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Always useful to do a careful search

November 25, 1963

which went to FBI

MEMORANDUM FOR MR. MOYERS

It is important that all of the facts surrounding President Kennedy's Assassination be made public in a way which will satisfy people in the United States and abroad that all the facts have been told and that a statement to this effect be made now.

1. The public must be satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such that he would have been convicted at trial.

2. Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting thought that this was a Communist conspiracy or (as the Iron Curtain press is saying) a right-wing conspiracy to blame it on the Communists. Unfortunately the facts on Oswald seem about too pat -- too obvious (Marxist, Cuba, Russian wife, etc.). The Dallas police have put out statements on the Communist conspiracy theory, and it was they who were in charge when he was shot and thus silenced.

3. The matter has been handled thus far with neither dignity nor conviction. Facts have been mixed with rumour [sic] and speculation. We can scarcely let the world see us totally in the image of the Dallas police when our President is murdered.

I think this objective may be satisfied by making public as soon as possible a complete and thorough FBI report on Oswald and the assassination. This may run into the difficulty of pointing to inconsistencies between this report and statements by Dallas police officials. But the reputation of the Bureau is such that it may do the whole job.

The only other step would be the appointment of a Presidential Commission of unimpeachable personnel to review and examine the evidence and announce its conclusions. This has both advantages and disadvantages. It [sic] think it can await publication of the FBI report and public reaction to it here and abroad.

I think, however, that a statement that all the facts will be made public properly in an orderly and responsible way should be made now. We need something to head off public speculation or Congressional hearings of the wrong sort.

Nicholas deB. Katzenbach
Deputy Attorney General

Harold Weisberg

FBI - Oswald as
sole suspect

At least one high-ranking military officer of the Kennedy administration who was automatically, if not for long, in that same role in the Johnson White House, had personal knowledge of the perjury and it should be safe to assume, of its significance.

There is no reason to assume he was alone in having this knowledge.

The actual official evidence is never spoken of honestly by any official of any administration and reporting it truthfully is not welcomed by the major media or by politicians. That Oswald was the assassin was a frame-up all involved in the government accepted, having no evidence of any other assassins, and no government ever conducted any real investigation in an attempt to learn if there had been any other assassins.

The actual official evidence is that there was a conspiracy and that Oswald was not in a position to be the assassin. Because this is the official evidence, that means it was known to the government. It, consistent with the preconception with which it began, first in the Hoover FBI and then throughout the government, including the Warren Commission that was created a week after the assassination. Nobody inside any involved element of government had the courage, and the principle, and the sense of justice to be a dissenting voice. If any recognized the fact that any presidential assassination is a de facto coup d'etat, there is no known record of it.

While there appeared to be a prima facie case that the Oswald rifle was used in the assassination, there is no real proof of it and the official evidence is that it was a physical impossibility for Oswald to have used it and to have fired those three shots to which all officialdom limited itself. However, the actual, official evidence is that the best shots in the country could not duplicate the shooting attributed to Oswald. He was rated by the commandant of the Marines as a "rather-poor 'shot,'" and that when he had last used a rifle, half a decade earlier (*Whitewash*, page 30).

check on source

Because the Warren Commission published the results of the shooting tests made for it by those "master" shooters at the Army's Edgewood Proving Grounds north of Baltimore, near Aberdeen, Maryland, the board staff at the least knew about it, if from no other source than from my books. I first

See *Never Again*
p. 301-305 For
more marks men
at Edgewood
Proving
Grounds

File
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published those official results of those official tests in 1965, in *Whitewash* (page 26) and in greater detail in 1995, in *NEVER AGAIN!* (pages 301-305).

This is not all the official evidence that was never secret and exculpated Oswald but it is enough to make the point that for the board to presume Oswald's guilt in its assignment to search for assassination records was to assure that it could not and would not meet its legislated mandate and would still again leave the people disillusioned and disappointed with government.

The decision to put the hat on Oswald and on him alone was made as soon as Oswald was dead, when it was known that there would not be any examination of the evidence in public and no defense lawyer to wring the truth out in a vigorous and public cross-examination.

So there can be no doubt about this, here are some of those documents that are proof absolute of the preconception. Many of them are cited and quoted in the first chapter of *NEVER AGAIN!* so at the least some of the Assassination Records Review Board staff knew about them for that source. Some of them knew me. Besides which I showed most of these documents to two of the staff when they visited me. I told them they were welcome to make copies of them and of any other records I have. I also gave them an unedited copy of the *NEVER AGAIN!* manuscript.

note

There is no way of knowing whether both major ideas in the Katzenbach memo formulating the official "fix" were his ideas. It is known that at least one was not. He was given that idea by the eminent cold warrior, Eugene Debs Rostow, then dean of the Yale Law School. That was the belief that Lyndon Johnson should create a presidential Commission to investigate the crime.

Sunday, November 24, the day Ruby killed Oswald, was the first day Johnson had his phone recording system in place. Before then the only records of phone calls were those made by the Secret Service. It did not listen in to get and record the content of those earlier calls. The Lyndon Baines Johnson Library has been disclosing transcripts of the Johnson phone calls. This one, between Bill Moyers, then on Johnson's staff, and Rostow begins with Moyers telling Rostow, "It is good to talk to you, Dean Rostow." Then Rostow says:

note

Copy of Katz memo in 62-109060-1399
if needed for MS
Note over

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and in many letters in the 62-109060 file. The FBI had a good reason for not wanting that report released. There cannot be much that reflects more unfavorably on the FBI than that diatribe against Oswald that says almost nothing at all about the assassination. It has only two sentences in the five volumes of that report that are on the shooting and in those two mentions the FBI does not report all the known and confirmed reported shooting and it does not even give the cause of death! (Evans was not mentioned in the Warren Report or in its fifteen volumes of testimony.)

OK
More to
Support
This

Evans' first sentence reports to the man under Hoover that Hoover approved the part that does not refer to the presidential commission. That Hoover and the FBI opposed strongly:

UNITED STATES GOV
Memoranda

TO : MR. BELMONT

DATE: 11/26/63

FROM : C. A. Evans

cc Mr. Belmont
Mr. Evans
Mr. Mohr
Mr. DeLoach
Mr. Rosen
Mr. Sullivan

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

Deputy AG Katzenbach handed to me this morning the attached memorandum which he has sent to Bill Moyers, who will be the principal assistant to President Johnson in the White House. Katzenbach said that this memorandum was prepared by him after his discussions with the Director yesterday.

It is Katzenbach's feeling that this matter can best be handled by making public the results of the FBI's investigation. He thought time was of the essence, but that the report, of course, had to be accurate. He said he was thinking in terms of its release by the end of the week if at all possible.

Katzenbach further pointed out that he is having no success in selling the White House on the idea that this report should be released there. He understands that President Johnson has expressed himself as feeling this should be handled on a Department of Justice level. It is Katzenbach's belief that it would be most inappropriate for Robert Kennedy to issue this report. Katzenbach asked that the Director be informed of his feeling that, if the report is not released by the White House, then it should be made available publicly by the Director, pursuant to Presidential instructions.

Enclosure
CAE:CSH (7)

REC-15 62-109060-1399
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DEC 9 1963

There are a number of Secret Service records reporting that Moyers phoned Johnson the first minute he could get through, at 8:50 P.M. that Sunday night, November 24. The explanation on the typed

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copy that I use is "Bill Moyers called the Pres." (There are several contemporaneous handwritten Secret Service phone logs. They are all consistent.)

This typed log states that Johnson then phoned Hoover five minutes after Moyer's call to him began. Under "Subject discussed" it indicated is "Pres. called Mr. Hoover." The next entry, just two minutes later, is "Pres. called Mr. Katzenbach." (Some of the handwritten logs indicated the call to Hoover lasted five minutes.)

The disclosed White House telephone recordings for the week beginning that Sunday make it clear that Hoover and Johnson agreed that the case really not be investigated, which is what Katzenbach was saying when he said what was not true, that they had enough to convict Oswald at trial. A bigger lie is hardly possible not only because in two days they could not complete any real investigation but because that evidence does not and never did exist.

The FBI could not and never did place Oswald in that window at the time he had to be there to fire any shot from there and it never did proved that the Oswald rifle was used in the crime. Those who set Oswald up arranged it to seem that way but it was a physical impossibility for that rifle to have been fired from that window, to be hidden as it was hidden, and for Oswald to make the totally imagined trip from that sixth floor window and reach the employees' room on the second floor before Dallas police officer Marrion Baker got there. Baker saw and spoke to Oswald inside that room.

The Commission's own time reconstruction and other evidence establishing this as incontrovertible fact and the official Dallas at police picture of where and how it was hidden appeared first in *Whitewash*, on pages 36-38 and 211, respectively. As I obtained other relevant information from the Commission's files I published it. Again, the board staff got this information from me.

From these and more records like them the board knew, unless it refused to know, that the crime itself was never really investigated – was never intended to be. It knew that in releasing records relating to Oswald only it was not meeting its obligation. To meet the obligation the Board assumed, it had to search for records that indicated or could be taken to indicate that there was an assassin or assassins other

FBI
all
let's
fairness
as to
evidence

6/2/84

Harold Weisberg

FBI Chronology & CD-1

result when Jack Ruby' killed him. That trial would have been entirely in public, not in the secrecy in which the Commission took all its testimony and hid all else it wanted to hide.

Because killing a President then was not a federal offense, all that the government could do was have a Commission or let the Congress investigate the crime. Nobody in Texas had any other candidate for assassin, so it had nobody to try once Oswald was killed.

In tracing the documentation for the idea that a Presidential commission should be appointed to look into the assassination, which really meant to control what the people would be told about it, when I was writing *NEVER AGAIN!* that available documentation stopped with the deputy attorney general, Nicholas Katzenbach. However, with the disclosure of the White House tappings of its phone calls, that coldest of cold warrior, Yale Dean Eugene Debs Rostow, said he had had several phone conversation with Katzenbach that day. He is specific in stating that he recommended formation of such a commission but he is not specific, makes no mention of the other Katzenbach recommendation, that the case be marked solved and closed.

JFK had this system installed

Joe this per Katz's Memo 11/15/63

Of course it is obvious that on the second day after the assassination "that the evidence was such that he [Oswald] would have been convicted at trial" and it is equally obvious that there was, at that early date, no proof possible that Oswald "did not have confederates." Which would have meant there was no conspiracy when, as it turned out, despite the Commission's best efforts, it could not avoid proof that there had been a conspiracy.

Keep here

So there be no doubt about the government line that the Katzenbach memo laid out, attached are the Department of Justice file copy, which I obtained from it under FOIA, along with the Katzenbach's handwritten copy when he had no typist available, which was in the same file and was obtained in the same way; FBI assistant Director Evans (its liaison with the Department) from the FBI main JFK assassination

So much for English assertion that Katz's memo was confirmation that the govt. had its man Oswald & only evidence was that group - the evidence was that B.S.

Note: Make Katz's memo w/ Appendix of the Park - both Delagrip & typed copies

file CD-1

November 24, 1963

TELEPHONE CONVERSATION BETWEEN BILL MOYERS AND DEAN ROSTOW, YALE LAW SCHOOL

WM: It is good to talk to you, Dean Rostow.

DR: Thank you, boy, and if I can help in any way, I am calling with a suggestion. I've just talked to Nick Kazenbach [sic] and the poor fellow, he has so much of a burden on him. I've talked to him about three times today and he just sounded so groggy so I thought I'd pass this thought along to you. And, of course, I realize how tough it must be now for the President. In this situation, with the suspect killed, my suggestion is that a Presidential Commission be appointed of very distinguished citizens in the very near future. Bi-partisan and above politics - no Supreme Court justices but people like Tom Dewey and Bill Story [sic] from Texas and so on. A Commission of seven or nine people, maybe Nixon, I don't know, to look into the whole affair of the murder of the President because world opinion and American opinion is just now so shaken by the behavior of the Dallas Police that they're not believing anything.

WM: I can understand that. . . .

DR: Now, I've got a party here, I've been pursuing the policy, you know, that people need to come together at this time.

WM: You know what you could do that would be very helpful and this is a good suggestion and I'll pass it on - just a minute - the President is calling. . . . excuse me, go ahead . . .

DR: Well, what can I do that will help.

WM: Well, I was just speaking coming in after hearing the news of Oswald's shooting that this is symptomatic of what has been happening in this country in the last few years that there is a breakdown in respect for law and order - you know - these signs of "impeach the Supreme Court" etc. etc. etc. If I could have a memorandum to give the President along these lines . . . one of his great tasks is to help continue the institutions that seem to be at least, if not in doubt, right now, at least weakened by some kind of sickness that has taken hold of some parts of our population. Now, I'd like him to have to consider in some private talks he's having with newsmen and with perhaps, with his Joint Session next Wednesday night. He needs to make some points, you know, that America is known as a land of public order, a land of civility, a land of . . . in which the public safety is guaranteed and . . . there's a very serious question, right now, in the mind of the world about these institutions that undergird us so tremendously and . . .

DR: Well, his Gettysburg speech last Spring was just terrific . . . couldn't have been better . . . I'll be more than glad to send any message he thinks will be helpful right away . . .

Rostow the source of Commission idea
and others or his house a party
Origin of Commission idea
Is this important?
Dr. Hawke
has been realized that
less the
course hbt
would take

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This encapsulates the situation the board inherited. While there was no evidence of compulsion that the board become part of the official assassination covering up, the political reality is that it had no real choice. Not if any of the members and staff wanted to be employable in the future.

It has been like a perpetual chain reaction. Hoover reached his conclusions before any real investigation was possible, on the day of the assassination. He even boasted of that in an interview with William Manchester for his book that DeLoach persuaded Hoover was a good idea. DeLoach wrote was the note-taker. His memo of the same day, routed to Hoover, is quite specific on this. While the "record" copy or the one indexed and for the records is not entirely legible on the copy I duplicated it for such uses as this, it seems to be one of the "research matters" files under the propagandist and vengeance-taker and leaker, Cartha DeLoach, 94-42768. The copy I cite is a Not Recorded copy from the FBI's Main JFK assassination file, 62-109060, in which it is in Section 73.

Check on this

Once Hoover reached that decision, it was, forever, official policy. It never really changed. And even though Hoover also concluded that there had been no conspiracy, the FBI continued to slug its records to reflect that there had been a conspiracy, The conspiracy varied with the records. It was either Russia or Cuba. But there were records that were slugged more simply. "Internal Security - Russia" is an example of this.

Doc

If the Warren Commission had ever considered being independent and reaching its own conclusion, as toward the end three and then two of the Members did, the FBI, as we saw above, had the Commission boxed and in the end it concluded with what the FBI imposed upon it. (I have addressed what happened to those two who did not agree with this basic conclusion in a lengthy writing titled "Senator Russell Dissents." Dissenting with him and deceived along with Russell to get signatures on the Report was Kentucky Republican Senator John Sherman Cooper. Russell, who had been a leader of Southern Democratic Senators, and Cooper, also left records in which they reiterated their absolute refusal to agree with what was called "the single-bullet theory. Although that is not in the FBI's "solution" it is indispensable in the Commission's version.)