

A CITIZEN'S DISSENT - Notes

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"The Commission evidently agreed with me that the matter should not be divulged, since it classified that portion of my testimony that had been taken in executive session "Top Secret"."

This is a complete fabrication. Part of Mark's "testimony" was, at his request, taken not behind closed doors. 100% of the rest, including his, was taken with no outsiders present, but not in the Commission's "executive session". Not just this portion of Mark's, but 100% of the testimony of whatever character and source was then marked "Top Secret". However, a printed version said to be verbatim, has been issued, including Mark's. As Mark well knows, had the Commission departed from its practice and made the statement he then made about Jack Ruby public, it could have caused a mistrial if any member of the jury saw or heard it or it could have laid the basis for appeals by defense counsel. Of course, there remains the possibility that Mark's formulation is simple error, but I leave it to him to plead that abysmal ignorance of the most elemental knowledge of the Commission's workings and evidence.

However, had Mark wanted to use another source that he appears to have forgotten, he could have used a different version, to which he testified, that is less complete. This is in his own testimony of March 4, 1964 (2H49).

Description of this normal session as "executive session" was for the sole purpose of distinguishing it from the part that was open to the public. That artificial designation, here deliberately distorted by Mark, serves no other purpose and makes that part of his testimony exactly the same as 100% of the remaining testimony.