

1. Scholar and Editor

Professor James H. Fetzer wants it to be known that he is a scholar. He wants it known very much, ~~he~~ is very proud of it, and in his books he never mentions his ~~name~~ without appending "Ph.d." He is so proud that he has it after his names ^{even} on the covers of both of his assassination books.

To make it look normal, when in my lengthy experience with books it is not at all normal, he had that Ph.D. after each one he knows has that degree, along with other degrees, like ^K "M.D." One of Fetzer's price packages, David Mantik, is both a physicist and a medical doctor, so every time Mantik's name is mentioned, both degrees are included after his name. *and are these names mentioned often!*

This is not true of those with a master's degree. There is not a single name in Fetzer's 467 pages that is followed by "M.A."

As Fetzer has it, only Ph.D. counts.

It seems to count so much to him that it is to wonder if he has ~~it~~ it printed on his household tissues.

We have seen the definition of scholar. Editor is "a person who is responsible for the content and writing of a newspaper, etc."

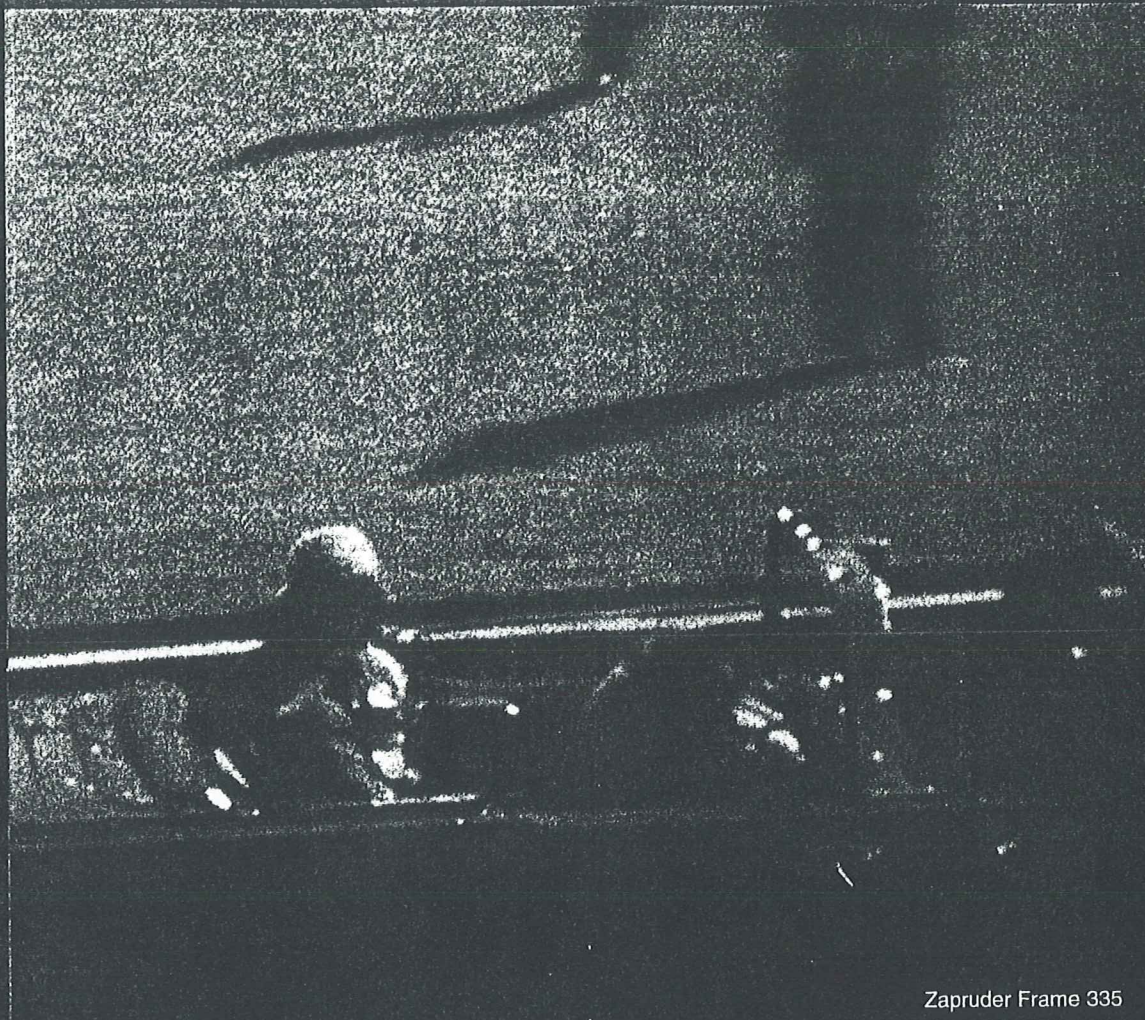
38A It does not appear to be that Fetzer is responsible for the content of the individual essays in his book, ^{either than his} nor does it appear to be ~~it~~ likely that he had to ^{+ rewrite or} correct grammar and spelling for his essayists. What Fetzer appears to be in ~~this book~~ ^{this is} ~~this book, which is another vehicle for his self-promotion is the collector.~~ He collected what his essayists wrote and in printing them he ^{is} was a collector. ~~But~~ "collector" after a name does not seem to ^{make Fetzer} mean as much as editor and

his two books (the first one is titled Assassination Science) *and are*
a means of ^{self-}promoting ^{on} himself, is a collector, not an editor.
~~But collector after a name~~

And just as there is no science in assassination, there also
is, in reporting or writing about one, any philosophy

As we examine Fetzner and his book whether ~~or~~^{or} not he and/or
it are ~~an~~ assassination scholars or assassination scholarship
will be apparent.

Murder in Dealey Plaza



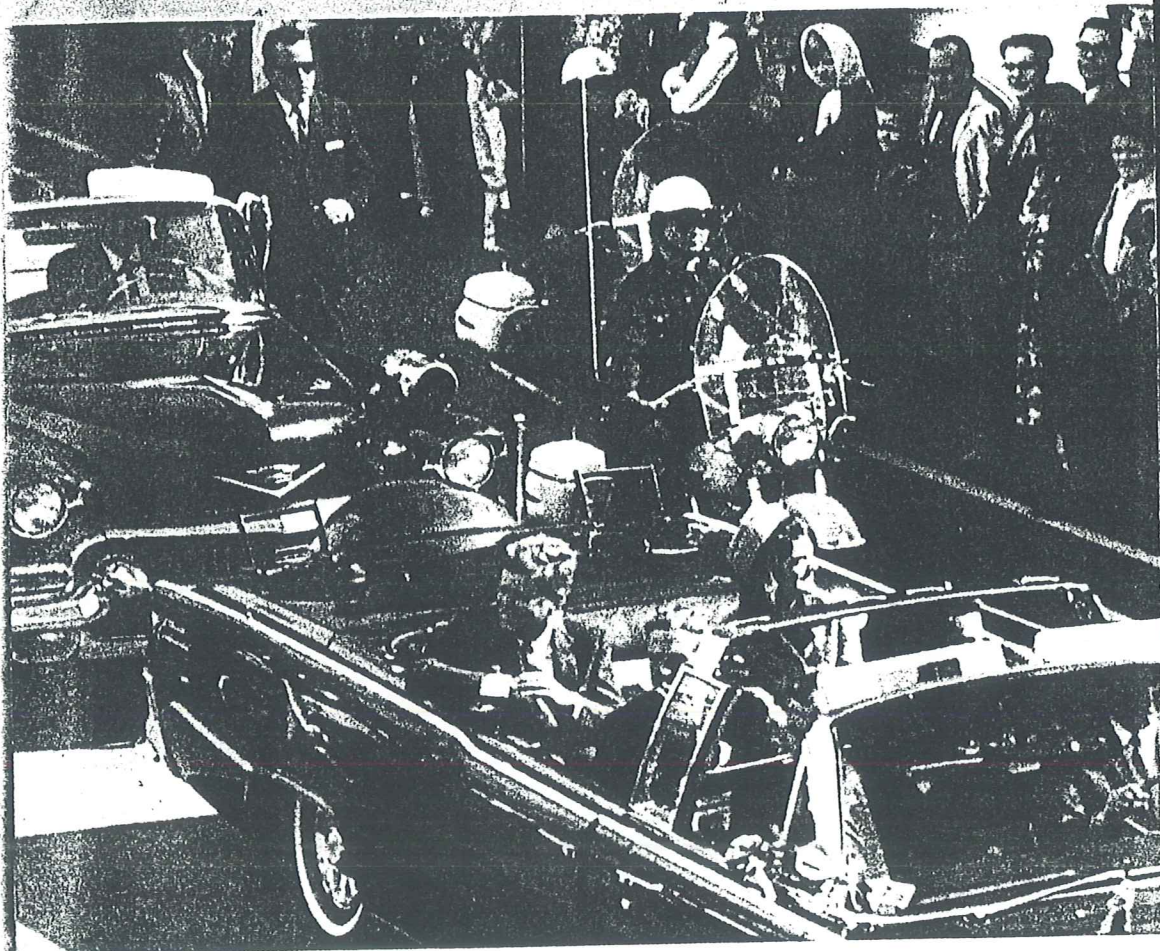
Zapruder Frame 335

What We Know Now
What We Didn't Know Before
about the Death of JFK

EDITED BY **James H. Fetzer, Ph.D.**

ASSASSINATION SCIENCE

Experts Speak Out on the Death of JFK



Edited by James H. Fetzer, Ph.D.

CURRENT AFFAIRS/AMERICAN HISTORY/KENNEDY ASSASSINATION

If you have ever been tempted to believe that President Kennedy was killed by a lone, demented gunman named Lee Harvey Oswald, then *Assassination Science* is the one book which will convince you, beyond any reasonable doubt, that there was indeed a conspiracy and a cover-up.

Completely lacking the wild speculations that have marred some books on the shooting of JFK, *Assassination Science* sticks to the hard facts, interpreted by medical and scientific expertise.

"Assassination Science is a watershed. Past and future assassination studies will have to be read through the painstakingly logical lens with which it scrutinizes the murder of John Kennedy. The contributors collectively offer an exhaustively documented and tightly reasoned argument bound to give the most loyal defender of the Warren Commissioners or Gerald Posner pause for thought. There is no sentimentalism or sensationalism here, even though the web of bureaucratic roadblocks and deceit encountered by Fetzer in his investigations would make for an exciting thriller. Instead, the cool clinical breeze of rigorous thinking blows throughout."

—KERRY WALTERS
Distinguished Professor,
Gettysburg College

"Every serious student of the Kennedy assassination should read this excellent compilation of articles, which dissect and destroy the Warren Commission Report in a meticulous, objective, and analytical manner. The authors are all accomplished professionals, and their investigative studies unquestionably shift the evidentiary burden to those who through ignorance, naiveté, or conscious pro-government bias continue to defend the Warren Commission Report, the greatest hoax ever perpetrated on the American people."

—CYRIL H. WECHT, M.D., J.D.
Past President, American
Academy of Forensic Sciences

"Assassination Science—particularly Dr. David Mantik's chapter on the Zapruder film—constitutes a significant addition to the literature on the JFK assassination. Those who believe that the Zapruder film (characterized by some as the closest thing to 'absolute truth' when it comes to the shooting) is unimpeachable are in for a surprise. In addition, the publication of certain documents (such as the full text of the White House transcript of the Dallas doctors' 11/22/63 press conference), as well as Fetzer's musings about what is knowable and the record of his jousting with the establishment (from The New York Times to the Justice Department) all make interesting reading."

—DAVID S. LIFTON
Author of *Best Evidence*

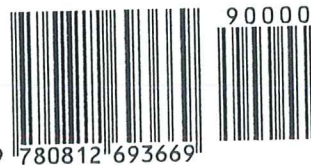
"Although certain to provoke further controversy, this book supplies important scientific assessments of the medical evidence laid before the Warren Commission, together with a valuable narrative account of the American Medical Association's entry into this contentious field. I was particularly gripped by compelling new arguments that the Zapruder film had been altered, along with related documentation concerning the Warren Commission's re-enactment of the shooting in Dealey Plaza."

—PETER DALE SCOTT
Author of *Deep Politics
and the Death of JFK*



ISBN 0-8126-9366-3 (Paper)
ISBN 0-8126-9365-5 (Cloth)

ISBN 0-8126-9366-3



Cover design: Kathy Keyes

James H. Fetzer
is Distinguished
McKnight University
Professor at the
University of
Minnesota, Duluth.
He has published
over 100 articles
and 20 books on
philosophy of science,
artificial intelligence,
computer science,
and cognitive science.



having himself regarded as an editor is much more toney. ^{more important, and} ~~much~~
^{is much} more of a self-promotion that ^{with the way} a mere collector.

Meyer after his Ph.D. does Fetzler say what his degree is
 in. There is a good reason for that: it has nothing to do with
^{or its investigations. It's} the assassination. ^{But is and is intended to be an indication of scholarship in}
 any assassination. ^{in books. A Fetzler}

39A He is a professor of philosophy in the University of
 Minnesota at Duluth. He is in the philosophy department there.

When he titled his collection Murder in Dealey Plaza the
 relevance of his Ph.D. is not apparent. He had no use for
 philosophy in what he wrote for his collection, in making any
 choices, in making his collection or in ^{another} many inquiry he ^{y.} would or did
 make.

But then ^{such} what he wrote includes no ~~see~~ inquiry. 39B

But ⁱⁿ maybe in Fetzler's thinking including his doctorate in
 philosophy ^{(of a book allegedly on the assassination might} of the cover) ~~might~~ be an impressive and might lead
~~to~~ more sales. Seeking that is not unusual with what is
 added to covers, where it is not always strictly true.

Fetzler added to his, ^{second cover,} "What We Know Now That We ~~Didn't~~
 Know Then About the Death of JFK."

I have read his book, which means ^{his and} all the writing he collected,
 and I do not recall a single new fact about the actual assassination
 in it. ~~It~~ I do recall a great number that are not included.

There is what has appeared in no other book that I recall,
 different allegations than had been published about the
 alleged doctoring of the autopsy film, but whether that, if
 correct, adds to the knowledge of either the crime or its investi-
 gations is a real question. If what is meant in ^{those} that essay allegation ^{and}
 in that essay duplicates what was known ~~and~~ available earlier, then

But Fetzer's claim for his book is that it ^{is} the real killer-diller on the whole assassination. As we will see, Fetzer is really a subject-matter ignoramus and to a large degree this is also true of his essayists.

what is reported, if correct, does not add to our knowledge "about the death of JFK," Fetzter's claim. *and the beliefs of those authors.*

Despite Fetzter's puffery, which is more of himself than of his book, there is little in the book that is about the assassination other than what relates to ~~the~~ medical evidence. *4 of 4 here*
 The book states that ^{whole thing and it new on the} it is the medical evidence but it is not. It has little to do with the official medical evidence and it does not mention ^{and what relates to it} ~~as~~ much of that. In effect it says that the work of doctors Gary Aguilar and David Mantik is the ~~new~~ medical evidence of the assassination. That is not so.

But it is good puffery, ~~good~~ good to entice sales and ~~to~~ build respect *and reputations.*

Puffery is not abnormal but ~~exaggerated~~ exaggerated claims are not, strictly speaking, scholarship. *or even honest.*

The ^{is p} applies to the back cover boast that because of ^{this} the book, "We now know vastly more about the killing of John F. Kennedy ~~than~~ than was known 20 or 30 years ago." This is not *not in any sense a digress* true. It seems to be both a putdown of earlier writing in which there was ~~us~~ vastly more about the actual medical evidence, and as a sales ~~argument~~ argument meant to tell potential buyers that ^{really} nothing was valid and meaningful except what Fetzter collected or wrote himself - this book.

We'll see.

Beginning with its table of contents. That alone tells ^{is} ~~one~~ familiar with both the assassination and its investigations and with what has been written about them that the claim is false.

This is not the table of contents of a book that brings ^{out} ~~to~~ light and to ~~put~~ the public "What We ~~Didn't~~ Know Now that we ~~we~~

Rather it is half of a book. The other half is about the
~~extra~~extraordinarily expensive Bloody Treason by Noel Twyman, on
whom they are all hung up. natural and unavoidable for sub-
ject ignoramuses which most are and do not realize it and
cannot consider it.

Didn't Know" before about the "About the Death of JFK."

In fact this claim is a fraud. It tells us much about Fetzer, whether he knew the truth or not. But ~~the~~ truth is that there is nothing new about the "death," which was an ~~assassination~~, not a normal death, ~~that~~ "that we didn't know before." That the ~~essayists~~ ^{essayists} can say this also says very much about them, to which we get. And I do not suggest that they ~~perpetrated~~ any fraud. Rather is it that they also know much less than they think, much less than they should to write as they do about what they ^{knew} before they wrote about their work. In fact, they should ~~have~~ have known what they did not know before they got into their ^{work}.

But they and not they alone ~~was~~ were bitten by the assassination bug about ~~two~~ two decades after it began its biting. It seems to impel ^{many} ~~many~~ who know nothing at all about the assassination to think that they are Sherlock Holmes returned and that ~~whatever~~ ^{whatever} pops into their head ^{is} must be both new and true and that they ~~need~~ need no more to begin ~~their~~ Sherlocking.

While the promise of Fetzer's preface seems to be a promise of what is new, "Smoking Guns in the Death of JFK," there is nothing new in it and most is not even correct. Some is ludicrous. He has sixteen of them and a glance is enough to make clear that in his second book, Fetzer remains a subject-subject-matter ignoramus. ^{as he was in his first, about which I wrote a book}

41A → "The Day Kennedy Was Shot" was thirty-seven years before Fetzer's book and there is nothing at all new or important, nothing that ^{even when} tells us what we did not know ~~where~~ it tells ~~us~~ ^{us} what is true. ~~True~~ True also of both parts of this Part.

Part II is titled "The Secret Service." It also has two

(I wrote a book about another of the ~~greatest~~ ⁱⁿ indecencies and outrageous, a completely impossible book which blames the actual killing on former Secret Service ~~man~~ ^{agent} George Hickey. This impossible ~~Sherlocking~~ was by a Maryland gunsmith, Howard ~~Donahue~~ ^{Menninger} Donahue. His book, Mortal Error, was ghosted by Bonar ~~for~~ ^{his} St. Michael's Press. After I showed Donahue that ~~it~~ ^{his connection} was entirely impossible and told him the photographs that proved ~~it~~ was impossible. But that assassination but bites hard, ~~le~~ leaving the poison that fame and fortune await. In Fetzer's first book there are seven citations to Menninger and to Mortal error, but not a single reference to Donahue. The Fetzers use this as a dependable ~~sur~~ ^{made} source after St. Michael's ~~made~~ ^{the} an out-of-court ~~settlement~~ with George Hickey's family. That horrible and utterly baseless ~~accusation~~ ^{or} against the totally innocent Hickey ~~made~~ ^{at} him seriously mentally ill. ~~It~~ ^{placed in} was no longer safe for him to be home and he was ~~in~~ ^{ub} a nursing home when St. Michael's made the award to this family. (I know more about it than any of these ~~Fetzer~~ ^{FETZERS} scholars because another retired Secret Service agent who had worked with Hickey at the White House told me what was happening to ~~him~~ ^{Hickey}. Hickey was not answering the door or the phone. Through his daughter I arranged to provide Hickey with ~~the~~ ^o counsel and although ~~it~~ then ~~it~~ ^{was} rather late, along with the cash settlement ~~the~~ ^{were} Hickey's name and reputation was cleared, even though ~~the~~ the great scholars, ^{cited by} ~~aligner~~ ^{were} with the greatest of scholars, Fetzer, had a ready ~~made~~ ^{made} him a seriously ill mental case and, great scholars as ~~all~~ ^{all} Fetzers are, they stick to their gun and thus these seven ^N references in Fetzer's first ~~book~~ ^{books}. While there remains a mystery, of the ^{meaning of} ~~managing~~ ^{of} Fetzer's first title, "Assassination Science" does not seem to apply to the ~~ruin~~ ^{damage to} of George Hickey's wife and family? ¹

parts. It is different in the outrageous suggestion that the Secret Service, which has the responsibility for protecting the President, was in some imagined way part of a ~~con~~ conspiracy to kill him. 42A here

Not until Fetzer gets to Part III ~~of~~ of his book, "The Medical Evidence," does he get to anything of substance. All that precedes it and just about all that follows it is largely filler, to puff the Aguilar and Mantid~~s~~ essays up into a book with which the ignorant scholar Fetzer can pff hi^umself up, make himself appear as what he is not and will never be, an expert on the assassinaion and one who is trying to do some thing about it.

But it was not until Page 175 that Fetzer got to this point.

There

It is worth serious attention

Part IV, "ARRB Re^velations," tells us not a single new word about "the death of JFK."

Nor does Part V, "The Zapruder ~~GRIM~~."

Or Part VI, "Righting the ^kRecord."

The Epilogue was written before Fetzer was grown up. It was by the late Bertrand Russell and it was written during the life of the Warren^d Commission!

That will tell us "What We Didn't Know ~~about~~ the Death of JFK"?

~~The~~ The seven ^{parts} parts of the appendix are short, not new, and they do reflect Fetzer's limitations and lack of knowle^d as well as his yen for attention, a public reputation as wha^yt his he is no t and ~~never~~ never will be.

The first appendix item, by Fetzer, and it is a plug for his

CONTENTS

Preface		ix
Prologue		
"Smoking Guns" in the Death of JFK <i>James H. Fetzer, Ph.D.</i>	✓	1
Part I: The Day JFK was Shot		
22 November 1963: A Chronology <i>Ira David Wood, III</i>	<i>No source</i>	17
59 Witnesses: Delay on Elm Street <i>Vincent Palamara</i>	✓	119
Part II: The Secret Service		
The Kennedy Limousine: Dallas 1963 <i>Douglas Weldon, J.D.</i>	✓	129
The Secret Service: On the Job in Dallas <i>Vincent Palamara</i>	✓	159
Part III: The Medical Evidence		
The Converging Medical Case for Conspiracy in the Death of JFK <i>Gary L. Aguilar, M.D.</i>	✓	175
Paradoxes of the JFK Assassination: The Medical Evidence Decoded <i>David W. Mantik, M.D., Ph.D.</i>	✓ ✓	219
Part IV: ARRB Revelations		
Evidence of a Government Cover-Up: Two Different Brain Specimens in President Kennedy's Autopsy <i>Douglas P. Horne</i>	✓	299
Interviews with Former NPIC Employees: The Zapruder Film in November 1963 <i>Douglas P. Horne</i>	✓	311

wers of the
k them not
with a
to take it
m.
Jefferson

Part V: The Zapruder Film

- The Great Zapruder Film Hoax • Insert
Jack White 1-16
- Paradoxes of the JFK Assassination:
 The Zapruder Film Controversy 325
David W. Mantik, M.D., Ph.D.

Part VI: Righting the Record

- Jesse Curry's *JFK Assassination File*:
 Could Oswald Have Been Convicted? 361
James H. Fetzer, Ph.D.
- Paradoxes of the JFK Assassination:
 The Silence of the Historians 371
David W. Mantik, M.D., Ph.D.

Epilogue

- 16 Questions on the Assassination 413
Bertrand Russell

Appendices

- (A) A *Precis of Assassination Science* (1998) 421
James H. Fetzer, Ph.D.
- (B) Letter to Leslie Batchelor of 25 August 1998 424
James H. Fetzer, Ph.D.
- (C) FBI Protective Research Report of 27 November 1963 428
Charles Taylor, Jr.
- (D) Ford Motor Company Intra-Company Communication of
 18 December 1963 431
F. Vaughn Ferguson
- (E) Conversation with John Ebersole, M.D., of 2 December 1992 433
Transcribed by David W. Mantik, M.D., Ph.D.
- (F) Deposition of J. Thornton Boswell, M.D., on 26 February 1996 440
Edited by David W. Mantik, M.D., Ph.D.
- (G) Deposition of James J. Humes, M.D., on 13 February 1996 444
Edited by David W. Mantik, M.D., Ph.D.

Index

Acknowledgments

Contributors

454

465

466

W/

Although you
 ing it on the ever
 past decade—es
 unraveling one c
 John F. Kennedy
 convicted. After
 pened will never
 be widely held, l
 we ever have bel
 nation on 22 No
 conspiracy, who

Indeed, unra
 ing the conspira
 elected leader. A
 rage over the bl
 effort to perpetu
 discovered that
 have been disto
 graphs belonge
 a great deal of tl
 sination, has be

We have ma
 public, includin
 and the U.S. De
 Assassination S
 on the death of

~~his~~ first book. Nothing in it that can tell us "What We ~~is~~
 Didn't Know About the Death of JFK." It is titled "A Precise of
 Assassination Science" (1989), as undefined here as ~~it~~ was in ~~1989~~ 1998.

What is really scholarly is that for the hundred page
 essay by David Wood, III, "22 November, 1963: A Chronology",
 There is not a single source given and again, what is claimed to
 be a chronology of the day of the assassination, thirty-seven
 years earlier, even if true, does not tell us "What we did not
 know" about the Death of ~~the~~ JFK. ~~is~~

~~His~~ ^{Fetzer's} table of contents, too, tells us that Fetzer ^{is} off
 on a publicity kick, ~~to~~ to be recognized as what he is not, ~~an~~
 assassination expert, and to attract attention to himself, to
 get him a little of the fame he cannot get in his philosophy
 classroom.

The second subchapter of the last Part states a real truth.
 It is titled "The Silence of the Historians". The Part it titled
 "Pradoxes of the JFK Assassination." It is written by David
 W. Mantik, M.D., Ph.D." Fetzer's note at the beginning, first
 thing under the headings, ~~is~~

hidden
 single
 space

[Editor's note: In this essay, David W. Mantik, M.D., Ph.D., the most qualified
 student to ever study the death of JFK, reflects upon the apparent incapacity,
 unwillingness, or even cowardice of professional historians to come to grips with
 what, given its domestic and international consequences, surely qualifies as among
 the most important events in recent American history, perhaps even in recent
 world history. Another essay that should be read on this subject is Ronald F.
 White, Ph.D., "Apologists and Critics of the Lone Gunman Theory: Assassination
 Science and Experts in Post-Modern America," *Assassination Science* (1998).] ^{Page 371.}

While it is true that almost without exception historians failed to meet their responsibilities in our society, why ~~is~~ limit this great failure to historians? ~~Was~~ Was what the historians did not do also the responsibility of the media? ~~Not~~ Not that of the lawyers? ~~Not~~ ^{Not} that, really, of every American? ^(Did not all schools get with West walls?) ~~Did not~~ Did not all the ~~is~~ ^{is}insy institutions of our society fail?

And was it not ordinary American citizens who did what the historians, the lawyers, ~~the~~ the media and even the doctors should have done, raise questions about the assassination, which is a coup d'etat, ~~and~~ ^{and} about its official investigations?

As of the time Mantik wrote this there was, to the best of my recollection, only one book by a ~~professional~~ ^{That historian is} professional historian. ~~He is~~ ^{later} also a source in this book ~~so~~ we take a look at him and at his book.

According to Fetzer, Mantik, who has not yet written even a small book and whose work is ^{pretty much} (limited his examination of the autopsy film and his opinions on a few other matters, is "the most qualified student to ever study the death of JFK." What qualifies the subject-matter ignorant Fetzer to have this opinion and to pass it on to all who buy his book is not apparent on his books or anywhere else.

For example, and this gets to what Fetzer knows and ~~does~~ ^{does} not know as he reflects it in his books, especially here, compare ~~his~~ ^{Mantik's} alleged "study" with my record, mine among the many who at the time ^{of} the assassination had doubts and sought answers to thier ~~the~~ doubts..

I wrote the first book on the assassination and its investigation. ~~It~~ It was completed in mid-February, 1965. That was five months after the massive Report was published, and only

^{first appearing,}
 rather large volume of ^{medical} evidence in the first of the
Whitewash series; Post Mortem, which also had about two hundred
 pages of facsimile reproduction of mostly medical evidence that
 had been suppressed, even hidden, until I dug it out and pub-
 lished it (some of which Fetzer uses without credit to the
 source) and ~~NEVER~~ NEVER AGAIN! which is largely on the medical
 evidence and, long before, ^{the Fetzers,} in great detail about the JAMA ~~w~~
~~who~~ whoring with the medical evidence ^{with} and efforts to rewrite
 it and bury ^{buried} truth ~~even~~ deeper

Does not this kind of ^{Fetzer} ignorant or prejudiced or dishonest
 writing deny people of the earleier publication the Fetzers do
 not ^{Fetzer's} asupercede and, to those who read his books, tell ~~the~~ them
^{the great volume of} that ~~the~~ earlier work, which is enormously larger that what
 the Fetzers have done, also ⁴ includes ~~much~~ that is not
 included in their work, even if it is all honest?

three months after those twenty-six large volumes of appendix were made available. Whitewash, the Report on the ~~Case~~ Warren Report, went into limited distribution ~~in~~ that August and into general distribution ~~in~~ May of 1966.

What were the ~~Fetzers~~ ^w doing the? ~~Not~~ ^{try} trying to meet the responsibilities of all Americans. According to what Fetzer ~~says~~ in this book, they got bitten by the assassination bug twelve years before this book was out. That was a quarter of a century after the assassination, a quarter ~~of~~ of a century ~~and~~ during which others did the "studying, ~~Not~~ Mantik or any other one of those on whose backs ~~Fetzer~~ ^{Fetzer} if getting attention that he loves ~~and does not deserve.~~

What did ~~that~~ ^{the early "studies"} study consist of that makes ~~it~~ ^{them} inferior to a few Mantik essays? ~~With~~ With me alone there was another

book, Whitewash II, in 1966; Photographic Whitewash and Oswald in New Orleans

in 1967; Whitewash IV in 1974; Post Mortem in 1975; Case Open

in 1994; ^{never again in 1995} When I was not ^{a hospitalized} writing books on my "study" I was

suing the government to compel the disclosure of withheld

JFK assassination information that was kept secret. ~~In~~ In

about a dozen of those FOIA lawsuits I obtained, and that

also meant that I made ~~them~~ ^{them} public, about a third of a million

pages that the government had classified as "on ~~with~~ the death of

~~JFK~~ JFK." This and much more is, to Fetzer, less of a study than

is ~~reflected~~ reflected in a couple of ^{Mantik's} essays. ^{which do not include what I brought to light and do not include the 45} ^{A new}

Here we get a measure of Fetzer's knowledge or ^{of} his ~~own~~

~~own~~ integrity ^{and/or} (of ~~his~~ his blind prejudice to breath into his

book what is not ~~there~~ there and to ~~credit~~ credit his essayists with

what they did not do and what they reflect no knowledge of. ^{46 & here}

None of ~~them~~ ^{Fetzers} came to "study" what so many pages of what

had been kept secret, and there was very little effort to learn anything by mail. That slight effort was ended when the ~~official~~ official evidence did not confirm what those two essayists wanted believed and did believe themselves.

Or maybe this was because what they were doing a quarter of a century later they were doing, in duplication of ~~what~~ ^{part of} what had been done not by personal opinion but with the official evidence, which officials could not question. And did not.

If all that Aguilar and Mantik say is correct they still have not addressed any of the evidence of JFK's death except *their version* of the medical, and that been done effectively; and in context before that assassination bug bit them

In their writing they make no mention of any of that, Ignoring it gives the impression that it does not exist and, scholar that he is, Fetzer adds to that ~~the~~ false impression with his ignorant opinion that "Mantik is the most qualified student to ever study the death of JFK." Perhaps there might be a basis for that if restricted to ^{some of} the medical evidence and I do ~~do~~ that. If true, remember, it merely says in ^a different way ~~word~~ ~~was~~ what had been stated, at some length, years earlier.

In Fetzer's professional opinion, for all the world as though, of all that has been written about that "death", "what should be read on this subject", seeming to refer to "the most important event in recent American history," ~~for~~ that "death" ^{again} ~~again~~ is what at most is limited to the single-bullet ~~theory~~ ^{theory} there, which was ~~destroyed~~ ^{over} in the first books and even more effectively ^{when} ~~and~~ the suppressed records became available:

"Another essay that should be read on this subject is Ronald F., White, Ph.D., "Apologists and Critics of the Lone Gunman Theory," Assassination Science...."

Handwritten signature

46X, follows 5646

In this Fetzer raises the long before-then-destroyed
so-called single-bullet theory ~~and here he raises it~~ to the
very top of what should be read.

47 follows

Eminent a scholar as Fetzter thinks he is, he also makes no ~~mention~~ ^{mention} of what is more than just relevant in the transcripts of a number of FOIA lawsuits-which he and the other Fetzters do not make even the most indirect mention of.

Scholarship, Fetzter ~~stands~~ ^{stands} style.

In this, as in almost anything ⁱⁿ his books, Fetzter needs no help in making a public record of his subject-matter ignorance.

But he goes to more trouble than most ^{to} to see to it that everyone can know about it, it being his belief that he is an expert, and that ~~all~~ ^{all} of those whose essays he collected and printed, in his opinion also are. But his ~~own~~ subject-matter ignorance is ~~made~~ ^{made} clear in Mantik's first sentence. Along with his solemn repetition ^{of} what is new only to those who are ignorant of the subject-matter- ^{in effect ignore} who regard all that preceded the assassination bug biting them - he refers to what medical witnesses called by the ARRB as "a wide panorama of fresh sources" when they provided little that meant much "in the death of JFK" and as providing "a compelling case for a post-assassination cover-up in the medical evidence."

This again raises the question is this merely the Fetzter "scholarship" ignoring what ^{already} existed so they can appear to be doing what had not been done or can it be that they claim to ^{be new} ~~of~~ ^{is in different form} ~~he~~ ^{be new} ~~beat~~ in at least the medical evidence and did not know this, among so much of the ~~evidence~~ ^{evidence} that ~~preceded~~ ^{preceded} them by many, many years?

What they are saying is that if before them five and five made ~~ten~~, it is new and important and unprecedented if they say that six and four make ~~ten~~.

As we will see.

When I make criticisms, as I have and as I will about Fetzner, it is because he is an assassination ignoramus, because his endless opinions are not in accord with the fact and are sometimes pretty silly and because, for ~~whatever~~ ^{my} purpose he has greatly magnified what benefit, if any, has come from the essays he collected and printed.

I have not exaggerated what I have done that I used to make clear that he is both ~~un~~ ^{non} factual and ignorant in his bestowing of honors - to sell books if nothing else.

When the FOIA was amended in ~~1974~~ ¹⁹⁷⁴, to be effective in 1975, one of my lawsuits against the FBI was cited in the Senate legislative history as requiring the amending so that FBI, CIA and other such agency records would not be immune.

That is what made it possible for people like me to obtain the FBI records I did get. In effect, if not in reality, the Congress was saying that I should have the FBI records I sought. (Congressional Record page 59336, 5/30/74)

And in the first case filed under that ~~amended~~ amended Act, with the FBI frustrating disclosure by endless perjury, I decided ~~that~~ the only chance of overcoming that was to go

head to head with the FBI in charging it with perjury. I could have done that with a lawyer's ^dpleasing, which would be immune. But I decided to put myself under oath to attribute perjury, a felony, to the FBI. That meant that if the FBI was not guilty of perjury I would be, the head to head that ~~apparently~~ was not within their experience.

Their defense, which was hardly that at all because it did more ~~than~~ ^{than} admit the perjury.

That was in Civil Action (CA) 75-0226. in federal district

the agencies operated illegally. The problem is that in the quest for law and order, case after case after case after case has been thrown out because the law enforcement and intelligence communities acted illegally. So I do not think we attach any particular status of accomplishment in conquering organized crime, or any crime whatsoever for that matter, with illegal activities resulting in cases being thrown out of court.

I would suggest that the record speaks for itself. Frankly, I never thought the record of former Attorney General Ramsey Clark was that good. But, comparing his record with that achieved by succeeding Attorneys General, he looks like Tom Dewey in his prosecutorial heyday.

Mr. HRUSKA. That record is bad, but do we want to make it worse by adopting this amendment which threatens to tie the hands of the FBI and dry up their sources of information? I say, with that, the soup or the broth is spoiled, and I see no use in adding a few dosages of poison.

The pending amendment should be rejected.

Mr. KENNEDY. Mr. President, I do not recognize the amendment, as it has been described by the Senator from Nebraska, as the amendment we are now considering. I feel there has been a gross misinterpretation of the actual words of the amendment and its intention, as well as what it would actually achieve and accomplish. So I think it is important for the record to be extremely clear about this.

If we accept the amendment of the Senator from Michigan, we will not open up the community to rapists, muggers, and killers, as the Senator from Nebraska has almost suggested by his direct comments and statements on the amendment. What I am trying to do, as I understand the thrust of the amendment, is that it be specific about safeguarding the legitimate investigations that would be conducted by the Federal agencies and also the investigative files of the FBI.

As a matter of fact, looking back over the development of legislation under the 1966 act and looking at the Senate report language from that legislation, it was clearly the interpretation in the Senate's development of that legislation that the "investigative file" exemption would be extremely narrowly defined. It was so until recent times—really, until about the past few months. It is to remedy that different interpretation that the amendment of the Senator from Michigan which we are now considering was proposed.

I should like to ask the Senator from Michigan a couple of questions.

Does the Senator's amendment in effect override the court decisions in the court of appeals on the Weisberg against United States, Aspin against Department of Defense, Dillow against Brinegar, and National Center against Weinberger?

As I understand it, the holdings in those particular cases are of the greatest concern to the Senator from Michigan. As I interpret it, the impact and effect of his amendment would be to override those particular decisions. Is that not correct?

Mr. HART. The Senator from Michigan is correct. That is its purpose. That was the purpose of Congress in 1966, we thought, when we enacted this. Until about 9 or 12 months ago, the courts consistently had approached it on a balancing basis, which is exactly what this amendment seeks to do.

Mr. President, while several Senators are in the Chamber, I should like to ask for the yeas and nays on my amendment.

The yeas and nays were ordered.
Mr. KENNEDY. Furthermore, Mr. President, the Senate report language that refers to exemption 7 in the 1966 report on the Freedom of Information Act—and that seventh exemption is the target of the Senator from Michigan's amendment—reads as follows:

Exemption No. 7 deals with "investigative files compiled for law enforcement purposes." These are the files prepared by Government agencies to prosecute law violators. Their disclosure of such files, except to the extent they are available by law to a private party, could harm the Government's case in court.

It seems to me that the interpretation, the definition, in that report language is much more restrictive than the kind of amendment the Senator from Michigan at this time is attempting to achieve. Of course, that interpretation in the 1966 report was embraced by a unanimous Senate back then.

Mr. HART. I think the Senator from Massachusetts is correct. One could argue that the amendment we are now considering, if adopted, would leave the Freedom of Information Act less available to a concerned citizen that was the case with the 1966 language initially.

Again, however, the development in recent cases requires that we respond in some fashion, even though we may not achieve the same breadth of opportunity for the availability of documents that may arguably be said to apply under the original 1967 act.

Mr. KENNEDY. That would certainly be my understanding. Furthermore, it seems to me that the amendment itself has considerable sensitivity built in to protect against the invasion of privacy, and to protect the identities of informants, and most generally to protect the legitimate interests of a law enforcement agency to conduct an investigation into any one of these crimes which have been outlined in such wonderful verbiage here this afternoon—treason, espionage, or what have you.

So I just want to express that on these points the amendment is precise and clear and is an extremely positive and constructive development to meet legitimate law enforcement concerns. These are some of the reasons why I will support the amendment, and I urge my colleagues to do so.

The PRESIDING OFFICER (Mr. DOMENICI). The Senator from Nebraska has 6 minutes remaining.

Mr. HRUSKA. Mr. President, I should like to point out that the amendment proposed by the Senator from Michigan, preserves the right of people to a fair trial or impartial adjudication. It is careful to preserve the identity of an in-

former. It is careful to preserve the idea of protecting the investigative techniques and procedures, and so forth. But what about the names of those persons that are contained in the file who are not informers and who are not accused of crime and who will not be tried? What about the protection of those people whose names will be in there, together with information having to do with them? Will they be protected? It is a real question, and it would be of great interest to people who will be named by informers somewhere along the line of the investigation and whose name presumably would stay in the file.

Mr. President, by way of summary, I would like to say that it would distort the purposes of the FBI, imposing on them the added burden, in addition to investigating cases and getting evidence, of serving as a research source for every writer or curious person, or for those who may wish to find a basis for suit either against the Government or against someone else who might be mentioned in the file.

Second, it would impose upon the FBI the tremendous task of reviewing each page and each document contained in many of their investigatory files to make an independent judgment as to whether or not any part thereof should be released. Some of these files are very extensive, particularly in organized crime cases that are sometimes under consideration for a year, a year and a half, or 2 years.

Mr. HART. Mr. President, will the Senator yield?

The PRESIDING OFFICER. All time of the Senator has expired.

Mr. KENNEDY. I yield the Senator 5 minutes on the bill.

Mr. HART. Mr. President, I ask unanimous consent that a memorandum letter, reference to which has been made in the debate and which has been distributed to each Senator, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

MEMORANDUM LETTER

A question has been raised as to whether my amendment might hinder the Federal Bureau of Investigation in the performance of its investigatory duties. The Bureau stresses the need for confidentiality in its investigations. I agree completely. All of us recognize the crucial law enforcement role of the Bureau's unparalleled investigatory capabilities.

However, my amendment would not hinder the Bureau's performance in any way. The Administrative Law Section of the American Bar Association language, which my amendment adopts verbatim, was carefully drawn to preserve every conceivable reason the Bureau might have for resisting disclosure of material in an investigative file:

If informants' anonymity—whether paid informers or citizen volunteers—would be threatened, there would be no disclosure;

If the Bureau's confidential techniques and procedures would be threatened, there would be no disclosure;

If disclosure is an unwarranted invasion of privacy, there would be no disclosure (contrary to the Bureau's letter, this is a determination courts make all the time; in-

Full text of Congressional Record of which this is part in top drawer of JFK appeals file cabinet.

^{m a/}
~~pro~~court for the District of Columbia. The FBI "defense" was that I
 " could make such claims ad infinitum since he is perhaps more
 familiar with events surrounding the investigation of President ^{the}
 Kennedy's assassination than anyone now employed by the F.B.I."

Or, because I knew more than the FBI, it was not guilty of the ~~re~~proven perjury.

I say this not to boast and I rarely mention it. But when
 Fetzer, who boasts of his scholarship, says that Mantik is " ^{his}
 the most qualified student" of the JFK assassination ~~has~~ ^{has}
 given us ^{another} an indication of his subject-matter ignorance, of
 the dependence that can be given anything he says, especially
 when he represents fact and, in general, what his word on
 anything can mean.

Or not mean.

We also come to an evaluation of that one professional
 historian whose ^{record} like is that ~~only they~~ ^{of a professional historian that Fetzer can get}, and that means ~~he~~ ^{he} can
 be regarded as real experts, ~~some~~ ^a prime source that that he is ^{for}
~~to~~ the Fetzers. He, in effect claims to own the field, and as we
 see, he is sometimes ludicrous and is anything but a real expert.

We also spend some time with Fetzer and maybe we'll be
 able to learn whether what he says he got from re-reading some
 of the ignorant, erroneous and in many ways far-out supposed
 assassination literature.