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Kermit Hall's ~~apparent~~ apparent reason for using the JFK assassination to attract attention to himself can be his desire to replace the president at OSU, who had resigned to go to Brown, but James W. Hitty's reason for arguing that the government is right because it says it is right is not apparent. That he refers only to what can be misrepresented to seem to support the official assassination explanation is obvious, as is his total ignorance of both the official evidence that disproves the Warren Report's conclusions and the disproofs that have been published and have not been refuted since that report was issued.

It is not only in the OAH Newsletter that Hall sought this attention. If he is to be believed he also wrote more than 20,000 words for the first issue of this year for the Maryland Law Review. In both he misrepresented that line he lifted from H.L.Mencken,"the virulence of the national appetite for bogus revelation" that, as Mencken wrote it, related to race, not assassinations.

It is not easy to believe that as Dean of the College of Humanities, the Executive Dean of the College of Arts and Sciences and Professor of History and the Law at OSU, in addition to being a member of the board of the Assassination Records Review Board, Hall still had time to research and write more than 20,000 words for the law review, in addition to what he wrote for the OAH Newsletter.

In his long article Hall misrepresented my work along with much else. Because after his untruthfulness in the Newsletter in attributing the CIA's mafia plot against Castro to the Kennedys I wrote Hall before you published Arthur Schlesinger, Jr.'s refutation of that. To Hall. He did not respond. So after reading what to one who is not a subject-matter ignoramus is assassination propaganda in the law review I decided to make a full record for history (historians seeming to eschew that) and with Hall having given source notes a bad name I attached to that examination of more than 250 pages some 65 exhibits that all are or came from the official evidence. It has been quit some time since I sent that to the board. I have yet

to receive not only any refutation or denial - I've not even gotten acknowledgement of receipt. However, that record will exist for history because that board is required by the law that created it to make all its records of any kind publicly accessible when it finishes its work.

As is true of Hall, it is true of Hilty that he says what is not true. For example, he says that "physical evidence and witnesses, moreover, place Oswald (and no one else) in the position from which the fatal shot was fired." In plain English this is a multiple lie. There is no physical evidence that could or did place Oswald there at the time of the crime and there is no witness who placed him-or anyone else- there at the time of the crime.

I wrote the first book on the Commission and the assassination, Whitewash: the Report on the Warren Report, completed in mid-Feburary, 1965, and since then I published eight more. (In Hall's scholarship I published only two, the last in 1966). In more than 30 years I have yet t get a letter or a call from any of those on the Commission staff of whom I wrote critically. claiming I was unfair or inaccurate

Also lost in Hall's scholarship in which he pretends that I theorize conspiracies only is the fact that I filed a dozen FOIA lawsuits to bring withheld assassination information to light, making about a third of a million pages publicly available; that one of those lawsuits was cited by the Congress as requiring amending of FOIA in 1974; and that when the FBI used perjury to withhold assassination information, rather than using lawyers' pleadings I placed myself under oath and swore to the FBI's perjury. Its reply (in CA 75-226) is that I "could make such claims ad infinitum since he (I) is perhaps more familiar with the events surrounding the investigation of President Kennedy's assassination than anyone now employed by the F.B.I."

To Hall this is theorizing conspiracies when in fact I am the only one writing about the assassination who has restricted his writing entirely to the official evidence.

Which that Report and its defenders like Hilty misrepresent.

Three Members of the Warren Commission did not agree with what is basic in its Report, the so-called single-bullet theory, which is a complete fabrication, not a theory. Two of those Members went to their graves refusing to agree with that. They had forced an executive session for Senator Russell's beliefs to be made a record for our history and for the Commission's consideration. That record was memory-holed. When I published the official proof of this in 1974 not a single one of those responsible for this (I hope unprecedented dishonesty in our history complained. Said a word, in fact. Russell and Senator John Sherman Cooper believed their objections were a commodity but they were not,

Russell encouraged my work until his dying day, regretting that his failed health and other obligations prevented his being more active in it.

And even Lyndon Johnson did not believe that single-bullet fabrication, as the transcript of his conversation with Russell soon after Russell had, he thought, made his record in that executive session makes clear. for history

But Hilty says that "the HSCA confirmed the basic conclusions of the Warren Commission, including that single bullet theory," when in fact that committee concluded that four shots were fired and despite Hilty's misrepresentations, the best shots in the country, provided by the NRA and all rated as masters, and under vastly improved conditions by the Army at its Edgewood Arsenal, were not able, in tests conducted for the Commission and published by it, could not to duplicate the shooting attributed to Oswald.

Hilty complains that David Wrone referred to Oswald as a "duffer" in shooting. Hilty can do this by misrepresenting, as he does, the official evaluation by the Marine Corps commander, which I published in 1965, in facsimile, that Oswald was "a rather poor 'shot'."

(The HSCA also suppressed the fact that the executive session that was required to be taken down by the court reporter and reserved did not exist.)

It is ludicrous for Hilty to say that what he enlarges into "Oswald's hours of dry practise" made a veritable William Tell of him. Marina testified that

in total darkness Oswald played with that rifle in New Orleans. How in the world could he practise sighting and shooting in total darkness- and with a rifle notorious for hanging fire- when he fired nothing.

Hilty does not know what he is talking about when he says that neutron activation analysis is "a technique not available to the Warren Commission." All it had to do is what it did not do- ask. The Atomic Energy Commission in fact urged that. I have its records and used them in CA 75-226. The FBI did have NAA's done, I sued to get the results, and published some of them in Post Mortem in 1975. They include the proof that Oswald could not have fired a rifle that day.

Once there was serious criticism of the Commission's conclusions all sorts of efforts were made to make the unreal appear to be real, the impossible to be possible, and Hilty refers to a couple. But the facts are contrary to Hilty's representation of them.

What is clear from reading Hall's lengthier article is that despite his service on the Assassination Records Review Board he is what he began being, a subject-matter ignoramus.

And not he alone, it seems.

Under our system the assassination of any president is a de facto coup d'etat. That is the deepest of subversions. it should not be approached as a game to be played by those who have their own political objectives to serve and all that the successor government does should be scrutinized carefully, not excused by those who have not bothered to learn what the established official evidence is and means - as distinguished from wholesale misrepresentations of it.

The failure of most professional historians to meet this obligations is another national tagedy.

Witness Hall, Hilty and so many others.

KENNEDY ASSASSINATION COMMISSION RUSSELL, Richard B.

The only trouble with this [illegible] with [illegible]

June 14, 1968

Senator:

Attached hereto is the information left with me by Mr. Harold Weisberg, who you will remember is the critic of the Warren Commissi who met you briefly in the hall a week or so ago.

If the copy of the ~~transcript~~ or minutes attached is the only record in the Archives on what transpired at the September 18 meeting, it would appear to ~~have a very~~ serious matter. Clearly, there are verbatim transcripts available for the other sessions of the Commission. The treatment of your exceptions to the first proposed draft of the report are obviously inadequate since no real mention i made of them in the attached copy. You will note that Weisberg has included a copy of the letter to him from the Archivist of the Unite States under date of May 20th of this year and in the third paragraph of that letter the statement is made "No verbatim transcript of the Executive Session of September 18, 1964 is known to be among the records of the Commission." The only explanation of this which I can think of is perhaps the verbatim transcript is still classifie and not available at all. Weisberg requested that if you have suffi ent interest in this matter to make an effort to see the records in the Archives, that you let him know first because he says he has some other information which he knows you would want to see before g to the trouble of making a contact at the Archives.

With reference to his general criticisms of the Commission, he left with me four books which he has written and which have been published critical of the Commission and I have scanned them all and completely read the first one which was the only one that received very wide dissemination. His work is scholarly and evidences a tremendous amount of research. His basic approach is not to try to prove that Oswald was innocent although acceptance of his inferences etc., lead to that conclusion.

His method is to restrict his criticism to the actual information which the Commission had and he is critical of the Commission only to the degree that it delegated too heavily to the staff. One of his strongest points of departure with the Commission is on the number of shots fired and on which shots hit Connally and/or the President. He completely agrees with your thesis that no one shot hit both President and the Governor. He apparently believes that there were at least four shots fired and probably more, thus destroying the possibility that Oswald acted alone and independentl

Two statements in his book which perhaps are of interest to you are on page 188 in his conclusions:

> "The Senators who questioned Marina Oswald at that mysterious Sunday night hearing in September, 1964 have serious doubts about the report that were confirmed by her performance."

Also:

> "To anyone with any experience in investigation or analysis, the most incredible part of the Commission's inquiry is its complete lack of question or criticism of the police. It just is not possible that the police are as incompetent as this record shows."

Weisberg was at one time a Senate investigator and, through research, he has apparently become very knowledgable on all aspects of the Kennedy Assassination.

I have any of his books which you may wish to see.

CEC

CEC:lrr

ORAL HISTORY #40

INTERVIEWEE: Senator John Sherman Cooper

Cates: Hugh Cates. It's April the 29th, 1971. I'm in the office of United States Senator John Sherman Cooper. Senator Cooper is a Republican from the state of Kentucky. Senator Cooper, would you mind just stating some of your recollections or impressions of the late Senator Richard Brevard Russell?

Cooper: I first met Senator Russell in 1947 when I came to the Senate for a two-year term. I was defeated twice. I've been back in the Senate several times. I served for 15 years. I knew him like all senators knew him, from observing him on the Floor of the Senate, admiring him for his dignity, for his presence, his authority and his tremendous power and influence in debate. I'll just say a commonplace, but it is correct that he's always considered as an outstanding power, force in the Senate.

Cates: Senator, excuse me, I didn't mean to interrupt you, sir, go ahead, sir.

Cooper: He was often...I remember the first...when I first came here he was very courteous to me. He was always very courteous to people. He would listen to their views, unless he...at times he would get a little irritated because they were so...he could tell he thought they were very prejudiced or biased in their views and were not objective. I was much interested in defense matters having served two years on the Armed Services Committee in '53 and '54. When, after development of sophisticated nuclear weapons where it is so difficult to understand what all these weapons were about, when you were not on the Committee. I would ask him, when he was

her very strenuously and his was the most powerful examination. He was courteous, dignified, but nevertheless he searched for the truth. I will say that we did not get from her any additional information, but I always believed that Senator Russell thought that she had some fact, not necessarily that...that it was anyone else but Lee Oswald responsible, but...but that he had some feeling that she had not told all the facts. I think that was born out in a statement he made a year or so ago in which he said, as I recall, he had not yet been persuaded that we had all the facts. The most compelling position he took in the Commission was this: there was a question of whether or not the shot which struck President Kennedy or one of the shots, had...had passed through Governor [John] Connally of Texas on the front seat. To...to find that it had passed through both would make the decision somewhat easier in the time frame. It wasn't conclusive. And so there's first...an opinion by most of the Commission that we should say that the shot passed through both President Kennedy and Governor Connally. Governor Connally was a very strong witness. I see now why he has the present opinion in the country that he's a very strong man. He's a very strong witness. He said categorically that he knew it...that the first shot did not pass through him. And he...I remember he said, "I turned my head when I heard the shot. It did come from the direction which you have decided it came from because I'm familiar with firearms. But as I turned again to the left, I felt the impact of another shot." Senator Russell just said, "I'll never sign that report if...if...if this Commission says categorically that the second shot passed through both of them. I agreed with him. I must say he had great influence with me, but I too, have been impressed by Governor Connally and so the Commission then did agree that, I cannot recall the exact words, that while there was evidence

Transcript of Phone Conversation Between LBJ and Senator Richard Russell on 9/18'64

LBJ: Hello

RR: Yes, sir.

LBJ: Well your always leaving town. You must not like it up here.

RR: Well you left. I figured if you got out of town that the country could get along a whole lot better without me then it could you.

LBJ: I don't know.

RR: So I got out. No, that damn Warren Commission business whopped me down. So we got through today and I just . . . . You know what I did. I went and got on the plane and came home and I didn't even have a toothbrush and I didn't bring bring a shirt. I got a few little things here. I didn't even have my pills, my antihistamine pills to take care of my emphysema.

LBJ: Well you ought to take another hour and go on and get your clothes.

RR: No, no. Well they was trying to prove that the same bullet that hit Kennedy first was the one that hit Connally, went through him, went through his hand, his bone and into his leg, and everything else. Just a lot of stuff there. I couldn't hear all the evidence and cross-examine all of them. But I did read the record and so I just . . . I don't know. I was the only fella there that even pratically suggested any change whatever and what the staff got up. I. . . this staff business always scares me. I like to put my own views down.

LBJ: Well, what difference does it make which bullet got Connally?

RR: Well it don't make much difference. But they said that they believe, the the Commission believes that the same bullet that hit Kennedy hit Connally. Well I don't believe it.

LBJ: I don't either.

RR: So I could'nt sign it. I said that Governor Connally testified directly to the contrary and I am not going to approve of that.

I finally made them say that there was a difference in the Commission on that. Part of them believed that it was'nt so.

And of course if that fella was accurate enough to hit Kennedy in the back with one shot, and knock his head off with the next one, when his head was leaning up against his wife's head and not even wound her, Why he didn't miss completely with that third shot. According to that theory, he not only missed the whole automobile but he missed the street. Well that man is a good enough shot to put two bullets into Kennedy, he didn't miss the ole automobile nor the street.

LBJ: What's the [word missed] of the whole thing? What's it state: That Oswald did it and he did it for any reason?

RR: Well he was a general misanthropic fella. He never been satisfied any where he was on earth. In Russia or here; and he had a desire to get his name in history and all. . . .

I don't think you will be displeased with the report. It's too long. But it's [missing] volumes.

LBJ: Unanimous?

RR: Yes, sir. I tried my best to get in a dissent. But they came around and traded me out of it by giving me a little ole thread of it . . . . .

--end of transcript--

the source of the ammunition. Oswald was never connected with either the ammunition or the clip in which it was contained. The clip did not come with the rifle. The empty cartridge cases from which the bullets were presumed to have been fired and the live cartridge had all been in this rifle on a previous occasion and/or in another unidentified and ignored rifle. Mysteriously, the police suspended their investigation of the source of the ammunition without tracing it to Oswald. The police also swore to contradictory and conflicting statements about what they did with the empty shells.

Nonetheless, the Report concludes that Oswald had the skill required for the assassination and that the rifle was the assassination weapon. What it does not ignore about the ammunition it is satisfied to presume, even in the presence of contrary evidence. It also presumes Oswald's possession of the rifle and ammunition and, on the basis of these presumptions, concludes that Oswald was the marksman who committed murder.

This is the official opinion of the Marine Corps, that Oswald was a "poor" shot.

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For Course "A", as shown above, qualification scores were as follows:

EXPERT -220; SHARPSHOOTER -210; MARKSMAN -190

For the Course marked "B", the qualification is:

EXPERT -225; SHARPSHOOTER -215; MARKSMAN -190

Regarding a comparison of the Marine Corps' requirements with those of the other services, it is believed that the requirements of the other services can be best obtained by you directly from those services. Enclosed, however, are copies of Marine Corps regulations describing the several marksmanship courses. These were effective at the time Oswald was on active duty in the Marine Corps.

The Marine Corps considers that any reasonable application of the instructions given to Marines should permit them to become qualified at least as a marksman. To become qualified as a sharpshooter, the Marine Corps is of the opinion that most Marines with a reasonable amount of adaptability to weapons firing can become so qualified. Consequently, a low marksman qualification indicates a rather poor "shot" and a sharpshooter qualification indicates a fairly good "shot". I trust the foregoing will serve the purpose of your inquiry.

A. G. FOLSOM, JR.
Lieutenant Colonel U. S. Marine Corps
Head, Records Branch, Personnel Department
By direction of the Commandant of the Marine Cor

Encl:
(1) Copies of MARCOR Regs describing marksmanship courses

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