Rep. Don Edwards
2138 Raburn Office Bldg.
House of Representatiives
Washington, D.C. 20515

3/12/90

Dear Don,

Reading your 1975 Hosty hearings makes it apparent that your trust and that of your subcommittee were imposed upon from both sides. Adams observed the "first law" well by covering the bureau's ass and the scond close to brilliantly by covering his own. You trusted a man who lives in the belief that lilies exist only for his gilding as a subject expert when in fact his interest was, as usual, self-promotion and aggrandizement and he fobbed off on you as significant what had little prospect of being significant.

Despite my not inconsiderable experience with the FBI in the many FOIA lawsuits I was really shocked to see, on page 209, that they withheld from you and your hearings what they disclosed to me: "...the names of individuals interviewed regarding the destruction of the Oswald note (and) the names of all individuals regarding the alleged telex to the New Orleans FBI office."

From Adams' testimony (page 2) they had by then completed their internal investigation of that particular Hosty flap. (There were several.) It seems apparent that they did not give the records of that so-called investigation to you. To the best of my recollection I got all of it in my FOIA suit for the Dallas and New Orleans records. Much of it is handwritten, some is, to me at least, extraordinarily brief, and I can't remember that a single name was withheld. I made duplicate copies for subject filing for at least most of what I got and should you desire it for the completion of your committee's records I can get these duplicate copies xeroxed for you.

To me it was a sham investigation, made with the transparent intent of making it difficult if not impossible to file charges against anyone. Some of the interviews, and many if not most or all reflect the time begun and the time signed, were as little as about a quarter of an hour. Some were obviously inadequate and incomplete and required a second interview.

Two of the higher official names withheld from you, in itself a surprise to me, are of Assistant Director Alex Rosen (pages 6 and 24) and assistant to the Director Alan Belmont (page 24). They also do not mention Mark Lane's name on page 8 despite the fact that he had drawn all the attention possible to his speaking to William Walter after he'd made a speech in New Orleans and Walter had come up to him afterward. I'll return to this below.

The check they report (page 3) for Dallas record relating to the destruction of the note does not include ticklers. As is reflected in a tickler I've sent you, it is clear that some records and certain recollections existed at FBIHQ. But you were not told in Adams' seemingly forthright testimony.

On the same page Adams refers to Mrs. Ruth Paine's Warren Commission testimony, that she knew from Oswald that he had gone to the FBI office. From what the FBI did with Warren Commission testimony, which I have solidly in the records it disclosed to me, absent a radical departure FBIHQ at least would have checked it. They turned crews of SAs loose on the testimony and they reviewed it carefully to protect the Bureau. At the very latest that would have been November, 1964. In this I intend to say that Oswald's visit had to be well known at least at FBIHQ then and probably also elsewhere. But there was no investigation. I believe it is fair to assume from this that at least FBIHQ was well aware of the fact that Oswald had gone to the Dallas office and had records relating to it.

Hearings and copies of the Report were obtained in considerable quantity and distributed to the field offices. If I remember correctly, Dallas's Commission file that is the only such file disclosed to me did not begin until they were reviewing the hearings

Report
and testimony. I do not recall all the distribution made of these Commission materials but they were made in sufficient quantity so that in 1966 the New York office had enough hardback copies of the Report on hand to supply four layyers with copies and what that office described to HQ as "public domain" information in their combined effort to ruin the sales of my first book. (Happily, it had the opposite effect because those lawyers believed the official mythology given them by the FBI and the book became a best-seller in New York the week the show was aired. But aside from other considerations, is not that an improper way to spend tax money? An FBI symbol informer tried the same thing the next month in San Francisco, again with the exact oppsite effect, selling out all the copies of my first two books that were in San Francisco. I have the records om both these concepts of law-enforcement endeavors.)

The Walter search reported to you by Adams (page 8) is designed to be inadequate and from my recollection, which may not be dependable as it once was now, is not truthful. The practise of semantics on this inquiry is not atypical. We do not know what Walter told Lane after the New Orleans speech in 1967 but we do know what Lane represented, that it was a teletype or telex. We also have that reflection of the allegedly reported threat against JFK. So, the search supposedly include records other than telexes, without reference to whether or not any other records originated at FBIHQ or elsewhere, and it is limited to a reported "attempt to assassinate President Kennedy in Texas."

Bearing on how forthright Adams and then Dallas SAC Gordon Shanklin was with you, I enclose and mark as "1" Shanklin's cover-my-own-ass memo to files in the Dallas main Lee Harvey Oswald file dated two days after Adams' testimony and before Shanklin's of December 11. I call the second paragraph in particular to your attention because it is also relevant to questions asked by Members about records not formally in the files in Dallas. Shanklin says he had "express instructions" from Adams "not to place in our files" what he describes as "letters (that) pertain to" the Walter allegations. I'll see if I can pinpoint for you where Shanklin was questioned about just this possibility below.

These "letters that deal with my inquiry into this (Walter) matter in the Dallas Division," Shanklin records " were forwarded by the date indicated (which is 10/23/75) to Personal attention of Mr. Adams." (Emphasis added)

Consistent with Walter's representations, whether or not he was truthful, is the fact that a number of threats - and threats are not necessarily identical with the word the FBI used to describe its search, "assassination" - known, reported and in file before JFK went to Texas. In a book I once planned and did not publish I went into that, with copies of Warren Commission records, which the FBI had, as did the Secret Service. There were several involving the National States Rights Party, several from Miami, where only a couple of days before he was in Dallas the Secret Service prevented JFK's having the planned motorcade, and several in Texas. It happens that I had a copy of a rather colorful one in an office file and did not require use of most of the files that are in my basement. A Dallas Police Department informant reported that some right-wing students at Denton State University who were associated with Resigned General Edwin A. Walker planned a demonstration against JFK and would "rub his dick in the dirt" (marked in the left margin for you). The note at the bottom of the second page is mine, intended as a caption in the book I did not publish.

Bearing on threats and the quality and thoroughness of the FBI's Dallas investigation and on what you said (page 2) that you asked the FBI "to report to us" is, "allegations that all information available to the FBI was not fully disclosed to the Warren Commission." It is unfortunate that you depended on one who had made no real effort to learn more than he learned in reading what the Commission published because there is a considerable amount of significant information, particularly relating to the corpus delicti. that was unknwon to you and which should have been but was not included in Adams' testimony. The fact is that there was assassination information Dallas did not even send to FBIHQ. One that relates to the National States Rights Party and the nature of the FBI's

Dallas investigation is attached as "3." A suburban Dallas police department phoned the FBI to recommend an investigation of a NSRP activist because he and other NSRP people "should be considered suspects" in the assassination.

This record was typed and searched through the files, indexed and filed before Oswald was charged. From the handwritten note, which I presume is that of an agent on the case, all of this may have been done before he knew Oswald's name. It says that the lead was "not necessary to cover as true subject located."

By the time this record was filed it had not been possible to make anything that can be called an investigation with a straight face and it certainly had not been possible, even were Oswald then without question the assassin, to know that there had not been any conspiracy.

Like the foregoing record, also on my desk from when I spoke to local civic organizations is another early Dallas record that was not sent to FBIHQ. I attach it as "4". The first working day after the assassination Eastman Kodak informed the FBI it had and would make available photographs of the assassination taken by an engineer, Charles Bronson. SA Milton Newsom saw them and reported that they were valueless. How valueless? In his own words, the stills showed "the President's car at the precise time shots were fired." Tne stills show much more than the car and the President- considerable background and many people. Why were they valueless? They "were not sufficiently clear for identification purposes." Aside from the fact that this is false as it related to many people, what Newsom is really saying is that the pictures are worthless because they do not include Oswald with a smoking gun.

Even Newsom admits another photographer is shown taking pictures that should include the building from which the FBI said all shots were fired, and "at the precise time" they were fired. So he didn't get prints.

Of the movies, 8mm then, not 8mm, later larger, he says they "failed to show the building from which the shots were fired." I got this record in my suit for the Dallas records. Later friends in Dallas located Bronson, saw his pictures and one, then a reporter for the Morning News, did a story that took up three of four full pages, more than an entire page of which is of frames from the film. Rather than not showing the building at all there are almost 100 that include the very window from which the FBI says all the shorts were fired.

This record also was not "disclosed to the Warren Commission," among many that Adams ignored and I have.

I forgot above, relating to known threats, one of those in Miami was rather well known. It was tape recorded by a former FBI symbol informer who was then an informer for the Miami police. They reported the threat that (and I'm not suggesting it is related to what actually happened) duplicates what the FBI says happened, a shot from high up in a building at a motorcade. Both the FBI and Secret Service knew about it just before the assassination. I print the existing portion of the transcript that remained in the police files in my Frame-Up, which is on the King assassination. The FBI knew contemporaneously and it knew from my book, which it had. Which is also to say, long before your hearings. It did not give any transcript to the Commission.

At several points the members asked Adams and later Shanklin, about the destruction of "any other papers, materials or documents" (page 31) or "records" concerned with the Oswald and Ruby cases. This also reminds me that it never gave the Commission or your subcommittee the at least eight Dallas records from its 137 file on Ruby. There was no volunteered testimony in these hearings to let you know that each time there is contact with any informant or probational informant, which Ruby was, the agent running him is required to fill out a special form for just that purpose, reporting what the informant said or gave him and evaluating it. They were able to withhold these from me also in my suit for the Dallas records. They have to have existed or they were destroyed.

What the FBI knows very well is that one vital record at least was destroyed and it so informed the court in my refiled suit for the results of all scientific testing in the JFK case. With regard to the "missed" shot, where the rest of the story is pretty hairy, SA Lyndal Shaneyfelt had the curbstone it struck removed and flown to Washington for Lab analysis. There was a spectrographic examination the results of which were not testifed to by the FBI in terms of their actual meaning. Only two of the elements of a bullet, 11 or 12 with the alleged bullet or fours less without the casing, were detected. The Lab records I got by litigation have the testifying agent's note saying that what was tested could have come from an automobile wheel weight.

There had been a nick or a hole where the bullet impacted. When Shaneyfelt, knowing this and having pictures of it, dug it up there was no scar of any kind. So, he knew that in some mysterious way the hole had been patched- when Oswald could not have done it. Neither Shaneyfelt nor Lab Agent Robert Frazier (ballistics and whose note I refer to above) told the Commissionwhat this meant or could mean. But that the FBI knew very well is reflected in another record on my desk, the synposis of a long report by the Dallas assassination case agent. I marked the pertinent language in the copy from which I made this copy for use in the lawsuit. Gemberling said, "No evidence of mark or nick on curg now (8/5/64) now visible."

Actually, and this also gets to non-existing Dallas records, James T. Tague, the bystander who got a minor wound from the spray of concrete from the bullet's impact, went to that spot in May, 1864, to take movies of it. The hole had didappeared by then but he took pictures anyway. I took an affidavit from him and used it in this lawsuit. He attested that he had not told anyone he'd taken those pictures and that in some way he cannot account for thy disappeared from his home, with nothing else stolen. When Tage was questioned by Commission Counsel Wesley Liebeler in July of 1964 Liebeler not only knew he had taken the pictures, he showed Tague frames enlarged from movie film under the impression it was Tague's film. When Tague was mystified and asked Liebeler how he'd known about and/or gotten it, Liebeler did not tell him.

There is no FBI record produced from the Dallas or any other office or from HQ files reflecting that the FBI had gotten or even knew about Tague's film. The FBI did the Commission's photographic work, too, so if the FBI did not somehow get Tague's film it knew about it during the course of the Commission's investigation as well as its own. I cannot conceive of the film being obtained without a single page of record being generated or without a record of transmission to FBIHQ or the Commission.

Before going on to other things I call to your attention that among the matters of significance that the FBI did not give the Commission is one in which it knew the Commission had an interest. I went into this in some detail in the above-mentioned suit, C.A. 75-226, which was filed about a half-year before your hearings, the suit in which the FBI told the court, being careful, not to do it under oath, that the curbstone spectrographic plate had been destroyed. Ido not now recall the detail or all the documentation I provided. That FBI did ~~was doing spectrographic analyses~~ neutronactivation analyses on the scientific evidence. It did have them done, at Oak Ridge, and hid that from the Commission. It then knew that the scrapings from the limousine windshield no longer existed. They had been subjected to spectrographic analysis. The FBI succeeded, as I said in my previous letter, in stonewalling me and the not unwilling court until the very end of that litigation, when it hand-delivered gibberish in the form or uncollated adding-machine tapes. I also sued ERDA, successor to the AEC. It was anxious to get out of the lawsuit so over a holiday weekend it had-delivered to my lawyer, Jim Lesar, at his home its records, which I have and you are welcome to if you want them. That may well have been before your hearings if it was the Labor Day weekend. My case files, in the basement, will disclose this.

I believe it is a fair but a layman's interpretation that the NAA tests on the paraffin casts establish that Oswald had not fired a rifle. They fired the rifled at Oak Ridge, I now don't remember how many times, made paraffin casts of the cheeks of the riflemen, and got significant deposits. This is my recollection and after all these years and given the state of my health, my recollection may be flawed. EDDA also gave me excellent photographs of the Oswald casts.

Again something withheld from the Commission is something I developed in that lawsuit, which I explain.

In my last book, Post Mortem, I publish a fine photograph of the President's shirt collar, one the FBI did not give the Commission. It gave the Commission scientifically unclear photos. You can't even make out the pattern of the shirt, for example. The good picture I got I got from Kelindienst, personally, when I had him rather unhappy because I'd gotten a summary judgement against them in a differ nt case having to do with the King assassination. I'd known from my own work that the damage to the front of the shirt collar and the necktie was not done and could not possibly have been done by an exiting missle, by which I mean to include even a fragment of bone. I knew also that contrary to the official mythology, that damage was caused by a scalpel in the emergency room by two nurses, under the direction of Dr. Charles Carrico. I interviewed him and he not only confirmed it, he deomnstrated to me how it was done. I have this in Post Mortem. Along with the Kleindienst picture. (He just put the FBI original in an envelope with other pictures I'd asked for, including at least one other FBI original, and mailed them to me, without any covering letter.)

When we deposed SA Robert Frazier in that lawsuit we showed him the picture and Jim Lesar asked him questiona about it and the testing on it. Spectrographic examination had shown no bullet traces on it but did detect traces on the back of the shirt. Carrico was unequivocal, the bullet hole in the front of the President's neck was <u>above</u> the shirt collar and he is the only doctor who saw the body before the clothing was removed.

Frazier acknowledged that he had had some questions about the damage to the shirt collar and tie. He testified several times, and we have the transcript, that he had requested the examination we questioned him about by a hair and fibers expect, SA Paul Stombaugh. We asked where the Stombaugh report was, it not having been disclosed to the Commission or in that litigation, and were promised we'd be given a copy. What was given is not the Stombaugh report but a preliminary record made by Frazier without any details at all about any examination of the shirt collar. No such examination is even mnetioned.

I think it is apparent that this alone destroyed more than the official mythology. It destroys the integrity of all involved, including but not limited to the FBI, and that in "the crime of the century," to me the most subversive possible crime ina society like ours. It means more than faking a solution by the FBI and Commission'acceptance of an obvious fake. It means that the FBI knew there had been a conspirracy to kill the President but not only did not investigate that ~~p~~ it lied about it. And, of course, on this basis alone the crime is unsolved.

There is more like it.

Similar in a way in nature is what Congressman Dodd gets into with, I think, some confusion, on page 33. He quotes from a Commission executive sesssion transcript that did not exist until I went for it under FOIA. It had never been transcribed, as I go into, with documentation, in my Whitewash IV, which is written around the executive session transcript of the next day, January 22, 1964. (Which, by the way, Gerald Ford stole, altered in using it in his book, and then lied about in his confirmation hearing when he was appointed vice president.)

Although I believe that somehow the FBI did have such a transcript, of the January 21 session, from what I remember that appeared when it made its general HQ releases of late 1977 and early 1978, it did not disclose any copy to me or any record reflecting the existence of any copy, and the court reporter made no transcript. It was Ward & Paul and I document this in that book. But the stenotypist's tape escaped the destruction and when that tape was transcribed for me, because it had Top Secret stamped on it used as an excuse, it was sent to the Pentagon for transcription. This accounts for a few minor errors in it and the lack of identification ~~xxx~~ of all names. What Congressman Dodd quotes correctly is from the last page as typed for me, and the pages in the copy made for me begin with "1" and cannot get to the page number he cites, 2444. Nor could that number have been reached by the court reporter. I realize this could be quoting from another transcript he did not identify, but it is not from the Commission's or from any FBI record.

There is no reason to beleeve that the FBI had nything to do with what was agreed to on Dulles' suggestion, that the transcript be destroyed. It washot made. and they chiselled on the court ~~xxx~~ reporter, paying only $25 for that after-hours session coverage.

Only part of the possible explanation is the one Mr. Dodd used, that the subject of the session was the report that Oswald had worked for the FBI. What Dulles could and I think did have in mind is what they were saying about the FBI. If you do not have that transcript I'll be glad to send you a copy of Post Mortem in which I reproduce what I got in facsimile. You also get some of the things I go into above in that book.

The alleged Oswald FBI number your Members used is the one that the Commission used and got from FBI records but it in fact is not the correct one, and entirely different kind of number not consistent with FBI numbering.How the Commission got that number is not reflected in any of its records that I examined and is not reflected in any FBI record I have, about 250,000 pages. Maybe a bit more.

There is more that is relevant and not generally known, including about Oswald's past, that can be relevant to this. I've not published although I for years planned a book on it I now doubt I'll be able to complete. Senator Russell, who encouraged me to pursue my work until he died, told me he was satisfied "they have not told us all they know about Oswald." He did not tell me who he meant. I learned some of what I have no reason to believe the FBI went into and have a degree of documentation. Not that the FBI did not have reason to investigate, as to the degree possible for me I did. If this interests you I'll be glad to tell you what I learned and provide the documentation. For now, please believe me, although his service record does not reflect it, Oswald had both Top Secret and Crypto clearances as a Marine, somehow learned Russian as a Marine, and got communist literature openly as a Marine, without any problems. and his favorite book was Orwell's The Animal Farm, and anti-Communist classic, as you know. These clearances did not show in the FBI's or Navy's or Commission's investigations.

Before returning to the destruction of the note and other matters in Shanklin's testimony, a few comments that apply to Adams' and may apply to his. The Inspection Division investigation as disclosed to me indicates that more people in the Dallas office knew about it than they told you and if I remember correctly, there are indications that the leak was from inside the Dallas office, by an SA.Once Shanklin's retirement was secure.

Also, although they seem not to have told you or asked you to keep it secret, D.J. disclosed to me their reason for not pressing perjury charges against him: bootstrapping.

On page 74 Shanklin testified about the note,"If it had been called to my attention, I would have notified my headquarters." HQ was notified, and it was before Inspector Malley got to Dallas. Headquarters "handled" the destruction, from the tickler outline I sent you, before Malley was in Dallas, perhaps before he left for Dallas. He got there 11/24/63.

Shanklin goes into the Lieutenant Revill matter on page 86. Revill wrote a report that was made into an affidavit and an other report that I'll have to search more to locate if you want it. In the one I attach, the affidavit one,(6) he says that at about 2:50 p.m. the day of the assassination he quotes Hosty as having told him the FBI "had information that (Oswald) was capable of committing the assassination of President Kennedy." My recollction of the other one, and again my memory may not be dependable, is to the effect that the FBI knew he was capable of it but didn't think he'd do it.

Dallas Chief Curry went public with what Revill said promptly. It created quite a scandal. Shanklin did testify that he spoke to Curry about it but neither he nor Adams told you the whole story. Hoover was furious. Remember, he knew about the note and its destruction. He ordered Shanklin to get Curry to retract and Curry bowed to that pressure and did retract - the truth. Later, over this, Hoover ordered the FBI to break off all relations with the Dallas police. I mean ALL. Even training.

On page 95 Mr. Dodd says the results of th police paraffin tests on the cheek were positive. They were negative. and that is exculpatory. Residues that are detected need not be positive because other deposits can produce those results. The total sbeence of residues picked up on the paraffin is exculpatory. Particularly with a rifle like that one.

What did not come out in your hearings is the fact that Hosty himself filed a report on Oswald and his proclivity toward violence: wife-beating. Yet before the Commission he testified falsely other than with regard to the Oswald note in testifying that Osw ld had no history of violence of proclivity. And he was praised by FBIHQ for his false testimony. Before he was disciplined for something else.

Something else the FBI did not give the Commission comes to mind. The text was withheld from me but not the fact.

The day of the assassination the Mexico City FBI office flew up to Dallas in a Navy plane at least one tape of a wiretap of Oswald at the USSR embassy and some pictures that were not of Oswald. SA Wallace Heitman met the plane and the SA whose name escapes me at the moment. He was later a Member of Congress. The tape was listened to in the Dallas office and a three-page teletype was sent to HQ. HQ ordered that the tape be transcribed and the transcript sent it, which was done. The transcript also was withheld from me. And I saw no reference to any of this in Commission records. I got what - report in my lawsuit for the Dallas and New Orleans office records. The day HQ got the transcript Hoover wrote Secret Service Director Rowley a letter in which he referred to examination of the photos and the tape. The man who gilds lilies spread it far and wide that Hoover said the voice was not Oswald's. That is not what Hoover said. and the probability is that he was referring to the photos. But he did not say he was referring to the tape.

Again, I hope I am not wasting your time. My intent is to help you, if only by indicating that the FBI was not forthright with you or in other wasy if you'd like. I'll read and correct this and if anything that seems relevant comes to mind I'll add it.

I also call to your attention that the FBIHQ tickler I sent you refers to much it did not give the Warren Commission. and is not in the records disclosed to me or to the best of my knowledge, in its general releases.

Also, the possibility of unfairness in my implied criticism of its Hosty investigation and the fact that the Department declined to prosecute Shanklin. There can't be any reasonavle doubt about his perjury. There also are other matters for which he deserves criticism at the least. But would it have been fair to charge him alone? If there had been a willingess to consider charges against others, would it have been possible to develop evidence that would be enough to bring charges or convict? In a sense, was not the greater offense by the higher-ups, at least Belmont and Rosen and those on their staffs who were witting and remained silent? (At least Rosen was ill at the time of that investigation.)

Several Members asked how many agents were asigned to the Dallas office at the time of the assassination. Although in the very lawsuit in which it disclosed to me what I attach as 7, it withheld all FBI names on the frivolous claim to "privacy," This gives all the names, home addresses and phones and it reflects the genuineness or lack of it in FBI FOIA "privacy" claims. Here it served, other than mere obstruction, only to protect SAs like Newsom from their own transgressions.

Best wishes,
Harold Weisberg
Harold