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Part of Part 1*

On disk

XXVI "Senator Russell Dissents"
The Slaying of Truth

Despite the great controversy about the assassination of President John F. Kennedy and its investigations, especially at the time of the anniversaries, the little known and important truth is that two Members of the Warren Commission disagreed resolutely with the Commission's basic conclusion that one bullet inflicted all seven officially acknowledged non-fatal wounds on the two victims in the Presidential limousine.

Those two disagreeing Commissioners were the highly respected leader of Southern Democrats, Georgia Senator Richard Brevard Russell, and the also respected moderate Kentucky Republican, Senator John Sherman Cooper.

I know this because in May, 1968 Senator Russell told me as we walked from his office to the Capitol Building where he was going for the Senate's session beginning that noon.

I know it also because both left records of it that, thanks to friends, I have.

This means that there was not what the official record says, unanimous Commission agreement that Lee Harvey Oswald was the lone assassin.

It means also that in their strong belief the evidence before them proved there was a conspiracy to kill the President.

As may seem odd but isn't, they said they did not believe there was ^athe conspiracy. They did not realize their firm position means that in their interpretation of the Commission's evidence there in fact had been a conspiracy. Other evidence, both official and irrefutable, also proves there was a conspiracy to assassinate. It was and is in the official record but they were not aware of it, did not understand its meaning. That they did not understand this official evidence comes from two reasons: they were both much too busy to have studied and understood it all and they trusted and depended upon their staff too much, having no real choice. end
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To their dying days they insisted that what is basic to the official "solution," its single-bullet theory, is impossible.

Without that theory- ^{in respect,} and it is little understood but the entire Warren Report is no more than a theory- there had to have been at least two shooters.

As neither of these two Members of the Commission knew and as the staff that drafted their Report omitted from it, their own evidence is that the very best shooters in the country, in tests performed for them and under vastly improved conditions, were not able to duplicate the shooting that the Report attributes to Oswald and he, in the official Marines evaluation was a "rather poor 'shot'."

I go into this in great and specific detail in my long-

delayed book, NEVER AGAIN!, publication of which has been again delayed until March, 1995. (It could easily have been published by July, 1993.) On this and on many other of the most vital points of evidence it brings together for the first time the Commission's own ignored and misrepresented evidence and evidence it had and the staff suppressed from the Members and from their Report.

How this Commission fraud was perpetrated is perhaps more Byzantine than anything in our history.

When Russell and Cooper refused to sign the Report in which this single-bullet theory was essential, basic to it, they were deceived and misled into what they were told falsely was a compromise that accommodated their strong belief. In fact it does not. That single-bullet theory, after this supposed compromise, remains absolutely basic to that Report and to the official "solution" to what was properly referred to as "the crime of the century." *end 549*

Russell told me and their records reflect that he and Cooper believed that the conservative Louisiana Democratic Congressman and Commission Member Hale Boggs, shared their refusal to believe that theory but not as strongly as they.

The record of their firm refusal to accept that single-bullet theory they intended making and leaving for our history was denied them by a subterfuge- really as dirty a trick as there is in our history- by the Commission's general counsel, the man who actually ran it for them, J.

Lee Rankin. He was a former solicitor general of the United States, the Department of Justice lawyer who represents the United States before the Supreme Court. The Commission's chairman was the chief Justice, Earl Warren. He knew Rankin well and trusted him. However, it is not easy to believe that the also highly respected Rankin was entirely alone in his coup.

Russell forced a Commission executive session on September 18, 1964 for his making objections a matter of record and for the other Commission Members to consider his objections. Those Commission executive sessions were, by unanimous agreement, required to be recorded by the official court reporter. Those transcripts were classified Top Secret but by the Commission's own decision were to be made of each and every executive session and to be preserved. This was confirmed by Commission Member Allen Dulles, former Director, Central Intelligence, at the executive session of January 22, 1964. (Reproduced in my Post Mortem in facsimile, page 487) When at that emergency session, called to consider reports that the accused assassin, Lee Harvey Oswald, had worked for the FBI, the Commission was deciding to have the court reporter leave so there would be no further record of those deliberations, Dulles reminded his colleagues that while he had no objection, "We said that we would have records of meetings and so we called the (court) reporter in the formal way."

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Just seconds before Dulles himself had proposed that the verbatim stenographic record then being made be destroyed. But he did record the fact that all such sessions were to have been officially recorded.

Rankin did order the court-reporting firm, Ward & Paul, not to prepare a transcript. I have it and the Commission's records proving this. Those records also prove that for the night-time services of that court reporter all he paid Ward & Paul was disgracefully little, a shameful \$25 for its and its reporter's night work.

Not only was Rankin this cheap- he was also careless. His deal with Ward & Paul required it to give him all carbon paper and stenographic notes when it delivered each transcript. Ward & Paul, an old and respected firm, dutifully delivered that stenotypist's ~~typist's~~ tape. When I learned that, I demanded that it be transcribed for me under the Freedom of Information Act (FOIA). By then I had sued the government often enough under that act for it to realize that if I took that to court it would attract more attention than merely giving it to me. And that is what it did. ~~(In a dozen lawsuits extending over more than a decade I obtained about a third of a million previously-withheld pages of official assassination records.)~~

Rankin did call the executive session Russell demanded. It was on September 18, 1964, less than a week before the Report was handed to President Lyndon B. Johnson. And the

Commission did meet then. But Rankin also arranged for no court reporter to be there to make the required verbatim record. There is none.

I have a xerox copy of the Commission's file on its reporting services, which is readily available in the National Archives. I also have the relevant records of the court reporting firm. Neither set of records reflects any request for court-reporting services at that session and both sets of records prove that there was no court reporter present, as Russell at the least believed there was because, as he told me, he saw the shorthand being taken down. *end 557*

The supposed compromise language that Russell and Cooper were led to believe met their objections to the Report as written and then already set in type is,

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"Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat also caused Governor Connally's wounds." (Summary and Conclusions, page 19)

Superficially, this seems to accommodate both sides. It seems to satisfy the Russell and Cooper objections by seeming to say that what they refused to agree to "is not necessary to any essential findings of the Commission." But in fact it is merely a restating of the basic conclusion to which Russell and Cooper refused to agree. Russell

understood this immediately when we discussed it in 1968.

The official account is that only three bullets were fired. Of these one missed entirely and one exploded in the President's head. ~~Thus~~ the only ^{other} bullet in the Commission's accounting, is its first, and it alone has to have inflicted all seven non-fatal wounds in five parts of the bodies of the President and Texas Governor John B. Connally. S/1/4/2

(In what is the most thoroughly and intendedly dishonest of assassination books, in his Case Closed [Random House, New York, 1993], Gerald Posner has the wildest of all non-conspiracy theories in it, with the uncredited and faulty work of others he presents as his own. He theorizes that the first of three shots missed. His second is his magical bullet that he says inflicted all of those seven non-fatal wounds, emerging in almost perfect condition. The additional magic he attributes to the missed one of his theory is equaled by nothing in science or mythology.)

The Commission had no legal authority to classify anything at all, but Rankin had all the stenographic transcripts of all sessions classified Secret or Top Secret. ^{end 552} Although the Archives knew the Commission could not legally classify anything at all it stonewalled disclosure of these executive session stenographic transcripts to me by claiming they were properly classified. I had to file several lawsuits under the FOIA to get those that were withheld. When I finally got to look at the first page of the alleged

transcript of that September 18 session I knew immediately that it was an incompetent fake.

Ward & Paul enjoyed and, from my extensive experience with it, deserved an excellent reputation with the Congress. As the editor for the Senate's Civil Liberties Commission (1936-9) I published the transcripts of all that committee's hearings taken down by Ward & Paul's court reporters.

(Stenotypy was then new. The Ward & Paul reporter who reported most of our hearings in shorthand was Arthur Previn. He was the uncle of famed orchestra leader and composer Andre Previn.)

Because they and the other such firms were paid by the page none of them ever used elite type. They all used the larger type size pica typewriters in those years. That meant more pages to be paid for.

The Rankin phony is in elite type. Its first page is word for word in form what Ward & Paul began each transcript with. Even with the correct first page number in the Ward & Paul sequence, page 7652, I knew as soon as I glanced at that page that it was not Ward & Paul's work. And when I turned the page, there was no question about it. The next page is a short paraphrase of a few housekeeping items, without any mention at all of the Russell-Cooper objection and refusal to agree with the Report already in page proof or of any discussion of the single-bullet theory or of any compromises.

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Apparently Rankin wanted only something to flash if he had to pretend that there was the transcript he had seen to it did not exist. He then delayed distributing those two pages only until after the Report was out. At the moment the Report was issued the Commission's legal life ended and none of the overly busy Commission Members had the time, the need or the interest to even glance at that phony transcript.

Russell never did until May, 1968, when I called this fakery to his attention.

He was aghast. He found it hard to believe. It was also probably outside all his years of insider experience in Washington.

Because he was unwilling to believe such a thing would happen he asked me to get for him from the head of the National Archives, which had all the Commission's records, a written statement that it is the only record of that executive session he had forced.

Within a few days I handed him a letter so saying from James B. Rhoads, then the Archivist of the United States.

Until his dying day Russell urged me to continue my work, exposing the Commission of which he had been a member, regretting from time to time that his Senate obligations and his health precluded his participating in it.

He also broke all relations with President Lyndon B. Johnson, who had appointed him to the Commission over

Russell's strong objections. He never spoke to Johnson again.

Russell knew he was in terminal illness before we first met. When he knew his death was close he went public in his own state of Georgia with a diminished expression of his disagreement with the conclusion of the Commission without which, as he did not realize, it could not have concluded that Oswald was the lone assassin, that there had not been any conspiracy.

I remember clearly some of what Russell told me one June, 1968 day as we walked from his office in what when I worked there was the only Senate office building, to the Capitol building for the beginning of that day's session. Of Oswald he said, "I am satisfied they did not tell us all they knew about Oswald."

Of Lyndon Johnson's appointment of him to the Commission, Russell told me first that he thought he had persuaded Johnson not to appoint him because he was much too busy to be able to spend any time on the Commission's work without neglecting his other obligations, including as Appropriations Committee chairman. He said that he was surprised when he learned that Johnson had nonetheless appointed him. He then said that when the President does that there is nothing that one can do about it. He also believed that Johnson's real reason for appointing him to the Commission was to prevent his leading the southern fight

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against the pending civil rights legislation.

"But I fooled old Lyndon," he chortled. "I led that fight and spent little time with the Commission." (In fact he attended only six hearings in person. He did read the stenographic transcripts of the hearings.)

As the shrewd and experienced Russell appears never to have realized, Johnson's appointments to the Commission were unprecedented in our history and were politically brilliant. They had nothing to do with the civil rights fight in the Congress.

Presidential Commissions and Congressional committees always have a majority of members from the controlling party. Democrat Johnson appointed five Republicans to his seven-man Commission. Both of the Democrats he appointed were conservatives from the South and not pro-Kennedy.

This meant that Republicans could not and would not disagree with what the Republican-dominated Commission reported. Johnson also knew that liberals would not disagree with the chief justice they so respected, Earl Warren. And almost universally they did not. Johnson also knew that the FBI's both feared and respected director, J. Edgar Hoover, had concluded immediately that there had not been any conspiracy and that few in political life could dispute Hoover publicly and survive it politically. Johnson sought and got acceptance of the report his well- and widely-chosen eminences, all save Allen Dulles too busy to

spend any great amount of time on Commission work, would issue.

Johnson blackjacked Warren into accepting the appointment after Warren declined it by telling him, as Warren later told his staff, that if he did not there could be "a war which could cost 40 million lives." I quote this from the Commission record with which that information was first known when I printed it in facsimile in Whitewash IV (page 24).

The assassination was not the end product of a conspiracy yet it might cost 40 million lives? Impossible!

What I report about Senator Russell's beliefs and about our association does not rest on my word only. Nor does it when I refer to the impossibility of the single-bullet theory. Senator Cooper was in complete agreement with Russell.

When it was not possible for me to travel because of illnesses and infirmities, my friend Gerard Selby researched the deposit of Russell's records at the University of Georgia at Athens, Georgia. Selby, whose first TV production, Reasonable Doubt, a study of that single-bullet theory and winner of the highest history documentary award for that year at the annual CINE competition, provided the Russell records I herein cite. *end 556*

My friend William Neichter, a Louisville, Kentucky lawyer who has for some years been trying to locate what

Senator Cooper did not deposit with the State's university in Lexington. He has expanded that archive, providing the records from it that I herein cite.

Aside from our correspondence and the fact that he did meet with me, Russell's and my agreement on the impossibility of that single-bullet theory is reflected in the report to him by his assistant Charles Campbell after Campbell, as he says in his June 14, 1968 memo to Russell, had read my first book carefully and had familiarized himself with the contents of the other three I had by then published. He says of my work:

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"His work is scholarly and evidences a tremendous amount of research. His basic approach is not to try to prove that Oswald was innocent although acceptance of his inferences, etc. lead to that conclusion.

"His method is to restrict his criticisms to the actual information which the Commission had and he is critical of the Commission only to the degree that it delegated too heavily to the staff. One of his strongest points is on the number of shots fired and on which shot hit Connally and/or the President. He completely agrees with your thesis that no one shot hit both the President and the Governor. He apparently believes that at least four shots were fired and probably more, thus destroying the possibility that Oswald acted alone and independently."

When I completed my first book, in mid-February, 1965,

I had no knowledge of Russell's refusal to accept that single-bullet theory.

He had, however, spelled that out two days before that September 18, 1964 executive session he forced. Russell prepared the statement he read at it. It is five triple-spaced typewritten pages, in two parts. the first part relates to evidentiary inadequacies on Oswald and on whether or not there was reason to believe there had been a conspiracy. *enc 557*

As he later told me in saying he was "satisfied they did not tell us all they know about Oswald," he also said in his talking paper about these inadequacies and "a number of suspicious circumstances" that they "to my mind preclude the conclusive determination that Oswald and Oswald alone, without the knowledge, encouragement or assistance or any other person, planned and perpetrated the assassination."

This quite obviously means that the Commission could not make "the conclusive determination" that there had been no conspiracy. Which it did.

Given the conclusions of the Report already prepared under his directions and control and then ready to be printed, this is another expression of Russell's objections to the Report that Rankin did not want to exist to raise questions about it. He saw to it that it did not exist in the Commission's records. Russell's file copy is a carbon copy.

The second section, which also postulated that there had been a conspiracy, begins, "I do not share the findings of the Commission as to the probability that both President Kennedy and Governor Connally were struck by the same bullet."

He then reviewed briefly the expert testimony before the Commission and that of the Connallys. He favored the FBI's "solution," that the first and third shots hit the President alone and the second shot hit Connally alone. But in that he, like the FBI, ignored the shot that without question did miss and caused the slight wound on James Tague's cheek.

As Russell apparently did not realize, that meant a fourth shot. And that without any question at all, meant another shooter- a conspiracy on that basis alone.

In late 1966 there was considerable controversy about the Warren Report. My first book had been followed by Edward J. Epstein's Inquest. Mark Lane's Rush to Judgment followed Epstein's. When Russell wanted to track down a published report that he, Cooper and Boggs did not entirely agree with the Report's accounting of the shooting but had agreed with the Report he wrote Alfreda Scobey, then a law assistant on the Georgia State Court of Appeals, asking her to locate that report. She wrote him with that information on December 12, 1966.

In thanking her under date of December 24, 1966,

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Russell said, "It is not nearly as strong as to the position that Senator Cooper and I took in regard to the single bullet theory. As I recall, Congressman Boggs had mild doubts but Senator Cooper and I refused to accept the single bullet theory."

He also annotated Campbell's memo with a note saying that the only question he had about me was my "apparent ties with Garrison whom I don't trust."

There is no record in the Russell archive that even justifies the suspicion he ever changed his absolute refusal to accept the single-bullet theory. Without it the Commission could have even considered what I proved in Post Mortem, from its own organization of its own work, the preconception of Oswald as the lone assassin.

(The fourth of my books that I had given Russell, Oswald in New Orleans, Canyon Books, New York, 1967, has a foreword the publisher asked Garrison to write.)

As Russell wrote Scobey, his position and that of Senator Cooper was of "strong refusal to agree to that.

In his research Chip Selby discovered that when Russell threatened to resign, saying it was impossible to keep up with all he had to do, that wily J. Lee Rankin, who as its general counsel ran the Commission, arranged for the able young Georgia lawyer, Alfreda Scobey to be added to the Commission staff and assigned to work for and with Russell.

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Part of the scheme, which it was, to use the FBI's director's favorite insult that was endlessly repeated back to him, the "nefarious" scheme, was to keep the elderly and already overworked Commissioners, save for forcibly retired CIA Director Allen Dulles, immersed in the utterly irrelevant.

Like the FBI's detailed and beautifully illustrated scientific studies of Oswald's pubic hairs.

The FBI allegedly retrieved them by vacuuming a blanket that was indubitable Oswald's. And to prove it they had the Dallas police take some hairs from the still-living Oswald.

This was so attractive the Commission's Report has a fairly lengthy illuminated assessment of it. To prove only what was without any question at all and was totally irrelevant to the crime, that Oswald's blanket was Oswald's!

For all the world as though anyone other than his wife Marina should have had any concern over whose pubic hairs were on her husband's blanket!

In an oral history with Bill (no relative) Cooper, archivist at the University of Kentucky at Lexington, where Cooper's available papers are stored- and they include very few on his Commission work- Cooper indicated how burdensome this extra work on the Commission was:

"It was tremendous ... we had a tremendous number of witnesses, but ... then you had hundreds if not thousands of depositions, affidavits [which were] taken throughout the

country ... and to read those took all your time. ... at night ... I had to read all those papers. (Once when he was ill and his doctor put him to bed for two or three days to rest, apparently referring to his family, staff or both) ... they kicked all the time because I read those papers all the time [chuckling] I was there. ... it was a hard job. ..."

(transcript, page 30)

Our only unelected President ever, Commissioner Gerald Ford, put John R. Styles, his former campaign manager and later his White House counsel on the public teat so he could ghost Ford's commercialization of the assassination, Portrait of the Assassin and his second private and for-profit Warren Report of a special article for LIFE magazine, then the largest in circulation in the land.

So, while Russell never dreamed of commercializing his Commission work, he did try to keep up with it. Giving him Scobey to work on it for him was both a bribe to discourage his resignation (I have a letter of resignation he drafted and did not mail to Johnson) and a meaningful means of helping Russell with his Commission work.

(For details of Ford's commercialization, which involves his taking and selling a Commission Top Secret executive session I had to sue for years later to get, see Whitewash IV, especially pages 122-30, for the changes Ford made in the supposedly verbatim transcript to cover official asses and butter the FBI.)

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Also unreported until now is that on his part Cooper also made and left a record that he was as strong in his disagreement with the Report as Russell was.

On February 9, 1978, long after he left the Senate, when he was with a major Washington law firm, Covington, Burling, he responded to a letter from Edmund C.T. Johnson, author of the book The Key, saying, "Senator Russell opposed the 'one bullet' theory and I also opposed it."

Earlier, in an oral history for the Russell archive, recorded April 29, 1971, Cooper was full of praise for Russell as a person, as a Senator, and for his positions on the Commission when matters were in dispute:

"The most compelling position he took in the Commission was this: there was a question of whether or not the shot which struck President Kennedy or one of the shots had ... passed through Governor [John] Connally of Texas on the front (i.e. the jump) seat. ... Senator Russell just said I'll never sign the report if ... if this Commission says categorically that the second shot passed through both of them. I agreed with him." and
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It thus is apparent that at least two members of the Warren Commission were in firm and unchanging opposition to the Commission's single-bullet theory, the one means by which it could dare allege that Oswald alone had fired all the three shots it admitted were fired and on that basis that there had been no conspiracy.

It is also apparent that without Rankin's having violated the Commission's decision and practice, that all of its executive sessions would be stenographically recorded and the Commission's own records would reflect this, as they do not.

It is glaringly, truly shockingly, obvious that Rankin had the phony transcript created and then withheld even that from the Members until after the Report had been disclosed, when short of an unimaginable scandal they could not have uttered a word about it- if they learned.

As Russell did not until May of 1968 when I gave him that official and irrefutable proof of it.

If there is any precedent for this or anything like it in our history I am not aware of it. Presidents and others have been misled and deceived, but not by crude violations to prevent the existence of any record of it from existing and not by the creation of such transparently phony official substitutes for what was said and decided.

Russell told me more about the executive session that was memory-holed in advance by Rankin's seeing to it that no court reporter was present.

Russell had seen the stenographer who was present, a woman, and he had believed that she was the official court reporter. He had seen her at least appearing to be taking it all down in shorthand.

He believed she was there for that purpose and that she

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did prepare a transcript. But as the Archivist of the United States confirmed after I had found nothing like it in the Commission's records, she did no such thing. I saw nothing that she could have typed after whatever she took down in shorthand. It thus appears that she was there exclusively for the purpose of deceiving Russell, Cooper, and perhaps Boggs. (Staff was barred from the executive sessions).

And, of course, our history.

It was anything but a placid session.

"Warren was quite upset" over his refusal to agree with the single-bullet theory, Russell told me.

"I told him not to worry about that, that all he had to do was add a little old footnote saying 'Senator Russell dissents'."

But as Russell also told me, "Warren wanted unanimity." So, they discussed language that Russell and Cooper would accept.

This language that appears in the Report, that "it is not necessary to any essential findings of the Commission," is not what Russell and Cooper agreed to. It remains what they refused to agree to. It still says and means the opposite of what they believed, but in different words.

Until after the Report was originally to have been completed and issued, all the Commission's work was in accord with the Russell-Cooper belief that there had not

been any missed shot; that the first inflicted President Kennedy's non-fatal wounds and hit nobody else; that the second inflicted all of Connally's wounds and hit nobody else; and that the third was the fatal shot to the President's head. This is what the FBI has always said.

Chapter XXVII The Slaying of Truth
 In June, 1964, there was one of the interminable leaks by which mostly the FBI was conditioning the media and the public mind for an unacceptable Report, then planned for July publication. The papers reported the official account of the shooting to be that above. Tom Dillard, then a Dallas Morning News photographer, later its chief photographer, when covering an event at which he saw Harold Barefoot Sanders, the United States Attorney in Dallas, told Sanders that the leaked official solution was impossible because he had seen and photographed the hole left by a missed shot during the assassination. He had photographed it and the photograph had appeared in the paper. When Sanders reported that to the Commission, through his assistant, Martha Jo Stroud, its assistant counsel who is now Senator Arlen Specter of Philadelphia pushed his single-bullet theory. Until then all the Commission's work and all the information that reached its Members was along the FBI's line of the Russell-Cooper belief, that there had been no missed shot. I detailed this in Whitewash's chapter "The Number of Shots" to which Campbell referred in his memo to Russell, quoted above. I detailed it at greater length in

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Post Mortem and in even more detail in my coming NEVER AGAIN!

In NEVER AGAIN! I also document that when the Army's top expert on wounds inflicted on VIPs told Specter and others that their single-bullet theory was impossible he was never again consulted and was not called as a witness. What Dr. Charles Dolce would have testified to is preserved in a videotaped interview of him by my friend Gerard Selby. I suggested to Selby that he interview Dolce and he did at Dolce's Palm Beach home.

So, it is probable that neither Russell nor Cooper had any knowledge of the missed shot which Rankin and the staff had avoided to the degree possible, until Dillard made continued ignoring of it impossible. They did not then even take any testimony of it for another month, until July. If men like Russell and Cooper had known about that missed shot they would not have ignored it in their positions and in the records they made. That would have reflected upon them in a way neither would want to be remembered in our history.

They certainly would not want their names on an official explanation of the assassination of a President that did not account for all the shots known to have been fired in that assassination!

It is, as Russell's assistant perceived from my first book, that the members of the Commission left too much to their staff.

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But most had no real choice. Except for Dulles. He did not return to the practice of law after Kennedy eased him out of the CIA, whose director he had been. All were the very busiest of men. The four from the Congress were among its busiest Members. Gerald Ford, the other Congressman, was the minority leader in addition to his obligations to his Michigan constituents. And John J. McCloy, the international banker who was also a prominent lawyer, was deeply involved in much, especially considering his advanced years. Warren was the very busy Chief Justice of the United States, a great and time consuming responsibility.

Again except for Dulles, whose attendance at Commission hearings does not reflect it, not one had enough time for that added responsibility. Dulles had the time but did not have a good record of attending those hearings.

Johnson, well aware of this when he appointed them, coerced some into the Commission. His one concern was trading on their names. With this in his mind, he could not have served his interest, in trading on their names, reputations, and constituencies any better.

He knew they were not in a position to really run their own Commission.

But that meant less to him than what he did get by having them constitute his Commission.

So, the situation, meaning the situation Johnson

created, was one in which the Members of the Commission had to depend upon their staff to do work that ordinarily the Commissioners would do. This includes taking most of the testimony. Among the many depositions at which no single Member was present was the testimony relating to that missed shot. Most of the witnesses who testified, testified when no Member was present and thus that was testimony at which no Commissioner was able to ask any questions or evaluate witness demeanor, an important consideration in evaluating testimony.

That the staff took advantage of this situation to foist off on the Commission and all the rest of us a phony "solution" was made possible by the fabrication of a phony record of that executive session at which Russell and Cooper refused to sign a Report based as it is on that single-bullet theory.

That is how, faithful to Orwell, our history was being rewritten while it was being written, how a knowingly impossible "solution" to the assassination of a President became the formal, official "solution."

That is why, too, the crime remains unsolved.

It is also the cause of great and lingering disenchantment with government.

While I did not anticipate it in beginning this work, I came to believe that little, if anything, can begin to restore faith in government as much as an honest admission

that the expected job had not been done and that the government did not report honestly to the people when their popular President was assassinated.

That it did not tell us the truth and that there was anything but unanimity in the official Report on that assassination is herein set forth as it never has been before and with official documents little known and most of which have never been seen before.

Incredible, even impossible as it may seem, we now have the official proof that the official unanimous "solution" was created by unprecedented deception that had the purpose of seeing to it that the existing firm contradiction of that "solution" would not exist. Without this unprecedented trickery that "solution" could not have been dared.

When Truth is our History, Truth buried, even slain, can rise again.

To help make that possible is the purpose of my writing.

The Truth of this writing is not merely that two Members of the Warren Commission so strongly disagreed with its Report's basic conclusion. And that means they did not agree with the official solution to that most deeply subversive of crimes in a society like ours, that most terrible of crimes, the assassination of a President.

That is a crime that nullifies our entire system. This

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time, too, it did that, as it had done before. For example, when Abraham Lincoln was assassinated.

Nor is it only that this could be contrived- even that it dared be.

Nor that it could be hidden for so long, with all that means to and about our national life.

Not even that so many in positions of trust and responsibility could have a hand in that slaying of truth.

And then engage in that added and awful crime of silence. And prosper from it, as so many on the Commission's staff did. Prosper and advance to high positions of added authority and responsibility in our national life. Like the father of that bastard, the single-bullet theory. In time, and it was a short time, he became a respected United States Senator himself- the Senator of Anita Hill fame. Or is it infamy?

Incredible? Incredible!

The Truth of our History is a truth of many truths.

One of these many truths that should not have to rise again, and I hope by my writing can be helped to not rise again, is that this could happen. And it did happen.

These Commissioners were among the most eminent of men. Russell and Cooper were, although of different political views, wise, sophisticated, experienced and informed as few can be. Each was respected by those in particular who shared their beliefs, as well as by some who disagreed with

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them. They had long and honored political careers. In our national life of that day they were among our wise men. And, without question, whether or not they wanted the great responsibilities imposed upon them, as Russell clearly did not, they did their best to meet those responsibilities.

Russell had among his many responsibilities what in itself is a more than full time job in the Senate. He chaired its Appropriations Committee, one of its most important committees.

Under our Constitution, all appropriations originate in the House of Representatives. From the House, after it enacts the appropriations of these fantastically many billions of dollars for so many thousands and thousands of purposes they go to the Senate. Its first consideration of them is by its Appropriations Committee. It holds hearings on them. After all the work this represents, and holding the hearings is only a part of that work, what that committee decides, what it may do with the legislation that originated in the House, then goes to the floor of the Senate. This chairmanship is one of the most important of all, and it is so very time demanding! This was but one of Russell's Senatorial responsibilities.

He also led what to him and to those who believed as his did was important to them, the political fight against the civil rights legislation then before the Congress. Yet as he wrote in a letter to a British writer, he did read all

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the Commission testimony. When published, that testimony alone, without the exhibits of greater volume, was of 15 volumes. They were not small volumes. His grasp of some of what he read is reflected, as I noted in my first book, by his, of the seven Members, insistence on still another lengthy and detailed questioning of Oswald's youthful widow. And from that, as I also recount in that first book, emerged what through all the earlier questioning, including by federal agencies prior to her questioning by the Commission, whose first witness she was, for the first time the fact that she had been threatened- intimidated- to give the untruthful earlier testimony she did give to the Commission.

Under Russell's late influence, just before the Report was issued, in private questioning at a Texas military base, she admitted that the FBI had told her that if she wanted to remain in this country- as she did- she should testify to what was wanted of her. Her startling confession is more than merely confirmed in records I obtained years later in one of those FOIA lawsuits. For our history I made a separate file of duplicates of some of those records for easier retrieval. Like:

"... if I did not want to answer they told me that if I wanted to live in this country, I would have to help in this matter, even though they were often irrelevant. That is the FBI."

To impress the official intent upon her, the FBI

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brought down from New York, not leaving it to the local officials, a man from the Immigration and Naturalization Service, to really lean on and pressure her.

"He even said that it would be better for me to help them. ... there was the clear implication that it would be better if I were to help." (Quoted from Whitewash, the chapter "The Oswald's Government Relations," pages 116ff, especially from pages 134-5)

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She understood that she would be deported if she did not say what she was wanted to say. So, she said it.

No, you will not find this or any reflection of it or of what it represents in the Warren Report. Nor to the best of my knowledge did any paper or magazine pick it up after I brought her testimony to light.

I cite it here to show that Russell was pretty sharp.

As was his assistant, Charles Campbell, who correctly perceived that in that first book, in its very first words, I did indicate that the Members of the Commission had left too much to its staff.

That staff, without question, was more than merely competent. It was a very able staff.

Cooper, on his part, from inquiry of those who were on his staff, as my friend the Louisville, Kentucky lawyer Bill Neichter learned in speaking to them as he tried to perfect the Cooper archive at the University of Kentucky, kept his work on the Commission secret from them. This is not

intended to imply anything sinister on Cooper's part. That was the Commission attitude and practice. Its executive sessions barred the staff. It held its hearings in total secrecy. Without the legal right to classify, it classified as Top Secret what it was to publish! Cooper appears to have believed that secrecy was expected of him. Yet those of his Senate staff to whom Neichter spoke said he worked diligently on his Commission responsibilities and in addition to the not inconsiderable other responsibilities of a United States Senator, spent about 20 hours a week on it, all alone. With none of it known to any of his known staff.

Yet for all their wisdom, the wisdom that comes from the long lives of the many experiences of their political careers; for all they learned as lawyers, which both Cooper and Russell were; for all they had learned of life and people and of government; and for all their work and all they learned on the Commission, when it was at the end of its work and when they had such serious doubts about that single-bullet theory without which a lone-assassin no-conspiracy Report could not have been issued, they knew so little about the basic fact of the crime that they did not understand this simply simple truth:

If the single-bullet theory was not valid, then without any question at all the crime was a conspiracy on that basis alone.

Separate from whether or not Oswald was part of it, no

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single-bullet theory, no single assassin. It is that simple.

When the country's best shots, and then under vastly improved and easier conditions, could not duplicate the shooting attributed to Oswald with three shots, certainly they could not have if another shot had to be fired in the time span in which they were not able to fire three shots.

This is simple and it is without any question at all true.

Yet in their vigorous and never-ended refusal to accept the single-bullet theory so vital to the Report, Russell and Cooper never understood that it alone invalidated the entire Report.

It is not merely that the crime was unsolved in its official investigation, serious as that is with this most terrible, most serious of crimes in a society like ours.

It is that the official "solution" was a false solution- no solution at all- yet it had the imprint of the official investigation of that awful crime!

Russell and Cooper saw clearly that the single-bullet theory was not possible.

There is no whoring by any Gerald Posners with our history that can contrive any way around this most basic of facts of the crime and its "solution."

It is beyond any question at all.

Yet Cooper and Russell were, after all those months and

all that effort, so uninformed about the basic facts of the crime they did not understand this simple, fundamental truth!

Their Commission staff and the FBI overloaded and overwhelmed them with irrelevancies. Typical of these innumerable irrelevancies and one of the more ridiculous of them is the six pages of the Report devoted to the FBI's scientific analysis of Oswald's pubic hairs!

The FBI took the blanket that was indubitably Lee Harvey Oswald's blanket. It vacuumed it to retrieve hairs from it. Like the magic bullet, this was a magic blanket. Supposedly Oswald kept the rifle wrapped in it. the rifle was well-oiled when it was examined at the FBI lab but the blanket was without a trace of oil on it. (There is no FBI report on how oil could adhere to a rifle but not to a blanket in which that well-oiled rifle was wrapped.) But nevermind! In vacuuming Oswald's blanket, the FBI recovered hairs. It then tested those hairs and decided first that they were pubic hairs and next that they were Oswald's pubic hairs by comparing them with some taken from Oswald by the Dallas police.

Although it is nowhere clear why this was regarded by the FBI as a major evidentiary discovery or why the Commission also regarded it that way, these six pages of the Report with all that FBI hair science, complete with six sketches prepared by its fabulous lab, of various kinds of

hairs, cross-sections of them and of these particular hairs, were published.

It was that impressive at least to the Rankin-controlled staff, which drafted the Report for the Commission.

Six pages to prove that a blanket that without any question at all was Oswald's blanket was to prove what was already without question, that it was his blanket.

Proven by his pubic hairs on it!

For all the world as though anybody other than his wife had any reason to have any interest at all in whose pubic hairs were on Oswald's blanket.

Instead of asking what in the world the FBI was doing proving that what without question was Oswald's blanket, and with all this science about hairs to mesmerize it, the Commission went for this gobbledygook so excitedly that it devoted six pages of its Report, including those sketches, to it. (Pages 586-91)

This has all the relevance in the investigation of the FBI probing Newton's law of gravity or that the sun rises in the east and sets in the west. This kind of thing wasted so much of the little time they had and I believe did contribute to making it impossible for such busy men to have learned what they should have learned. To me the evidence is clear- that was the intent of that staff and those of the FBI involved in it.

The point here is not so much how it happened as that it happened.

Worse for us and for our history and for what has happened to us since that assassination and since its official investigations and the disillusionment engendered by both is the fact that of the seven wise and experienced Members of the Commission, only those two, Russell and Cooper, expressed any doubt at all about that single-bullet theory when it so obviously was an impossibility. *end 573*

So, what I am saying is not alone, significant as that is, that two Members of the Warren Commission held the strongest disagreement with this theory that is an absolute essential to the no-conspiracy solution- that they disagreed with the official "solution" without which this Report could have been issued.

It is also that none of the other five did not.

Or if they did, uttered not a single word. (If Hale Boggs left any records reflecting his disagreement with the single-bullet theory that Russell told me he had, I am not aware of it.)

And they all signed the Report that fixed a false "solution" on what really was "the crime of the century."

That this can happen to us- and it did happen to us- should be of the greatest national concern.

That it did happen with a crime of this magnitude, of that unique and most important significance, where and with

what can it not happen?

This, I believe, we as individuals and as a nation must come to understand for it represents a great, perhaps the greatest of dangers to us.

It would at any time in our history.

It does ever so much more in the nuclear age.

There was no likelihood at all of there being 40,000,000 deaths from the assassination of the President, as his successor persuaded the chief justice of the United States there was to be able to trade on his name in the investigation he ordered.

But there is this danger from other mistakes, other misjudgments, other decisions.

When it can happen- and it did happen when the President was assassinated- is it not obvious that it can happen with any thing and at any time?

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This represents a great danger to us- to the entire world.

So, I believe it is essential that we come to understand it and its awful meaning.

To be able to understand it we have to face the truths, the realities and faulty investigation of the assassination of John F. Kennedy.

Unless and until we do, until we face and understand the realities, we are all in danger.

As the philosopher George Santayana said, those who do

not learn from the past are doomed to relive it.

If two or more members of any presidential commission do not agree with its basic conclusions, that, by normal standards, is news. By normal standards, if that Commission investigated the dramatic rarity of a Presidential assassination, such disagreement is even more newsworthy.

But it was not when President Kennedy was assassinated, when in practical effect we had a coup d'etat.

There is nothing in this article that was not readily available to the major media.

But it had no interest.

After 30 years the major media is still not about to admit that at the time of that great crisis and ever since then it has failed us and in doing that failed itself.

It therefore is not surprising that when there is legitimate news about the assassination or its investigations the press ignores it or falls short of full and meaningful reporting of that news.

There was such news released officially on April 15, 1994, after this article was written. Then the National Archives released tapes of some of President Johnson's phone conversations relating to the JFK assassination and to the Warren Report. end
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As played on TV news, what was important was such things as Johnson's discussion with Ramsey Clark, who then,

March 2, 1967, was his new attorney general, about whether Fidel Castro was behind the assassination. Johnson found that ridiculous, as in fact it was.

What was important to the *Washington Post* of the next morning, Saturday April 16, was a bit of titillation, whether Johnson had referred to the widow Kennedy as "honey." He denied it.

The Associated Press, which services most news organizations, did report for its clients that Russell and Johnson did converse about what became known as the single-bullet theory. That was on September 18, 1964, the AP reported, without mention of the significance of that date or of that theory itself. It said that neither Russell nor Johnson agreed with that theory.

The only significance of this the AP reported in that story (as it appeared in the April 16 *Los Angeles Times*), is that "if the same bullet could not have wounded both men, there had to have been a second bullet - and therefore a second gunman, according to those who believe in a conspiracy."

With this it dismissed the importance of what both the President and the Commission member said and agreed on.

That it is only "those who believe in a conspiracy" who interpret this as meaning there was a second gunman and on that basis alone there was a conspiracy is not "according to those who believe in a conspiracy." It is according to the

government and its official evidence.

The AP changed its later version of that story. As it appeared in the New York *Times* of two days later, on Sunday, April 17, this is how it begins:

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"Washington, April 16 (AP) - The controversy over whether the same bullet struck President John F. Kennedy and Gov. John B. Connally of Texas began immediately after the assassination. President Lyndon B. Johnson did not believe that one bullet struck the two officials, according to tapes released on Friday by the National Archives and the Lyndon Baines Johnson Library in Austin, Texas.

"Connally was wounded when Kennedy was slain in Dallas on Nov. 22, 1963.

"Senator Richard B. Russell, Democrat of Georgia and a member of the commission that investigated the assassination, called Johnson on Sept. 18, 1964 to discuss the commission's progress. Russell said the report would note disagreement on the panel over whether Connally had been struck by a bullet that had already hit Kennedy or by a separate one.

"'Well, what difference does it make which bullet got Connally?' Johnson asked.

"'Well, it don't make much difference,' Russell replied. 'But the commission believes that the same bullet that hit Kennedy hit Connally. Well, I don't believe it.'

"'I don't either.' Johnson said.

"Russell also told Johnson that,

"'A man good enough shot to put two bullets right in Kennedy, he didn't miss that whole automobile.'"

Of all of this the paper whose proud boast long has been that it publishes "all the news fit to print" published uncritically this AP language:

"Many people who see a conspiracy contend that if the same bullet could not have wounded both men, there had to have been a second bullet, and therefore a second gunman.

"The Warren Commission said Lee Harvey Oswald was the lone gunman."

All the media have for years sought to put down all critics of what I regard as the official assassination mythology as conspiracy theorists. But it is not only those "many people who see a conspiracy" who hold this belief. It is the need of the official theory that one bullet inflicted all seven non-fatal injuries on both men.

That is the absolute requirement of the lone-assassin theory of the official "solution" itself.

The official evidence, with no question at all possible, says that if that one so magical bullet did not inflict all those seven non-fatal injuries on both victims, there was a conspiracy to kill JFK. When nobody could duplicate that three-shot-only William Tell performance attributed to Oswald within the time permitted, there

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certainly was no question about the impossibility of his firing four shots in that time.

The significance of the date of Russell's call to Johnson, September 18, is that he reported to Johnson that he had just demurred from the single-bullet theory and that his refusal to agree was being expressed in the Report to be issued the next week. Russell then did not know it had been memory-holed even before he read his statement of disagreement to his fellow commissioners.

Likewise unreported is the fact that also is beyond question, in addition to the Commission Member who did not and would not ever agree with this, its most basic conclusion, the President of the United States also did not agree with it. That is to say that the President was saying, along with Russell, that there had been a conspiracy.

This had been officially suppressed for 30 years - that the President himself did not agree with the very basis of the official Report of his own Presidential Commission, his disagreement meaning that there had been a conspiracy, the conspiracy that made him President.

And at least two Members of that Commission held resolutely to that same belief with the same meaning, there had been a conspiracy to kill JFK.

Not "conspiracy theorists" but the misrepresented and lied-about official evidence leaves this without question.

But the government still denies it, as do all its sycophants in the major media in their continued endorsement of that Report the unanimity in signing which was procured by fraud and other dishonesties. *end 578*

We have come to where this is not news, that a President was killed by a conspiracy and that the official Report on that crime was false.

The media is so unthinking in its undeviating support of the official mythology that in reporting Russell's statement that "the report would note the disagreement" over what is most basic in it it also failed to tell its readers that the Report does not report any such disagreement.

Senator Russell's dissent is historic, as is that of the President himself.

Even if the major media is so determined to further undermine public confidence in it, it refuses to say so. *end 579*