turned
12 out that his wife was a nurse and she was on duty at her hospital and
13 so we didn't go to dinner at his home, but rather he took me to
14 Blackie's House of Beef in Washington, and it was there that he said

1 to me, as we were waiting to be seated, he told me about his trips to
2 Dallas and so on, and he mentioned, he said there is a very nice
3 nightclub there, the Carousel Club and the next time you are in Dallas
4 you should go there.

5 In the few moments later he asked me if I knew Lee
6 Oswald. I had never heard of Lee Oswald. I vaguely wondered if he
7 was related to a boy I had gone to high school with whose name was
8 Fred Oswald, and I went to high school in New York, but that was all.

9 I said, no, I didn't know him.

10 He said, well, he lived in Russia for a while, and he has a
11 Russian wife and a child and they are in Dallas now and they are
12 planning, he is planning to come to New Orleans -- they are planning
13 to come to New Orleans, and you should get to know them because
14 they are a very lovely couple. Those are more or less exact quotes.

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1 I didn't think anything of it. We had dinner and so on
2 and so forth. It was the next night, again his wife apparently
3 couldn't make dinner, and we were seated at, this time, the Marriott,
4 I think it is called the Twin Bridges, across the Potomac River, and
5 there were several other things he asked me about, if I knew of John
6 Abt for example. I later, many years later, learned that was the
7 attorney that Lee Oswald asked to represent him. I didn't know
8 John Abt either. But he did later on say to the effect that Oswald
9 would -- I presume he meant Oswald would call upon Abt to defend
10 him.

11 All of these things were only in retrospect that I put it
12 together. But it was that Tuesday night which was the most
13 devastating. We were site-seeing, and we went all around
14 Washington to the cherry blossoms, the White House, every time we

1 *toured around the White House he asked me if I saw Caroline on her*
2 *pony Macaroni, and all kinds of crazy nonsense, and I was beginning*
3 *to think I was with an absolute mad man.*

4 *But the first indication he made of the death of the*
5 *President was as we were approaching getting near the White House*
6 *the first time, he said, I wonder what Jackie will do when her*
7 *husband dies. I said, what? And he said, I mean the baby.*

8 *What baby was what went into my mind, I didn't know*
9 *she was pregnant. He said, well she might lose the baby, and then*
10 *he began to talk about women having caesarian sections and did I*
11 *know whether they could have normal deliveries, vaginal deliveries if*
12 *they have had caesarian sections, and it went on and on like that. I*
13 *just wondered about what he was -- maybe he did make a slip of the*
14 *tongue or something.*

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1 But at the Marriott -- let me get back to that, and I am
2 sorry I digressed -- it was after dinner and he asked to do a favor for
3 him when I got back to New Orleans, and that was the subject of the
4 note which I mentioned in the letter.

5 He said that he had talked with this gentleman, I guess it
6 is all right to mention the name, I don't know if he had anything to
7 do with the assassination or not, but it was a faculty member at
8 Loyola who apparently had been a friend of his or was a friend,
9 Winston DeMonsabert. He dictated the name -- I think I misspelled
10 it in the note -- and said call -- tell him to call me when you get
11 back there, and ask him when he is leaving New Orleans, because I
12 heard -- this is Rivera talking -- I heard he was leaving New Orleans.

13 So I wrote on the note, Winston DeMonsabert call Dr.
14 Rivera when leaving NO, my abbreviation for New Orleans. In some

1 more conversation, and he then asked me to write down a number
2 which was 899-4244, and after that he said, write down this name,
3 Lee Harvey Oswald. It didn't ring a bell to me that that was the
4 same name that he had mentioned the night before, and he said, tell
5 him to kill the chief. So underneath that part of the note I wrote in
6 quotes "kill the chief."

7 Now, let me explain -- one more thing, when he saw me
8 writing down the message, he said, no, no, don't write that down.
9 You will remember it when you get to New Orleans.

10 The reference to chief to me meant NIH because NIH
11 made this joke or description several times during these two days.
12 He said, do you know why NIH is called the reservation? I said, no.
13 He said, because there are so many chiefs and no Indians.

14 The organization, the internal organization of NIH is, at
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1 least it was then and I presume it is the same now, was that different
2 intermural research groups would have a chief of the section. For
3 example, chief of the spinal cord section, or chief of this or chief of
4 that, and even the training grants and awards section of which
5 Rivera was a part had a chief, Elizabeth Hartman.

6 So all this time I thought that Oswald was a scientist and
7 a friend of Rivera's. I couldn't understand about the Russian wife
8 because, you know, at that time they were citizens of our two
9 countries were not allowed to leave or to visit each other, and so on.

10 I became very frightened then, I didn't understand what
11 he was talking about even though he had made references to
12 assassination of the President or killing of the President, but he said
13 when he told me not to write down that part, he said, don't write it
14 down, you will remember it when you get to New Orleans. We are

1 just playing a little joke on him, presumably meaning Oswald.

2 There were other references to the assassination which I
3 only -- he said, for example, after -- he kept talking about it in this
4 way, he would say, after it happens -- it happens, what happens, you
5 know, I don't know what he is talking about -- after it happens, he
6 would say, someone will kill him, meaning apparently the assassin,
7 and I presume it was Oswald, although I never considered until much
8 later that Oswald did it, but anyway Oswald. They will say his best
9 friend killed him. After it happens the President's best friend will
10 jump out of a window because of his grief, and there was such an
11 event about two weeks later, the former Ambassador to Ireland
12 jumped out of a window in Miami, his name was Grant Stockdale.
13 Although, again, at the time I didn't make connection.

14 CHAIRMAN TUNHEIM: Ms. Edisen, this note is a note

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1 that then you passed along to a government agent?

2 MS. EDISEN: Yes.

3 CHAIRMAN TUNHEIM: Can you tell us about that?

4 MS. EDISEN: Yes. On Sunday, November the 24th, I
5 called the Secret Service. I had actually called the Secret Service in
6 July and I spoke briefly with Agent J. Calvin Rice, and I was going to
7 go down there and tell them this incredible story which now I
8 had -- I thought there was some sort of conspiracy to kill the
9 President after putting it together. And then I thought they
10 wouldn't believe me, and I would only make a fool of myself, and so I
11 called him back and declined.

12 But when the assassination actually did occur, I did go
13 down there on Sunday and they were very anxious to see me, and
14 Mr. Rice told me not to sign in the register because -- I guess it was
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1 for protection or something but to call him when I got to the lobby,
2 and I went there.

3 As we were walking to his office, Mr. Rice told me that
4 they had just gotten word that Oswald had been shot. So it must
5 have been after Jack Ruby shot him. And we went into his office
6 where he introduced me to a burly FBI agent, a balding man, and I
7 believe he might have been Oren Bartlett. The reason I say that is
8 because his first name was definitely Oren because when he was
9 introduced to me I thought I had misheard, and I said, Owen, and he
10 said, no, Oren, and I thought of a pear making some sort of an
11 association to the name.

12 At any rate, I began to tell him my incredible story, and I
13 was there for about three to four hours in their office. There were
14 only two men there, J. Calvin Rice, Secret Service, who was a

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1 youngish man, about in his, I would imagine, 30s, early 30s, not
2 much taller than I was. I had small Cuban, you know, walking heels.

3 CHAIRMAN TUNHEIM: And there were notes taken at
4 this?

5 MS. EDISEN: Well, he took some notes but Mr. Rice was
6 seated at his desk, and I was seated to his right, and the FBI agent
7 remained standing most of the time. I believe he may have taped it
8 because every time Mr. Rice got up from his desk, there was a
9 partition over there, for example, and there was a phone there which
10 they used, even though there was a phone on the desk, which I didn't
11 understand, but apparently there was some reason for that. So
12 every time Mr. Rice got up to answer the phone or to use the phone, I
13 noticed his hand would do this, and I would either hear a whirring, a
14 mechanical sound like a tape recorder or something. It may have

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1 *been audiotaped.*

2 *At the end of the interview, when I was leaving, Mr. Rice*
3 *asked the FBI agent who had been coming and going more or less, do*
4 *you have the film and is the plane ready, and they were leaving. I*
5 *thought they were going to Washington because the FBI agent had*
6 *been introduced to me as being from Washington, but, no, Mr. Rice*
7 *said they were going to Dallas. So presumably they were flying that*
8 *night or immediately, and they all -- and he put his hat on and they*
9 *were ready to leave, and they were showing me out. Mr. Rice*
10 *showed me out the door.*

11 *CHAIRMAN TUNHEIM: So what you are seeking is any*
12 *kind of record of this interview and note that you passed?*

13 *MS. EDISEN: Yes. What I am seeking and I have sought*
14 *for about four times since 1975, my most recent request went in this*

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1 summer, the interview of November 24th, 1963, there should be
2 some record of it. Even if they thought I was completely out of my
3 mind, there should be some record of it somewhere, either in Secret
4 Service or in the FBI office. The FBI agent made a call to someone
5 very important to him asking that Mr. Rivera be interrogated while I
6 was there.

7 In 1975, I consulted Mr. Jack Peebles, an attorney in
8 private practice in New Orleans. He advised me to write under
9 Freedom of Information Act to the FBI and to the CIA because we
10 sort of -- I sort of thought Rivera had some link to CIA. They had
11 nothing.

12 Mr. Peebles then wrote on August 28, 1975, to Mr. Frank
13 Church, Senator Frank Church. Senator Church answered but it was
14 a rather perfunctory thank you, we will use the information that
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1 your client has. Mr. Peebles did not, and I will give you a copy of his
2 letter, did not refer to me by identity, by name, because he was
3 trying to protect me. But he said that my client, I, would be willing
4 to send them a tape recording or any materials they wanted as long
5 as my identity would be protected.

6 CHAIRMAN TUNHEIM: So let me just clarify here, so we
7 understand it, it is any kind of record of this interview?

8 MS. EDISEN: Right.

9 CHAIRMAN TUNHEIM: And possibly the note that you
10 passed to them, the note that you had written?

11 MS. EDISEN: The note which I gave to the FBI agent. I
12 am sorry I didn't make that clear.

13 CHAIRMAN TUNHEIM: I was just clarifying for the
14 Board.

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1 Do any Board members have any questions for Ms. Edisen?

2 Go ahead, Dr. Graff.

3 DR. GRAFF: Dr. Edisen, have you had any
4 correspondence with Dr. Rivera since you had his hospitality in
5 Washington?

6 MS. EDISEN: I received a letter in early 1964,
7 remember I was a post-doc at LSU, from Elizabeth Hartman who
8 was Chief of the Training Branch and Awards Section asking me to
9 submit a progress report or summary of my activities as a
10 post-doc -- this is typical -- which I sent to her. And I received a
11 form letter, and I have a copy of that with me, a form letter with
12 Jose Rivera's signature on it as Executive Secretary of the Training
13 Branch and Awards Section thanking me for this progress report.

14 DR. GRAFF: But you had no other correspondence, you

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1 weren't in touch with him to thank him for what he had done for
2 you?

3 MS. EDISEN: No. I did see him -- let me tell you this
4 much -- in September, right after Labor Day, a couple of days after
5 Labor Day. I was at LSU talking to a neurology --

6 DR. GRAFF: What year are we in now?

7 MS. EDISEN: 1963, I am sorry, 1963, September, after
8 Labor Day, speaking with Dr. Greg Harris in the hallway going for a
9 drink of water. I looked down the hall and Rivera had just gotten
10 off the elevator and, of course, I watched him, and he didn't see me.
11 He had very thick glasses. He may not have seen at long distance.
12 But when he was about eight or ten feet away, he noticed me and he
13 halted and he almost stumbled stepping backwards. He looked as if
14 he had seen a ghost, and then he walked on. He recovered by saying,

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1 I have to go see Fred Brazda, his friend in the biochemistry.

2 When you read my document, you will see what
3 happened.

4 CHAIRMAN TUNHEIM: Any further questions?

5 MR. MARWELL: Dr. Edisen, what is the current status of
6 your FOIA request, your Freedom of Information Act request?

7 MS. EDISEN: I will tell you. I wrote, it was in June,
8 yes, in June. I can tell you one more thing. In 1984, I met an FBI
9 agent in San Antonio. I will give you his name in confidence because
10 I don't want him in, you know, but he listened to -- he knew about
11 this, and he suggested that I write a brief summary of my
12 experiences. I wrote I think a seven-page summary. He submitted
13 it with a covering letter to Headquarters. I wrote about a year or so
14 later to the FBI again with a request for Freedom of Information Act

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1 any files on me and so on, and they replied they had nothing. We
2 know they had something. So this is my concern. Why aren't these
3 files available to me?

4 I also request from this Board that they examine any
5 records pertaining to Jose Rivera, Colonel Rivera of the Army, and
6 what his role was in all of this. I know something about him, that he
7 has spent some time in Japan, for example, he told me that, and
8 may have been there at the time Oswald was there. He knew
9 Oswald somehow.

10 CHAIRMAN TUNHEIM: Thank you very much, Dr.
11 Edisen.

12 MS. EDISEN: Thank you.

13 CHAIRMAN TUNHEIM: We appreciate you sharing your
14 information with us today.

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1 MS. EDISEN: Thank you very much.

2 MR. MARWELL: The next witness will be Gary Mack.

3 CHAIRMAN TUNHEIM: Good morning, Mr. Mack.

4 MR. MACK: Good morning.

5 I trust you have a copy of the letter that I sent. The
6 areas that I have worked on since the mid-1970s are primarily
7 media and photographs, and I have run across some things that I
8 have yet to find answers for, and I listed some of them here.

9 The first one I want to ask you about and urge you to
10 poke around as much as you can, recordings of the Secret Service
11 radio channels in the motorcade. There were at least two, perhaps
12 three. There is a reference, and I am sorry I don't recall exactly
13 where, but there is a reference that the Dallas Police broadcasts were
14 also monitored by the Secret Service. They had a center set up at
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1 the Adolphus Hotel. It was then fed back to Air Force One out at
2 Love Field and then monitored back in Washington.

3 Those recordings have never surfaced. There is an
4 indication in the testimony from one of the Secret Service agents in
5 the Kennedy car that he had referred to a transcript. Well, a
6 transcript tells me that there must have been a recording somewhere.

7 So I would urge you to check with the Signal Corps or its successor
8 agency or agencies to find out what happened to those transcripts
9 and recordings.

10 One of the reasons I suggest that is, the agent in question,
11 Agent Kellerman, testified that he had his microphone on when the
12 final shot or shots were fired. It would be theoretically another
13 recording of at least part of the shooting.

14 Number two on my list first came to my attention in

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1 Mark Lane's book *Rush To Judgment* in the mid-'60s where he
2 quoted Joe Long of KLIF radio, one of the most popular stations in
3 Dallas at that time, and Joe said that the Secret Service confiscated
4 some of their recordings and never returned them. I have confirmed
5 that with several personnel at other stations that recall in the weeks
6 immediately following the assassination numerous visits by Secret
7 Service agents who asked for specific things, and in those days the
8 material, films, audiotapes and videotapes were turned over without
9 receipts, and the recollection of the people in charge is that not
10 everything they loaned to the Secret Service was returned. To my
11 knowledge, there is no specific listing of material, and I think that
12 should be pursued.

13 When a film of Robert Oswald meeting with his brother
14 Lee Harvey Oswald in custody is known to have been shot and has

1 never surfaced that concerns me. There is no indication that it was
2 a sound film, but the fact that a film like that could vanish is very
3 troubling to me.

4 Number three on the list, attempts to conduct photo
5 enhancements and blowups of one or more amateur photographs shot
6 by witness Mary Moorman, despite some of the accounts that have
7 appeared in print, at the end of the day Mary Moorman went home
8 with her photographs. They were not confiscated from her, but they
9 were borrowed while she was being questioned the day of the
10 assassination.

11 In the following months, she loaned the picture to the FBI
12 at least four times. She retained signed receipts for those. She did
13 get a letter to appear before the Warren Commission. She asked for
14 a delay. She had twisted her ankle and could barely walk, and the

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1 Warren Commission indicated that they would recontact her and she
2 never heard from them again. So that is the only reason she did not
3 testify.

4 But she did loan her picture to the FBI and they had told
5 her it was for the Warren Commission and for their investigation.

6 There is nothing in the record that indicates that the FBI or Warren
7 Commission ever did anything with her picture of the assassination.

8 It is the only one known to exist that shows the Grassy Knoll at the
9 time of the head shot, and it is astounding to me that a photograph
10 like that could exist, was known to exist within minutes of the
11 assassination, and yet there is no official interest in that photograph
12 as far as the available documentation shows.

13 We do have reports of other films and photographs that
14 drew some interest right away, but not this one, and her recollection

1 is, and it is support by a friend of hers named Jean Hill, their
2 recollection is that at some point in the days or weeks following, they
3 were exhibited a giant blowup of one of the other pictures she took in
4 the sequence, and this picture was of the School Book Depository
5 moments before the assassination, and they were looking at windows
6 and trying to see if there were any figures in the windows. Their
7 memory is that they never did see anything, but that tells me that
8 there was official interest, at least, on the part of the Secret Service,
9 that they did some work on one or more of those pictures, and the
10 record is blank. I know of no such documentation and it must be
11 somewhere.

12 Number four, Secret Service or FBI efforts to locate Cap
13 Field who may have photographed the assassination. That name
14 came from a document that was released in the late '70s, and I tried

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1 to follow up on that at that time, contacting the college up in
2 Denton, North Texas State University, and we went through records
3 and just could not find any reference to this guy named Cap Field.
4 There is just no way to tell where that trail went, but there is one
5 document indicating that Cap Field may have taken one or more
6 pictures that day.

7 Number five, Army or Signal Corps motion pictures of the
8 JFK autopsy at Bethesda. I am not an expert in this area, but I have
9 been told by a person that was familiar with the Bethesda room that
10 there were mountings for a motion picture camera. It was a
11 teaching institution, at least that room was, and a standard autopsy
12 procedure would certainly include an audio recording of the
13 comments, and I have never seen any reference to either one of those,
14 and I would think that somewhere there have to be some recordings

1 of what exactly was said, and I think pun intended that would
2 certainly be the best evidence about what they observed in
3 Washington.

4 Number six, broadcast recordings of the Dallas Police
5 radio channels. Several radio stations in Dallas at the time did
6 monitor the police broadcasts. Whether they recorded them or not,
7 I have not been able to determine. Without getting into any great
8 detail on the acoustics evidence, it is the belief of Dr. Barger who did
9 the work for the House Assassinations Committee that those
10 Dictabelts in evidence are not the originals, and it is the one mistake
11 he admits to. He says that he has told me and he has told others
12 that when the House Committee showed him those dictabelts they
13 said these are the originals and they did not question that.

14 After the controversy arose, his studies indicated that

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1 they have two hum tones and that tells him that they are not the
2 originals. This was a theory of mine that I followed as closely as
3 possible without being a scientist. Dr. Barger, I believe, is an honest,
4 decent man, and he stands by his work. His basic observation that
5 was ignored by the National Academy of Science study is that the
6 Dallas Police radio system at the time was an FM system.

7 When I called Dr. Louis Alvarez, who was the one on the
8 National Academy of Science panel most involved with this, I asked
9 him, was it an AM system or an FM system? He said, well, it was
10 AM, they were all AM in those days. I said, I am sorry, it was an FM
11 system. It was a relatively new system, how would that affect your
12 findings? He said, Gary, if that is true, we would have to start all
13 over again. He asked me if I could document that, I cannot. The
14 paperwork is gone, but I do know the names and phone numbers of
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1 some of the City of Dallas radio engineers who designed the system
2 and installed it and maintained it.

3 The acoustics issue, despite the difficulties, is far from a
4 dead issue. It needs to be pursued because, as far as I am concerned,
5 while it is great that everybody is releasing documents, and what you
6 are doing has truly great value, at the end of all this work, your
7 documents are going to give us bits and pieces of information, but I
8 just am not convinced that it is going to solve the crime. I don't
9 think it is going to tell us whether there was or was not a conspiracy
10 to kill the President, but the acoustics evidence can certainly do that.

11 The other element about the acoustics evidence is that one
12 area where Warren Commission member David Belin and House
13 Committee Staff Counsel Bob Lakey agree is that the acoustics
14 evidence should be pursued. In other words, the same analysis that

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1 was applied to the Grassy Knoll shot should be applied to the other
2 three shots. If you trace the source of those shots, just like the
3 Grassy Knoll shot, either it is going to lead to that window or it is
4 going to lead to some illogical place, and that would be the way to
5 settle this issue. It would be a real shame if the acoustics thing was
6 just left hanging because it is one of the very few pieces of hard
7 evidence left.

8 Number seven, numerous still photographs of the Oswald
9 emergency work shot by Dr. Carl Dockery. I first learned about
10 Dockery's pictures from Mike Coletto's book *The Oswald File*, and I
11 called Dockery and he confirmed it. His memory was that he had his
12 camera with him. He shot an entire roll of film documenting what
13 the autopsy surgeons or what the doctors were doing. He ran out of
14 film and he borrowed a camera from someone out in the hallway,

1 *apparently a news photographer, and he has something like six or*
2 *seven rolls of film with him. As best Dockery could remember, he*
3 *shot a good 150 photographs.*

4 *I have no idea where those are. He has never seen them.*

5 *They were confiscated by Parkland security and ultimately went to,*
6 *I believe it was C.J. Price, and I made that phone call, either to him*
7 *or one other person, and they claimed they did not recall that. So,*
8 *again, these may be in FBI files. There is an FBI document indicating*
9 *they were aware of this. I don't know that there is anything of any*
10 *significance as far as changing history, but I think it is proper to*
11 *document it, and they are certain there were no other photographs*
12 *taken in the Oswald emergency work.*

13 *Finally, number eight, the numerous confessions in recent*
14 *years by people who claim to have been involved with some aspect of*

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1 the assassination. This has been a very frustrating area for me in
2 that I have spent a lot of time working on legitimate issues in this
3 case, as have many other researchers. Since 1990, I have found that
4 I have spent an awful lot of time trying to correct the historical
5 record with some of these phony stories that are coming out, and
6 without going through a list or maybe I could provide you a list
7 sometime in the future, the most significant story in recent years was
8 Ricky White, the Rosco White story. That story and I could give you
9 a stack of stuff this big, a friend and I have spent hundreds and
10 hundreds of hours on this thing. It is a complete fabrication. It is
11 my personal belief that everybody involved with that story knew it.

12 I will give you an example. A few days after the August
13 6, 1990, news conference, a friend of mine noticed a document in
14 the office of Bud Fensterwald, who was the head of the Assassination
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1 Archives Records Center in Washington. Fensterwald had a report
2 on his desk, an interview that had been conducted by Kevin Walsh
3 with a man named Philip Jordan. Philip Jordan was the mysterious
4 Mr. X who Ricky White kept referring to. Philip Jordan was in a
5 position to know whether that story was true or not, and what he
6 told Kevin Walsh was the story was not true. Yet Fensterwald and
7 others stood by as Ricky White claimed that his father killed Kennedy.

8 It is just absolutely outrageous to me that these kind of things go on.

9 I am not sure there can be legislation to prevent it, but if
10 that is part of your work, I would very, very highly, strongly urge you
11 to come up with some legislation that would provide some criminal
12 penalties for these people who come up with these phony stories.

13 I was on a museum retreat for the past week-and-a-half
14 down in South Texas, and I got a call from one of the Fox stations

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1 with another one. Now we have four gunmen up in the Book
2 Depository. It is just -- it is never ending. These people get
3 attorneys to find out whether they are going to be in trouble so they
4 know exactly what they should or should not say, and it is just
5 mind-boggling.

6 One the one hand, those of us who research this case and
7 who are amateurs, don't have any formal training in this, we tend to
8 think outside the borders, which I think overall is good for this case
9 because we are not locked into a certain way of studying something.
10 But, on the other hand, there are some profiteers and others who like
11 the limelight, and that kind of thing. It is just mind-boggling what
12 is going on in the research community when these stories come out.

13 And those of us who know how to research and know how
14 to look things up and know how to ask questions, when we look into

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1 this and say, you have serious problems with this story, we are then
2 painted as disinformation agents. Some of these people, and I don't
3 wish to cast the research community with such a wide brush, but they
4 want to seek the truth but you had better find the right truth or you
5 are in trouble. Well, I am not locked into those people, and I wanted
6 to at least offer my assistance with some of these phony stories
7 because you will have a lot of work before you, and I would hate to
8 see you get derailed with stuff that leads nowhere.

9 I think I will leave it at that, and I will follow this up with
10 a written.

11 CHAIRMAN TUNHEIM: Thank you, Mr. Mack.

12 Any questions?

13 MR. MARWELL: It would be helpful in your written
14 submission if you give us some details on the issues that you have

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1 mentioned today.

2 MR. MACK: Absolutely. I would be happy to.

3 CHAIRMAN TUNHEIM: Mr. Mack, the reference to Cap
4 Field that you mentioned in your number four, is that in an FBI
5 record that you saw the name?

6 MR. MACK: Yes, it was, and I believe it was in one of the
7 documents that was released along with, and it might be the same
8 one, that came out in late '77/early '78 that identified Charles
9 Bronson as having taken a film of the assassination. That document
10 went to Earl Golds of the Dallas Morning News. Earl found Mr.
11 Bronson, but Cap Field, and my memory is Cap Field is on that list,
12 and that is the only documentation.

13 What I have found living here and talking with people is
14 that there are a lot of people in the Dallas area who, for one reason

1 or another, just would prefer not to come forward. I learned a story
2 just a few weeks ago. A retired Kodak executive remembered that
3 while they were processing Abraham Zapruder's film out in the Dallas
4 office out by Love Field, that a woman had come in, and this was a
5 woman in her late 30s, a brunette, who had taken a picture at the
6 assassination scene, and her picture was the first one out of the
7 processor, and they were working on this because it was quicker to do
8 stills than it was moving film.

9 He didn't catch her name, but he stood next to her while
10 she was explaining her story to some of the Federal investigators who
11 were already there. She was running from Main Street up to Elm
12 Street across the grass, realized she wasn't going to get there close
13 enough, stopped and took a picture. In the foreground were some
14 people standing on the south curb of Elm Street. The Kennedy

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1 limousine was directly behind them, directly behind the limousine was
2 the Book Depository Building. When the picture came out of the
3 processor, the first thing they noticed was the exposure was terrific
4 but the focus was way, way off. It was virtually useless, and she was
5 told that. Well, she apparently went home and whether anyone
6 even got her name or that is unknown.

7 If this story is true, and I have no reason to doubt it, the
8 man -- we sought him out, he did not seek us out, today if we can
9 locate that slide, and this is a color slide, computer enhancement can
10 return it literally to almost the best clarity you could have had at the
11 time. Of course, back in those days nothing like that existed. The
12 Kodak executive's name is Jack Harrison. Jack said they were
13 pushing the technicians very hard to do whatever you can to sharpen
14 this picture and approve it, and they just said, hey, there is nothing
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1 we can do.

2 So here is a woman with a potentially important
3 photograph, a still photograph. What is especially interesting to me
4 is that from the description of her position, what the picture showed,
5 she may very well be the real Babushka Lady.

6 That is an area in the research community that is very
7 controversial at this point, and without going into any great detail, I
8 do not believe that Beverly Oliver is the Babushka Lady, or, let me
9 rephrase that, she certainly could be but the rest of the story is a
10 fabrication. That is my personal belief based on the work I have
11 done.

12 What has happened, though, apparently, is the story from
13 Jack Harrison that this woman existed, she has a photograph that
14 could have some important answers. It is probably sitting in a shoe

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1 box somewhere in her closet and she has no idea, and how do you find
2 a woman like that. How do you get people to come forward.

3 Maybe your work will do that.

4 DR. HALL: Mr. Chairman, I have a question for Mr.
5 Mack.

6 Do you have any knowledge, Mr. Mack, given the time and
7 effort you have put in to this enterprise of any former public officials
8 who took with them materials related to the assassination that are
9 now held in private hands that would otherwise be deemed public
10 documents?

11 MR. MACK: I have to think. It seems to me, yes. I
12 don't know of any original materials, if that is what you are asking.
13 Several police officers kept copies of things, mostly photographs. I
14 don't know of any original material, but I would have to think about

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1 that.

2 DR. HALL: Could I ask, Mr. Chairman, that, Mr. Mack,
3 as part of the statement that you provide to us, if you would speak to
4 that issue, I would be most appreciative.

5 MR. MACK: I would be happy to. That is an interesting
6 thought.

7 DR. NELSON: I think just to clarify your point that we
8 are looking for documents and might miss some of these questions,
9 actually under the statute the term document is very widely
10 interpreted, and it means in some ways information that emerges in
11 whatever form, whatever form of the media, so that, in fact,
12 photographs in this instance would be regarded as proper material.

13 I just thought I would clarify that point because --

14 MR. MACK: One comes to mind. A local photographer

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1 who worked for the NBC affiliate named Jimmy Darnell filmed the
2 loading of the President's casket on to Air Force One. He filmed it
3 from close range, and after he was done, a Dallas Police officer came
4 up to him and said, you shouldn't be doing that, that is sacrilegious,
5 give me your camera. Jimmy had just joined the station and hadn't
6 been in the business very long and he did turn over the camera or
7 gave him the film, and the officer -- Jimmy knew the officer's name
8 and he told me the officer's name, and I don't recall it. It will come
9 to me in a minute.

10 I called him and he had no knowledge of such a film and
11 didn't recall doing that, but was not really surprised, it was not the
12 kind of thing he would be enthusiastic to admit. He said that if he
13 had done that, he would have given it to Chief Curry, which means it
14 would have gone to the FBI, so the TV station filed a Freedom of
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1 Information Request right away and got an answer within like four
2 days that they files do not have any such film.

3 Since there is such controversy, and legitimate
4 controversy, I should add, about the condition of the President's body
5 in Dallas versus the body in Washington, I would doubt very highly
6 there would be anything significant in this film of loading the body
7 onto Air Force One, but you never know, and what else was on that
8 film that has also vanished.

9 It is just one that comes to mind.

10 CHAIRMAN TUNHEIM: Other questions?

11 [No response.]

12 CHAIRMAN TUNHEIM: Thank you, Mr. Mack. We
13 appreciate your testimony.

14 MR. MACK: Thanks.

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1 MR. MARWELL: I understand that Karen Clem is not
2 here today. I would ask Mr. Robert Vernon if he would like to give us
3 a statement at this time.

4 MR. VERNON: Thank you very much, Mr. Marwell. I
5 appreciate it.

6 There was one other gentleman who I don't believe has
7 arrived yet, when you had mentioned to me on the phone yesterday
8 it may be after lunch, I told him to take his time. He is not here, so
9 you will see his name reflected in this transcription.

10 I appreciate the opportunity to appear before you. Mr.
11 Chairman and distinguished members of the Board, my name is
12 Robert G. Vernon. The gentleman who is supposed to be with me
13 now is John R. Stockwell, he is late. I am a television producer, and
14 Mr. Stockwell is a former CIA case officer. He is a noted author and

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1 screenwriter.

2 We are here representing, Truth Truth Truth,
3 Incorporated, which is a nonprofit Texas corporation that was
4 founded in 1989. Since their formation, Truth Truth Truth had
5 conducted a private unbiased investigation into the death of John F.
6 Kennedy. Mr. Stockwell and I were hired in early 1992 to write a
7 produce a television program and book highlighting the findings of
8 Truth Truth Truth. Our findings are scheduled to be released in the
9 immediate future in TV broadcast, home video, CD ROM and book
10 form.

11 The first participant in the JFK assassination discovered
12 by Truth Truth Truth is a male African-American named Q.D. Urdy.
13 Mr. Urdy received immunity from the United States Department of
14 Justice in 1992 in exchange for his testimony. Mr. Urdy testified

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1 that he was ordered by Jack Ruby to acquire high-powered rifles with
2 scopes in the early fall of 1963. Mr. Urdy stated that he then stole
3 three rifles from a ranch in West Texas. The theft of these rifles has
4 been verified by the ranch owners.

5 Retired Dallas Police Officer Tom Tilson testified that he
6 and his daughter observed Jack Ruby and three men dressed in suits,
7 ties and hats taking target practice with rifles at a Dallas-Fort Worth
8 firing range approximately five to seven days prior to the
9 assassination.

10 No other part of Mr. Urdy's lengthy testimony has been
11 substantiated, although he does claim to have further information and
12 knowledge of the events surrounding the assassination, both before
13 and after the fact.

14 The second participant discovered by Truth is male
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1 Caucasian Robert Tosh Plumlee, a CIA pilot. Mr. Plumlee has piloted
2 and co-piloted clandestine CIA flights for over 31 years. He testified
3 before the Church Committee in the 1970s and his CIA escapades
4 have been well chronicled in magazine articles, books and
5 congressional reports.

6 Mr. Plumlee testified before the Senate Foreign Relations
7 Committee on August 2nd, 1990, and again in May of 1991. His
8 testimony under oath has been classified as Top Secret. Senator
9 John Kerry served as Chairman of the Senate Committee, John
10 Wyner, I believe his name is, and Dick McCall, staff aides to Senator
11 Kerry, questioned Mr. Plumlee in relation to the Contra resupply
12 network behind closed doors.

13 Mr. Plumlee testified to the U.S. Senate Committee and to
14 Truth Truth Truth, Incorporated, that on the morning of November

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1 22nd, 1963, he was a co-pilot on a top secret flight supported by
2 the CIA. Mr. Plumlee's flight left Florida on November 21, 1963,
3 and stopped in New Orleans and Houston before heading into Dallas,
4 Texas, during the early morning hours of November 22nd, 1963.

5 Mr. Plumlee testified that Philippe or Philippo Socko, alias
6 John Roselli, a known Mafia/CIA double operative was onboard the
7 plane to Dallas. Mr. Plumlee stated that Mr. Roselli departed the
8 plane at Dallas Garland Airport shortly after 6:30 a.m. on the
9 morning of November 22nd, 1963. Mr. Plumlee testified that he
10 was informed that the flight was an abort mission, and that their
11 assignment was to stop the assassination attempt on Kennedy's life.

12 Mr. Plumlee testified that he was told this by his superior
13 officers, and he has identified those officers. Mr. Plumlee testified
14 that he was present in Dealey Plaza on the South Knoll at the time of
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1 the assassination.

2 In the spring of 1992, the late George West, the founder
3 of Truth Truth Truth received a call from Beaumont, Texas, FBI agent
4 Zack Shelton. Agent Shelton requested an off-the-record meeting
5 with Mr. West at a location between Houston and Beaumont. Agent
6 Shelton and private investigator West also had a second meeting at
7 which a noted Houston criminal attorney, Don Irving, was present.

8 During the course of these meetings, Agent Shelton, a
9 former member of the organized crime task force in Chicago,
10 provided Mr. West and attorney Irving with a lead on James E. Files,
11 alias James E. Sutton, a male Caucasian from Chicago currently
12 incarcerated in the Stateville Correctional Center in Joliet, Illinois.

13 Mr. Files is serving a 50-year term for the attempted
14 murder of two police officers. His FBI rap sheet indicates a life filled

1 with violent crimes. Agent Shelton informed investigator West and
2 attorney Irving that the FBI had previously gathered information
3 from an informant that Mr. Files has knowledge of the events that
4 occurred in Dealey Plaza on November 22nd, 1963.

5 Agent Shelton verified that Mr. Files was an associate and
6 driver/bodyguard for one Charles Nicoletti, a known Mafia hitman
7 from Chicago. Agent Shelton further stated that he had long
8 suspected that Chicago mob members Sam Giancana, Charles Nicoletti
9 and John Roselli were involved in the assassination of John F.
10 Kennedy, but that he had no hard evidence to support his beliefs.

11 On August the 16th and 17th, 1992, after an extensive
12 search to locate the prisoner, investigator West spent several hours
13 each day questioning James E. Files. During the August 17th, 1992,
14 meeting, Mr. Files confessed that he was involved in the JFK
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1 assassination. Mr. Files confessed that he was present in Dealey Plaza
2 and that Charles Nicoletti and John Roselli were also present in
3 Dealey Plaza.

4 Mr. Files further confessed that he had been recruited and
5 worked for the CIA in the early 1960s, later becoming a driver for
6 Charles Nicoletti of the Chicago Mafia.

7 Investigator West died from complications following open
8 heart surgery in February of 1993 after filing a legal action to
9 exhume the body of John F. Kennedy which was filed in the 160th
10 Judicial District in Dallas in the fall of 1992.

11 On May 3rd, 1993, I visited James E. Files for the first
12 time. Present with me was Mr. Barry Adelman, Vice President in
13 charge of Television Development for Dick Clark Productions in
14 Burbank, California. During our hour visit, James E. Files confessed

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1 that he fired the fatal last shot into the right front temple of John F.
2 Kennedy from a firing position located behind the wooden stockade
3 fence on the infamous Grassy Knoll.

4 Mr. Files confessed that he fired a .222 shell at the
5 President and that he left the empty casing on top of the fence. Mr.
6 Files said that he had bitten down on the casing for that was a trait
7 of his. He always placed the spent shells in his mouth after a job, as
8 he called it. Files testified that his teeth marks were in the casing
9 that he left behind in Dealey Plaza.

10 Upon returning to Texas, we contacted a Mr. John
11 Rodamacher, who I might point out is here today, of the Dallas area
12 after we found news clippings about him in the files of Truth Truth
13 Truth, Incorporated.

14 In 1987, Mr. Rodamacher and his stepson were enjoying
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1 a father and son outing when they discovered a .222 casing buried in
2 Dealey Plaza approximately four to six feet in front of the wooden
3 stockade fence. The casing contained dents.

4 Dr. Paul Stimpson of the University of Texas at Houston, a
5 noted forensic odontologist who was recommended to us by the
6 Houston Police Department examined the .222 casing in his lab. Dr.
7 Stimpson issued a written medical legal opinion which states that the
8 dents in the casing are teeth marks.

9 We shared the confession of James E. Files with criminal
10 attorney Don Irving, who agreed to visit Files in an effort to
11 cross-examine Mr. Files to ascertain his validity. In June of 1993,
12 Attorney Irving, a veteran of over 25 years of high profile criminal
13 cases, spent almost seven hours with James E. Files at the Joliet
14 Prison. Mr. Irving reported that he found no inconsistencies in Mr.

1 Files confession.

2 Mr. Irving issued a 17-page memo on his
3 cross-examination of James E. Files and that memo has been included
4 in your information packet for your confidential review.

5 Following his visit with Mr. Files, Attorney Irving
6 negotiated a deal with the FBI, the United States Department of
7 Justice, to provide Mr. Files with immunity in order that his
8 testimony could be heard by a special grand jury that was to be called
9 following a nonofficial visit with Mr. Files at which Attorney Irving
10 and the FBI were to be present.

11 On August 3rd, 1993, Attorney Irving informed us that
12 he had received word that the United States Attorney in Chicago had
13 reviewed and approved the immunity agreement for James E. Files.
14 Mr. Irving further stated that the government was to fly him and an
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1 FBI agent to the prison for the nonofficial visit with Mr. Files.

2 On August 9th, 1993, two Chicago FBI agents made an
3 unannounced visit to Mr. Files without the knowledge or consent of
4 Attorney Irving or the prison. Mr. Files informed Attorney Irving
5 that he was asked to agree that Lee Harvey Oswald was the lone
6 assassin of John F. Kennedy.

7 Shortly there after, Beaumont Agent Shelton was
8 threatened with the loss of his FBI job and government pension. This
9 fact was verified by both Attorney Irving and newly elected Texas
10 District Judge Charles Carver of Beaumont, Texas. Agent Shelton
11 has failed to respond to our numerous phone calls and the FBI has
12 twice refused to allow me to interview Agent Shelton on camera.

13 Following the discovery of James E. Files, Truth Truth
14 Truth, Incorporated, and Dick Clark Productions entered into a
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1 production agreement for a special two-hour television program.

2 Our program was sold to a major USA television network and was
3 scheduled to be broadcast on May 18th, 1994. Approximately three
4 weeks before the broadcast, a conservative conspiracy researcher
5 author who has made a full career out of denying any CIA
6 involvement in the JFK assassination and who blames the
7 assassination fully on the KGB and Oswald vigorously challenged the
8 project, and the program was placed on hold by the network.

9 It is the intent of Truth Truth Truth, Incorporated, to
10 provide the Assassination Records Review Board with a complete and
11 accurate accounting of the entire investigation. The accounting will
12 include all evidence we have gathered. We would like to call your
13 special attention to the medical legal report issued by Dr. Randolph
14 Robertson a noted radiologist from Nashville, Tennessee, it is included

1 in your packet in full with Dr. Robertson's permission.

2 Dr. Robertson was granted rare access to the autopsy
3 X-rays and photos of JFK which are in the National Archives in
4 Washington, D.C. During his examination of the skull pictures and
5 X-rays of the President, Dr. Robertson discovered a second bullet
6 wound in the skull. Dr. Robertson's medical legal opinion states that
7 at least one more assassin of President Kennedy remains to be
8 identified.

9 Dr. Robertson further states that the second wound in the
10 skull is consistent with a shot fired from the right front Grassy Knoll
11 area.

12 We ask that the Board review our evidence and Dr.
13 Robertson's report, investigate our findings and release your official
14 opinion of our findings in your final report to the President of the

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1 United States and the American public at the end of your term as is
2 designated in your mandate through which your Board was formed.

3 In closing, we ask that you consider recommending to the
4 President and to the American people that a special grand jury be
5 called to hear the testimony of Q.D. Urdy and Robert Tosh Plumlee
6 and most certainly James E. Files. This was the original plan as per
7 the understanding between Truth Truth Truth, Incorporated,
8 Attorney Don Irving, and the United States Department of Justice
9 according to Attorney Irving.

10 I thank you, and I would be happy to answer any
11 questions that you might have.

12 CHAIRMAN TUNHEIM: Thank you, Mr. Vernon.

13 Questions?

14 [No response.]
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1 CHAIRMAN TUNHEIM: We appreciate all the materials
2 that you have provided.

3 MR. VERNON: It is rather lengthy and there is quite a
4 bit more, and anything else you would like to see, have Mr. Marwell
5 contact me. There is also quite a bit of video that I think you would
6 be extremely interested in.

7 DR. HALL: Mr. Vernon, in the course of carrying out
8 production and investigation here have you come across or has your
9 attention been brought to any records created by any public officials
10 that are held in the hands of those officials that would otherwise be
11 considered to the public documents?

12 MR. VERNON: There are quite a few records that we
13 would be happy to give you, our copies. Some of ours are copies,
14 some of ours are originals. I was glad to see the gentleman from

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1 the -- I believe it was Texas Tech earlier with the Waggoner Carr
2 stuff. We had access to some of that earlier Waggoner Carr stuff,
3 and that was very interesting. We would be glad to give you what
4 we have there, and there are lots of transcriptions and there are
5 several other documents. I don't know which you are aware of, but
6 we will be glad to give you them, sir.

7 DR. HALL: Thank you.

8 MR. VERNON: Thank you, sir.

9 CHAIRMAN TUNHEIM: Thank you, Mr. Vernon, we
10 appreciate your being here today.

11 MR. MARWELL: Mr. Thomas Wilson, please.

12 MR. WILSON: First, I would like to thank the Board for
13 allowing me to come here and make my presentation to you. I am a
14 private citizen, an American citizen, and that is what dictated that I

1 be here today. I have a business which is consulting with image
2 processing, with computer analysis. I am also qualified in Federal
3 Court as an expert in the flow of material as related to entrance and
4 exit wounds in a cadaver from images. I have worked on several
5 cases involving a murder trial, civil suit, and so forth. My findings
6 have resulted in the exhumation of a cadaver to prove that the data
7 was real and verifiable. The cadaver was exhumed, and it was
8 verifiable.

9 The thing that I would like to present to the Board today,
10 and I do not mean to demean any agency, that is not my task, but
11 this is the real world. I have worked for many large corporations,
12 sometimes the left hand doesn't know what the right hand is doing,
13 and I would just like to briefly go through my attempts to get articles
14 from the Archives.

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1 In 1991, I visited the Archives and looked at some of the
2 material. I asked for a request for authenticity on several things,
3 and I will just go through a few articles here. On July 2nd, 1991, I
4 wrote to the National Archives and Records Administration. After
5 conferring with people there, and during my visit to the Archives in
6 June, I viewed two three-quarter inch beta films that were the
7 Zapruder, Nix and Muchmore films. During my viewing, I requested
8 an established authenticity of where these films came from, where
9 they were copied, who copied them, and the process in which they
10 were copied.

11 In July 1991, I received a letter from the Archives, and if
12 the Board desires I can have this copied and sent to you at some date:

13 In reply to your letter of July 2nd, we are unable to answer
14 completely all of the questions you posed for us concerning the
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1 administrative history and handling of the originals and various
2 copies.

3 It goes on and it discusses the three-quarter inch copies:
4 This copy of the Zapruder film was received as part of the files of the
5 1978 House Assassination Committee. It is a 16 millimeter
6 enhanced color copy.

7 Now I have to tell you, I just hate the word "enhanced"
8 because enhanced means that somebody has changed something for
9 the human eye, and the human eye just is not good enough to present
10 evidence in a murder case. So here we have enhanced things being
11 used as evidence for the Warren Commission, for the House
12 Assassination Committee, and these people are trying to make an
13 honest determination based on a false image.

14 So they said in their other holdings they have the original

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1 8 millimeter film held as a courtesy and so forth, and so on.

2 The final paragraph says: You must realize that while we
3 can trace the providence and our continuous possession of these
4 materials since they arrived in our custody, we cannot after these
5 many years provide names, dates, types of equipment, or copying
6 processes. Well, these are the images of the assassination of our
7 President. This boggles my mind.

8 On May 8, 1992, I sent a request in. I have a request
9 under the Freedom of Information Act. FBI photography expert
10 Lyndal Shaneyfelt to examine the photograph Exhibits 133-A and
11 133-B. My request is for information on the photograph of a
12 person, head removed from the photograph, holding the rifle and
13 simulating the pose in Exhibit 133-A. I asked for a copy of the
14 photograph, name of the person holding the rifle, the title of the

1 person taking the photograph, the type of camera, the film used, the
2 department that developed it. The exact location where the
3 photograph was taken with a reference to north, south, east and
4 west.

5 The reason that I asked this is I have analyzed the
6 so-called "Lee Harvey Oswald backyard photograph" and have been
7 able to establish the time of day that that photograph was taken
8 through various means, and there is a little -- getting that
9 information.

10 But the interesting part about it is that the FBI
11 reenactment has several qualities within that reenactment that are
12 also in the Lee Harvey Oswald backyard photograph, and this should
13 definitely be explored because there are photographic image anomalies
14 present in both. That was in May 8th, 1992.

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1 The National Archives wrote me back on May 26th.

2 They were very responsive. I thought, oh, boy, this is it. Here is
3 what they said: This is in response to your letter, a Freedom of
4 Information Act about the assassination, we can provide a
5 photographic print of the Commission Exhibit that you specified at a
6 cost of \$6.25. Very efficient, it got me exactly what I wanted.

7 This is the photograph that I am referring to. Now
8 comes the Catch-22. I wrote to the Director of FBI on June 5th,
9 1992. I said: Gentlemen, I have a request under the Freedom of
10 Information Act. I talked about Mr. Shaneyfelt's analyses. As far as
11 I can tell, and I have his deposition, this is the one gentleman who did
12 the best he could to analyze the information that he had and
13 determine the shots and so forth, and the fake or not fake
14 photographs.

1 I asked the same questions of the FBI. On August 22nd,
2 1992, I got a letter back. This is in reference to your request -- this
3 is astounding to me, and I think the Board should certainly look into
4 this matter -- efforts were made by FOIA personnel who are familiar
5 with the JFK assassination documents and they have been unsuccessful
6 in locating the photograph, the one I just showed you. The FBI does
7 not have the personnel resources available to conduct the research
8 necessary to locate the photograph you described. The records we
9 currently have processed under the provisions of FOIA are 202,134
10 pages. If you would please enclose a check for \$20,203.40, we will
11 send this information to you.

12 Now honest researchers trying to get information, and I
13 have worked for some big companies, believe me, I can see what
14 happened. Well, I didn't have the \$20,000 or I think I would have

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1 sent it just to see what happened.

2 Okay, so then I wrote to the Director of FBI on June 5th,
3 1992, and I asked them -- I told them where I found the Shaneyfelt
4 exhibit. I told them they could have it in file so-and-so for \$6.52. I
5 wasn't being facetious. I was trying to make a point that I am
6 desperate for evidence. No reply.

7 Then in January 8th, 1993, I wrote a letter to Mr.
8 O'Brien, at the FBI -- Chief of the FOI Section, excuse me, and the
9 purpose of the letter is to inquire into the status of my request that I
10 just mentioned. So months have gone by. I would like to take this
11 opportunity to again request your assistance on Item H since Mr.
12 Shaneyfelt did the analysis on the Oswald backyard photograph and
13 the rifle, your Department must have a file under his name. I am
14 only interested in the FBI files containing his analyses, techniques,

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1 data and testimony on the photograph and the rifle.

2 I got a letter back saying that there are 84 pages of
3 documents they will send me at no charge because someone else had
4 asked this first and they had it. So I get the impression that the
5 only reason I got 84 pages is because I am number two. If were
6 number one, I would not have gotten this. And this was free of
7 charge, including transportation.

8 So I am starting to wonder, I realize our government is
9 trying to help, but this is getting to be a little bit ridiculous. They
10 also sent an explanation of the exemptions, and there are many
11 exemptions. One of the exemptions is listed, in the interest of
12 national defense, and would disclose techniques and procedures for
13 law enforcement investigations or prosecutions or would disclose
14 guidelines for law enforcement investigations.

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1 In August of 1993 I got another letter saying that they
2 are sending me the 16 photographs, but I never really got the data.
3 That brings me up-to-date with why I am really here.

4 First off, I feel that it is absolutely necessary for me to see
5 the analyses by the FBI of the photographs that they have in question
6 on this assassination. I feel that it is absolutely necessary for me to
7 go into the Archives and look at the autopsy photos. I have a request
8 in to Mr. Burke Marshall for eight months, and I don't want to
9 embarrass Mr. Burke Marshall but he got back to me recently and he
10 right now is looking into the possibility of letting me go into the
11 Archives to look at the autopsy photographs.

12 If the information contained in the FBI analyses is
13 security-wise, then I would ask for a security clearance as a United
14 States citizen to look at this material, because what has happened is,

1 for the first five years of looking into this situation, and I was drawn
2 into this completely by accident -- I am not a research buff, I am an
3 engineer. I work with the facts, I don't have a theory. Since the
4 25th anniversary I have found out several things.

5 For instance, Mr. Mack was talking about the Mary
6 Moorman photo. I can verify absolutely with hard scientific data
7 that there is a shooter up there on the Knoll, no question about it.
8 Mr. Mack and Mr. White are the fathers of that finding and I will
9 verify that.

10 But in the last years, when I tried to bring this to the
11 public's attention, I decided, you know, you can go and you can prove
12 that Mr. Oswald did this, he didn't do this, all these theories, I am
13 going to concentrate on one thing, the head wound. That is all I am
14 going to talk about, and I want to tell you what I have and what I

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1 would like to do about giving this evidence up.

2 I have chain of evidence photographs that were held by
3 private citizens since their inception. They have been signed and
4 dated. Everyone that has touched these photographs is a part of the
5 chain of evidence. This chain of evidence brings out three things that
6 I am going to bring to the State of Texas because Mr. Kennedy, our
7 President, was murdered in Texas. Lee Harvey Oswald was here in
8 Texas. Harvey Oswald was arraigned for the murder of the
9 President. As I understand, now I have never seen an official
10 document, but I have certainly read a lot, he was arraigned for
11 murder in Texas.

12 Now I am going to bring hard scientific proof, chain of
13 evidence photographs, data of everything I have done, all of the
14 protocol that I have used which can be reproduced by any agency of
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1 the government anywhere, and I am going to bring that in the next
2 few months. It is going to prove three things positively.

3 Number one, Lee Harvey Oswald did not fire the shot that
4 hit President Kennedy in the head. If the shot that hit President
5 Kennedy in the head is the fatal shot, then there is a still a murderer
6 on the loose.

7 I am going to prove the direction that the missile came
8 into his head, and the damage that was done within the head from
9 these images as chain of evidence, and I am going to prove what
10 happened to the missile when it struck President in the right front
11 forehead.

12 Now, there are three things that I would please request
13 the Board to do. Number one, these documents are in various
14 places, so if something happens to Tom Wilson I want to assure you

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1 that this will go forward, and I am not joking.

2 Number two, I want to let you know that when this
3 evidence is brought forth in Dallas, and there are some people that
4 are going to make the arrangements for me, I would offer the Board,
5 any government agency, to participate in this, and I would
6 particularly like you to take my message back to the Senators from
7 my State, Senator Specter, Senator Walford and Rick Santorum who
8 is going to be the next Senator. I can't speak for Marina Porter,
9 Marina Oswald Porter, but I want to tell you that this woman had
10 the right to know did her husband or did her husband not fire the
11 fatal shot. I don't know anything else about Mr. Oswald, so I am
12 going to request that she get in touch with her Senator from Texas,
13 and when this evidence is submitted it will all be done in a public
14 forum.

1 If there is anything I can help you, the Board Members, or
2 anything between now and when this is submitted, I will be very
3 happy to do so, but I have the proof, I have it documented, it can be
4 verified, and it is not a theory.

5 CHAIRMAN TUNHEIM: Thank you, Mr. Wilson.

6 Questions?

7 DR. HALL: Yes, I have a question. What is the status of
8 your FOIA request now?

9 MR. WILSON: As of right now, I have not gotten
10 anything from the FBI about seeing Mr. Shaneyfelt's files. I even
11 telephoned down there. They were very cooperative, don't
12 misunderstand me, but I said, is Mr. Shaneyfelt still alive, because you
13 know we are all getting gray hair, we are going over the hill here, but
14 I said I can even have an interview with him. I really want to

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1 see -- I have to say to you that after 30 years of working with this,
2 working on everything in the industrial to tremendous forensic work,
3 the things that I see in his analysis, I don't follow him, but that was
4 30 years ago, and it is wrong, it is flawed, and they will not let me
5 have access to that file. I have it on appeal.

6 DR. HALL: What I think would be very helpful to us is if
7 you could provide us a list of the FOIA requests you have made and
8 the status of those requests as you understand them at the moment,
9 including, of course, to whom they were directed.

10 MR. WILSON: Okay. Should I send it to the same
11 address that I sent my initial letter?

12 DR. HALL: Dr. Marwell will do the job for you.

13 MR. WILSON: I will do that when I get back home
14 shortly.

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1 DR. NELSON: I would like to add, Mr. Wilson, that our
2 statute does not have the same exemptions as Freedom of Information
3 Act. It has more exemptions than our statute does. You might
4 want to compare the two of them when you start looking for
5 exemptions, or postponement in this case.

6 MR. WILSON: How do I get a copy of this?

7 DR. NELSON: It should be in any library that has
8 government documents. Mr. Marwell can provide you with that.

9 MR. WILSON: If you would send it to me, I would
10 appreciate it, yes.

11 DR. NELSON: That is a difference in what will be
12 postponed. There is a difference between being exempt, being totally
13 exempted and postponed also. Under our statute we postpone.

14 MR. WILSON: I realize that your task here also was to

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1 locate these images, okay, and rightfully so, but you understand these
2 images cannot be given up until they have been presented as a chain
3 of evidence in a murder trial, but believe me they are all documented
4 and verifiable.

5 CHAIRMAN TUNHEIM: We will look forward to that.

6 MR. MARWELL: These images that you described, have
7 they been seen by anyone else?

8 MR. WILSON: They have been seen by the person that
9 owns them, and they have been by Dr. Sillwyck.

10 MR. MARWELL: But they are previously unknown to the
11 general public?

12 MR. WILSON: Let's say this, they are all known. All
13 these photographs are nothing that hasn't been available through
14 whatever, but these are chain of evidence photographs.

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1 See in the House Committee, when they had the X-rays
2 enhanced for the Assassination Committee, I have a copy of the
3 frontal X-ray and I can see the terminology down there, and
4 immediately I know how this X-ray was -- I will use the word
5 "enhanced." Believe me, you don't ever want to use enhanced in this
6 type of thing. I can see where they have done -- and I am not
7 bringing in the technical jargon -- but they have done things to
8 average data and when you average data you don't have the right
9 thing. So I would like to see the 1978 House Committee, how are
10 they going to analyze it? I understand they hired private firms. If
11 this is really -- I can't believe that what I am doing now, and I am
12 sure I am up to the government's status here as far as technology,
13 maybe a little bit ahead. I just came from Comdex where Norgate
14 has talked about some things in the future that I have done in the
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1 past couple of years.

2 But if I could get to see how the House Committee
3 analyzed those X-rays, if it is detrimental to our country, I would go
4 for a secret clearance, and I would not divulge it, but I have to see it.
5 I cannot rest until I see this.

6 MR. MARWELL: Could you just give us an idea of what
7 you mean by chain of evidence?

8 MR. WILSON: Yes. In any trial, if you have a piece of
9 evidence, let's say I got shot, and this is my coat and I have a hole in
10 it. Well, if somebody takes this coat, they put it in a bag and they
11 sign, I received this coat, so forth and so on, and date it and sign it.
12 Now forensics wants to look at this hole and see where the hole came
13 in or out, so they take this coat and they give it to John Smith.
14 John Smith signs it and dates it, so that everywhere that here this

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1 piece of evidence has been, it knows exactly who had it and when
2 they had it and where they had it.

3 These photographs have never left the chain of evidence,
4 and I must say that these photographs have been shown throughout
5 the world for 30 years, everybody has looked at them, and they
6 never saw what is in them. Our eyes just aren't good enough.

7 CHAIRMAN TUNHEIM: Thank you, Mr. Wilson.

8 MR. MARWELL: The next witness will be Mr. Wallace
9 Milam.

10 CHAIRMAN TUNHEIM: Let me just add, some members
11 of the audience have had trouble hearing some of the witnesses. I
12 would ask the witnesses to speak directly into the microphone, and if
13 others wish to have conversations during our hearing perhaps they
14 could go out into the hallway.

15

1 Thank you.

2 Go ahead, Mr. Milam.

3 MR. MILAM: Thank you, Mr. Tunheim and members of
4 the Review Board. I appreciate the opportunity to appear here. My
5 name is Wallace Milam. I am an American History teacher in
6 Dyersburg, Tennessee. I have been a Kennedy assassination
7 researcher for the past 25 years, particularly interested in the
8 medical evidence.

9 I want to call your attention to some documents in the
10 medical area which may have fallen or are in danger of falling
11 through the cracks, you might say. I think none of these are
12 particularly esoteric, and they should fall within the ability of this
13 committee to recover.

14 First is a referred House Assassinations Committee
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1 document -- yes, let me add also that we became aware of the
2 inconsistencies or absences of the complete record here with the
3 recent releases from the National Archives. A six-page letter from
4 Dr. Pierre Finck to House Select Committee counsel Andy Purdy.
5 This six-page document dated the 26th of February 1978 shows that
6 this document was withheld by authority of the CIA. This document,
7 according to its indexing, contains references to such topics as William
8 Harvey, to organized crime, to anti-Castro activities and to Jack
9 Ruby.

10 As a person interested in the medical evidence I was
11 particularly interested and struck by the fact that this was a
12 reference made by one of Kennedy's pathologists, and I wondered
13 what it was that Dr. Finck had to say in a letter to Committee
14 counsel before he came to Washington to testify about such

1 nonmedical matters, and these pages have been withheld, and I would
2 request that they not be withheld. I would request that they not be
3 withheld, that they be removed, their status as referred should
4 certainly be removed.

5 I had occasion to meet Andy Purdy last month in
6 Washington, and I called his attention to this. His statement was
7 that he was not aware that these were referred, but he was not able
8 to tell us what the content was at that time.

9 The second item also involves Dr. Finck. Incidentally, I
10 brought, I am afraid, a single copy of each of these which I will give
11 the Committee including their background. There is an incomplete
12 House Select Committee on Assassinations document relating to Dr.
13 Finck's second appearance before the medical panel. On March 11,
14 1978, Dr. Finck testified along with Dr. James Ebersole, gave his

1 testimony to what has been called the House Assassinations
2 Committee's pathology panel. It was quite a stormy session. We
3 have a transcript of that.

4 Then in a remarkable occurrence, Dr. Finck asked to
5 appear again the next day, even though it was a Sunday, and in his
6 reinterview, Dr. Finck was again at odds with panel members about
7 the location of a key wound.

8 On page 12 of this second appearance in mid-sentence
9 there is a large question mark and the remainder of the transcript is
10 missing. There is a note on the coversheet which simply states that
11 "ends abruptly, final page missing" and notes the box in the archives
12 from which this document was apparently taken.

13 We know that this was transcribed because we have a
14 verbatim transcript of these early pages. Now there is some evidence

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1 that this hearing, this requested hearing by Dr. Finck went on for
2 nearly two hours, and I believe that we have a total of 12 pages.

3 There must have been a great deal more. Certainly when this was
4 transcribed, those who transcribed it were aware of the fact that
5 there was an inconsistency here, that it ended abruptly. I think this
6 should certainly be looked into.

7 The third item that I would call your attention to is
8 another document regarding a taped interview with Mr. Thomas
9 Robinson of Gawler's Funeral Home. Mr. Robinson particularly did
10 the reconstructive work on the head of President Kennedy after the
11 autopsy was completed. This also was taped. We have a transcript.

12 There has been, as I am sure some of you are aware of, many people
13 in this room are aware of, there has been a great deal of controversy
14 about the method and the manner by which President Kennedy's
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1 body moved after he was shot.

2 At one point in the transcript, Mr. Purdy asked Mr.
3 Robinson if there is anything he would like to add to the record, or
4 actually his quote was that he had heard or read some things which
5 struck you as incorrect, what would those things be?

6 The record taken from the tape is as follows: The time
7 the people moved (autopsy) the body was taken -- deleted
8 deleted -- the body never came, lots of little things like that.

9 The next question by Mr. Purdy says essentially, thank you
10 and we will move on to another area.

11 Now, first of all, I don't know how people speak in
12 parentheses. The word "autopsy" is in parentheses, obviously inserted
13 by someone else. That tape should exist also, and obviously the tape
14 doesn't end there, there is more.

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1 We made a request during an effort this summer to
2 acquire the tapes, which we were promised would be available. We
3 have not been able to acquire that tape.

4 Another item also involves a tape, and in this case it
5 involves Mr. Samuel Bird. Mr. Bird was the head of the casket team
6 which managed and was in charge of carrying the casket and
7 ceremonial details during that weekend. Mr. Bird is known to have
8 recorded a tape soon after. We have that not only from the House
9 Assassinations Committee verified that fact, but were also told by a
10 Mr. Richard Lipsey who told the House Assassinations Committee that
11 he was aware of Samuel Bird's taped recording.

12 An effort was made in 1978, and I will submit the
13 documentation, Mr. Bird was contacted in Wichita, Kansas, and a
14 notation was made from the outside contact report, "Bird said that
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1 he would review the tape over the weekend and then I could call him
2 on Tuesday, February 21, 1978, and see what the tape contained."

3 There is evidence that the tape was acquired.

4 It is a contemporaneous document. Bird recorded this
5 within a week of having performed these activities as part of the
6 weekend. I would urge the committee to acquire that tape.

7 Finally, something which I did not note. I have noted in
8 writing to Mr. Tunheim and, I believe, members of the committee
9 before, we in the research community were somewhat surprised a few
10 years ago, just a short time ago, in the publication of historian
11 Michael Beschlasch's book, *The Crises Years*, in that he references the
12 fact that he interviewed Richard Helms of the CIA, and Helms told
13 him that President Johnson was not satisfied with the Warren Report
14 or wanted further investigation done, and that late in 1964 he asked

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1 the CIA to conduct its in-house investigation. That among the things
2 which were done was the acquisition of a copy of the Zapruder film
3 and the autopsy materials, which were then analyzed.

4 Now there is some evidence that the CIA did acquire a
5 copy of the Zapruder film. Researchers are aware of the fact that
6 the FBI wrote to the Warren Commission saying that CIA had asked
7 to acquire a copy of the film "for training purposes," and it occurred
8 to many of us that this may have been the ruse by which the CIA
9 obtained a copy to conduct its in-house investigation.

10 On another aspect of that, if, indeed, the CIA acquired the
11 autopsy materials in late 1964, it would mean that the CIA had
12 access to the autopsy materials fully two years before any other
13 government agency examined them officially, before the official study
14 was made by the autopsy -- those who participated in the autopsy,

1 and the autopsy pathologist, and it should also mean that there
2 should be a mountain of generated materials relating to this
3 investigation somewhere.

4 Mr. Helms can probably speak to this. Mr. Beschlasch is a
5 respected historian. I believe that this is something the committee
6 should look into. As I said, none of these are, I think, particularly
7 esoteric requests, and I think they are needed particularly in the area
8 that I am interested in, in the area of the medical records.

9 I thank the Board for its attention.

10 CHAIRMAN TUNHEIM: Thank you, Mr. Milam.

11 Any questions?

12 MR. JOYCE: Yes.

13 Mr. Milam, have you made an effort to recover these
14 documents that you referred to through the Freedom of Information

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1 Act?

2 MR. MILAM: Yes. We have had our -- we have a
3 researcher in Washington that we rely upon, Ms. Koontz-Wacco has
4 assured me that she has tried on several occasions especially to locate
5 the tape recordings.

6 MR. JOYCE: Have those requests been responded to, or
7 what is their status now?

8 MR. MILAM: The tape recordings, yes. The tape
9 recordings have not been found as of this summer.

10 DR. HALL: What is the evidence that you cite under
11 Number 4, you say there is further evidence that the House Select
12 Committee on Assassinations did obtain the tape, what is the nature
13 of the evidence that establishes that connection?

14 MR. MILAM: Ms. Koontz-Wacco was told, as I recall,
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1 that the tape did exist and that it had come to Washington, but that
2 they had not found it at this point. In fact, my recollection is that
3 she was also told that they though they would, I think those are her
4 quotes.

5 DR. HALL: And you, of course, would be willing to share
6 that information with Mr. Marwell or the Executive Director for the
7 purposes of being able to pinpoint.

8 MR. MILAM: Absolutely.

9 DR. HALL: Thank you.

10 CHAIRMAN TUNHEIM: Any further questions?

11 [No response.]

12 CHAIRMAN TUNHEIM: Thank you, Mr. Milam. We
13 appreciate your assistance.

14 MR. MARWELL: Beverly Oliver Massegee.

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1 CHAIRMAN TUNHEIM: Welcome, Ms. Massegee.

2 MS. MASSELEE: Thank you. First of all, I just wanted
3 to thank you for the privilege of appearing before you. I just want to
4 say thank you for the privilege of being here to appear before you. I
5 know I am out-classed and out-numbered, and Mr. Marwell I
6 apologize for my secretary's misspelling of your name when I sent you
7 the letter.

8 I don't have the documents before me. I am not a
9 researcher. I was a 17-year-old girl that was at Dealey Plaza that
10 day taking pictures of the President when he was assassinated. I
11 never wanted to become a public figure over this. I never intended
12 to. Until my name was accidentally leaked to the press in 1972, I
13 was not a public figure. It has caused me great grief. It has caused
14 me a lot of concern in my life.

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1 I have been called a liar as recently as today. I have been
2 called a hoax. I am neither a liar nor am I a hoax. I am who I say I
3 am. I was down there that day standing between 20 and 30 feet
4 from the President when he was shot. I was taking a movie film
5 which on the 25th of November was confiscated by a man who
6 identified himself as an FBI agent.

7 I have never until recently started trying to inquire about
8 my film because I am extremely patriotic, did not see that there was
9 any reason to because I had assumed all these years that it was locked
10 up until the year 2029 as evidence, and I am still not sure that there
11 is anything sinister about it, and that is why I am here. I would just
12 like an explanation as to what happened to my film and where it is,
13 and that is the only reason that I am here.

14 CHAIRMAN TUNHEIM: Questions?

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1 DR. HALL: Could you just briefly indicate to us what
2 measures or steps you have taken to secure your film?

3 MS. MASSEGEE: Well, I have not taken any other than
4 questioning people, but there have been people like a Mr. Woods, and
5 Gary Shaw, and different people who have made inquiries about my
6 film in the past. Like I said, I have never until recently felt any need
7 to until I began to be called a liar and a hoax and decided that I
8 needed to stand up for myself and my own rights and, therefore,
9 that is why I am here.

10 There have been documents making reference to my film
11 that Ms. Wacco has sent me in the recent past. One of the
12 document that I remember that Gary Shaw and Mr. Woods wanted
13 requested it said that it is not in their possession at this time.
14 Another one was the film that was taken by Ms. Oliver has not been

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1 retained by this office. So there is multiple reference to my film,
2 and I would just like to know where they are.

3 I am not here to cause trouble. I am not here to
4 embarrass anybody. I just want to know, and I think I have a right
5 to that.

6 MR. JOYCE: Do you have any documentary evidence
7 that this film was taken by the FBI?

8 MS. MASSEGEE: No, because I was only 17 years old
9 and I wasn't smart enough to ask for a receipt. This is a man
10 representing my government. If he had asked me for my soul, I
11 would have tried to give it to him. Also, there are ulterior motives,
12 and I would go ahead and tell you that before someone else does.
13 Laying next to the camera in my makeup kit was a Prince Albert can
14 of marijuana, and I would have done anything to keep him from

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1 looking in my makeup kit. But also let me share this with you, I no
2 longer use marijuana or anything else. I am a born again Christian
3 and I am married to a preacher and have been for 23 years.

4 DR. GRAFF: Might I ask you if you would withdraw the
5 word, out-classed?

6 MS. MASSEGEE: Thank you.

7 DR. GRAFF: Ms. Oliver, were these still photographs?

8 MS. MASSEGEE: No, they were a movie camera.

9 DR. GRAFF: It was a movie camera?

10 MS. MASSEGEE: Yes. It was an 8 millimeter.

11 DR. GRAFF: Eight millimeter movie camera.

12 MS. MASSEGEE: Yes, I have been accused of saying it
13 was a Super 8, but I don't recall that, and to the House Select
14 Committee investigator Jack Moriarty I, in 1977, March the 12th, I

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1 told him it was a movie camera, not a Super 8 movie camera. I just
2 recently got my typed deposition. I was glad to see that.

3 MR. MARWELL: Had you gotten the film developed?

4 MS. MASSEGEE: No, I had not. It was an experimental
5 camera that a friend of mine named Lawrence Taylor Roscoe, Jr.,
6 had given me, and I had to send the film -- and I don't recall why,
7 but I had to send it to Rochester, it was a magazine, and that may be
8 why. You know, you didn't roll it on, it was a magazine, and I just
9 had not done it. I found some film, and this is what I brought with
10 me because people are often curious about why I didn't do it, I have
11 film that I have no earthly idea how old they are or how they are
12 ever going to develop, and it is a movie film, and I brought it. I am
13 going to get somebody to look at it, and see what I can do to get it
14 developed, because it is old it probably won't be able to developed. It

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1 is just a flaw in my character.

2 But I would like to make one statement to you, and to
3 anybody else who is interested, when all the pictures or all the pieces
4 of this puzzle is put together, and I have faith enough in my
5 government and in my country to believe that eventually it will be all
6 out, all of it will be given to the researchers and the research
7 community unredacted, unedited, undamaged in any manner, and
8 whenever this is all put together and we really have the honest
9 picture of what happened that day, no one more than Beverly Oliver
10 hopes I have to stand up to America and apologize.

11 Thank you.

12 CHAIRMAN TUNHEIM: Thank you very much.

13 MR. MARWELL: Mr. Steve Osborn.

14 CHAIRMAN TUNHEIM: Good afternoon, Mr. Osborn.

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1 MR. OSBORN: Good afternoon.

2 I, too, appreciate the opportunity to address the Board
3 today and appreciate the time you are spending going to the public
4 for information. One of the theories of the assassination revolves
5 around the possibility that there may have been some involvement by
6 persons with experience in the U.S. intelligence community.

7 In my study and research of the assassination I have
8 discovered and investigated supporting information of the presence of
9 an intelligence unit of the U.S. Army having been present and on
10 assignment in Dealey Plaza just before, during and immediately after
11 the assassination. To the best of my knowledge, information on this
12 unit has not been released publicly.

13 In 1992, as the fury of the public resulted in the proposed
14 legislation which created your Board, I came across an individual who
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1 claimed to have been very near Dealey Plaza during the assassination.

2 Now, as a researcher, you can understand that this immediately
3 caught my attention, and I began to question this gentleman about
4 the experience.

5 Now before I tell you the entire story, I want you to know
6 that I had a difficult time believing his story the more and more I
7 thought about it. Even though I had personal experience with some
8 of the devices and the techniques that this group used, I was still very
9 skeptical, as you may be also. But with further investigation I
10 convinced myself that it technically could have been accomplished,
11 and I think you will be similarly so impressed about the possibility
12 when we are finished.

13 The gentleman I spoke with proceeded to tell me he was
14 in the Army Station in Fort Hood, in Clean, Texas. On the day of
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1 the assassination his group, a communications group, was assigned the
2 task of observing and videotaping the presidential motorcade as it
3 moved through the Plaza. This unit had no similar assignment in
4 any other Texas city during the President's visit, and they were only
5 to tape that portion of the motorcade as it proceeded through Dealey
6 Plaza.

7 Now if this event actually occurred, if it actually
8 happened, it makes their activity highly suspicious and adds new
9 questions to the assassination, particularly with reference to the
10 possible foreknowledge of the assassination of intelligence personnel.

11 In my conversations with this gentleman, I asked questions
12 of a technical nature trying to discovery how their assignment was
13 accomplished. After discovering that the camera signals were
14 transported by wireless means back to the control studio, which was

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1 actually a semi-tractor-trailer, I found myself doubting that this type
2 of equipment was available in 1963.

3 I knew that ham radio operators have been sending
4 television signals easily for a number of years, and I had also
5 participated in that hobby. I also knew that videotaping was still in
6 its infant years in 1963. I started to research available equipment
7 to see if this story had any possibility of being true.

8 I have another handout that I would like to give you.
9 Now that we know that equipment existed in 1963, and I can tell
10 you a little bit about the equipment, if you would like, in the question
11 and answer, I can relate his entire story, the following information
12 was obtained over approximately three separate conversations with
13 this individual. I had extracted a verbal consent to get his story on
14 videotape, like any good researcher would, but when the time came

1 for doing so, his attitude on the matter had completely reversed and I
2 am only left to day with the recollection, you know, the notes that I
3 had taken from the conversation and the subsequent information by
4 my independent investigation.

5 This military communications group had several cameras
6 stationed around the Plaza. The signals from the cameras were sent
7 back to a semi-tractor-trailer acting as a mobile studio parked a
8 short distance from the Plaza. Each camera had a preview monitor
9 and videotape machine associated with it inside the trailer recording
10 the view of each camera. There was no sound recorded in this
11 assignment.

12 Each videotape position had a single person responsible for
13 its proper operation. Each position these men occupied was shielded
14 from the others so that they could only see the preview for their

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1 individual camera. Each man saw the assassination occur from a
2 different perspective of their monitors.

3 About 15 minutes after the assassination, a group of men
4 appeared who identified themselves as FBI agents. These agents
5 seized all the equipment used to videotape the motorcade. Each man
6 was put on a bus which had been summoned to the scene and they
7 were all driven back to their base. Upon their arrival, they were
8 simply told to forget it.

9 Finding that there was equipment available in 1963 that
10 would do this made it easier for me to accept the story I have just
11 related to you. Several things have made me believe that this group
12 was an intelligence unit.

13 First, the gentleman would not give me the name of his
14 unit.

1 *Secondly, this individual advised me that his 201 file was*
2 *inaccessible.*

3 *Thirdly, he offered his opinion as pertaining to the reason*
4 *his group was sent there, which would probably have been in line with*
5 *the responsibility of an intelligence unit.*

6 *Fourth, having reflected on his story and what I have*
7 *what I have additionally discovered, I am impressed that he realizes*
8 *that he probably said more things to me than he should have*
9 *revealed. At one point, he mentioned to me that he was allowed by*
10 *a letter from the military to discuss some things in relation to his*
11 *duties on the day of the assassination, but I believe he probably went*
12 *further than he was allowed.*

13 *All these things collectively make me believe that this unit*
14 *in Dealey Plaza was an intelligence unit. Still, one important step in*

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1 my investigation was to find some additional evidence that the event
2 occurred. You should know that there is some possible photographic
3 evidence of this communication group being in Dealey Plaza that day,
4 and I would be happy to provide you with further information on
5 that if time allows at the end of my presentation.

6 Some requested things I would like to see the Board do,
7 obviously what was recorded on this videotapes would be of invaluable
8 aid to a serious study of the assassination, as well as cast more
9 suspicion on the intelligence community. An attempt should be
10 made by the Board to locate the tapes and request that an other
11 government agency attempt to get the exact electrical format
12 determined and a video machine constructed to bring their images to
13 view. Duplication to modern day formats would then make the
14 tapes available publicly.

1 So far as locating the videotapes are concerned, the Dallas
2 Field Office of the FBI and the Bureau Headquarters may have
3 information or be in possession of the tapes. If there remains an
4 estate of the late J. Edgar Hoover, they may have some information
5 or be in possession of the tapes themselves.

6 If the men who seized the tapes were not real FBI agents,
7 then CIA, military intelligence and other splinter groups of the
8 intelligence community should be checked. Also, I would inquire of
9 Mr. E. Howard Hunt, if he is still alive, as to his knowledge of the
10 tapes and their subsequent disposition. There exists a possibility that
11 he may even have them in his possession.

12 Regarding locations where you might find documents
13 supporting this activity, I would suggest beginning with the records at
14 Fort Hood. I would not be familiar with other depositories of

1 documents, and you will probably have to use some of your existing
2 source to hopefully lead you in the correct directions.

3 There seems to be a problem of gag orders that I would
4 like to address also, and the fact that this individual I had interviewed
5 had received notification that he did not have to continue to keep
6 certain things confidential is further indication that there continue to
7 be individuals who continue are under an obligation of confidentiality.

8 I believe this brings up an interesting problem for the
9 Board. There appear to have been several instances of this
10 happening to individuals required by military order or other Executive
11 Branch order not to discuss any details of what they know of the
12 assassination or its subsequent investigations, perhaps even the Board
13 members itself have been required to sign promises of confidentiality.

14 Since these individuals do not have the permission of
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1 disclosure, many have not written of their experiences or granted
2 interviews to members of the media or the research community to
3 record their recollection. This will give history an incomplete record
4 of this tragic event as well as making this information unavailable to
5 the Board for review and release.

6 Therefore, I believe and propose that the Board consider
7 asking the President of the United States as Commander and Chief to
8 rescind any and all standing orders issued from any Department or
9 part of the U.S. Government requiring the confidentiality of the
10 information retained by these individuals, whether that knowledge is
11 in written or memory form. If our government is really serious
12 about full disclosure of all facts surrounding the assassination, he will
13 rescind these orders, prevent them from being renewed and allow a
14 complete compilation of personal records and recollections. This will

1 allow the Review Board to further fulfill and properly perform its
2 congressionally mandated task.

3 Additionally, as distasteful and wild as the thought is that
4 the American intelligence community could be involved in such an
5 event, I hope the Board will keep an open mind as you sift through
6 the records. Your work may be the last official attempt to bring to
7 the light of day this dark deed, so it is vital for you to question
8 everything you find.

9 Remember, if any intelligence personnel were involved, it
10 is their profession and they are very adept at covering up any
11 evidence of their involvement in any activity. I mean, would we as
12 citizens expect anything else of them. In any operation that U.S.
13 intelligence personnel are involved in, we the citizens would expect
14 them to be able to complete their missions with expert precision. We

1 would expect that they would be able to cover up their involvement as
2 an agency and our involvement as a nation if the nature of the task
3 so dictated. We would expect them to have thought of every possible
4 snag in an operation and work to make their mission completely
5 successful.

6 I have spoken with individuals involved in intelligence work
7 or who have known persons who were, and they have indicated that
8 the intelligence community could basically do anything they wanted,
9 and we have had some recent indications of that, of this, in the form
10 of millions of dollars spent on building projects unknown to Congress.

11 Be this right or wrong, we as citizens should have a great
12 amount of respect for and suspicion of the power that these
13 individuals and agencies wield in our world. Please keep this in mind
14 as you ponder the information brought to your attention in whatever

1 form it is presented.

2 Finally, I would like to make a comment in relation to the
3 Board's mandate. One of the problems that certain individuals in
4 our government have had with the idea of releasing all the
5 assassination records is that to do so may compromise methods
6 employed by the various intelligence agencies in their covert activities.

7 At first glance, we may take this to mean that it may make it
8 difficult for them to use these techniques in the future if they are
9 made known to the general public, but I would encourage the Board
10 to consider that it may be that many of these covert methods were
11 used to carry out the assassination of President Kennedy, whether by
12 Americans or some other government.

13 I have found considerable circumstantial evidence of more
14 than a few intelligence techniques used in the assassination that may
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1 not be generally known. But if this assassination was accomplished
2 by Americans from the intelligence community, they have not only
3 betrayed the citizenry of this country by taking from them their
4 President, but they have betrayed their agencies and the U.S. public
5 by making it necessary to uncover and publicly expose their methods
6 in order to bring satisfaction to the American people in this matter.
7 This betrayal of their agencies alone makes them no better than Mr.
8 Ames of recent history.

9 I again thank you for your time.

10 CHAIRMAN TUNHEIM: Thank you very much.

11 Questions?

12 Go ahead, Dr. Joyce.

13 MR. JOYCE: Mr. Osborn, in your testimony you
14 indicated that information you had gathered from a subsequent

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1 independent investigation helped you informing your conclusion that
2 there was an intelligence unit in Dealey Plaza. Is there any
3 documentary information that you have been able to acquire as part
4 of your subsequent investigation?

5 MR. OSBORN: I have not made any attempts at that
6 because I believe the story so thoroughly. I felt that if I were to make
7 any attempts to confirm any of this or search for the tapes that those
8 things might be destroyed, because these tapes -- if you would like to
9 discuss the photographic evidence, there is one that would probably
10 show a shooter behind the stockade fence, so I did not want these
11 materials because of something that I did to end up disappearing.
12 However, your mandate and your sources are much better than
13 anything that I could ever do.

14 DR. HALL: Mr. Chairman, with that in mind, I would
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1 like to pose to you a set of questions, if I may, and you can cut me off
2 if I get too long-winded here, as I am sure you will. Who are you?

3 MR. OSBORN: I am a citizen of the United States. I
4 have not had any type of military experience, so I probably approach
5 this a little bit differently as a citizen that would like to know what
6 my government has been up to or persons within my government
7 have been up to, why I can't know, why it has been hushed up so
8 much.

9 I have been researching for approximately the last 15
10 years, not quite, and have mostly focused my investigation on
11 identifying the man who fired the fatal head shot. These other
12 things have just come about because of various digging and this is one
13 of the things that I hope to use to be able to further identify that
14 individual.

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1 DR. HALL: I am wondering, Mr. Chairman, for the
2 record, we could ask Mr. Osborn to provide us with a biographical
3 statement, if that would be acceptable to you.

4 Can you provide us with the name of the individual with
5 whom you spoke?

6 MR. OSBORN: Because I feel that he may have violated
7 military orders, I believe that he thought that he had originally been
8 saying things he could, and then the way that he froze up -- in fact,
9 I have had several individuals that have done that, I feel that he may
10 be guilty of some sort of violation. If the President were to rescind
11 all those orders, I would be happy to provide his name. At this
12 point, because of the way that he did not really want to be involved
13 any more in the discussions, I feel incumbent upon myself for his
14 personal privacy not to reveal that.

15

1 DR. HALL: Did he ever provide to you any written
2 information or did you take any notes arising out of your
3 conversations with this individual?

4 MR. OSBORN: The only thing that I really did was, from
5 the conversations that we had, I prepared a list of questions, because I
6 do have a technical background, I have been in electronics since I was
7 14, ham radio, and television, and most recently personal
8 communications, and so I was very interested in the technical aspects
9 of this because I doubted in my senses that this could be done in
10 1963.

11 If you would look at the cameras, this is a fully
12 transistorized camera. It comes with a backpack transmitter so that
13 you don't have to have a cable going back to a videotape recorder,
14 and this device was available in 1962 by a company that regularly

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1 supplied the military with all kinds of camera equipment and, as I
2 also indicated, there is some photographic evidence that exists that
3 may possibly show one of these individuals. If you would like a
4 summation of that, I am prepared to do that.

5 DR. HALL: If you will document it, that would be
6 helpful.

7 You also indicate on page 5 that he had mentioned to you
8 that he was allowed by a letter from the military to discuss some
9 things in relation to his duties on the day of the assassination. Now
10 it would obviously be in the interest of the Board, since you purport
11 that a connection exists between this individual, the military
12 establishment, and the assassination, to be able to know the name of
13 that individual so that it would be possible to try to secure whatever
14 copy of a letter may have existed that would have been written to

1 him by the military.

2 MR. OSBORN: I will -- what I will do, sir, is, I will
3 probably seek some counsel on that to ensure that I, myself, do not
4 get into a situation here that may make me liable for something, and
5 I will be glad to consider that for you.

6 I was going to, let me go on record saying, I was going to
7 ask that individual for that document in the videotaped session, but
8 because he cut everything off, I was not able to actually view that
9 document. So I had to just go from my recollection as I made my
10 notes as to what the individual had.

11 DR. HALL: One final question for you, if I may, Mr.
12 Osborn, would your view be that this Commission or this Board,
13 rather, excuse me, should undertake to disclose the names, identities
14 of both living as well as deceased informants, agents, and intelligence

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1 operatives of the United States Government?

2 MR. OSBORN: That certainly is a gray area, and the
3 problem with dealing -- if we are dealing with the intelligence
4 community here in this time, they certainly have at their disposal,
5 shall we say, executive privilege, and the rules are a little bit different
6 when dealing with these type of people because they can claim
7 national security.

8 I think national security a lot of times can mean more
9 than one thing. It can mean security of our nation from its people
10 being held in arms over something that the government or people
11 within the government have done, so I think they really use the term
12 national security quite widely, and I would fully expect that if there
13 were individuals from the intelligence community involved that they
14 would do everything in their power, like I had mentioned before, they

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1 are very adept at covering up. So that is a gray area because we
2 don't know if these persons were really involved, and they may be
3 saying that these are operatives that we can't afford to let their
4 names go. So we have to -- it is going to have to be analyzed.

5 I used to think that it would be nice to have been a
6 member of this Board, after hearing what is going on today, I think I
7 am kind of glad it is you.

8 DR. HALL: Would it be fair to say that any effort to
9 pursue the line of inquiry that you have set out would turn directly on
10 an evidentiary and documentary basis on being able to know the
11 name of the individual, and inasmuch as you have indicated that that
12 person is known to you by name, there is some responsibility here, I
13 would think, to be able to assist the Board in this matter in a
14 significant way.

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1 DR. GRAFF: I would like to ask this question with respect
2 to the letter that this young man received saying what he could say
3 about his activities. Was this a cover that he was being given, was
4 this a story that was being laid upon him so that he would have an
5 answer when people asked what are you doing?

6 MR. OSBORN: I don't believe so. I believe this had been
7 received by him a number of years later.

8 DR. GRAFF: I see, I misunderstood that.

9 MR. OSBORN: Yes, this was a number of years later that
10 these things were no longer -- that certain things, and I never got
11 into the exact details. I just assumed that the things that he was
12 telling me were things that I could know. So I am sorry, I am not
13 clear exactly what that letter said, or if it even still exists.

14 DR. GRAFF: I see.

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CHAIRMAN TUNHEIM: Anything further?

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[No response.]

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CHAIRMAN TUNHEIM: Thank you, Mr. Osborn.

4

The public hearing will stand in recess until promptly the

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hour of 2:00 p.m., and we will return and reconvene at that time.

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Thank you very much.

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[Whereupon, at 12:45 p.m., the hearing was recessed, to

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reconvene at 2:00 p.m., this same day.]

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AFTERNOON SESSION

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[2:20 p.m.]

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CHAIRMAN TUNHEIM: We will reconvene the hearing of
the Assassination Records Review Board with our next witness.

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5

MR. MARWELL: Dr. TenBrink, Dr. Philip TenBrink.

6

7

MR. TenBRINK: My name is Philip TenBrink, I am the
emergency room physician from Terre Haute, Indiana, and I am here
today to maybe provide some additional insights into your quest to
unify all of the records and maybe provide more insights into this
tragedy in America.

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For 30 years, the American people really have not had an
opportunity to have the full truth, and the basis of a democratic
society is a trust relationship between its leaders, its intelligence
officials, and its citizens, and without that trust it puts us at a grave

1 *disservice.*

2 *To look at the Kennedy assassination as a single event,*
3 *instead of looking at all the geographical parameters and geopolitical*
4 *things happening at the time is to kind of put on a very tunnel vision,*
5 *and with four governments turning over within a 60-day period*
6 *within the free world, it may represent other outside forces at work.*

7 *But what I am really interested in this committee looking at, since*
8 *you should have the ability to explore these records, is to look with*
9 *regards to the Cuban Missile Crisis, which seemed to cause a great*
10 *deal of concern around the world, and President Kennedy's*
11 *decisionmaking was the one who was responsible for the decisions and*
12 *the outcome, and not a lot of people were happy with the outcome.*

13 *If it happened that some of the information that was*
14 *given was truth full and some wasn't fully revealed, it could give the*

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1 impression to members inside of his own military counsel that he was
2 a man of poor judgment. Specifically, what I would like you to look
3 at is the briefings that were provided for the Senate Internal Security
4 Subcommittee, and the Joint Chiefs of Staff and National Security
5 Council with respect to the briefings on the convertability of the
6 Cuban bases from a three-day period from a defensive site to an
7 offensive site.

8 It seems that Kenneth Keating, the Senator from New
9 York who was on the Committee, seems to take a great deal of
10 conflict with Robert Kennedy over who knows what and who knows it
11 when in response to that decisionmaking, but if the President wasn't
12 informed that these defensive sites were convertible within three days
13 to offensive sites, it might explain why we as a nation were not
14 prepared to find offensive sites in place in October, six weeks later,

1 and hadn't had any U-2 flights to look for that. But that is one
2 where I think you might want to look to see if possibly conflict with
3 the CIA had resulted in failure to properly inform the President.
4 That would involve interpretation. The President wasn't a rocket
5 scientist. He wouldn't understand the difference between the
6 defensive pact and an offensive missile pact.

7 The second area at which I think it might be helpful to
8 look is with respect to the missile crisis that was occurring in the
9 Middle East at the same time where nuclear material from Germany
10 was going to Egypt, and NASA was threatening to annihilate the
11 Jewish state with chemical, biological and atomic weapons. This
12 would put people who had just come through a great holocaustic
13 experience under a great deal of stress, and when the President of the
14 United States' response to what are you going to do about this is,

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1 well, we can send you some missiles to deal with B-52 bombers, it
2 doesn't quite maybe address the situation enough to diffuse the
3 problem.

4 But I think if you could look into the field of the Nuclear
5 Regulatory Commission and find out how it was that the Galen
6 organization could get their hands on nuclear material to send it to
7 Egypt, it might shed some insight into who was stimulating this kind
8 of crisis.

9 The third thing I would like to talk about or have you
10 explore is why the Secret Service would be responsible for repairing a
11 leased car. The automobile in which the President was riding in was
12 not U.S. Government property but was leased from Ford Motor
13 Company, and why are they ordering parts to repair a car that has
14 been damaged in an accident, and why did they order two

1 windshields, why? By mistake? As an emergency room physician, I
2 frequently take care of victims of gunshots, and it seems pretty clear
3 to me from what I can see from the emergency room physicians'
4 treatment and previous experience that any bullet that struck the
5 President in his throat and exited in his back would have continued in
6 a rearward direction, and the most likely object right behind him is
7 the follow-up car, the Secret Service. It would be interesting to look
8 at the order forms for where they ordered the new windshields to see
9 if, indeed, the windshield that they should have returned but kept fit
10 the backup car.

11 The fourth thing I think would be helpful would be to look
12 at individuals that might have been out of the country during a
13 particular time period where this might have been planned. If you
14 were to plan an assassination of the President of the United States

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1 inside the U.S. or U.S. soil, you could be charged, but if you are offsite
2 in another foreign country, the United States would have no legal
3 jurisdiction.

4 It turns out that Nixon disappeared for three days in June
5 on his World Peace Tour. He leaves Egypt on June the 24th and
6 shows up in the Vatican on June the 27th, but where is he for those
7 three days. Many people have suggested that he may have played a
8 role in this, but if he disappears, where did he go? You folks have
9 been given the trust and the authority of the United States Congress
10 to investigate these issues and search for these records, and maybe
11 finding those records could share some insight into this problem.

12 Thank you.

13 CHAIRMAN TUNHEIM: Thank you, Dr. TenBrink.

14 Are there questions?

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1 [No response.]

2 CHAIRMAN TUNHEIM: Thank you very much. We
3 appreciate your testimony.

4 MR. MARWELL: Is Mr. DeBenedictis here?

5 [No response.]

6 MR. MARWELL: Dr. Aguilar?

7 VOICE: He will be right back.

8 MR. MARWELL: Why don't we ask Mr. John McLaughlin.

9 CHAIRMAN TUNHEIM: Welcome, Mr. McLaughlin.

10 MR. McLAUGHLIN: Thank you.

11 First of all, I would like to straighten out the record. I
12 used John McLaughlin as my pseudonym, as my author's pseudonym.
13 My real name is John Bevilaqua.

14 A quick synopsis or a background, I am a graduate of

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1 Harvard University, I was classmates, ironically, of both Al Gore and
2 Tommy Lee Jones, and I grew up in the City of Miami, Florida. My
3 only other connection to the assassination investigation is, I also enjoy
4 Lee Harvey Oswald's favorite drink, Dr. Pepper.

5 MR. MARWELL: Could we just have the spelling of your
6 name?

7 MR. McLAUGHLIN: Sure. It is B-e-v-i-l-a-q-u-a, and I
8 am currently an independent computer consultant, and I use
9 computerized database management and analysis techniques for New
10 England corporations as well as applied to the Kennedy assassination.

11 The material I have developed, and I only have three
12 copies of but I would like to circulate it now, it is a document I
13 developed with the help of a lead that Mary Farrell gave me. Mary
14 Farrell has reviewed this document which is titled, Red Scares, White

1 Power and Blue Death, and called it possibly the most interesting and
2 significant piece of material that she has read in the past several
3 years.

4 It is based on both personal observation and experience in
5 Miami, Florida, with anti-Castro Cuban exiles of Alpha-66 and the
6 30th of November Movement, as well as the investigations that I have
7 carried out in the ensuing years.

8 A summary of what I believe to be the two most
9 significant intelligence connections as a result of all my research
10 center around both the Senate Internal Security Subcommittee of
11 Senator Thomas Dodd and Senator James Eastland, and the House
12 UnAmerican Activities chaired until his death in the early '60s by
13 representative Francis E. Walter of Pennsylvania and Richard Arrans,
14 who was the Chief Counsel, and in particular I am focusing also on the

1 former Chief Counsel of Joe McCarthy's SISC as well as, I believe,
2 Senator Dodd's SISC, Robert Morris, who is still alive today in
3 Pennsylvania.

4 Mr. Morris shared a summer home in Miami with me on
5 Northwest 15th Street, as well as also on Northwest 15th Street at
6 3638 Northwest 15th Street was a safehouse for Alpha-66 and the
7 30th of November Movement. On November 16th of 1963, my
8 father overheard several conversations in Spanish. He happens to
9 have a Master's Degree in Spanish. He translated those conversations
10 and reported to the City of Miami Police, Intelligence Division, the
11 fact that the Cubans in our neighborhood were talking about going to
12 Dallas and doing something to President Kennedy.

13 I wrote an article under the name of Michael Kensington
14 which appeared in *The Third Decade* in November of 1992, I believe,

1 which has been reviewed and researched by both Jerry Rose, Gordon
2 Winslow and other people for its veracity, and they have both
3 concluded that it is a basically accurate and correct account of what
4 occurred.

5 At the same time, the Miami Police Intelligence Division
6 was examining and investigating the reports about Joseph A. Milteer,
7 which everybody is probably fairly familiar with, and they put my
8 father's report in the same category. And I believe either the Joe
9 Milteer incident or my father's report resulted in the infamous Airtel
10 of November 17th, 1963, sent out by the FBI describing imminent
11 plans of, I quote, "an extremist revolutionary group" who are planning
12 to take action against Kennedy in Dallas. Perhaps they didn't even
13 mention Dallas, but sometime between the 17th and some unnamed
14 date.

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1 I don't know if your power or authority extends to
2 agencies like the City of Miami Police Intelligence Division, but I have
3 had absolutely no luck in recovering any of the lead up information
4 either related to the Joe Milteer incident or to my father's incident
5 regarding the two reports of pending assassination plots that
6 originated from South Florida between November 9th, which was the
7 Milteer incident, and November 16th or 17th, which was my father's
8 reported incident.

9 Following the leads from Alpha-66 into the World
10 Anti-Communist League, I first investigated both the Senate Internal
11 Security Subcommittee and HUAC. In particular the two incidents
12 that I would request additional documentation or release of relates to
13 Peter Dale Scott's reference, and to Senator Thomas J. Dodd's direct
14 request to Oswald to purchase the Mannlicher-Carcano from Kline's
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1 *Sporting Goods in Chicago. I believe that Lee Harvey Oswald was*
2 *quite possibly an agent of the Senate Internal Security Subcommittee*
3 *and he was doing the bidding of Dodd and Eastland and Morris.*

4 *I am sorry, I am drying out, and it is a difficult thing to*
5 *do.*

6 *Secondarily, to the incidents surrounding the Clinton,*
7 *Louisiana, visit of Lee Harvey Oswald on an allegedly exploratory*
8 *mission regarding voter registration and the difficulty or the ease*
9 *with which an outsider could register to vote compared to that of a*
10 *local Louisiana resident who was a member of a minority also was*
11 *requested and Dodd and further helped implicate Lee Harvey Oswald*
12 *on his own. It was almost self-implication as was the Kline Sporting*
13 *Goods.*

14 *On the HUAC side and related to a lead that was given to*

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1 me by Mary Farrell, and it is up to her, I think, to decide whether or
2 not she wants to disclose who it was that gave her this piece of
3 information, this gentleman who was a soldier of fortune, a not
4 well-known soldier of fortune in South Florida indicated to her that
5 the most significant leads that had to be explored involved Thomas F.
6 Ellis, who is currently on the Council of National Policy, he is alive and
7 apparently very well. He is on the Council of National Policy with
8 Oliver J. North, Nelson Bunker Hunt, and Alton Oxner, Jr., who is the
9 son of Dr. Alton Oxner, who was part of INCA in New Orleans.

10 I have also looked at why Richard Arrans was fired from
11 HUAC, and I have found that the reason Richard Arrans was fired
12 was because he worked for an organization called the Draper
13 Committees and the Draper Genetics Committees, which is part of
14 the Pioneer Fund. The thing that concerns me about the Pioneer
15

1 Fund is that even today, I have traced them back to 1924, even
2 today they are in California with Proposition 187, sponsoring it, they
3 are the main sponsors and financial backers of Prop. 187, which is
4 the anti-immigration issue.

5 They have sponsored William Shockley's research into the
6 genetic inferiority of minorities as well as Arthur Jensen's research
7 into the inheritable composition of intelligence as opposed to the
8 environmental, which they say does not exist. They backed Richard
9 Arnstein and the Bell Curve. They were involved, in 1937, they
10 went over to Germany and helped Hitler and Goebbels write the laws
11 against the prevention of hereditarily ill-progeny, which essentially
12 became the holocaust justification laws.

13 They were involved with involuntary sterilization
14 programs in Virginia. They were involved with the original

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1 anti-immigration legislation in 1924 which also was designed to keep
2 Central European minorities, particularly targeted groups, from
3 entering this country.

4 If you move further and follow them as they develop into
5 the World Anti-Communist League through the Alpha-66
6 connections, and all of a sudden you find that four of the past
7 presidents of the World Anti-Communist League all have significant
8 ties by researchers into the assassination.

9 Ray S. Kline was in Taiwan between 1958 and 1962, he
10 is still alive and working at Georgetown University Center for
11 International Studies, he was there when Oswald was there at the
12 Peng Tong Marine Base. I would like to find out what, if anything,
13 the CIA is willing to release regarding the alleged mind control
14 experiments that went on in Taiwan.

1 Yarzlo Stetsco was another President of the World
2 Anti-Communist League, he was Sposti Reiken's immediate superior
3 and his immediate boss in the anti-Bolshevik nations.

4 John Singlob and Roger Pearson were also involved and
5 very directly related to not only activities in the Pioneer Fund but
6 also activities at the World Anti-Communist League.

7 Another word on Thomas F. Ellis, he first gained his fame
8 and recognition as campaign chairman for the 1972 Jesse Helms
9 Senatorial Campaign, and he has been involved quite directly in both
10 Carolina politics as well as U.S. politics.

11 I would also like to find out if there is anything that can
12 be done regarding quasi-private agencies. I don't know if your
13 jurisdiction also extends into this area of things like the American
14 Security Council and the Liberty Lobby, and Council for National

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1 Policy, unfortunately which are primarily private agencies, but have
2 full-time active employees of the government also involved.

3 I believe that is as complete and as short a summary as I
4 could possibly make of a 70-page document, and I just want to thank
5 you for giving me the opportunity to appear before you and say
6 something.

7 CHAIRMAN TUNHEIM: Thank you, Mr. Bevilaqua.

8 Any questions?

9 DR. NELSON: Have you made an attempt to get any
10 documents from HUAC or the Senate Internal Committee?

11 MR. McLAUGHLIN: I haven't yet submitted any actual
12 FOIAs. I have submitted a FOIA --

13 DR. NELSON: They are not subject to FOIA.

14 MR. McLAUGHLIN: They are not.

15

1 DR. NELSON: But you can get some of the documents.

2 MR. McLAUGHLIN: And how could you do that?

3 DR. NELSON: Well some of the records are in the
4 National Archives. Most of them, you have to appeal to the various
5 congressional committees, or the Secretary of the Senate. But I just
6 wondered if you had made an attempt to do that?

7 MR. McLAUGHLIN: No, I haven't yet. I requested
8 military record of Wyecliff P. Draper who was the head the Draper
9 Committees and then head of the Pioneer Fund before he died, and
10 he was in Army Intelligence. In World War II he fought on our side,
11 and in World War I he fought on the British side, for whatever reason.

12 But it is a new enough lead and an interesting enough lead that we
13 haven't yet had the chance to do a lot of formal documentation.

14 CHAIRMAN TUNHEIM: Thank you very much.

15

1 Questions?

2 MR. MARWELL: Is your father still living?

3 MR. McLAUGHLIN: Yes, he is. And I am sure, he can't
4 travel, but I am sure if someone would like to discuss it with him, I
5 am sure he would be able to cooperate.

6 CHAIRMAN TUNHEIM: Thank you.

7 MR. MARWELL: Dr. Aguilar.

8 MR. AGUILAR: I would like to thank the Review Board
9 for allowing me the opportunity to speak and explain my friend. I
10 often find it is useful, two heads are better than one for the purposes
11 of my presentation today, and I would also like to apologize for a
12 copy of a letter that I sent to Mr. David Morwell. My secretary did
13 that.

14 In any case, my name is Gary Aguilar. I am a practicing
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1 pathologist in San Francisco. I am on the faculty of the University of
2 California in San Francisco, and on the faculty of the Stanford
3 University Medical Center. I am the Chairman of the Department of
4 Surgery at St. Francis Memorial Hospital, and have, I think, more of
5 an academic interest in this than anything else.

6 I campaigned against Jack Kennedy, as young as I may
7 seem, my parents were very staunchly opposed to him, and I carried
8 the placard in hand. In any case, I come here before you today to
9 request something which should be in a letter that I have sent on
10 numerous occasions. I have to make a couple of amendments to it, if
11 only because some other information has become available.

12 The first issue that I care to raise, and it is under Title
13 Number 1 -- I don't know if you have copies of it, I have one copy
14 here, but I have my laptop with me and I could runoff copies for

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1 everyone -- is a agency file, restricted file, pertaining to Pierre Finck.

2 It is Agency File Number 06165. I hold it in my hand here, and
3 for reasons that baffle me, Pierre Finck, it should be known by all, is
4 one of the autopsy pathologists and is the only forensically trained
5 autopsy pathologist. It is baffling to me that a document pertaining
6 to anything that he has done or said would be restricted. It is
7 apparently six pages in length and the requesting authority that it be
8 restricted was the CIA, as I understand it, according to this document
9 here.

10 Should I leave this with you? I think I already sent a full
11 copy of all of these. I think I sent copies of everything, but if you
12 didn't have them I thought I would bring additional copies.

13 The specific puzzling issue to me from an academic
14 standpoint and from a medical standpoint is that the original autopsy

1 report insists that the wound that killed Jack Kennedy, the bullet
2 that killed Jack Kennedy entered the skull to the right and just above
3 the external occipital protuberance. I thought I would bring the skull
4 because it would most nicely explain exactly where that location is.
5 The knob in the back of the head is the external occipital
6 protuberance. It is right here. That is the knob that you feel at the
7 base of your skull.

8 To the right of the occipital protuberance and slightly
9 above is about this location and before the House Select Committee on
10 Assassinations, Dr. Humes, Boswell and Finck labelled a skull and
11 labelled dots in these three locations. That was to identify the
12 external occipital protuberance, and they basically marked it this.

13 It was then determined on the basis of photographic and
14 X-ray evidence which have been called into question that, in fact, the

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1 wound was not here, it was at the parietal bone here. The difference
2 in size here is 10 centimeters, and it is a huge error for even a first
3 year resident to have made on a skull location. It places it in a
4 different bone, and it is the kind of thing that a first year pathology
5 would have been failed by one of his professor pathologist for having
6 made, a professor like Finck, who was, in fact, a Director of the
7 Forensic Section at the AFIP at that time. In any case, I would like
8 to request that this document be released if that is possible to do so.

9 Number two is, and I do not have a copy of this with me.

10 I covered my files. I know I have it some place. I am moving files,
11 but in any case there was an incomplete transcription of an interview
12 with Pierre Finck, and I have the case record or the record number
13 here, it is an Agency file. The copy of the interview which I have
14 received, and I have reviewed this with other people, they have

1 exactly the same thing, it appears incomplete. The last sentence of
2 my copy appears in the middle of page 12 and it reads: Do you
3 think it is possible that in the course of preparing this report,
4 recognizing the limitations that you had without photographs, things
5 like that, do you think it is possible that that measurement relative to
6 the occipital protuberance that is contained within the -- and it
7 trails off, that is it, right in midsentence.

8 So there must be something there that might -- and
9 presumably Dr. Finck was at that point going to answer this question,
10 something about the occipital protuberance and, of course, that has
11 great relevance to the findings of the autopsy report.

12 There was Audrey Bell, Item Number 3, Parkland nurse
13 Audrey Bell. I have the HICA record number for you. Apparently
14 she prepared a diagram diagramming fragments of bullets which she

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1 saw. That has never been seen. It is a small matter, I think. If
2 that was available anywhere it would be nice to track that piece of
3 information down if we could.

4 Item Number 4, possible incomplete photographic record
5 of the autopsy, and I have listed this under 4A and 4B in the remarks
6 that I sent along to you. Number 4A refers to agency record
7 number wherein on page 8, Dr. Finck notes, "I helped a Navy
8 photographer to take photographs of the occipital wound, internal
9 and external aspects as well as," and it goes on, but there is no such
10 photograph of a wound.

11 Now it has been argued by some that the photographs of
12 the back of the head which show the scalp intact are, in fact, the
13 photographs that he was directing be taken, but Finck didn't think
14 that and it only became apparent in recent released documents, in
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1 fact, that Finck was convinced that those photographs were not the
2 photographs that he had taken, raising questions about at least the
3 completeness of the photographic record, if nothing else.

4 I have been, incidently, to the Archives and seen the
5 original autopsy photographs, and so I have seen what it was that he
6 was being shown before the House Select Committee on
7 Assassinations, the originals.

8 Now just to go on here, he had an exchange with Dr.
9 Petty regarding the photographs to the back of the head in which he
10 said, Dr. Petty asked him, because they were looking at these
11 photographs, well, aren't these the ones, Dr. Petty asked him. Dr.
12 Petty: If I understand you correctly, Dr. Finck, you wanted
13 particularly to have a photograph made of the external aspect of the
14 skull from the back to show that there was no cratering to the

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1 outside of the skull.

2 Dr. Finck: Absolutely.

3 Did you ever see such a photograph?

4 Finck: I don't think so, and I brought with me
5 memorandum referring to examination to the examination of
6 photographs in 1967 when I was recalled from Vietnam. I was
7 asked to look at the photographs and as I recall there were two blank
8 four-by-five transparencies, in other words to photographs that had
9 been exposed but with no image, and as I can recall I never saw
10 pictures of the outer aspect of the wound of entry in the back of the
11 head and the inner aspect of the skull in order to show the cratering,
12 although I was there asking of these photographs, I don't remember
13 ever seeing those photographs.

14 Now this went on again in another exchange which I think

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1 was even more to the point. The point about the photographs is
2 that when a bullet enters it causes beveling, and that is like a BB
3 hitting a window, you have a very tiny point of entry and then the
4 exit side on the other side of the window or the other side of the
5 skull, as the case may be, you have a much larger wound, and that
6 helps to establish the direction of the shot. It would also presumably,
7 if such photographs were available, help identify whether they were
8 actually talking about the external occipital protuberance or whether
9 the wound was higher than that.

10 Counsel Andy Purdy asked him, he said: We have here a
11 black and white blowup of the same spot. At that time he was
12 showing the back of the scalp with the scalp intact. You previously
13 mentioned that your attempt here was to photograph the crater, I
14 think that was the word you used.

15

1 Finck answered: In the bone not in the scalp, because to
2 determine the direction of the projectile, the bone is a very good
3 source of information. So I emphasized the photographs of the
4 crater seen from the inside the skull, what you are showing me is soft
5 tissue wound in the scalp. So it is clear that he is talking about
6 having taken photographs that weren't there when he was shown the
7 photographs.

8 Under 4B I go on into a lengthy listing of individuals, and
9 I don't think I will recount it here for the time constraints that you
10 have. Suffice it to say that John Stringer who is the autopsy
11 photographer, Floyd Reeby who was his associate, Commander
12 Humes, Boswell and Dr. Carne all recalled having taken photographs
13 of the interior of the chest. Now these were mutually corroborated
14 photographs, and presumably they would have taken two black and

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1 whites at a minimum and two colors at a minimum, there are four
2 images there, and probably they would have taken more than that.
3 One would guess that there are many more photographs from that
4 section. That has relevance as to whether one can see the point of
5 entry if they were indenting the interior of the body with a probe
6 while they are taking the photograph as Dr. Carne suggests, who was
7 a pathologist who was there, and may have some relevance to the
8 path of the bullet.

9 Under Item Number 5, Dr. Humes testified to the Warren
10 Commission, yes, sir, these are various notes in longhand, or copies
11 rather of various notes in longhand made by myself in part during
12 the performance of the examination of the late President and, in
13 part, after the examination when I was preparing to have a
14 typewritten report made.

15

1 Now what he is referring to are notes of the autopsy that
2 he had at the time. Now he has said, and the amendment that I
3 need to make here is that he has said both to the Journal of
4 American Medical Association and to the House Select Committee on
5 Assassinations that he did destroy some autopsy notes. So we don't
6 know which ones he had and which ones he didn't have. But
7 presumably he had some autopsy notes and, in fact, Dr. Carne, under
8 something which I will submit to you separately, also recalled their
9 having had autopsy notes. These autopsy notes have never been seen.

10 The only autopsy note we have is Dr. Boswell's face sheet
11 diagram and a face sheet diagram, in fact, tends to prove that the
12 entrance point was low in the skull. The way that it proves that is
13 easily seen in the skull, and that is, the autopsy diagram that Finck
14 prepared shows something that says, 17 centimeters missing, with
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1 the words "missing" on it. If one takes a skull, and disarticulates it as
2 I have here and shows the most anterior portion for the exit to have
3 been was just above the hairline. In other words, you would have
4 seen it. There is a bullet hole coming out here. And the autopsy
5 photographs, even in the books that any of you may have seen, you
6 don't see a bullet hole coming out. So presumably it was right about
7 the hairline and, of course, Jack Kennedy fortunately had a lower
8 hairline than I do. In any case, it was at about this point.

9 Now if one measures from the lowest point that that
10 could have been for the exit to have been four centimeters above the
11 ridge backwards, he said 17 centimeters missing. Now I have talked
12 to Dr. Boswell about this, and you put a centimeter ruler back there,
13 17 centimeters back of this point puts you spot on the external
14 occipital protuberance. I can demonstrate it with a ruler, if anybody

1 *cares to see it, but I have done it many times.*

2 *Now if, in fact, the entrance wound and a defect was that*
3 *much higher, this distance from here to that exit point is only about*
4 *12 to 13 centimeters. So he basically has triangulated the wound to*
5 *this low point, but the photographs are missing that would help*
6 *establish that it was there, and since that was a contemporaneously*
7 *prepared diagram --*

8 *Now the confusing thing here is that in the autopsy report*
9 *it describes the defect as being 13 centimeters, not 17 centimeters.*
10 *Well, Dr. Boswell told the House Select Committee on Assassinations,*
11 *told Harrison Livingstone and told me on the phone on March 30th*
12 *of this year that it was 17 centimeters when the body arrived, and*
13 *then he found or got -- they got a bone fragment in, and he put the*
14 *bone fragment back in place, and with the bone fragment the defect*

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1 was, in fact, then 13 centimeters.

2 Now to illustrate what I am talking about, here is a
3 photograph. These are the diagrams from the Warren Commission,
4 and they are in color, very nice ones. Here is the way that they
5 diagramed that. This is 13 centimeters across here but, in fact,
6 when the body first arrived, according to what he told me on the
7 phone, and I have a recorded conversation of this, this fragment of
8 bone was not there. This fragment of bone was absent and, in fact,
9 there was a hole extending all the way from the entrance point
10 forward 17 centimeters which would have to place the wound, the
11 defect, quite low in the rear of the skull, placing some forensic
12 problems for the reconstruction of the shooting.

13 In any case, under Item Number 6, there is a segment
14 from Dr. Finck in which -- in the last page of the gross examination
15

1 of a formal and fixed brain, and I have the Agency file number there,
2 there are on the fifth page of this document, which is titled Personal
3 Notes Used for the Tech Sent With Letter of 1 February 1965 to
4 Brigadier General Blumberg, AFIP Director. There are five lines
5 blocked out of Dr. Finck's first paragraph.

6 Now I have that to show you, and I will hold it up for
7 others to see. Here we have that document, and here it is. It is all
8 medical, and here are all these lines are blocked out. Dr. Humes
9 called me on the 29th of November, it is basically dealing with how
10 he was called, and so on and so forth, but those lines are blocked out.

11 I can't think of a national security reason for excluding that.

12 One final issue that I would like to raise

13 DR. HALL: Mr. Aguilar, I wonder if I might, Mr.
14 Chairman, before you go on, could I see that particular document?

1 MR. AGUILAR: Sure. Some of this might have been
2 released in the meantime, I don't know. These are the copies that I
3 have of it, and I would be happy to show it to you.

4 DR. HALL: Thank you.

5 MR. AGUILAR: If, in fact, anything has been released
6 that I am requesting, I apologize for not knowing. By the time it
7 gets out to San Francisco, information gets out to San Francisco --

8 Do you have any questions regarding that, Mr. Hall?

9 DR. HALL: No, you can just proceed. I am going to
10 listen and read at the same time.

11 MR. AGUILAR: You remind me of me.

12 Under Item Number 7, there were some recent
13 revelations, and for this I have brought copies to give to you. I have
14 three copies for you, and I could make more if they are needed, but

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1 three copies I will pass to you. As I mentioned, JFK's pathologist
2 James Humes, J. Thornton Boswell described the entrance to the
3 President's skull wound as being to the right and just above the
4 external occipital protuberance in the original autopsy report. They
5 repeated that assertion in an interview published in the Journal of the
6 American Medical Association on May 27th, 1992.

7 On November 17th, 1993, author Gerald Posner, the
8 author of the book *Case Closed* reported to the Congress Committee
9 that he had interviewed both Dr. Humes and Dr. Boswell at
10 apparently the same time they were interviewed by the Journal of
11 the American Medical Association in 1992. Mr. Posner reported
12 that Drs. Humes and Boswell told him that JFK's skull wound was not
13 low and near the rear, near the external occipital protuberance, but
14 rather it was high in the President's skull.

15

1 Mr. Posner indicated during his testimony to the
2 Representative of Congress that he would ask Dr. Humes and Boswell
3 for permission to release information on his interviews with them, but
4 he has not done so to my knowledge.

5 On March 30th of this year, I, myself, called both Drs.
6 Humes and Boswell to inquire about Mr. Posner's report of their
7 surprising turnabout on this important question. Dr. Humes
8 indicated to me that he stood firmly by his statements in JAMA. Dr.
9 Boswell also told me that he had never changed his mind about the
10 low location of JFK's skull wound and, moreover, Dr. Boswell told me
11 that had never spoken with Mr. Posner. I have a recording of this
12 and I would be happy to leave it with you, if you would like. As I
13 spoke with both pathologists four-and-a-half months after Mr.
14 Posner's claim, I am baffled at this discrepancy.

1 In any case, that Jack Kennedy's pathologists might be
2 inconsistent and reliable about the President's skull wounds is of
3 enormous evidentiary significance, I believe. Their claims about JFK's
4 fatal wound which contradict Mr. Posner's assertions have been
5 published in a peer review medical journal and the Journal of the
6 American Medical Association, and if JAMA's representations are not
7 reliable, must light is shed on the ambiguity of the autopsy findings.

8 I respectfully request that you ask Mr. Posner, as he has
9 already offered to do before Congress, to produce the copies of all
10 records that he possesses in his interviews with Drs. Humes and
11 Boswell.

12 As a physician who has an interest in this case, I think
13 from an academic standpoint, I thank you very much for the time
14 you have allowed me, and if you have any questions, I would be happy

1 to answer them for you.

2 *Could I give you a copy of this, I have highlighted them.*

3 *In fact, just for the purposes of -- can I read from this one, and then*

4 *I will give it to you as I leave. I would like to read, in fact, from Mr.*

5 *Posner's testimony so that there are no ambiguities about precisely*

6 *what he said.*

7 *On the bottom of page 112 of his document, and I need*

8 *to explain the pages that follow page 112 and 113, on the bottom of*

9 *page 112 it was during the testimony of a Dr. Randy Robertson, Mr.*

10 *Posner essentially interrupted that testimony of Dr. Robertson's*

11 *because Dr. Robertson was discussing the fact that the autopsy*

12 *pathologists had placed the skull wound low. Mr. Posner interrupted*

13 *to say: I have interviewed the autopsy doctors -- this a quote*

14 *now -- I have interviewed the autopsy doctors. I have interviewed*

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1 Mr. O'Neill. What is left here on the record today should not be
2 allowed because it is not correct, which is the implication that the
3 autopsy doctors agree with their original drawings in 1963 -- that
4 they agree with the original drawings in 1963 and, of course, they
5 do -- which were made without the benefit of X-rays -- that's not
6 true, they had X-rays, they looked at X-rays -- photographs. To
7 the credit of the House Select Committee on Assassinations and
8 Congressman Stokes, that Committee did a superb job on the
9 forensics of this case. It was the work of that Committee that had
10 the two autopsy physicians change their minds that they had been
11 mistaken about the placement of the wound here.

12 In fact, it is equivocal that Dr. Boswell told me he doesn't
13 believe that Humes caved in on the question of the wound being
14 higher, but reading Humes testimony after having been harangued

1 and harangued and harangued, Boswell would never change his mind,
2 Finck would never change his mind, but Humes came back and said,
3 well, maybe that is what it is on the photographs, but still has never
4 said that the wound was any place other than low.

5 In any case, he says here, and I quote again: I have
6 spoken to them -- and he had just mentioned Humes and
7 Boswell -- about this and they have confirmed their change of
8 testimony that they gave before the House Select Committee on
9 Assassinations.

10 Now they had just told the Journal of American Medical
11 Association presumably that the wound was low, and now he is saying
12 that they confirmed to him that they had changed it and made this
13 wound high, an enormous error.

14 James Lasar asked a question about Mr. Posner's releasing

1 these documents, and Mr. Posner says, and I quote again: I would be
2 happy, Mr. Chairman, to ask Drs. Humes and Boswell if they would
3 agree for their notes to be released to the National Archives.

4 This occurred on November 17th. I called Dr. Boswell on
5 March 30th, four-and-a-half months later, and at that time he had
6 not yet spoken to him for the first time, so presumably he had not
7 asked him to release notes. Now I don't know, and I am not
8 accusing Mr. Posner of misrepresenting the truth here, I don't know
9 what the truth is, but I think that if Mr. Posner could convincingly
10 demonstrate that the doctors are unreliable about this, I think it
11 would have some great value to this.

12 CHAIRMAN TUNHEIM: Thank you.

13 Are there questions for Dr. Aguilar?

14 [No response.]
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1 CHAIRMAN TUNHEIM: Thank you. We appreciate your
2 testimony today.

3 MR. AGUILAR: Thank you very much.

4 MR. MARWELL: Mr. Hal Verb.

5 CHAIRMAN TUNHEIM: Mr. Verb, we didn't have you on
6 the list ahead of time. Could you spell your name for the record?

7 MR. VERB: Yes, my name is Hal, H-a-l, and the last
8 name is Verb, that is like pronoun, subject, V-e-r-b.

9 CHAIRMAN TUNHEIM: Go ahead, sir. Thank you.

10 MR. VERB: I am from San Francisco. I am a private
11 researcher. I have been conducting research for about 30 years, in
12 fact, almost from the very first day of the assassination because it was
13 a tremendous event in American history, still unresolved in my mind,
14 and still unresolved in the minds of most of the American public.

15

1 That is why I am here, and that is why you are here.

2 I am here as a private citizen who is deeply concerned to
3 know the full truth about the assassination of President Kennedy.

4 Today I wish to call attention to a serious question that has long
5 lingered about the event, and that is precisely the accused assassin,
6 Lee Harvey Oswald, and his alleged association, connection or
7 involvement with the U.S. Government as a possible agent for an
8 agency or agencies that represented the U.S. Government.

9 Regardless of whether one believes or asserts that there
10 was no conspiracy or there was a conspiracy, the unresolved question
11 of Oswald's ties to the U.S. Government looms large and, indeed,
12 hangs over us like the proverbial Damocles sword, and that is over all
13 of us, including the U.S. Government, whether the U.S. Government is
14 in any way connected or not.

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1 Now I realize fully well that virtually no government
2 reveals its agents or its methods of operations, but in the matter of
3 the President Kennedy's death this question can no longer be ignored,
4 and the longer it is avoided the greater the harm that will befall us
5 all.

6 To focus the attention of the Review Board more closely in
7 this regard, I specifically call your attention to a radio program that I
8 appeared on in December 1966 which was several hours long and
9 concerned the Kennedy murder. I was in the radio station studio,
10 this was in Oakland, California, and the other half of the program
11 was a telephone hook-up to a Maryland writer and researcher Harold
12 Weisberg who had written and began a series of books called
13 Whitewash, the Whitewash series.

14 At the end of the program, the program moderator

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1 received a call from an individual who did not wish to be heard on
2 the radio, and who stated he wished to speak only to Mr. Weisberg
3 confidentially. Now I was able to hear the contents of this discussion,
4 the entire discussion between Mr. Weisberg and the caller, and the
5 phone call from the individual who insisted that he not be identified
6 and who wanted to remain anonymous. In fact, Weisberg asked the
7 individual if you desire to come forward, you always know how to
8 reach me, but this individual never did step forward.

9 I am going to go into what the nature of this call was.

10 The gist of the phone call was this. The caller had been a barracks
11 roommate of Lee Harvey Oswald who was stationed at El Toro Marine
12 Corps Base in California. The caller stated that about two weeks
13 before Oswald received his so-called alleged hardship discharge, which
14 is all over the record, can be established, he was constantly in the CID
15

1 Headquarters being briefed for a mission overseas. The caller
2 provided the information that Oswald also had a crypto secret
3 clearance.

4 Now I raise this matter because if, indeed, the CID was
5 involved in such an event -- I am not here to state flatly that they
6 did engage in this, I don't know, I want the evidence to be
7 presented -- it would necessarily follow that the ONI, which is the
8 Office of Naval Intelligence, must certainly have been aware of this.
9 It just boggles my mind.

10 I at one time served in an intelligence section during the
11 Korean War, and it is impossible for me to believe that the CID
12 could not have had in some way connection or approval by the ONI.

13 Now I mention ONI because there is a lot of speculation in
14 the literature, some of which you may have read, you may not have,

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1 and none of this speculation has proven to be final, and this
2 speculation is pointing to Oswald being connected in some capacity
3 with the ONI. Other writers will suggest FBI, CIA, my concern here
4 is with the ONI.

5 Recently Professor John Newman, who has appeared I
6 believe at the last hearing, he has been looking into this matter, and
7 has stated that as significant portion of the ONI files relative to JFK
8 have been destroyed. There are still remaining, however, at least
9 two boxes of ONI files that still have to be gone through. I have not,
10 myself, seen these so I do not know what the nature of those files
11 consist of. I believe it is incumbent upon this Board to reach a fairly
12 definitive determination as why, when and how these ONI files were
13 destroyed and whose responsibility it was for the destruction.

14 Since ONI files necessarily involve the Navy Department, it
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1 appears evident that those individuals from the Secretary of the Navy
2 on downward, and those immediately below charged with their
3 necessary responsibilities be asked precisely about the issues and points
4 raised in my statement today.

5 If this is not done, history will not be served, and the
6 American people will once again, as in prior investigations, be the
7 ultimate losers. Respectfully, that is my -- I will be willing to send
8 you this entire statement in a letter which I will forward to the
9 Board, and I will answer any questions that you have about this.

10 CHAIRMAN TUNHEIM: Thank you, Mr. Verb.

11 Any questions?

12 DR. GRAFF: What do you mean, Mr. Verb, by crypto
13 security clearance?

14 MR. VERB: Well, a crypto secret clearance has to do, as
15

1 the caller explained -- I didn't get into it further. Actually crypto
2 secret clearance is mentioned in the Warren Commission documents,
3 in its actual Warren Commission volumes. I found that out after
4 having looked into it. You can find them.

5 Crypto secret clearance is a very specialized high security
6 clearance that very, very few people would obtain in any capacity,
7 and it is interesting to note that at this time while Oswald was in the
8 Marine Corps he was receiving "Communist literature," so you have a
9 pro-Communist, Marxist having crypto secret clearance.

10 I talked to a General who was an aide to President
11 Kennedy, who accompanied President Kennedy, I asked him about
12 crypto secret clearance. He knew about it. He said, I have not
13 confirmed this, that the only way that you could obtain crypto secret
14 clearance is that you had first top secret clearance. Crypto secret

1 clearance had to do with black box stuff, which is the information
2 provided on atomic warhead missiles in case of atomic attack. I
3 understand the Strategic Air Command has the capacity for this kind
4 of information. I don't know precisely the nature of it, I haven't
5 looked into it further.

6 But I have spoken to people who have had crypto secret
7 clearance, many people, in fact, that I have spoken to who have
8 pretty much asserted that what I have learned through this broadcast
9 and other means turns out to be fairly accurate, and I only go by
10 what I can document. I am not interested in speculation. I do not
11 go by hearsay to the extent that I simply believe every single theory.
12 I want documentation to prove what can be clearly set in the record
13 and determined to be the truth.

14 DR. HALL: Have you made requests of the United States

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1 Government?

2 MR. VERB: No, I have not. I have not. In fact, I have
3 never issued a single FOIA request in the years that I have been doing
4 this, although I have relied on other FOIA requests from other -- not
5 necessarily connected with this particular issue, but I have interviewed
6 people who would have been in a position to know precisely what this
7 kind of clearance was, and the nature of ONI and related matters.

8 DR. HALL: Well, the issue that you raise, of course, is
9 one that goes to the availability or the destruction of materials held
10 by the United States Government.

11 MR. VERB: Exactly.

12 DR. HALL: May I ask why you decided or have foregone
13 the opportunity to use the Freedom of Information Act?

14 MR. VERB: To be quite honest, I am primarily involved
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1 in so many other areas. My area that I have been looking into is the
2 photographic evidence, and that takes an enormous amount of time.
3 I write letters and receive letters.

4 In fact, I should mention one important thing that may
5 go to the heart of the matter. I recently received a call from a
6 person who took Oswald's place in the Marine Corps in his very
7 position after he left and went to Soviet Russia. I hope to be in
8 communication with this person to find out precisely what the
9 nature, if he knows anything at all, about crypto secret clearance.

10 So my answer would be, I simply have not had the time
11 to do this. If you have been involved in this case, it is very time
12 consuming. I have a full-time job during the day. I am not a
13 member of any particular group or organization, nobody is sponsoring
14 me. All the money I have put into this basically simply because I

1 *desire the truth, and I think justice will be served if the truth is*
2 *known.*

3 *DR. HALL: I do think it is the case that part of what the*
4 *Board is interested in is the efficacy and efficiency of the Freedom of*
5 *Information Act as it relates to this matter, so my questions are*
6 *directed to that issue and not directed necessarily to your personal*
7 *capacity.*

8 *MR. VERB: I understand that. Right.*

9 *CHAIRMAN TUNHEIM: Other questions?*

10 *[No response.]*

11 *MR. VERB: Thank you for the opportunity.*

12 *CHAIRMAN TUNHEIM: Thank you, Mr. Verb. We*
13 *appreciate your being here today.*

14 *MR. MARWELL: Mr. Thomas Meros.*

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1 MR. MEROS: Thank you very much.

2 MR. MARWELL: Could you please just state and spell
3 your name for the record?

4 MR. MEROS: Yes, my last name is Meros, M-e-r-o-s. I
5 live and work in Cleveland, Ohio, and over the years I have been
6 coming to Dallas, Texas, and the first opportunity I had to bring my
7 teenage children was May of '92.

8 In May of '92, I took my children into the Old Courthouse.

9 We were walking around, and I was trying to find the courtroom
10 where Jack Ruby was tried. Somebody told me that that room was
11 locked, it was disassembled and it became a storage room. Well, the
12 lady that told me that told me that she had been at the Ruby trial
13 and she would be glad to talk to my children about that trial.

14 So we went into her office and she told my children a

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1 story that I videotaped. For a half-hour I listened to this story.

2 She told me -- her name is Dee McCarell, M-c-C-a-r-e-l-l -- she is
3 presently the administrative assistant for Judge Nicky Deshazo in the
4 probate court here in Dallas.

5 She told me that in November of 1963 she had worked
6 for the County Recorder's Office. The FBI came to the County
7 Recorder's Office one week before the assassination and they asked the
8 County Recorder to get all the documents turned over to the FBI that
9 contained the name Lee Harvey Oswald. She said nobody ever
10 interviewed her about this before, and she has never told her story
11 before.

12 I have this on videotape and I will be glad to send it to
13 you. She told me that they gathered up whatever they had, and the
14 County Recorder gave it to the FBI because she was assigned the task,

1 her and another coworker, they are only 21 years old at the time.
2 They gave these documents to the FBI, whatever existed. This was
3 during the week prior to the murder of President Kennedy.

4 The day before the assassination Jack Ruby came to the
5 Office of the County Recorder and insisted upon seeing the County
6 Recorder. This was a Thursday. The County Recorder did not come
7 to work that day, but Jack Ruby hung around that office for almost
8 the entire day because he wanted to see the County Recorder.

9 Now my questions are, was there a lease that was possibly
10 recorded with the name of Lee Harvey Oswald here in Dallas County
11 that may have had a cosigner on that lease that didn't want his name
12 to be known? Could it possibly have been Jack Ruby who had
13 cosigned for a lease when Oswald moved in and out of Dallas to
14 different addresses he lived in in Oak Cliff? Where are these

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1 documents today? Maybe the County Recorder or his family knows,
2 of course, that was 30 years ago and who even knows if they exist.

3 But I have Dee McCarell's address, her phone number, and
4 she is within a mile from here.

5 I brought my son back to Dallas on the 30th anniversary,
6 which was a year ago, and on November 22nd, on the Grassy Knoll,
7 we got to meet Jim Lavelle was the detective who was wearing the
8 white suit, and I find it kind of strange, he is wearing a white suit just
9 about eight days before December, and he is the only man, if you look
10 at all the videotape of that weekend, the only person who wears a
11 white suit. I asked him why he was wearing a white suit, and he
12 says, well, that is the only suit I had available, and that is what my
13 wife laid out for me.

14 Then I asked him why nobody took notes of Lee Harvey
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1 Oswald during the interrogation of Oswald for the ten hours prior to
2 his death, and he said, oh, we took notes. We took notes, he said. I
3 said what about your notes? He said, I still have my notes at home
4 in my basement. I said, why didn't you turn them over to the
5 Warren Commission? He said, nobody asked me for them.

6 So if Officer Lavelle still has his notes as to what Lee
7 Harvey Oswald had to say during his ten hours of questioning before
8 his own murder, I think that would be important for this Board to
9 find out.

10 Thank you very much for the opportunity.

11 CHAIRMAN TUNHEIM: Mr. Meros, thank you.

12 Any questions?

13 [No response.]

14 CHAIRMAN TUNHEIM: Thank you very much. We

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1 appreciate the help.

2 MR. MARWELL: Mr. Lawrence Sutherland.

3 CHAIRMAN TUNHEIM: Could you, Mr. Sutherland, spell
4 your name for our record?

5 MR. SUTHERLAND: Yes, it is S-u-t-h-e-r-l-a-n-d.

6 CHAIRMAN TUNHEIM: And Lawrence with a W?

7 MR. SUTHERLAND: Yes.

8 CHAIRMAN TUNHEIM: Go ahead.

9 MR. SUTHERLAND: Okay.

10 My name is Lawrence Sutherland. I am a private citizen,
11 and sometimes freelance writer, and I have written in the past on the
12 subject of the Kennedy assassination. I come before the Board today
13 to urge the release of all documents, as have others, under the
14 government control relating to the assassination of President John F.

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1 Kennedy. If required, and I rather suspect it will be, additional
2 legislation should be enacted to accomplish this goal.

3 Such a request for full disclosure has often been heard in
4 the past and, of course, continues today. My perspective, however, is
5 likely quite different from many who have addressed this Board. I
6 believe a full and complete disclosure of all heretofore secret
7 documents will fail to overturn the Warren Commission's conclusion
8 that Lee Harvey Oswald acting alone killed President Kennedy. If I
9 am wrong, then let the now hidden facts prove me wrong. The
10 public deserves the truth.

11 To be sure, the uncovering of new information on the
12 assassination will hardly be enough to establish that there was no
13 conspiracy, but it may, in some small measure, add to the credibility
14 of government. The public deserves a government it can trust.

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1 Anything less than full disclosure of government documents will
2 continue to allow doubts to be raised about who participated in the
3 assassination, and for some the answer of who may never be
4 satisfactorily resolved no matter what is disclosed, but we should try.

5 When public opinion polls consistently reveal high
6 percentages of the American people, as high as 90 percent, believing
7 there was a conspiracy, then there is even more need to open the
8 files. That so many accede to a conspiracy notion is not surprising in
9 a wide range of media over the years, the public has had no shortage
10 of outlets for pro-conspiracy viewpoints.

11 Oliver Stone's propaganda in JFK is perhaps the most
12 prominent avenue, but is far from the only one. Bookstores, at least
13 those in the Dallas-Fort Worth area, often offer half a dozen or more
14 works espousing one conspiracy theory or another. All these theories

1 have given the American people a plethora, if you will, of mania. We
2 have badge man, and umbrella man, and Dal-Tex man, and fake
3 Oswald in Mexico City man, and something even I believe you call it a
4 manhole cover man.

5 Now it is right and proper that proponents of conspiracy
6 theories be permitted to air their views. They may well be wrong,
7 but they have every right to be wrong. The public's interests are best
8 served, however, by a search for hard facts that stand up to scrutiny.

9 One can only hope that the unreleased documents will aid in that
10 search.

11 To that end, the Board should endeavor to open for public
12 inspection all documents held by the House Select Committee on
13 Assassinations. That Committee, of course, concluded that there
14 were two gunmen firing at the President, to quote from the 1979

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1 final report: The various scientific projects indicated that there was
2 a high probability that two gunmen were firing at the President

3 Scientifically, the second gunman was established only by
4 the acoustical study. As you may know, three years after the report
5 was issued, the National Academy of Sciences issued its study seriously
6 undermining the acoustical study.

7 Furthermore, much of the expert testimony before the
8 House Select Committee in my opinion tends to downplay a
9 conspiracy possibility. I would hope that the release of any additional
10 documents of the House Select Committee might resolve questions
11 about the Committee's credibility. At the very least, we should open
12 doors for knowledge about the assassination that have for too long
13 remained closed.

14 CHAIRMAN TUNHEIM: Thank you.

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1 Any questions?

2 DR. HALL: Mr. Sutherland, do you believe that it would
3 be proper to disclose the names of informants, agents, or others
4 working under the protection of the government of the United States
5 who have information that bears upon the assassination but the
6 disclosure of whose names might put in jeopardy themselves or their
7 families?

8 MR. SUTHERLAND: I think that would be perhaps the
9 only exception that I would not. But anything else, autopsy records,
10 photographs, anything among the dozens of cubic feet of documents I
11 think should be released. But not in that particular instance.

12 CHAIRMAN TUNHEIM: Other questions?

13 [No response.]

14 CHAIRMAN TUNHEIM: Thank you, Mr. Sutherland. We

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1 appreciate your testimony.

2 MR. MARWELL: Mr. Joseph Backes.

3 CHAIRMAN TUNHEIM: Good afternoon, Mr. Backes.

4 MR. BACKES: Thank you for the opportunity, Mr.

5 Chairman and panel members, for allowing me to speak today. I

6 didn't think I would get the chance.

7 CHAIRMAN TUNHEIM: We need you to spell your name

8 for the record.

9 MR. BACKES: My name is Joseph Backes, B-a-c-k-e-s.

10 I am from Albany, New York. I am a private researcher into the

11 case.

12 I wanted to applaud the idea of lifting a gag order

13 universally across the board for all intelligence agencies and especially

14 Federal Commissions who have researched and looked into the

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1 assassination of President Kennedy, especially House Select Committee
2 members who would have a lot to say on this case.

3 I also want to raise the issue of evidence being in the
4 hands of private individuals and private corporations and ask the
5 Review Board how they would go about acquiring such material. I
6 could corroborate that Detective Lavelle does have notes in regard to
7 the interrogation of Lee Harvey Oswald. Asked in '92 on an
8 eyewitness panel, he said as such, and the last sentence of that panel
9 was Detective Lavelle saying, I will not release mine. So if you start
10 with him, I think we will see a lot of notes on that interrogation
11 suddenly start appearing.

12 Several retired Dallas policemen have files and evidence
13 relating to this case. So far there have been two books from Dallas
14 policemen, Jesse Curry's assassination file, recently there is a book by

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1 Gary Savage, I believe, a nephew of Rusty Livingston who worked in
2 the crime lab. This book is called, First Day Evidence. Rusty
3 Livingston would have a lot of evidence and files relating to the case
4 that would be worth looking at.

5 Specifically in that book, he worked in the crime lab, he
6 mentions a camera which was used to take photographs of
7 photographs, and he mentions that they were of such good quality
8 that the photographs of the photographs could pass for originals. I
9 find that very interesting, and I would ask the review panel if
10 somehow they could acquire that camera. I would like people with
11 more scientific and photographic technical expertise than I have to
12 examine that camera. I would like to look at documents of the
13 Dallas police crime lab, how many photographs of photographs they
14 took, who saw them, where they went, were any used as an original

1 photograph, did that get into the official record, and such.

2 I would also like to know if the review panel has been in
3 contact with organizations that have photographic evidence like local
4 television stations here in Dallas, the Sixth Floor Museum has a lot of
5 photographs, Southern Methodist University, Dallas Times Herald
6 although no longer in existence as a newspaper must have their
7 archives somewhere, the Dallas Morning News, Fort Worth Star
8 Telegram, and things like that. How would you guys go about
9 getting material from that, or would you need more specific
10 information from someone like me asking them a question?

11 CHAIRMAN TUNHEIM: Well, we simply are taking any
12 input today that you might have. Those are good suggestions for us
13 to follow-up on, and we certainly will do that. Whatever precision
14 you can provide to us in terms of the kinds of records that you think

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1 are there is helpful to us.

2 MR. BACKES: Along those lines, how much of
3 investigatory work would you do? Like if I have an opinion that
4 there is a film or photograph at one of these places, and they come
5 back to you or they deny it. I mean, I am not for certain that such
6 a photograph may be there, but how much investigatory work would
7 you do, or would you throw that back on a researcher such as myself?

8 CHAIRMAN TUNHEIM: We certainly would make every
9 effort to follow-up, but it would be very helpful for us to know the
10 basis for which you believe that there are photographs or records at
11 the location that you are asking us to seek.

12 MR. BACKES: Okay. I would also ask to look into the
13 National Photographic Interpretation Center, which was like the CIA's
14 photo lab, basically. There are documents that they may have had

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1 the Zapruder film on the night of the assassination that is somewhat
2 in dispute, maybe it was a few days later, or something, but that, in
3 my opinion, would be part of their job. I would want them to look
4 at it. You know, I am sure there are honest people in the CIA, there
5 are honest people in the FBI, and some of them are actually trying to
6 do a respectable job and trying to find out what happened, and some
7 people say they are trying to mess around with the photographic
8 evidence, but to get the documents from these organizations and to
9 know that the names of the employees and who worked there, and
10 what the hierarchy Washington, who was whose boss, and exactly
11 what went on would be interesting to look at.

12 Also, radio is something that is often overlooked as a
13 source of valuable information. I would ask to look at the FCC, if
14 they have master copies of radio broadcasts that day, and similarly

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1 like CBS News is kind of difficult to get material from, basically their
2 policy is, if they didn't air it, you can't see it. I think they have an
3 archive in Fort Lee, New Jersey. That would be the number one
4 network I would ask the Review Board to pay attention to, especially
5 outtakes of interviews, like if it was ten minutes on a national
6 program, there must be three or four hours with that person that
7 didn't get on television that must be stored on tape somewhere.

8 That is basically it.

9 MR. JOYCE: Mr. Backes, you described yourself as a
10 private researcher. In the course of your research on the
11 assassination, have you identified any records either in private hands,
12 rather, or that are restricted in government that you specifically
13 would wish us to go after that you know exist?

14 MR. BACKES: The Dallas policemen that I have
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1 mentioned, and I think that could start a snowball effect because
2 people don't want to be out in the spotlight that they have been
3 withholding documents for a long time. It is like, you know, what
4 about him. Don't look at me, this is something that maybe their
5 boss, Chief Curry, or Will Fritz says not to talk about it.

6 Because at Bethesda also there was like a gag order to
7 people like Floyd Reeby, and Gerald Custer that David Lifton
8 interviewed on film, you know, you are not to discuss this and you
9 might be court-martialed if you do. There may have been something
10 similar to that in the Dallas Police Department.

11 I know for a fact that Detective Lavelle has notes on the
12 interrogation of Lee Harvey Oswald because he said so publicly and I
13 have it on videotape, and I will mail that videotape of that panel
14 conference to you, and you can see for yourself. He says: I will not

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1 release mine. Well, if you don't have any, what are you talking
2 about.

3 CHAIRMAN TUNHEIM: Further questions?

4 DR. HALL: I do have a question.

5 It is a question we haven't had the occasion to pose today,
6 but I would like to pose it in a brief compass, and that is to ask you
7 whether, not as a matter of law or a matter of statutory authority,
8 but as a matter of principle and good public policy, whether you
9 believe it is appropriate for Federal agency, and an agency of the
10 United States Government, to take the property of private
11 individuals?

12 MR. BACKES: I think this is going to be a difficult,
13 probably your most difficult assignment in releasing documents. I
14 am a little bit annoyed at how private ownership has been held up as

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1 this sacred thing, especially with the Zapruder film, almost from day
2 one, and I question that the Secret Service didn't say, hand it over,
3 and how the right of private ownership throughout this case,
4 especially with the photographic evidence had been used as a barrier
5 to prevent honest research, and I would ask the Review Board if it is
6 possible, they can keep the rights to the photographs, but I would like
7 them to be made more public, more available, maybe if you could
8 somehow bend that, especially with organizations like CBS and
9 Time-Life, because I believe there was a system set up to acquire the
10 photographs and put them in the hands of these corporations to
11 prevent public access to it.

12 No one saw the Zapruder film until 1975, 13 years later.

13 It was shown during the Garrison trial, but I would kind of ask if
14 there is someway -- when we have really important evidence like the

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1 Zapruder film or the Nix film, to kind of bend private ownership laws.

2 They can have royalties or something, like a play, there are royalties
3 to the writer, but if you pay him a reasonable amount and you
4 produce the show any way you want it, something like that should
5 happen with the photographs. I mean pay the royalty to the owner,
6 but the public should have them, be allowed to look at them.

7 DR. HALL: Thank you.

8 MR. BACKES: Thank you very much.

9 CHAIRMAN TUNHEIM: Thank you, Mr. Backes.

10 MR. MARWELL: Martin Shackelford.

11 CHAIRMAN TUNHEIM: Good afternoon, Mr. Shackelford.

12 MR. SHACKELFORD: Good afternoon. My name is
13 Martin Shackelford, that is S-h-a-c-k-e-l-f-o-r-d. I am a
14 delinquency social worker in Michigan with a Bachelor's Degree in
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1 History from the University of Michigan. I have studied the JFK case
2 for 20 years with a primary focus on the photographic evidence, and
3 I also try to keep up with the literature on the case.

4 Mr. Hall has been asking the question about agent
5 identities, my own feeling is that if an employee of the U.S.
6 Government has concealed information on this case, has covered up
7 the facts in the case, the American public has the right to know who
8 that person is. So in that type of situation, I would have no qualms
9 about revealing the name.

10 I gave a list of materials, sources of materials to the Board
11 prior to the in Washington, D.C., hearing. A couple of things have
12 come to my attention in the last few days. One was in an article in
13 the Fourth Decade by Philip Coppins, a Belgian journalist that I have
14 been in correspondence with. He reports on an article written by

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1 two Dutch journalists about Lee Harvey Oswald's stay in Holland, and
2 one of the things that came out of that is that there is an American
3 Express file on Lee Harvey Oswald in the Rotterdam Branch Office of
4 American Express. That might give some of the expenditures of the
5 Oswalds while they were in Holland, it might give a little more
6 information on an aspect of his return from the Soviet Union that we
7 really don't have very much information on at this point.

8 The American Express Office told the journalists that as
9 far as they knew there was nothing of particular interest in the file
10 and, therefore, they weren't going to show it to them. But
11 apparently there is such a file there. If Oswald had American
12 Express, there may be other American Express files with information
13 about him as well.

14 The other matter which has come up was most recently
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1 mentioned in Anthony Sommers article in Vanity Fair is the CIA
2 project called Q K Enchant. Apparently Clay Shaw had a clearance
3 for that project, apparently also the Director of the San Francisco
4 Trade Mart, who was Mr. Shaw's witness to say that he was in San
5 Francisco at the time of the assassination also had a clearance for
6 that project.

7 Right now there is nothing in the public record as far as I
8 know about that project, what it was, what it was supposed to be
9 doing, and I think it is important to clear that up and get some
10 information out as to what the Q K Enchant was. I am sure
11 something could be released on that that would satisfy the public
12 interest.

13 Thanks very much.

14 CHAIRMAN TUNHEIM: Thank you.

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1 Any questions?

2 [No response.]

3 CHAIRMAN TUNHEIM: Thank you, Mr. Shackelford. We
4 appreciate your assistance.

5 MR. SCHAEFFER: My name is Roy Schaeffer and I am a
6 private citizen, and I never met Hal Verb, but I am --

7 CHAIRMAN TUNHEIM: Could you spell your name for
8 the record?

9 MR. SCHAEFFER: Okay, it is S-c-h-a-e-f-f-e-r.

10 CHAIRMAN TUNHEIM: Thank you.

11 MR. SCHAEFFER: I am the person Hal Verb mentioned, I
12 am the person who replaced Oswald after he left El Toro in 1960.

13 He left in 1959, and I joined his unit. So I did have a crypt
14 clearance. I don't want to get into that.

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1 Basically, what I would like to mention is, I am a private
2 probably an assassination buff more or less. In 1986, I contacted
3 Jim Garrison, and before he died he had sent -- well, when he got
4 the Zapruder film down at the trial on '66, he ran off 100 copies.
5 Sometime in 1989, you know, I received a copy from him, and then I
6 have been researching using a copy of the 100 that was made.

7 Now what I had found then at first, you know, I am
8 interested in this flawed editing of the Zapruder film, and I
9 wondered, Zapruder said that he had set his camera on a film speed
10 of 24, and so over the years it got me thinking. In 1963, I worked
11 for the Dayton Daily News, and Hess & Eisenhart was the company
12 that rebuilt the Presidential Limousine, so I had gone down there with
13 a fellow reporter because I had like a scientific background.

14 Okay, so anyway what was unique about that time was

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1 the emergency lights on the Presidential car. Now the lights were
2 interesting in one aspect, they blinked, they would blink on one side
3 and then on the other. So one problem I had in -- so I know there
4 was a constant blink rate. Now, I have taken a lot of eight
5 millimeter film. In other words, if something has a constant blink
6 rate and you are photographing it through, like Zapruder, that Bell &
7 Howell camera, then it would show a constant rate.

8 In other words, if it found that the blink rate was .41
9 seconds, so it would show a rate of nine blinks in the film. Now
10 what I had submitted, I believe you have that record I gave to Mr.
11 Gunn, I plotted from 133 to 238, and the pattern does not show up
12 that way. So I am suggesting, you know, to yourselves that that
13 proves that alterations was done to the Zapruder film.

14 Also on the night of the assassination, what I believe, the
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1 film -- in other words, Zapruder took the film to the Kodak lab in
2 Dallas. Now I have some film expertise. I served a six-year
3 government sponsored apprenticeship in film, and that had what they
4 call a 14K process. This 14K process is how they developed
5 Kodachrome. It is quite complicated. At that time, the only place
6 that had that process was here in Dallas next to Love Field, and that
7 was at the Dallas Eastman-Kodak lab.

8 From my information on the Max B. Phillips minimal, I
9 think Paul Halp talked about that on Commission Exhibit 450, that it
10 shows that the Zapruder film, and I believe three copies were flown to
11 Washington the night of the assassination, I believe they were taken
12 into -- they had five hours from my timetable. I worked with a Dr.
13 James Fetzer on this, and also Mike Pinser, he is an attorney. So
14 any way, I interjected on that, but anyway I lost my place when I

1 said that. Could you help me? I lost my place.

2 DR. HALL: You were saying only the Dallas
3 Eastman-Kodak lab.

4 MR. SCHAEFFER: Okay. So anyway, it is a very
5 complicated process, and it takes about 45 seconds, so it is called the
6 K-14 but the 14K process because it is what they call a subtractive
7 process. It is a reversal film that like comes into a color
8 transparency after it is developed. So, in other words, I believe that
9 they took the original film to the National Interpretation Lab and at
10 that point they altered it down to approximately 18 frames per
11 second. Like I say, in 1960 -- so what I am saying is that I believe
12 Frame Z-133 to 238 is where they altered that.

13 Now the way I found that out was, I personally had the
14 film and I went through and I plotted each blinking light per frame,

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1 and that is how I derived that the film was altered. Unless you have
2 the actual film, you can't -- there is no way you can determine that.

3 So that is pretty much what I had to say. I thank you
4 for your time.

5 CHAIRMAN TUNHEIM: Any questions for Mr. Schaeffer?

6 DR. NELSON: I have one. You say you replaced Oswald,
7 that is to say you took over all of his functions, his job?

8 MR. SCHAEFFER: That's correct.

9 DR. NELSON: Which were? What was the job
10 assignment?

11 MR. SCHAEFFER: We worked at TACC, Tactical Air
12 Control Center, basically, and it was basically tracking IFF boxes. In
13 other words Strategic Air Command, and then they had like IFF
14 boxes. And then they would set those in the morning, and then your

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1 crypt orders would come down from Washington, and they were like
2 Zulu Time Rated, 24-hour time, and then there was what you call
3 authentications. So that is what a person that has crypt does.

4 So our job was, when the planes left the United States
5 through the EDACs area was to clear them and plot them, and so
6 that was basically what our job function was there at El Toro, and I
7 am sure Oswald did the same thing.

8 MR. MARWELL: Mr. Chairman, in fact, Mr. Smith had
9 signed up earlier.

10 CHAIRMAN TUNHEIM: Thank you, Mr. Schaeffer, we
11 appreciate your help.

12 MR. SCHAEFFER: Thank you.

13 CHAIRMAN TUNHEIM: Go ahead.

14 MR. SMITH: To follow-up here real quick, my name is
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1 Kenneth Smith, and I had the privilege of just stopping up in
2 Washington in-between assignments and looking at Mr. Oswald's file
3 which was very difficult to locate being it was in a boxcar running
4 around in the Peoria, Illinois, area, and the essence of what I was told
5 to check on with Oswald was the U-2.

6 You know, Gary Powers was shot down, and he was from
7 Jenkins, Kentucky, which wasn't too far away from where I lived and
8 where my father's brother lived, my father's sister lived. They
9 wanted to be sure that Oswald wasn't going to Russia and divulging
10 anything about this radar bubble, or what this gentleman has just
11 went through on his job assignment. That is where I entered the
12 picture historically with Mr. Oswald.

13 Now getting back to me personally, I collaborated with
14 Mr. Schweiker under his Intelligence investigation committee. I

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1 transported documents, and liaised and discussed matters of the
2 Kennedy assassination with him under Congressional privilege starting
3 in 1972 up until the time that he ran for President with Mr. Reagan,
4 at which time they felt, because of political considerations, it would be
5 unfair for me to go ahead say anything with him.

6 In other words, that is when officially he lost his
7 committee assignments as far as the people who felt I had the right
8 to discuss matters with him.

9 Personally, I am involved -- personally I was misled to
10 believe that I could publish on the Kennedy assassination, and I did a
11 considerable amount of investigative work which has continued from
12 the time that I looked at Mr. Oswald's file before I came out here to
13 Albuquerque, New Mexico, to use training on crypto.

14 M.K. Ultra is what you can look up in Crossfire, and the
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1 gentleman might be talking down here to ask about it, or Dick
2 Russell's book that he has out on Oswald also. But I was more
3 involved in electronic aspects of the equipment, radar equipment,
4 than this gentleman here. His job was completely different than
5 mine. I was interested in intelligence.

6 I had the privilege to talk with Mr. Kennedy when I was
7 at Fort Mona Signal School. He confided in me that he was
8 interested in running for the Presidency. He was campaigning in
9 New Jersey at the time. I came out to New Mexico for a year, and
10 then I went to Europe. But before I went to Europe I stopped by,
11 and Kennedy was to have three speeches with Richard Nixon. These
12 speeches were to be carried on television, which was a new media.
13 Military intelligence was interested in anything that had that amount
14 of national exposure.

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1 I attended the Geneva Disarmament Conferences that was
2 started at the end of the Nixon Administration. The gist of what
3 happened on this follow-up was, there was an attempt on President
4 Kennedy's life in Venice, Italy, which I don't want to go into at this
5 time. However, because of that, and other personal knowledge I had
6 concerning security, there was a bad problem for the CIA, military
7 intelligence took over their own gathering of intelligence.

8 My job, to make it simple, was a nuclear football. I
9 worked on NATO codes for nuclear weapons. Robert McNamara, the
10 Secretary of Defense, insisted these codes be strengthened. I came
11 into this job. Mostly warrant officers reported to me on intelligence.

12 Because of this, I found the situation in Venice, Italy, which
13 developed, and when I got out of the Service, I was asked by Military
14 Headquarters in Stugaardt, Germany, when I came back to the

1 States, when I came back to the States, to Fort Harrison, to divulge
2 what I knew. This came down through the chain of military
3 intelligence.

4 I did work for Naval Intelligence which other people have
5 talked about here, and there was a possibility of a plot to kill
6 Kennedy. I knew that Oswald was in Minz, Russia. There is also
7 something nobody wants to say anything about, there were five
8 different Soviet spy schools in Minz.

9 When I came out here, I was understanding that Oswald's
10 file was going to be released, whether or not he had been working for
11 an intelligence agency prior to the time of the Kennedy assassination.

12 This goes back to what another gentleman said about the District
13 Court here.

14 I had to call the District Court in Dallas, and I might be
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1 your phantom witness one of these days, about security precautions
2 on the Kennedy assassination. I did a lot of work and tried very
3 hard to convince Mr. Kennedy, through the chain of command, not
4 personally, but it ended up at the White House, Jack Palance, you
5 know, of the Film Guild did a follow-up with me in Jenkins,
6 Kentucky, and we looked into all this one time, which I intend to
7 publish on.

8 In 1982, I attempted to publish my book, no go. They
9 didn't want me to publish it. All right. Now I have talked to Mr.
10 Gates at CIA Headquarters after Mr. Bush signed his directive in
11 1992 saying that the CIA wanted all this brought out, and they
12 would go along with anybody if they didn't get into national security
13 on the matter.

14 So that is the reason I feel I have the right to come here

1 now and tell you that I want to go ahead and publish my book as
2 long as it doesn't jeopardize national security.

3 Now States Rights is where I am held in. I obtained a
4 Federal authentication through Marshall University, and the Dean of
5 the College at Marshall University, at the time and prior to the time
6 Kennedy was killed. Now my Congressman was Ken Heckler, he is
7 now West Virginia's Secretary of State. He advised me of the
8 procedures that I was to go through with this so that later I could
9 publish what I knew about this prior knowledge. National security
10 estimates are looked at six months and two weeks. Now this was
11 brought up on C-SPAN, by the way. I am not telling any tales out
12 of school, by the way.

13 At the beginning of the William Gates confirmation
14 hearings, there was an agent that went into how you go about, if you

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1 are an agent and you feel somebody's life is in jeopardy. I talked to
2 him on the phone and explained my situation to him, but I didn't
3 have no way to explain what happened. So this is already in the
4 public domain now.

5 I went through the same procedures that an agent of the
6 CIA would have went through, and I didn't work for the CIA, I
7 worked for Military Intelligence, I worked for Navy Intelligence, I have
8 made trips behind the Iron Curtain.

9 But the gist of it is, to make a long story short today, the
10 FBI knew that there was a plot to kill Kennedy at Dallas, and I have
11 been held in limbo under States Rights. I had to go to Charleston,
12 West Virginia, which is my state capital, and appear at the beginning
13 of the Warren Commission hearings for approximately a
14 day-and-a-half in court altogether, I was there more than that, but

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1 my testimony would amount to a day-and-a-half, and I have never
2 been able to publish on any of this follow-up investigation.

3 In 1969, Richard Nixon said, I want all this looked at
4 again. Well, I got a job as a long-haul truck driver. I really didn't
5 like the idea because I am a college graduate, but I went along with it,
6 and I investigated up in the Chicago, and wherever the judges from
7 Charleston felt it was appropriate for me to go to.

8 What I found and finally proved that I confided in Mr.
9 Schweiker about, Secret Service procedures were defeated at Dallas,
10 and that is the reason the President stopped down here before he got
11 to the Book Depository. They were worrying about what was going
12 to happen.

13 I called Washington from Marshall University. I had a
14 monitor set up. They let me monitor this. I had a monitor set up,

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1 and they said the Secret Service has been notified and Kennedy is
2 going ahead, and that is where the matter ended, and you know
3 what happened then on the news releases.

4 But there was prior knowledge. I was with the military.
5 The military said, after 30 years, we are not hiding nothing as long
6 as it don't have to do with national security. Stugaardt, Germany,
7 was my battalion headquarters. I was under the authority of the
8 Provost Marshal, Heidelberg, Germany.

9 I gave testimony to all of this in Charleston, West Virginia,
10 in February after Kennedy was assassination, and the attorney that
11 represented the State was Mr. Opplinger. He was the head of the
12 Public Service Commission, and at one time they kept the files on this.

13 Now, if you can get State files, everybody will get to see them. If
14 not, I am still going to try to publish.

1 CHAIRMAN TUNHEIM: Thank you, Mr. Smith.

2 Are there any questions?

3 [No response.]

4 CHAIRMAN TUNHEIM: Thank you very much.

5 MR. SMITH: Bob Smith of Huntington, West Virginia,

6 WSAZ, showed your picture on TV and said he talked to you, that is

7 where I approached the legal law clerk and started this procedure of

8 obtaining this national security assessment.

9 CHAIRMAN TUNHEIM: Thank you.

10 MR. SMITH: You are welcome.

11 CHAIRMAN TUNHEIM: We have reached the end of our

12 hearing today. All of the witnesses who had signed up to testify have

13 testified, all the ones that were able to make it.

14 We do intend to publish a draft definition of the term

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1 "assassination record" hopefully by the middle part of December in the
2 Federal Register for commentary. That is part of the Review Board
3 to further define the words assassination record as they appear in the
4 legislation which created this Board. So that really is one of the next
5 items on our agenda.

6 But on behalf of the Review Board today, I would like to
7 express my thanks to all of the witnesses for their assistance. We
8 appreciate your help and also your willingness to come forward and
9 present testimony to us today.

10 Anyone who is here today who has further information or
11 other information that might be relevant to the assassination of
12 President Kennedy, we would encourage you to provide that
13 information to the Review Board. We have offices in Washington,
14 you can get our address here, if you would like it.

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1 As we move toward the hopeful goal of full disclosure, I
2 hope that all of you will continue to have an interest in the work of
3 the Review Board, in the work that we are trying to do, and hope
4 that you all will realize that you are our partners in this very
5 important effort as we move forward.

6 Thank you very much for your attention and interest.

7 MR. AGUILAR: I just want to get back to the records of
8 notes that were taken during the interrogation of Oswald, my
9 understanding of that would be these men were working in capacity,
10 in an official capacity, at that time taking notes, and in that official
11 capacity, presumably, they were employed by the citizens of the
12 United States, and any notes they might have been taking were being
13 taken not on their own private personal time, but rather on their
14 employed time. Inasmuch as we employed them, I would

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1 expect -- but I am not an attorney, I certainly don't know how to
2 say this -- that this is not their private property, it pertains to a
3 murder and that, in fact, those records should be available and, in
4 fact, it is stunning to me and surprising that they were not originally
5 made available. They should have been immediately requested, I
6 would have thought, through legal channels.

7 Secondly, on the issue that I raised with respect to Mr
8 Posner, in the attachment I gave you, behind it is a letter I wrote to
9 the Conyers Committee in which I, prior to having spoken with Dr.
10 Boswell myself, I raised the questions about how they could have
11 reversed that. I just wanted to explain that.

12 The final thing is, I wanted to emphasize again the
13 importance of getting records from Parkland Hospital, the official
14 medical records from Parkland Hospital, and also the question of the
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1 autopsy notes. There is a woman named Kathy Cunningham who
2 has written a very lengthy and extraordinarily detailed thing about
3 the presence of notes from the autopsy that are no longer in the
4 record, and I would like to submit that to you. I think she may have
5 sent it to you under separate cover, but if it could be submitted to
6 you formally today, I would like to do so.

7 CHAIRMAN TUNHEIM: Absolutely.

8 DR. HALL: If I may, just for the record here so that we
9 don't end up with a question mark, I share your concern about the
10 holding of what are essentially public records in private hands. There
11 is, however, a distinguishable issue between those kinds of records and
12 records that are generated entirely privately, and that is, I think, a
13 matter of some concern.

14 MR. AGUILAR: With respect to the evidence, and I am
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1 not knowledgeable that aspect of the evidence, but my understanding
2 is that there were many individuals taking contemporaneous notes
3 during the interrogation. These are not reflections upon what
4 happened at a later time, and a jotting down of a personal memoir.
5 These are apparently notes that were taken contemporaneously.
6 That, I think, separates them from what someone may reflect upon
7 at a later time at his leisure during his private offduty hours, and I
8 think it is notes that were apparently taken during the time of the
9 interrogation that is being spoken about here today, if I am not
10 mistaken.

11 DR. HALL: I believe, Mr. Aguilar, if you had been here
12 earlier, you would have found that I pursued that line of questioning,
13 and the distinction I think you are trying to draw is an important
14 one, one that I share with you, one that needs to be taken account of

1 in the Board's definition of what constitutes an assassination record,
2 which is why I posed the questions originally.

3 MR. AGUILAR: Okay. Thank you very much. I
4 just -- I am sorry I wasn't here earlier.

5 CHAIRMAN TUNHEIM: Thank you, Dr. Aguilar. If you
6 want to present that, we will take it.

7 [Whereupon, at 4:05 p.m., the public hearing was
8 concluded.]

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