

X NAA-QB

1 A. I don't know.  
2 Q. Did you search any records prior to making this  
3 statement?  
4 A. I don't know.  
5 Q. Well, how could you have made this statement  
6 without checking the records?  
7 A. I don't know.  
8 MR. COLE: I object to that question. This is  
9 getting to the point that it is badgering the witness.  
10 Q. Was the statement, in fact, correct?  
11 A. Which statement?  
12 Q. The last sentence of paragraph seven (7)?  
13 A. There is a mistake in that statement as you  
14 know.  
15 Q. What is the mistake?  
16 A. The fact that neutron activation analysis was  
17 applied to the clothing and windshield and curbstone.  
18 Q. Now, was it -- which -- was it not applied to  
19 any of those?  
20 A. Neutron activation analysis examinations were  
21 not conducted, were not performed and results not obtained  
22 from...  
23 Q. Now, wait, which -- let's...  
24 A. All those items; all those things -- on anything  
25 other than metal fragments and paraffin casts.  
26 Q. So that -- well, let's see. You state that  
27 it was performed here on a windshield.  
28 A. Yes.

1 Q. Is that true?  
2 A. It was not performed on a windshield.  
3 Q. It was not performed on a windshield.  
4 A. On a windshield.  
5 Q. What was it performed on?  
6 A. It was performed on some metal objects.  
7 Q. You mean -- was it performed on a scraping from  
8 a windshield?  
9 A. The test was not completed on a scraping from  
10 the windshield. Spectrographic analysis was used to examine  
11 the metal scrapings from the windshield of the automobile.  
12 Q. And neutron activation analysis was not used  
13 at all?  
14 A. On what?  
15 Q. On the scraping from the windshield?  
16 A. Yes, it was used. It started the -- the materi-  
17 al, evidently was put in the nuclear reactor as you know.  
18 Q. Why do you say evidently?  
19 A. Because of the documents that I searched and  
20 that you have, it clearly shows that it was.  
21 Q. Okay. It was put in the reactor.  
22 A. Yes.  
23 Q. Would you mark this, please, as the next Exhibit?  
24 MR. COLE: Mr. Lesar, maybe if we knew where you  
25 were headed, we could take a little less time to go through  
26 this. Is there any kind of -- is there anything that you  
27 are searching for that perhaps you could just say...  
28 MR. LESAR: We will be getting to that shortly.

1 A. Go to that, sir, if you want to know.  
2 Q. Did you -- at the time that you provided this  
3 to Mr. Weisberg, did you search for any other records relevant  
4 to this test?  
5 A. No, I did not.  
6 Q. Why not?  
7 A. Well, these are the items that he wanted -- the  
8 pages in that spiral notebook.  
9 Q. Ordinarily, would there not be additional records,  
10 such as work sheets, that would reflect calculations on them?  
11 A. It's quite clear if you look at this in context  
12 with all the pages that were given to you, you will find that  
13 there are all sorts of calculations and items of interest on  
14 the pages.  
15 Q. Yes. Now -- but there are no such calculations  
16 on "Q15"?  
17 A. That's right.  
18 Q. Now, when you saw that, did that cause you to  
19 institute a search for such pages?  
20 A. No.  
21 Q. Why not?  
22 A. Because I knew what "Q15" was.  
23 Q. What was it?  
24 A. Scraping from a windshield.  
25 Q. Why did that explain to you why no further  
26 search was necessary?  
27 A. Because the piece of lead was so small that it  
28 could not produce the activity that would be worthwhile

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1 measuring.

2 Q. There was a piece of lead?

3 A. Yes. Haven't you seen the results of the  
4 spectrographic examination?

5 Q. What happened to that specimen?

6 A. I don't know.

7 Q. What quantity of material is necessary to per-  
8 form a neutron activation analysis?

9 A. Depends entirely on the material.

10 Q. Well, let's assume that it was bullet lead from  
11 a windshield scraping.

12 A. What are you trying to do by neutron activation  
13 analysis?

14 Q. Perform the test that -- to determine its ele-  
15 mental composition.

16 A. Well, based on what we know about lead, you  
17 should not, probably, examine a specimen less than a milligram  
18 in size. Once in awhile, that happens that we do. Simply,  
19 is not very worthwhile.

20 Q. Now, was this specimen less than a milligram in  
21 size?

22 A. I don't know what the weight of it was.

23 Q. How big a specimen do you need to test it by  
24 spectrographic analysis?

25 A. In bullet lead you're talking about?

26 Q. Same sample.

27 A. Oh, a few micrograms, you can get a spectrum  
28 from.

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1 Q. Would Gallagher know whether or not it was  
2 capable of neutron activation analysis?

3 A. You could have asked him.

4 Q. Would he know before he made the test?

5 A. I don't know.

6 Q. Would he take it down to Oak Ridge without know-  
7 ing the answer?

8 A. I don't know.

9 Q. Does "Q15" exist any longer?

10 A. I don't know.

11 Q. Are you familiar with the testimony of Dr.  
12 Vincent Gwynn before the House Select Committee on Assassina-  
13 tions?

14 A. I've heard part of it, yes.

15 Q. Have you heard that when he went to examine  
16 "Q15" by means of neutron activation analysis that there was  
17 no specimen there?

18 A. I don't remember him saying that, no, but if  
19 you said that...

20 Q. Assuming that's true, what would be the explana-  
21 tion for it?

22 A. I don't know.

23 Q. Is it possible that the specimen was consumed  
24 in spectrographic analysis?

25 A. I don't know.

26 Q. Is it possible, I'm asking. I'm not asking...

27 A. Anything, sir, is possible.

28 Q. Is it possible that the entire specimen was

1 was sparked, then it would be destroyed?

2 A. Assuming that entire "Q15" material was put in  
3 the electrode, it would all be consumed.

4 Q. Now, if the specimen had been -- specimen "Q15"  
5 had been subjected to neutron activation analysis prior to  
6 any spectrographic testing, would the same also have occurred?

7 A. What do you mean the same?

8 Q. Would it have been destroyed?

9 MR. COLE: You mean during the neutron activation  
10 analysis or during the subsequent spectrographic analysis?

11 MR. LESAR: During the neutron activation testing.

12 A. For metal material, like lead, neutron activa-  
13 tion does not consume the material.

14 Q. And this was within the knowledge of the F.B.I.  
15 in 1963 and '64?

16 A. Yes.

17 Q. Given that fact, why would you test it by means  
18 of spectrographic analysis rather than neutron activation  
19 analysis?

20 A. I don't know. Mr. Lesar, you had the man who  
21 did all that work.

22 Q. I'm still puzzled about his testimony.

23 A. Why ask me?

24 Q. It's evident from Exhibit 9 that "Q15" was placed  
25 in the reactor, does it not?

26 A. Yes, that's right.

27 Q. Now, why would Agent Gallagher have placed a  
28 non-existing specimen in the reactor?

1 A. We're not aware that there was a non-existent  
2 specimen.

3 MR. COLE: I certainly object to that question. It  
4 assumes a lot of things that I don't think this witness has  
5 indicated are true.

6 Q. Okay. So, I draw the inference from your  
7 comment, that you think there was a "Q15" in existence at the  
8 time it went into the reactor.

9 A. There was an item of material labelled "Q15",  
10 yes.

11 Q. And it, presumably had some bullet fragment  
12 scraping in it.

13 A. I'm not presuming what it had in it.

14 Q. Assuming that it -- there was something there...

15 A. Yes.

16 Q. To be tested, would there have been a computer  
17 printout of the results?

18 A. Yes.

19 Q. Would there have been a computer printout if  
20 there had been anything at all?

21 A. Yes.

22 Q. Okay. Did you make any check to see whether  
23 there was any computer printout of this specimen?

24 MR. COLE: Objection. I believe that the subject  
25 of computer printouts at the time that the original search  
26 was done has already been addressed and the witness has  
27 indicated that that was not something that Mr. Weisberg  
28 wanted.

1 MR. LESAR: Would you mark that, please?

2 MR. KILTY: And this is a neutron activation print-  
3 out, identified as "Q15".

4 MR. LESAR: Would you mark that, please?

5 Q. Now, Mr. Kilty, just directing your attention  
6 to Exhibit 14, which you've identified as computer printout  
7 for the testing of "Q15", does that reflect that there were  
8 some results obtained as a result of the neutron activation  
9 analysis?

10 A. What are results?

11 Q. Some data indicating the composition of the  
12 specimen?

13 A. I don't know.

14 Q. Well, there are a variety of figures there and  
15 they're not all zeroes. Does that indicate that there was  
16 some detectible presence of some substance was measured?

17 A. Might have been. Might have been. That could  
18 be.

19 Q. So that you would -- it would be your inference  
20 from these figures that there was something in the "Q15"  
21 specimen that was tested.

22 A. No, my inference -- that's your inference.

23 Q. Do you join me in that inference?

24 A. No.

25 Q. Why not?

26 A. Because I don't know what it is. I don't know  
27 what's producing the radioactivity. If there is radioactivity  
28 produced, I don't know what the background for the counting



1 room at that time was or anything. So, I'm simply not infer-  
2 ring anything from that.

3 Q. Alright, now, directing your attention to your  
4 June 23, 1975, Affidavit, you state, in paragraph eight (8),  
5 concerning Plaintiff's allegation that, although NAA testing  
6 was conducted on the clothing of President Kennedy and Governor  
7 Connally, he has not been furnished the results of this test-  
8 ing: further examination reveals that emission spectroscopy  
9 only was used to determine the elemental composition of the  
10 borders and the edges of holes in clothing and metallic smears  
11 present on a windshield and curbstone. NAA was used in exam-  
12 ination of certain metal fragments, and plaintiff has already  
13 been furnished material relating to these examinations. NAA  
14 was not used in examining the clothing, windshield, or curbing.  
15 What was the basis for that statement?

16 A. Information that I had.

17 Q. Where did you get the information?

18 A. Evidently, from something in the F.B.I.

19 Q. This is directly -- directly contradicts your  
20 prior Affidavit, does it not?

21 A. No.

22 Q. Well, didn't you state in the prior Affidavit  
23 that the clothing, the windshield and the curbing had been  
24 subjected to testing by neutron activation analysis?

25 A. Yes. It does not directly and opposite to  
26 everything that was said in that paragraph. I added neutron  
27 activation analysis in the first Affidavit which I shouldn't  
28 have. This is clarifying it, as you know.

1 Q. So, there was no basis for neutron activation  
2 analysis in the first Affidavit for including that?

3 A. It was a mistake. I should not have included  
4 it.

5 Q. How did the mistake occur?

6 A. Being born, I guess, causes one to make mistakes  
7 sometime before they die.

8 Q. Now, in this second Affidavit, you stated that  
9 NAA was not used in examining and you have here the windshield.  
10 You have just given us Exhibit 14 which is a computer printout  
11 for the NAA on "Q15". How do you reconcile the statement in  
12 this Affidavit with that fact?

13 A. Quite clear. I knew that something was present-  
14 ed to a nuclear reactor at the time because of the notes I  
15 gave you that you could see "Q3" and "Q15". There are no  
16 calculations regarding the quantitative analysis done on those  
17 specimens which indicated to me that there was -- nothing was  
18 done to completion on those specimens for some reason.

19 Q. Your Affidavit does not indicate that. It states  
20 flatly that it was not used in examining the curbstone. What  
21 you're telling me is now that you knew that it was examined.

22 A. Well, what do you mean by examine then?

23 Q. Well, you used it in...

24 A. Okay, I'll tell you what I use -- I mean, then  
25 maybe... It means an examination, to me, is the total analy-  
26 sis and handling of a specimen which produces some kind of a  
27 report or final comment or final opinion regarding the total-  
28 ity of all the tests and material that you went through on

1 that specimen.

2 Q. Well, this produced a computer printout, didn't  
3 it?

4 MR. COLE: Mr. Lesar, I think you've gotten to the  
5 point now that you're really badgering the witness. He's  
6 told you exactly what he did and what he means by these terms.

7 Q. As I understand what you're saying -- are you  
8 saying that if you submit something for testing and you don't  
9 like the results, it's not a test?

10 MR. COLE: I think that's badgering the witness,  
11 Mr. Lesar.

12 MR. LESAR: Does the witness concur?

13 A. Oh, that's a ridiculous question unworthy of an  
14 attorney.

15 Q. Are you an attorney by the way?

16 A. No, I'm not.

17 Q. Were there any examiner's notes on "Q15"?

18 A. None that I can locate. These notes -- page  
19 that I took with all the other pages of data here, I think  
20 might have something over here. I don't know but that's what  
21 I find on "Q15".

22 Q. Okay. Could calculations be made from the data  
23 that you just gave me in Exhibit 14?

24 A. What kind of calculations?

25 Q. The same kind of calculations that the examiner  
26 made on the other items subjected to NAA?

27 A. I don't know.

28 Q. In... Okay. In paragraph three (3) of your