

Let answer in the letter for K

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The Honorable John Sherman Cooper
888 16th Street N.W.
Washington, D.C. 20006

Dear Senator Cooper:

Pursuant to our conversation today, I am sending under separate cover to you a copy of my book, "November 22, 1963: You Are the Jury" (from which I have donated all royalties to charity). I think this will help to refresh your recollection of the heart of the testimony. Also, I am enclosing with this letter a copy of my formal statement calling for a reopening of the Warren Commission investigation by Congress, even though I state that a thorough objective investigation would reach the same conclusion that Oswald was the lone gunman.

I will be contacting you in the near future.

Sincerely yours,


David W. Belin

DWB:cs
Encl.

*John F. Kennedy
assassination file*

STATEMENT OF DAVID W. BELIN

For Release at 3 p.m. E.S.T. on November 22, 1975

Today, on the twelfth anniversary of the tragic assassination of President Kennedy, I am making my first formal statement concerning my service with the Warren Commission as one of the two Warren Commission counsel who concentrated in what was known as Area II, the determination of who killed President John F. Kennedy and who killed Dallas Police Officer J. D. Tippit on November 22, 1963.

My statement is being made as a concerned independent citizen from Iowa. It is not in any manner a part of my recently completed service as Executive Director of the Commission on CIA Activities Within the United States (Rockefeller Commission).

This statement covers three main points:

A. I have filed Freedom of Information Act requests to both the CIA and the National Archives that they release all information and material in their possession pertaining to the assassination of President Kennedy, including the autopsy photographs and X-rays.

B. I am, with this statement, requesting that Congress should reopen the Warren Commission investigation even though

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I am confident that a thorough, independent investigation will reach exactly the same conclusion reached by the Warren Commission that beyond a reasonable doubt Lee Harvey Oswald killed both President Kennedy and Officer Tippit. The primary reason for this request is that I believe it would greatly contribute toward a rebirth of confidence and trust in government and, in addition, I am enumerating in this statement several other reasons which I hope will also be included in any press reports of this statement.

C. I am, with this statement, requesting that the National News Council or some other appropriate forum of the media for self-examination undertake an in-depth study of their own to determine the adequacy of the media's continuing coverage of the assassination of President Kennedy. The exposure of Watergate showed what a vital free press can accomplish when there is in-depth, careful investigation of the overall record. The widespread disbelief in the conclusions of the Warren Commission that Oswald killed President Kennedy and Officer Tippit shows what sensationalism and misrepresentation can accomplish in spite of a free press, where there is insufficient general knowledge about the record as a whole.

Therefore, I urge the following four steps be undertaken:

1. The CIA should promptly release to the public all information it has concerning the assassination of President Kennedy, including all information about Lee Harvey Oswald. I have filed a Freedom of Information Act request asking that this information be released. I am attaching a copy of this request with this formal statement.

Although I understand the concern of the CIA that a release of all of the documents which it made available to the Warren Commission might disclose sources and methods which the CIA believes might not be in the national interest to disclose, I believe that there is a greater overall national interest in full disclosure of all material that the CIA made available to the Warren Commission.

Ultimately, the strength of our country rests on the trust and confidence that American citizens have in their government. In the aftermath of Vietnam and Watergate, this confidence is relatively low. I believe that a starting point for a rebirth of confidence could be a complete disclosure of the facts involving one of the major tragedies of American history...a disclosure which would confirm the conclusions of the Warren Commission that Oswald killed both President Kennedy and Officer Tippit.

2. The National Archives should promptly release to the public all information and material it has concerning the assassination of President Kennedy. This includes all of the evidence that was in the possession of the Warren Commission. I have filed a Freedom of Information Act request that this material be released. A copy of this request is attached to this formal statement.

Included in the Archives material are the autopsy photographs and X-rays of President Kennedy, which in the beginning were government property until they were turned over to the Kennedy family. Chief Justice Earl Warren yielded to the desires of the Kennedy family that these horrifying photographs and X-rays not be brought before the Warren Commission and released to the public. The decision by the Warren Commission to yield to the desires of the Kennedy family for privacy was perhaps the worst mistake made by the Commission.

I strongly objected to that decision in 1964. Subsequently, I wrote the Kennedy family and requested that such information be released and asked that the personal family desires of the Kennedy family for privacy yield to the public right to know. The Kennedy family, through their representative, Burke Marshall, turned down my request.

In my book, "November 22, 1963: You Are the Jury," which was published on the tenth anniversary of the assassination

(and from which I have donated all royalties to charity), I once again called for the release of these documents.

In the opinion of every doctor who has examined these photographs and X-rays, there is no medical evidence to show any shots striking the President from the front or the side--in diametric contrast to the charges of most of the Warren Commission critics that there was a second gunman firing at President Kennedy and Governor Connally from the front or side. (Governor Connally's physicians all agreed that he was struck from the rear.)

3. Upon the release of this information, Congress should promptly reopen the Warren Commission investigation, even though some of the witnesses are no long living and even though the recollections of available witnesses twelve years after the event will generally not be as accurate as they were in 1964.

I am confident that a thorough, objective, independent investigation will reach exactly the same conclusion that was reached in 1964 by the members of the Warren Commission (one of whom was President Ford) and by all of the independent counsel serving with the Warren Commission (one of whom was I), that beyond a reasonable doubt, Lee Harvey Oswald killed both President Kennedy and Officer Tippit. Nevertheless, I ask for this reopening for the following five reasons: (1) First and foremost, I believe it would greatly contribute toward a

rebirth of confidence and trust in government. (2) The CIA, the FBI and Robert Kennedy in his capacity as Attorney General of the United States failed to disclose to the Warren Commission evidence concerning plots to assassinate Cuban Premier Fidel Castro. (3) The FBI failed to disclose to the Warren Commission evidence of threats made to the FBI by Lee Harvey Oswald several days before the assassination. (4) Since many of the most extreme and vocal assassination critics have deliberately misrepresented the overall record of evidence before the Warren Commission, the work of the Warren Commission should be examined now rather than waiting for a distant verdict of history. (5) The reopening of the Warren Commission investigation will vividly illustrate the process by which the American public at times can be misled by sensationalism, demagoguery, and deliberate misrepresentation of the overall record--techniques that could be used again in the future to mislead the American public on issues of the greatest national and international importance. It is in this frame of reference--and I hope that any press report will include this frame of reference--that I have urged that the Warren Commission investigation be reopened.

Congress should have complete discretion concerning the conduct of any additional investigation. However, in light of the great national interest on this subject, I would suggest that Congress first determine who fired the shots at President Kennedy and at Officer Tippit and then look into the question as to whether or not there was any conspiracy. I would suggest that Congress consider a logical stage by stage approach, such as the following:

a. The murder of Dallas Police Officer J. D. Tippit on November 22, 1963, should be first examined because it can be disposed of very quickly. Oswald's guilt is an open and shut case. He was apprehended with the murder weapon in hand. A private citizen working in the Oak Cliff section of Dallas where the Tippit murder occurred became suspicious of Oswald's actions when he saw Oswald duck into a shoe store as police sirens came down the street. The citizen, Johnny Calvin Brewer, trailed Oswald into the nearby Texas Theatre, had the cashier call the police, and pointed out Oswald to the police when they entered the theatre. As police approached Oswald, he pulled out his revolver--hardly the act of an innocent man. This revolver ballistically was determined to be the Tippit murder weapon, to the exclusion

of all other weapons in the world. Moreover, six eye witnesses who saw the gunman at or leaving the scene of the Tippit murder with gun in hand positively identified the gunman as Lee Harvey Oswald.

b. The autopsy material including the photographs and X-rays should be examined by yet another independent panel of experts to determine from a medical standpoint whether or not there is any evidence that shots struck President Kennedy from the front or right side, as most of the Warren Commission critics have alleged. More than a dozen doctors have examined these materials, including the three physicians performing the autopsy, the four physicians constituting the panel selected by Attorney General Ramsey Clark upon the recommendations of three university presidents and the President of the College of American Pathologists, the five independent experts selected by Senior Counsel Robert B. Olsen of the Rockefeller Commission, and at least three other physicians. Each of these doctors has stated that there is no medical evidence of shots striking the President from any direction other than the rear.

c. All of the other evidence pertaining to who fired the shots that struck Governor Connally and President Kennedy should be examined. The overall record will show that beyond a reasonable doubt Lee Harvey Oswald was the lone gunman.

d. The next question to examine is whether or not Jack Ruby was in any way conspiratorially involved in the assassination of President Kennedy. The overall record will show that Ruby was not conspiratorially involved and will confirm the results of his polygraph examination and the conclusions of the Warren Commission.

e. After determining who fired the shots that killed President Kennedy and Officer Tippit, the investigation should determine whether or not there is credible evidence of possible domestic conspiracy. The Warren Commission found no credible evidence that there was any domestic conspiracy.

f. The investigation should then turn to whether or not there is any credible evidence of any foreign conspiracy. The Warren Commission found none--but the Warren Commission did not have any information concerning CIA assassination plans directed against Fidel Castro and possible ramifications of such plans.

However, I want to state specifically that I do not know of any direct evidence that proves the existence of any foreign (or domestic) conspiracy.

Furthermore, it is not very likely that a reopening of the Warren Commission investigation by Congress twelve years after the assassination would disclose the existence of any foreign conspiracy. But there may be some additional light shed on what motivated Oswald to kill President Kennedy.

g. In addition, the Congressional investigation should specifically review all evidence in the possession of the CIA or FBI at the time of the Warren Commission investigation that was not turned over to the Warren Commission. Although none of that evidence that has come to light since 1964 in any way disproves the determination by the Warren Commission that Lee Harvey Oswald killed both President Kennedy and Officer Tippit, to the extent that the CIA and the FBI failed to disclose all relevant evidence to the Warren Commission, there was an inexcusable dereliction of duty on the part of these governmental agencies.

This, in turn, has contributed to the ability of irresponsible Warren Commission critics to deceive millions of Americans through techniques of distortion and misrepresentation of the overall record into believing erroneously that Lee Harvey Oswald did not kill President Kennedy and Officer Tippit on November 22, 1963.

Congress should specifically investigate why this dereliction of duty on the part of both the CIA and the FBI occurred, and, more importantly, how it can be best prevented from happening in the future.

h. Congress should also investigate whether there is any additional material in the hands of the FBI or any other government bureau, department or agency which directly or indirectly involves the assassination of President Kennedy which was not turned over to the Warren Commission. (There may be material which did not come to light until after the submission of the Warren Commission Report on September 24, 1964.)

4. Concurrently with the Congressional investigation, there should be a study undertaken by the National News Council or some other appropriate forum for self-examination by the media to determine the adequacy of the media's continuing coverage of the assassination of President Kennedy in the light of the rebirth of national interest in this area. I have tremendous confidence in the overall ability of the press. At the same time, I have tremendous concern about the fact that the mass media have been exploited to mislead a large segment of the American public into falsely believing that Oswald did not kill President Kennedy and Officer Tippit.

Granted, there is an ever-present problem in the rush to report the news of the day where wide publicity is given to people who make sensational charges. However, in some cases, such as the Warren Commission investigation, most of these charges can be readily disproved by a thorough, objective study and investigation of voluminous materials already available. To the extent that the media fail to do this, they fail in their overall responsibilities to report all of the facts.

In the Epilogue to my book, "November 22, 1963: You Are the Jury," I wrote:

"We live in a great republic, a nation where it is possible for an independent citizen to become a part of a special commission investigating the assassination of a head of state, a country where a citizen can freely write a book criticizing the chief judicial officer, the highest law enforcement agency, and the head of state.

"To maintain such freedom is not an easy task. It requires an informed citizenry, and the information upon which the people rely cannot merely be a mile wide and an inch deep. We must have depth of understanding....

"Mass-media techniques, spoon-fed sensationalism, and demagoguery are all the enemies of a free society.

"These enemies cannot exist in an environment where the constant quest for accurate information on issues and answers is at least as important as the quest for personal luxury and entertainment. We must be aware of the facts, for our ultimate judgments will be no better than the accuracy of the information on which they are based."

For all of the reasons I have enumerated, I have made the Freedom of Information Act requests to both the CIA and the National Archives that I have announced today, and I am making today a public request that Congress should reopen the Warren Commission investigation at this time.

I am confident that a reopening of this investigation will confirm what the Warren Commission found beyond a reasonable doubt: Lee Harvey Oswald was the gunman who killed both President John F. Kennedy and Dallas Police Officer J. D. Tippit on that tragic afternoon in Texas on November 22, 1963.