

Warren Report Comparisons

Under the revised assignment, the following footnotes were highlighted for research:

<u>footnote</u>	<u>W.R. page number</u>
302	280
324	282
327	"
328	"
330	"
338	283
340	"
370	285
385	"
413	"
414	288
316-370	407-412

This revision reduces the total number of footnotes to be examined from 422 to 64. It also reduces the total number of Warren Report pages from 38. to 13.

The following report on my research of these items is divided into three sections. First; an examination of the support or non-support which referenced evidence indicates; second; items of evidence which were ommitted from the references are introduced, and third; general evaluations of Warren Commission methodology.

Section One

Referenced Evidence

With respect to those items identified for research, the evidence cited is supportive of Warren Report conclusions in most cases. Criticism of such things as heresay, witness credibility, witness omissions, and selective misinterpretation will be dealt with in later sections. What follows is an analysis of the few Warren Report conclusions among the assigned footnotes which do not refer to supportive evidence.

On page 283 footnote #340 is cited in support of the assertion that "extensive investigation has been conducted into the background of both De Mohrenschildts." That footnote states "in addition to the testimony and exhibits. . .data is included in the files of the Commission." While the extensiveness is apparent in the testimony, exhibits, and those files available; it is not possible to make any evaluation of many of these files. The following numbered Commission documents pertaining to the De Mohrenschildts are either classified Confidential or Secret, and or available in deleted form: 530, 533, 535, 537, 540, 546, 548, 554, 730G, 777, 801, 904, 1012 and 1222 (Statement of Marion Johnson, Archivist).

On page 285 footnote #385 is cited in support of the assertion that "Although her (Mrs. Paine) active interest in the Friends' program for the lessening of East-West tensions ceased upon her

marriage in December 1957, she has continued to hold to the tenents of the Quaker faith." The referenced testimony of Mrs. Paine supports this as regards her holding to the Quaker faith. Nothing is included as to her active interest in the Friends' program and when it ended. In Section Two of this analysis a document in the files of the Commission will be discussed which raises the possibility that, contrary to other testimony, Mrs. Paine may have made contact with the Oswalds while they were in the Soviet Union. That would have been through the Friends program and some time after 1959.

On page 407 footnote #317 is cited in support of the conclusion that Oswald, while in New Orleans, during. . ."late May and early June, 1963, under the name Lee Osborne. . .had printed a handbill headed in large letters 'Hands Off Cuba,' an application form for, and a membership card in, the New Orleans branch of the Fair Play for Cuba Committee."

Footnote #317 refers to two Commission Exhibits. The first, CE 1410, is an FBI interview of Myra Silver, secretary, Jones Printing Company. She claimed to have taken "Osborne's" order but when shown a photograph of Oswald, did not recognize him as the Lee Osborne who placed the order. The second exhibit, CE 1411, is supportive but at another printing company.

On page 407 footnote #323 is cited in support of Bringuier's claim "that on August 5, 1963, Oswald had attempted to infiltrate an anti-Castro organization with which he was associated. Bringuier's testimony is the only source listed. Testimony taken on the same day contradicts him and is not mentioned. That testimony, from

288

Geraci and Blalock is discussed in Section Two under omissions.

The next footnote, 324, is another instance of omitting contradictory testimony. The Report concludes, "While Oswald publicly engaged in the activities described above, his 'organization' was a product of his imagination. In an effort to prove a negative, the testimony of Oswald's wife; the New Orleans policeman who interrogated him following arrest; and the President of the Fair Play for Cuba Committee are cited in support. With the latter two witnesses, other testimony they gave calls into question the Report's conclusion and indicates selective interpretation. That omitted testimony is discussed in Section Two.

Section Two

Omitted Evidence

On page 284 footnote #350 is cited in support of the assertion that "Neither the F.B.I., C.I.A., nor any witness contacted by the Commission has provided any information linking the De Mohrenschildts to subversive or extremist organizations. Among the sources in that reference are "the files of the Commission." Commission Document #533 reports on a 1953 internal security investigation of George De Mohrenschildt. Still withheld in part, an available page of the document indicates George was associated with one Patricia Deuel. (p. 27). The document goes on that Deuel was observed in an FBI surveillance operation to have had contact with Grace Buchanan Dineen, just prior to WW II. Dineen was an admitted German espionage agent convicted by the U. S. for conspiracy to commit espionage. Dineen confided to the F.B.I. that Deuel described herself as "terribly anti-American." ( p. 28 of C.D. 533).

C.D. 533 also reports that in 1944 De Mohrenschildt was contemplated for use by the Assistant U. S. Attorney for the Southern District of New York in habeas corpus proceedings surrounding the internment of Konstantin Maydell. Maydell was charged with being a "dangerous enemy alien" involved in pro-Nazi activities. De Mohrenschildt had been working with him in the production of propaganda films for Poland and Spain. Page 26

of this document contains more information on Maydell but is withheld by authority of the F.B.I. (statement of Marion Johnson, Archivist).

De Mohrenshildt also testified as to the more detailed report in CD 533 (p. 60) of his association with Pierre Fraiss, known to the F.B.I.. as head of French Intelligence within the U. S. from 1941 to 1945. According to D.C.533, De Mohrenschildt was engaged in gathering intelligence on foreign oil shipments which would assist France in outbidding Germany for U. S. oil.

Without citing evidence in support, the Commission asserts on page 299 that they had "...questioned persons who, as a group, knew Oswald during virtually every phase of his adult life, and from none of these came any indication that Oswald maintained a surreptitious relationship with any organization." Omitted here is information contained in an internal memorandum to General Counsel Rankin from Mr. Stern on February 20, 1964. In regard to analyzing materials available to the Commission, Stern recommended additional inquiry on a number of matters. One was that "An F.B.I. agent told two Secret Service agents on November 22 that Oswald had, within the past 15 days, contacted two known subversive agents."

With respect to the reported claim of Carlos Brinquier on page 407 that Oswald had attempted to infiltrate an anti-Castro organization with which he was associated, the Report failed to include mention of testimony by two young men present at the alleged incident.

Brinquier described the events of August 5, 1963 when he was having a conversation with Phillip Geraci and Oswald appeared, offering to train Cubans to fight against Castro (10 H, 35-36). Geraci was questioned ( 10 H, 78), as to whether there was "...a conversation concerning the training of anti-Castro troops or guerillas to oppose Castro?... No, that must have been later, maybe when he came back some other time...Now were you there at all times while Oswald was there?...We got there before he did and we left at the same time he did." Geraci's companion, Vance Blalock, provided corroboration in his testimony (10 H, 81-86).

Commission Document #212 was first released in its presently deleted form during early 1976 at the National Archives. Although no names survived the application of Privacy Act Guidelines for investigative Records, it can be ascertained from reference to the Warren Commission's listing of Basic Source Materials that the subject under investigation is Ruth Paine. A reliable source therein is quoted as advising that the subject was a participant in the Young Friends Movement's activities to relax East-West tension and that it was through related

pen-pal activity that contact with the Lee Oswald family was made.

According to the testimony of Mrs. Paine, she first met the Oswalds at the home of Everett Glover in February, 1963. She was not questioned as to the apparent contradiction this presents when compared with C.D. 212 and the matter was omitted from the Report and Volumes.

As noted in Section One, the Report asserted at page 285 that Mrs. Paine's "active interest in the Friend's program for lessening of East-West tensions ceased upon her marriage in 1957." This again is an apparent contradiction with C.D. 212 due to Oswald's 1959 arrival in Russia.

Another example of the omission of contradicting testimony occurs with the Report's assertion, (as mentioned in Section one) "while Oswald publicly engaged in the activities above, his 'organization' was a product of his imagination." Portions of the testimony of Marina Oswald, Lt. Martello, and V. T. Lee are cited in support. (1 H, 24; 10 H 57 and 10 H, 90, 94). These references are, in themselves, supportive. An examination of Lt. Martello's testimony reveals that conclusions as to Oswald's organization being non-existent are premature. At page 55 of Volume 10, Lt. Martello reported, "When Oswald stated his meetings of the Fair Play For Cuba Committee had been held on Pine Street, the name of Dr. Reisman came to mind. I asked Oswald if he knew



593

Dr. Reissman or if he had meetings at Dr. Reissman's house. Oswald did not give me a direct answer to this question, however I gathered from the expression on his face and what appeared to be an immediate nervous reaction that there was possibly a connection between Dr. Reissman and Oswald; this, however, is purely an assumption on my own part and I have nothing on which to base this. I also asked Oswald if he knew a Dr. Forrest E. La Violette, a professor at Tulane University. I asked him this question because I remembered that La Violette allegedly had possession of F.P.C.C. literature during the year 1962." On page 57 Martello was asked, "Did the Department, to your knowledge, conduct any investigation of Dr. Reissman in an attempt to associate him with the Fair Play for Cuba Committee here in New Orleans?" Martello answered, "Not to my knowledge sir."

The Report's reliance on testimony of F.P.C.C. President V. T. Lee appears on page 94, "...one of the letters mentioned how he was out somewhere all alone and that he had no-nobody at all, nobody working with him or through him or for him or around him or anything else." That letter post-dated and was describing events following Oswald's televised street demonstration. It does not deal with possible other members prior to the demonstration. On the same page Lee stated, "...As for membership, this is an almost impossible situation in view of the fact we didn't conduct a membership file or a duplicate membership card system..."

Attachments: C.D. 212, Stern to Rankin memo, 2-10-64  
C.D. 533, pp. 27, 28, 60

Section Three \*

Warren Commission Methodology

Warren Commission staffers worked under a difficult situation. Pressures of time constraints prevented full attention being given to late-coming investigative materials in their relatively short (10 months) existence. General Counsel Rankin noted early, and was supported by Commissioner Ford, that the F.B.I. had early conceptions of the investigation's outcome and simply wanted Warren Commission corroboration. Complicated by the political implications of a late-going investigation in an election year, Chairman Warren wanted the Report put together and the inquiry brought to a close.

When it came time to write the Report, many staffers had returned to their previous employments and the burden fell on others not totally familiar with the mass of documents. It is estimated that, including cross referenced duplications, there were approximately 300,000 pages of documents confronting them.

What becomes apparent in an analysis of the Report against the Volumes is that there are numerous contradictions between conclusions and evidence. When the scope increases and Commission files are considered, those contradictions become magnified.

At the base of it all is a preconception. Area one of the investigation was Oswald. The Warren Commission was, as we are, a bureaucracy. Individuals were assigned to specific areas and an examination of their working files shows the constraints inherent in making a criminal investigation conform to a bureaucratic division of labor. Had that division provided for aggressive pursuit of conspiracy the outcome may have been the same but certainly would not have been as early and with as many loose ends.

Hopefully the H.S.C.A. project on analyzing the Warren Commission Report will not be viewed as complete by simply documenting non-supportive evidence references, omissions and misrepresentations of same. It will not be enough to fault the Warren Commission on their unsatisfactory methodology. We must understand the hows and whys of their failures if we are to do better.

\*Section three is based on prior research of W. C. staff files, Inquest; by Edw. Epstein, and conversations with former W. C. Staffers. Itemized references can be provided.