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House Panel Reports a Conspiracy 'Probable' in the Kennedy Slaying

Committee Sees 'Likelihood' That Killing of Dr. King Also Was a Conspiracy — Other Inquiries Faulted

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, Dec. 30 — President John F. Kennedy "was probably assassinated as a result of a conspiracy," the House Select Committee on Assassinations concluded today. It said, however, that it was "unable to identify the other gunman or the extent of the conspiracy."

The committee said that, on the basis of circumstantial evidence, "there is a likelihood" that the Rev. Dr. Martin Luther King Jr. also was assassinated "as a result of a conspiracy."

Review of Findings Urged

Those findings were issued by the committee at the end of a \$5.8 million, two-year inquiry, and the committee recommended that the Department of Justice review the findings to determine if further investigation should be made into the deaths of the two men.

The committee report, in finding a probable conspiracy in the President's

death, challenged the conclusions of the Warren Commission, which decided that Lee Harvey Oswald acted alone in the Kennedy assassination. In the Kennedy case the House committee relied heavily

Text of report is on page 8.

on the testimony of acoustics experts that there was a "95 percent" probability that shots were fired at the President from two different locations.

The fact that the committee made this evidence public in its final hour is in keeping with the halting, often unsure nature of its two-year history. The tape was originally discovered by the Warren Commission investigation, and its existence was known to the committee earlier this year. Moreover, it was analyzed by one well-known firm of acoustics experts in July.

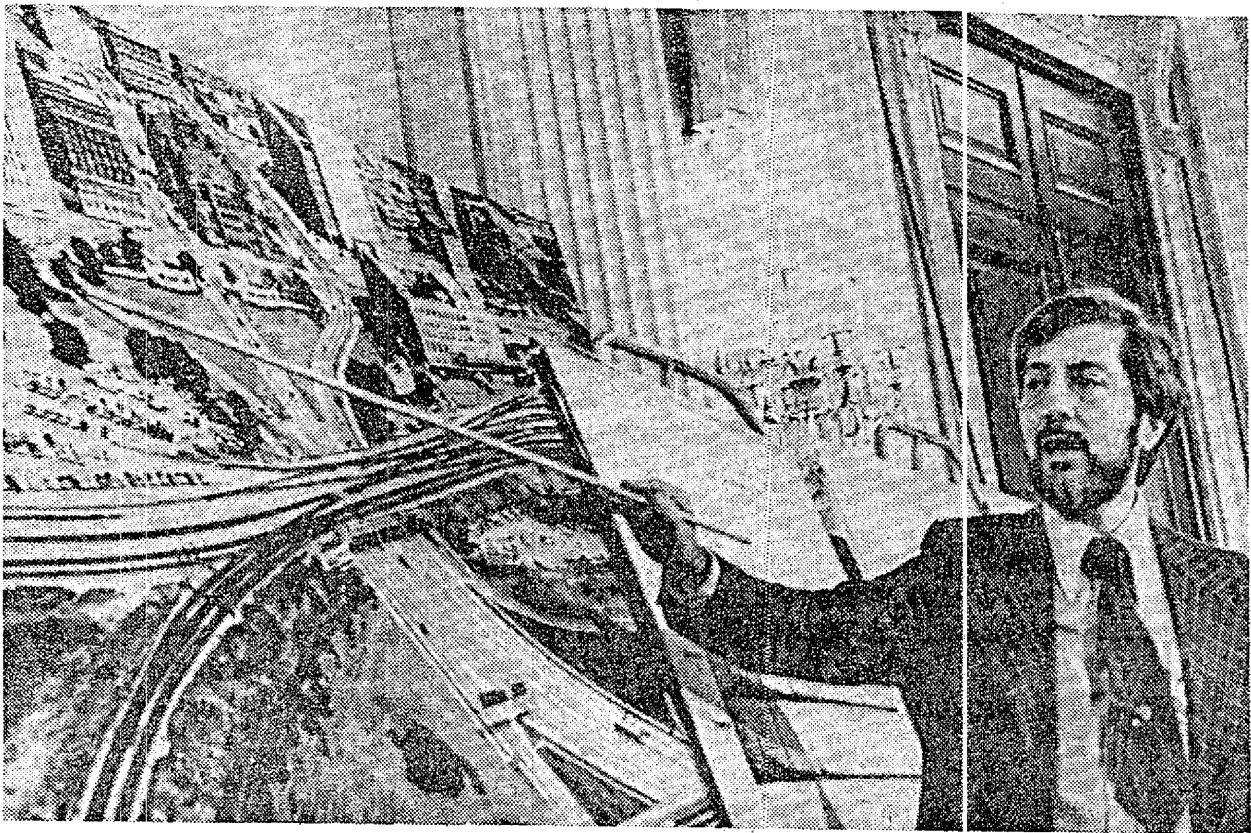
But a representative of that firm would say in public testimony only that there was a 50-50 chance the tape proved a second gunman fired at President Kennedy. And by the time that intriguing new lead came along, the committee was on its last financial legs and was under the stern eye of a Congress unwilling to pay for further inquiry.

No Elaboration on Dr. King

Last fall no member of the committee felt secure enough in that finding or in the entire investigation to make a political battle for more funds. Now the panel finds itself closing its doors just as its most significant piece of evidence comes to light.

In the case of Dr. King, the committee

Continued on Page 8, Column 2



The New York Times / George Tames

As he testified at hearing in Washington, Mark Weiss, an expert on acoustics, pointed to grassy knoll in aerial photograph of the area in Dallas where President Kennedy was assassinated.

Continued From Page 1

did not elaborate its finding on the likelihood of a conspiracy but indicated it might cite reasons for that conclusion in its final report this spring. The finding would appear to be based not on the possibility of another gunman but on testimony suggesting Dr. King's killer was motivated by the offer of a bounty for the civil rights leader's death.

While suggesting conspiracies in both deaths, the committee concluded, as other official groups have in the past, that Mr. Kennedy was killed by Lee Harvey Oswald and that Dr. King was slain by Mr. Ray.

Further, in the Kennedy assassination, the committee ruled out any involvement by the Soviet Union, the Cuban government, anti-Castro Cuban groups, any national syndicate of organized crime, the Secret Service, the Federal Bureau of Investigation and the Central Intelligence Agency.

Since Mr. Kennedy's death, on Nov. 22, 1963, there have been repeated allegations that one or more of these groups was involved. It was largely as a result of those continuing allegations of conspiracies that the committee was created to investigate the two deaths.

Criticism of Warren Commission

The committee was critical of earlier investigations, including that of the Warren Commission, headed by the late Chief Justice Earl Warren.

While saying that the Warren Commis-

sion conducted "a thorough and professional investigation into the responsibility of Lee Harvey Oswald" in killing Mr. Kennedy, the committee stated, "The Warren commission failed to investigate adequately the possibility of a conspiracy to assassinate the President."

The committee also said that the War-

ren Commission "was too definite" in reporting that Mr. Oswald was the lone assassin.

The performances of various Government agencies, including the Federal Bureau of Investigation, the Department of Justice, the Secret Service and the Central Intelligence Agency also were criticized by the committee.

The Secret Service was deficient in its duties, the committee declared, saying that the agency possessed information that was not properly analyzed, investigated or used in connection with Mr. Kennedy's trip to Dallas and that its agents in the Kennedy motorcade were inadequately prepared to protect the President from a sniper.

Another committee conclusion was that the F.B.I. failed to investigate adequately the possibility of a conspiracy in Mr. Kennedy's assassination and failed to share fully with other agencies and departments the information it had.

The Department of Justice, the committee said, "failed to exercise initiative in supervising and directing" the F.B.I.

inquiry into the Kennedy death.

The bureau and the Justice Department were severely criticized, too, in the King case. The Domestic Intelligence Division of the bureau "grossly abused

and exceeded its legal authority" in conducting a campaign against Dr. King, and the Justice Department "failed to supervise adequately" that division, the panel concluded.

Robert Havel, a spokesman for the Department of Justice, said late today that officials of the department have not yet seen the committee's report but that it would be reviewed in detail next week. He said that the department had worked closely with the committee staff in the investigation and was aware several weeks ago of the new acoustical evidence pointing to a conspiracy in the Kennedy case.

He also said that the department has no immediate plans to open a formal investigation but that he could not rule out such an investigation's resulting from the review of the committee's report.

Committee criticism of the C.I.A. in the Kennedy slaying was that it "was deficient in collecting and sharing its information both prior to and subsequent to the assassination."

A C.I.A. spokesman said today that the agency had not seen the report and had no comment.

Spokesmen for the F.B.I. said the bureau would have no comment on the report until it had had an opportunity to read and evaluate the findings.

The acoustical evidence supporting the committee's conclusions in the Kennedy killing was brought out in testimony yesterday by two experts, Mark Weiss and Ernest Aschenasy, professors at Queens College of the City University of New York.

The two men said that, based on their tests, there was a 95 percent chance, or better, that a shot was fired from a grassy knoll in Dallas as the Kennedy motorcade passed by.