

PROLOGUE

Newsletter of the Committee for an Open Archives

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"What Is Past Is Prologue"

FREE THE FILES: THE NEW LAW & THE WORK AHEAD

by John Judge

"Public interest' means the compelling interest in the prompt public disclosure of assassination records for historical and governmental purposes and for the purpose of fully informing the American people about the history surrounding the assassination of President John F. Kennedy."

(S. 3006)

Both houses of Congress have passed a new law, the *President John F. Kennedy Assassination Records Collection Act of 1992* (Senate #3006), reported out of Senator Glenn's Committee on Government Affairs. It is based on SJR 282, introduced in March, followed by hearings this May, and Committee and full Senate approval in June. The bill should be signed into law soon, according to representatives at the Justice Department. This action caves in to pressure from the Oval Office to leave appointment of the Assassination Collection Review Board (ACRB) in the hands of the President, and fails to incorporate several other positive points in the House version of the bill. Nevertheless, this is what will become law, and what we have to work with for now.

The language [emphases ours] will be important to recall in the long struggle ahead to get critical materials free from the agencies that created or inherited them. The bill calls for "expeditious...public disclosure of all records relevant to the assassination of President John F. Kennedy," and carries a "presumption of immediate disclosure" of many, and "eventual full disclosure" of all records. "Only in the rarest cases is there any legitimate need for continued protection," of records "nearly 30 years old," say legislators. The bill is necessary because current "executive implementation of the Freedom of

Information Act," as well as Executive Order 12356 on "National Security Information," has been "preventing the timely public disclosure" of information to date.

Assassination Research Collection

The measure creates a *President John F. Kennedy Assassination Research Collection* at the National Archives, and requires the "expeditious transmission" of materials shortly after the law is signed by Bush. "Assassination records" are broadly defined, including any information "related to the assassination" that was created or obtained by the Warren and Rockefeller Commissions, the Church and Pike Committees, the House Select Committee, the Library of Congress, National Archives or Presidential Library collections, and any executive agency, federal office, independent agency, and even state and local law enforcement offices that "provided support...for a Federal inquiry." The bill also specifies "any...military department, government corporation, or government controlled corporation, or...Office of the President." And a "record" includes "photographs, recordings, machine readable, computerized or digitized" information "regardless of the medium...stored in...or form or character."

The only exempted materials are "autopsy records donated [to the Archives] by the Kennedy family, pursuant to a deed of gift," as well as any "copies and reproductions" of them that exist. This aspect is being challenged in court by Common Cause, a D.C. lobby group.

"As soon as practicable" after the bill becomes law, all government offices must begin to "identify and organize records for transmission" to the National Archives. No records "shall be destroyed, altered or

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The Gerald Ford Library

by Bill Kelly

The *Washington Post* recently ran an editorial, "The JFK Assassination Files," commenting on a request by the archivist of the United States, Don W. Wilson, to exempt "donated materials" from the legislation being considered. Surprisingly, the *Post* came down on the side of the public's interest, and called for making the material "available to the public without restriction or prior approval."

The *Post* noted that a restrictive loophole, proposed in the Assassination Material Review Act of 1992, "...would allow the custodians of the Kennedy, Johnson and Ford presidential materials...to withhold documents at will."

Researchers have already found much of interest at the Kennedy and Johnson libraries, and there may be additional undiscovered treasures at the Gerald R. Ford Presidential Library, in Ann Arbor, Michigan. Since Ford sat on the Warren Commission, and appointed the Rockefeller Commission, his papers should contain items of interest to JFK assassination researchers.

For instance, David A. Horrocks, the Supervisory Archivist of the Ford collection, notes that the library has a file on the transport of President Kennedy's body, and the administration of his grave site. In addition, there are significant numbers of documents on anti-Castro Cubans, papers concerning Operation Mongoose, the deposition of Gen. Edward Lansdale regarding assassination plots, and the papers of Leo Cherne.

Unfortunately, most of the material is highly classified, and much of it is unavailable to the public for "national security" reasons. What is available has yet to be fully analyzed, so its significance has not yet been determined. Nonetheless, the

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"THE RISE OF THE FOURTH REICH"

SPEECH BY JIM GARRISON ON A COLLEGE CAMPUS
CIRCA 1968

Again and again, you are assured that you are living in the best of all possible worlds. This is a favorite strategy of a fascist, totalitarian type of government, to keep the people from getting restless. Actually you can see it applied in a number of areas in the government of the United States today. Again and again, you are being assured you are living in the best of all possible worlds. Again and again you see different tactics used to make the government's power lovable. Actually there is nothing new about this. As early as the Roman Empire, and probably even before that, the patricians and their counterparts found ways to make their power lovable, so they wouldn't have too much trouble from the plebeians. That's the problem, in a sense, we have today.

But there's a duplicity in making the government seem lovable with false slogans, and to make things appear to be better than they are. I am very conscious of seeing fascist tendencies in our government today. But right now, that probably places me in the FBI file with a lot of other people, as being investigated for anti-fascist activities. And that is a derogatory file, in Mr. Hoover's point of view. But this is very relevant to the topic of the assassination of JFK.

Let me go back, let me go back to the way things were, about the time just before the assassination. We had a young president who was showing signs, increasingly, of being a forceful president, a liberal president, in the sense he was going to make changes that hadn't been made before. And there was a very strong reaction was occurring in a number of places, particularly in places such as Dallas, Texas. And this is not an indictment of the people of Dallas, but there were some individuals in Dallas, who had an unusually strong control over key individuals on the police force, that made Dallas somewhat different from other cities.

President Kennedy was also moving in the direction of doing away with the 27 1/2% deduction on income tax for men in the oil business, which was a primary concern of individuals in Dallas. President

Kennedy had reached a rapport of sorts with Krushchev of Russia, and was in the process of reaching an understanding with Fidel Castro in Cuba. I am sure that it is possible to have a great many views on the value of these decisions he had made. But the fact is, he was the President, and he had made them. And his basic objective was to try to minimize involvement in a war, which would lead increasingly to escalation, and more escalation, until we finally got involved in a hydrogen war, which is more or less the situation we find ourselves [in] today.

Now, the reaction of a number of individuals, especially in certain areas of Texas, was that President Kennedy, in ending the Cuban adventures, in trying to reach an understanding with Krushchev, in making statements such as he made in his speech before the American University on June 10th, that "we breathe the same air" as the Russians, (which is perfectly true, and should have been made. And it's something we don't think about very often). But the fact that he made these statements caused him to be regarded, by some extreme individuals, as a communist, or a person selling out to the communists. So there was a certain side of the spectrum, of the essentially extreme right-wing area, especially in southern states, that had a venomous attitude towards John Kennedy.

Now, this is just a brief, perhaps an oversimplified summary of the situation, as it existed when John Kennedy visited Dallas. With that background, let's jump from reality into the world of illusion for a moment, and we'll describe the official Lyndon Johnson administration version of what happened. It has no connection at all with reality. It has exactly as much substance as the story of Snow White and the Seven Dwarfs. But it has the gold Presidential Seal on the outside, and that's good enough for NBC.

Anyway, the official story is that every possible safeguard had been taken to protect the President. And he was proceeding down Elm Street, having made the turn from Houston, when, from his lair in the sixth floor of the Texas School Book

Depository, a "Marxist-Communist" was crouched. I think actually there is some difference between a Marxist and a Communist, but it really doesn't matter in fairy tales, you can make them the same thing. So, he's a Marxist-Communist, and he's crouched there, with his Mannlicher-Carcano rifle.

He fires three rapid shots, shots of fantastic marksmanship. And as a result, the President is killed and the governor of Texas is wounded. And, as I know Mark Lane has explained to you at some length, this was such an unusual rifle, and the ammunition was so unusual, that one bullet created seven different wounds and emerged in pristine shape. In fact, there was a delay of approximately a second and a half, before the bullet finished going through President Kennedy and began going through the Governor. No matter, the President's Seal was on the outside, and that was good enough for Newsweek. Anyway, this is the official version.

In reality, what happened was this — and I'm going to have to be general for two reasons. One, because there are a great many things that I don't know about the assassination. I have never tried to pretend to know more than I do, although I have read magazine articles that have me saying things I never said, and indicating that I pretend to know more. Another reason I can't go into great detail is because some of the details we have would cause people to move from where they are, and create certain problems for the rest of our investigation.

But I can tell you, generally, what happened. Generally, what happened was this — an elaborate conspiracy was worked on for a very long time. There were three levels. Classification is an arbitrary thing, but for reasons of convenience we classify things into: Operating Level, which is individuals pulling triggers, operating radios, driving cars; Intermediate Level, individuals providing services, such as David Ferrie, Jack Ruby and others; and then the Sponsor Level, [about] which I can't get into too much detail — it gets kind of high

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up — but those are the three general levels.

Anyway, by the time the President made his turn, the men who were to kill him were set to go. There had to be no less than four basic points from which the shooting occurred. There had to be no less than four, and possibly five. Before I go into them — [for] anybody who has been to Dealey Plaza, or has even seen a picture of Dealey Plaza — if there was a lone assassin sitting in the sixth floor of the School Book Depository, he would have had his shot at the President as the President approached slowly towards him, on Houston street. This is the best shot he would ever have. The fact that this shot was passed up indicates, along with many other things, that the lone assassin was not there.

The reason they waited until the President had almost reached the sign, was so that he had reached the central point, where he could be hit from many different directions. The objective was not to wound him, not to hit him several times, but to make sure that he was dead or dying before he reached the Triple Underpass, so there was no danger of his surviving, and having control of major investigative agencies, such as the FBI. Because, had he survived, and had he been in control of the FBI, every individual involved would have been caught by now. So it had to be assured there was overkill. That's why you can't see the autopsy pictures. That's why no one can see them. That's why a pathologist selected by this community cannot look at them, because the autopsy pictures will show that the President was shot from a number of different directions. The autopsy pictures will show that he was hit in the front of the head at least twice. They will show there is a hole in the President's forehead at the temple line, and will show that the right side of his head has been torn off by a bullet coming from the right, and God knows how many other wounds. But at least two from the front. And you are not supposed to see that, because you are supposed to believe the fairy tale of the lone assassin. Because that is what the President wants you to believe. But in order for you to believe that, you cannot see the autopsy pictures.

Even as I point this out, I must caution you — and this may be hard for some of you to accept; but please believe me, I've

never been more sincere — I am sure that if the government is able to accomplish it, it will one day reproduce autopsy pictures which will appear to be autopsy pictures in support of the lone assassin theory. I think they're having some technical problems. But I'm just trying to say there is nothing they will not do. They didn't hesitate to kill Jack Kennedy in Dealey Plaza, and there is nothing they will not do. The operation, for all practical purposes, continues. You can see that, again and again. We can, in the constant interference with our investigation, with witnesses being harassed, being moved away, the constant monitoring of telephones. What this means is that there is a unique interest, on the part of high officials in our federal government, in the truth being concealed from the American people. The significance of that I will go into a little further.

I mentioned that there had to be four groups of shooters. There had to be a rifle firing from Houston Street, either from the Records building or the Dal-Tex building. I think that most of the serious critics are in harmony about that by now, because the shots that hit governor Connally were from such an angle that they could not have come from the Book Depository.

It appears likely that there was shooting from the Book Depository, although it is obvious Lee Oswald had nothing to do with it. He didn't shoot any weapons that day, and there's not [any] indication that he was involved in the assassination. As a matter of fact, the indication is quite the opposite.

It is very clear there was shooting from the Grassy Knoll, not only from behind the stone wall, but further back behind the picket fence, back by the overpass area. On the day of the assassination, such a large percentage of the witness saw or heard the shooting. Heard, I should say — because only a few saw — heard the shooting from that area. That was taken for granted, that the President was shot from the Grassy Knoll.

It took about 24 hours before the official scenario had been issued, and the emphasis had been put on the shooting from the Book Depository. But the main bulk of the shots came from the Grassy Knoll area, and 60% of the witnesses at Dealey Plaza heard those shots. And we have talked with at least one person who was in

the Grassy Knoll area, and saw one of the men behind the stone wall; and other witnesses [had] seen the men afterwards, running away from behind the stone wall, throwing something into the back of a car, and driving off at a rapid rate of speed.

Of course these things were rather irrelevant, so they weren't brought into the Warren Commission hearings. This is what happened. Now the last apparent shooting place is something we came across recently, several months ago. You may have seen it, it got some attention from the news services, which was a surprise to us. And I just mention it in passing. It appears the sub-system drainage system was also used. Dealey Plaza used to be a residential area. There were a lot of houses there, before they were cleared out to make this incredibly beautiful plaza, with these instant Mussioli arcades and beautiful pergolas, and things you've seen in pictures.

Prior to that there were many houses, and there had to be a drainage system. Well the drainage system is a rather complete and interconnecting maze of tunnels, the narrowest 15 inches wide, the widest 30 inches wide, through which men can crawl. For instance, one of the entrances to the tunnel system is behind the Grassy Knoll. You lift up a 3 by 3 foot grate, and you find yourself going down into the entrance, and it has tunnel rays leading in several directions. If you go south towards Elm Street, you will find yourself in one of the sewers, which is alongside of Elm Street.

The sewers that go along Elm, Main and Commerce look — to a person riding in a car — [to be] about six-inch high slits, into which the drainage goes. But actually inside, these are like concrete pillboxes, five and a half feet deep, and a man inside can easily see into the back of a convertible. We had one of our investigators get inside, in Dallas one morning. We had to get him in before dark, because we were afraid if the wrong people saw him in there, he might be cemented in there and we'd never see him again. So I just heard recently — after we really found the application, the likelihood that this sewer system was used — that Dallas was planning to dig up this entire system, and create an underground parking garage. The name of it is supposed to be the "John

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Free the Files (Continued)

mutilated in any way". No record already released to the public can be "redacted [blacked out in part or whole], postponed for public disclosure, or reclassified." Also, custody of records will rest with each Government office until they are released. Offices must review and prepare for transmission all documents within 300 days.

"No later than 60 days" after the law is signed, the National Archives will "establish...a collection of records to be known as the President John F. Kennedy Assassination Records Collection," and will "consist of copies of all ...records...transmitted...in accordance with section 2107 of title 44, United States Code." All previously public records will be sent immediately. An "identification aid" will be prepared for each document, and the Archivist will create a subject guidebook and index for all records released to the public, as well as those postponed for disclosure.

Records for public disclosure will be "available to the public for inspection and copying at the National Archives within 30 days after their transmission." The Archivist is authorized to "charge fees", or to waive them under Freedom of Information Act provisions, which include "public interest". Given the poor quality of multi-generation xerox records released to date, and the overused copiers at the Archives, the bill's suggestion that "the public will also be able to request reproduction of records from originating government agencies" (where they are also 15 cents cheaper a page), may get us closer to legibility, if not truth.

Records postponed for disclosure will be housed at the National Archives, and they will work with the "Information Security Oversight Office to ensure security." That agency, set up by President Reagan, has worked to undermine the FOIA laws, and to deny access to even unclassified documents for certain blacklisted individuals, who might be able to see the whole mosaic, from small parts of the puzzle of our National Security state.

Justice Postponed

The new law sets up standards for postponing disclosure of records as well, including threats to "military defense, intelligence operations, or conduct of foreign

relation...of such gravity that it outweighs the public interest," or if release would reveal a current "intelligence agent...source or method," "security or protective procedure," or "any other matter...which would demonstrably impair the national security." Other reasons listed concern revealing names of confidential witnesses who would face "substantial risk of harm" if named, compromising "confidentiality" that protects "a cooperating individual or foreign government," or disclosure that would "constitute an unwarranted invasion of personal privacy...so substantial that it outweighs the public interest." Weighty matters in their view, which may tip the scale in favor of secrecy more often than we like. How do these concerns weigh against continued concealment of a conspiracy to murder of a President?

Review Board

Government agencies that hope to withhold information must apply to the Assassination Collection Review Board (ACRB), to be appointed by the President, with "advice and consent" of the Senate, to "facilitate the review, transmission...and public disclosure." Nominations for "5 citizens" will be made by the President within 90 days. If the Senate refuses to confirm an appointee, a new nomination must be made within 30 days. People will be recommended within 45 days by professional associations of historians, archivists and lawyers (AHA, OAH, SAA and ABA).

Nominees must be "impartial private citizens, none of whom is presently employed by any branch of the Government...[or] had any previous involvement with any official investigation or inquiry...relating to the assassination." They are to be chosen from "distinguished persons of high national professional reputation" who will have the "independent and objective judgement necessary to...facilitating the...public disclosure," and who "possess an appreciation of the value of such material." At least one must be a "professional historian," and one an "attorney." They must also "qualify for" and "be granted" the "necessary security clearances" before nomination.

If this begins to remind you of the Warren Commission, it's not my fault. COA's recommendation has consistently been that those most likely to

"facilitate...disclosure," support a "presumption of disclosure," and "value" these records, would be the independent researchers, who have tried to crack this case open over the last twenty-eight years. Whether any of them will be nominated by these organizations, or appointed by the President remains to be seen.

The President must choose nominees within 90 days after the act is signed. Once three nominations are made by the President, the Senate must begin confirmation hearings within 30 days, in session. If the Senate rejects a nominee, the President must name another within 30 more days. A vote by the Governmental Affairs Committee must take place in the first 14 session days after hearings are completed, and the whole Senate will vote within the next 14 session days. Then, the ACRB members will elect one of its members as a chairperson at the initial meeting. Members can only be removed for serious reasons, open to public scrutiny, and with full rights for federal court review. Vacancies must be filled by this same process within 30 days.

Forty-five days after they first meet, the Board will appoint an executive director, "a private citizen of integrity and impartiality who is a distinguished professional," and who meets all the qualifications of the ACRB members, including security clearance. The director will serve as "liaison" with the federal agencies, but will have "no authority to decide or determine whether any record should be disclosed or postponed."

The ACRB can also hire staff to assist their work, and the director's. They are even exempted from civil service laws on competitive hiring, but required to find employees who are not currently with the government, who were never part of any official investigation, and who can pass security clearance.

Powers of the ACRB

Once formed, the ACRB will have extensive powers to decide what qualifies as an "assassination record," and whether it qualifies for disclosure or postponement. They can "direct" federal agencies to organize their records and create identification aids, and to transmit those records. In the case of contested documents, the Board has four options: force public re-

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What's in the Files?

by John Judge

We know that certain key documents and information are buried in the various investigative files of the Warren Commission, the HSCA, and other government agencies. It is also the case, however, that much of the record has already been released under the Freedom of Information Act.

For instance, nearly 50,000 pages of documents from the FBI investigation into the case have been made public, and are available both at their reading room, and at the Assassination Archive and Research Committee (AARC) in Washington, where they have been indexed by name.

COA recently obtained, through a Freedom of Information Act (FOIA) request, a complete listing of all CIA documents that have been released to other FOIA searchers. The titles on Oswald and the JFK assassination alone take close to 200 pages, and include "Oswald" items on Lee and Marina Oswald, Ferrie, Garrison's investigation, Sturgis, Dan Rather, Clay Shaw, Jack Martin, Kerry Thornley, Bringuier, Dean Andrews, Ruby, Sergio Smith, the DeMohrenschildts, Mrs. Paine, Sauvage and Lane, HTLINGUAL files, anti-Castro Cubans, Mexico City, and CIA documents sent to Blakey and the HSCA, among many other items. The JFK portion of the file contains an even larger listing of documents on characters familiar to the research community. We can obtain up to 100 pages without cost, but would like to have 25 other researchers assist us in liberating the whole file, through individual requests. We can then make indexes, and copies available for low cost.

The extensive police records on the investigation into the murder of Robert F. Kennedy, released to the public, are available at the AARC as well, and have been indexed by name. Other federal agencies, such as the Justice Department, have reading rooms with hundreds of cubic feet of documents on the case, as does the National Archive already. In fact, some researchers fear we may be compromised by an outpouring of voluminous but irrelevant documents, or even forged documents. Without handy indexing, few will have the time and patience to plow through all of this. Only knowledgeable research-

ers will understand the import of each document, or recognize a fake.

All documents previously made public will remain unclassified, and will be transferred to the National Archives new Assassination Collection if the new law comes into effect. This will help to centralize the search, but only if we get military and other agencies to comply as well. All but 40 boxes of the Warren Commission files have been released, but Ruby and Oswald's tax records, documents on the Mexico City trip, Ruth and Michael Paine and the DeMohrenschildts, files on some of the early critics, a Bundesnachrichtendienst file from German intelligence, documents on Oswald's relationship with the U2 spy plane, Albin Michel's *Fascists and Nazis Today*, and even documents "seized at the end of World War II re Joachim Joesten" still remain sealed. So do the minutes of the meeting where the lawyers for the Commission, like David Belin and Arlen Specter, were chosen.

An exhaustive study of documents mentioned or listed in the reports of the House Select Committee on Assassinations by Ray Ritchie has produced a four page list of still classified items. Most important of these is the staff study by Dan Hardway and COA board member Edward Lopez, "Lee Harvey Oswald, the CIA and Mexico City" that was so closely guarded by Chief Counsel Blakey. Testimony of CIA officials, and many unnamed agents are listed, as well as interviews with cover-up artist Priscilla Johnson McMillan, FBI agent Gordon Shanklin, and CIA director Richard Helms, one of the few people who can't recall where he was November 22nd. Information on Oswald's "201" personnel file at CIA, his "impostors," and his friends the DeMohrenschildts is persistently hidden away. Recall also that sensitive files and autopsy photographs were rifled during the HSCA investigation by a CIA employee, Regis T. Blahut, who was then fired. The CIA should return those items as well for release, and information on any internal investigation into the incident.

In addition, valuable files on Kennedy's executive decision-making, international relations and Vietnam war plans should also be released. The military units involved in security, or the lack of it, at Dealey should release their files. Cabinet-level meetings about Vietnam, held in the

Phillipines, could reveal much. White House transition papers at the beginning of the Johnson era, Secret Service records on planning and execution of security that day, as well as files on key characters might be important. Hoover's personal files on the Kennedy brothers, and Division Five activities in relation to them and to Martin Luther King could be revealing. Obscure agencies like Tennessee Valley Authority, Defense Industrial Security Command, International Trade Mart, Permindex, American Council of Christian Churches, Anti-Communist League of the Caribbean, Information Council of the Americas, American Friends of the Anti-Bolshevik Nations, Solidarists, and the Military District of Washington need to be pressed for records, or government agencies must release files about these groups, among others.

The fight must continue, from Common Concern and elsewhere, to free the hard evidence in the case, despite the wishes of the Kennedy family for continued secrecy, and what is left of the autopsy and ballistic evidence needs to be retested for accuracy. If the family can be part of a re-interment of JFK's, there is nothing so sensitive in the release of X-rays and pictures, bullets and fragments, clothes or other evidence in the case.

There is so much hidden away, that we will never see all of it. It will take hard work and all our imagination to guess at what we want to see. We will err in favor of getting too much information, rather than too little. Anyone troubled by any aspect of the case that an internal record might shed light on, or aware of records that exist but are hidden, is encouraged to get in touch with the Committee for an Open Archives. We will continue to keep you informed of what we know is in the files, and what may be there. All of it is worth releasing.

We will press on for files on Martin Luther King, Malcolm X, Robert F. Kennedy, and hundreds of other patterns of assassination and cover-up. Reports persist that tapes indicating conspiracy in the Robert Kennedy case are missing, as well as hard evidence that has been destroyed. No file we seek is likely to be complete or untampered. If we don't look, we'll fulfill Allen Dulles' prophecy about the Warren Commission files, "Nobody will read it anyway."

Free the Files (Continued)

lease, disclose "segregable portions" of the record, or create "summaries" or "substitutions" of each record. According to the bill, these options insure "public disclosure to the fullest extent." To do its job, the ACRB can "investigate facts", seek "additional information," and even subpoena relevant documents or compel testimony from individuals. The ACRB can also require agencies to account in writing for the destruction of any records.

The law notes that the ACRB can "receive information from the public regarding the identification and public disclosure of assassination records." Researchers should join us now in identifying the various federal agencies and specific records that we know will shed light on these matters, and publicly challenge the ACRB to force their release. Records of the Office of Naval Intelligence, the Joint Chiefs of Staff, the decisions concerning the Vietnam war, the Military District of Washington, the National Security Agency, and the Defense Industry Security Command, the Secret Service would be a start. We should not expect the ACRB to have the imagination or the perception to request the most significant records.

The Board is empowered to "create advisory committees" to assist their work, and this may be another important lever for public pressure and guidance over the process. We must demand at least one advisory committee made up of those who know the case.

The ACRB will also have the power to hold hearings, administer oaths, call witnesses, and even grant witness immunity. This opens the door for unearthing the second conspiracy, the cover-up that followed the killing. Their subpoenas will be enforceable by any federal court. They can also issue "interpretive regulations" to guide their work, or instruct the agencies involved.

The ACRB can request that the Attorney General petition "any court in the United States or abroad" to release information "held under seal or court...[or] injunction of secrecy of a federal grand jury." The Attorney General is expected to "assist in good faith" such requests. This should extend back to the Garrison trial, as well as to more current cases, such as Charles Harrelson's conviction. Additionally, the

Secretary of State is instructed "cooperate in full" to "contact the Government of the Republic of Russia for disclosure of all records of the...KGB and...GRU relevant to the assassination," and to contact "any other foreign government that may hold relevant information." Canada, Switzerland and Italy come to mind in relation to Permindex, and Mexico, of course, in relation to Bowen, the gunmen and "Oswald".

Sense of Congress

The "sense of Congress" is that this law takes "precedence over any other law, judicial decision or common law doctrine," or any "rule of Congress" in requiring transmission and disclosure, "with the exception" of "deeds governing access to...gifts and donations or records to the U.S. Government," (i.e. the Kennedy family's donated autopsy records), and "section 6103 of the Internal Revenue Code." (Oswald's tax records again?)

Nothing in the law is meant to interfere with even more "expeditious disclosure" than the ACRB can possibly effect, especially under Freedom of Information Act, prohibit judicial review, or "existing authority of the President, executive agencies, the Senate or House" to disclose records now.

Significantly, the bill is "adopted as an exercise of the rule-making power of the Senate and House, "supersedes other rules" if inconsistent with them, and is done in "full recognition of the Constitutional right of either House to change the rules...at anytime, in the same manner...as in the case of any other rule of that House." This bill does not, then, prevent the Congress from amending House Rule #36, which would release even more records concerning the murders of Robert F. Kennedy and Martin Luther King.

The Senate and House committees that oversee government activity will also keep track of the progress of this Board, and will be in charge of the eventual disclosure of all records, even after the ACRB is terminated. These Committees have access to "any records held or created by the Review Board as well." The ACRB is instructed to cooperate with this oversight.

The ACRB will terminate within two years of enactment, unless a majority votes to extend the process for a third year. Annual reports on their progress will be sent to Congress; the President and the

Archivist, including information on all decisions to postpone release. They must give notice of termination 90 days in advance, and turn their own records over to the collection when they close, and the law notes that no record can be destroyed.

Process

Once the Board is in place, the long process of review and release begins. Federal offices will retain contested records, "unless" the Board requires transfer for review or hearings. Once appointed, the ACRB must print a schedule agency review in the Federal Register in 90 days, begin the review by 90 days later, and require the agencies to have all records prepared 300 days after the process begins.

The ACRB will "direct" full disclosure unless there is "clear and convincing evidence" that a record qualifies for postponement. The ACRB can also "consult with the originating" agency to release of "segregable parts, substitutes, or summaries." At least the act requires that such altered documents be reported to the Archivist, with a "justification of action to postpone," the "grounds" for such a decision, and a recommendation for "a specific time or specified occurrence following which material may be appropriately disclosed to the public." These will be dates for our calendars, and may require a long memory.

The President and Congress must be informed of determinations by the Board concerning any executive or judiciary branch record, with a "written unclassified justification for disclosure or postponement," including an "explanation of the application of any standards" used.

Presidential Control

Finally, the President has the "sole and nondelegable" authority to require disclosure or postponement of records "after" the ACRB determination is made, using the same standards, and must make an unclassified certification to the ACRB within 30 days after their decision, stating "grounds for postponement" with an "identification aid" describing each record. Presidential postponements will be "subject to periodic review, downgrading and declassification...and public disclosure," and all will be published in the Federal Register, including unclassified written

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"The Man Who Knew Too Much." By Dick Russell. (Carroll & Graf, New York, 1992)
By Bill Kelly

Former CIA director Allen Dulles once noted that the biographical approach is a rewarding way to learn about any subject. In that vein, Dick Russell's "The Man Who Knew Too Much" tells us more about the assassination of President Kennedy than we learned from all of the official reports.

"The man who knew too much" - Richard Case Nagell, was one of a number of persons who had foreknowledge of the assassination before it occurred, expressed this knowledge to others, and tried to do something about it.

Nagell's biographer, Dick Russell is an integral part of this story. He is a well respected journalist (Time, T.V. Guide, Village Voice) who spent nearly 20 years tracking down Nagell's background, and it appears he left no stone unturned.

This book is not for those who are new to JFK assassination literature. It is detailed to the extreme. Russell is of the school of thought that as much, if not all of the necessary information should be presented, leaving the reader with the task of sifting through it and leaves us with trails still worth pursuing.

For Russell, it is an unsolved homicide, that can only be understood with a knowledge of the background of the participants, who happen to be military intelligence officers, mafia goons and hot headed Cubans.

Using Nagell as a featured character who walks through the labyrinth of intrigue, Russell entwines Nagell's peculiar story with others who also had foreknowledge of the crime and circulated in the same circle of spys. Russell does not tell us exactly who was responsible for the murder. He does give us another piece of the puzzle, a clue that he ran down as far as he could go without total access to the secret government files. Since they are scheduled to be released to the public sometime this year, this story is not yet over.

Richard Case Nagell was a mid-level military intelligence officer, Korean war hero and undercover investigator and operative for a secret intelligence network, the exact affiliation of which he was not even sure.

A few things are for certain however. One is that some of the covert operations that Nagell participated in also involved Lee Harvey Oswald, the accused alleged assassin, who was also somehow affiliated with this same intelligence network. Another certainty is that even if the assassination was carried out by Oswald alone, he was not a lone, deranged nut. Rather, as Russell conclusively demonstrates, the assassination was a well conceived and carried out covert intelligence operation.

Nagell first came into contact with Lee Harvey Oswald in Japan, where they were both stationed, Oswald as a Marine grunt, on some kind of special counter-intelligence assignment, and Nagell as a Army counter-intelligence officer.

After Oswald defected to and returned from Russia, Nagell again met up with Oswald in New Orleans and Mexico City while he was engaged in Fair Play for Cuba Committee activities.

In September 1963, when Nagell lost contact with his case officer, he feared that his knowledge of the plot to kill Kennedy was a threat to his own life. So, he mailed Oswald \$500, sent off a letter to J.E. Hoover, and walked into an El Paso, Texas bank. He then shot two bullets into the wall, and waited around to be arrested. Booked, tried and convicted for bank robbery, he would maintain that his intention was not to rob the bank, but to be in federal protective custody when the assassination occurred.

In sporadic conversations with Nagell over the years, and through an exhaustive review of the published records and interviews with those involved in the case, Russell pieces the story together. It is does not read like a suspense novel, but rather like a lawyer's brief. While Russell doesn't come out and accuse anyone of conspiracy to kill the president, those who are caught up in the network, Generals Walker and Willoughby (aka), D.A. Phillips and others, it appears they committed treason for patriotic reasons. It's a bizarre, convoluted story, but one that Russell has meticulously documented and confirmed from numerous sources.

After reading Russell's book, those who still maintain that President Kennedy was killed by a chance encounter with a lone nut are only deluding themselves.

Committee for an Open Archives

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State of the JFK Files.
By Bill Kelly

Last year Congress passed and President George Bush somewhat reluctantly signed the Assassinations Material Collections Act of 1992, which will eventually release most of the files related to the assassination of President Kennedy.

When the president signed the bill he set certain actions and events into motion that will eventually result in the release of all the JFK assassination documents.

In early December, the National Archives published a standardized form to help agencies identify material that come under the law. They also established the "JFK Assassination Material Collection" at the Archives, where it will be assembled and kept.

On Monday, January 18th, the Committee for an Open Archives held a meeting in Washington to plan a strategy for distributing the material to independent researchers and the public as soon as they become available.

President Clinton has already received a list of 16 individuals who have been recommended to serve on the Assassination Material Review Board (AMRB), but he is not limited to select from those suggested. Clinton will nominate five persons to serve on the board, one of whom must be a lawyer and another an archivist. The board members can not have any affiliation with any previous investigation, or be a federal government employee.

In March, a Senate subcommittee (of either Government Operations or Affairs) will review and confirm Clinton's nominations to the AMRB. Hearings will be held, but his nominations are expected to be approved.

At their first meeting, probably sometime in April, the five member AMRB will select a chairperson from among themselves and appoint an Executive Director within 45 days.

In the meantime, all agencies of the government will be reviewing their files for "JFK assassination material." Unless an agency requests that the disclosure of specific material be delayed, it will be released to the public within 30 days after it is included in the JFK Assassination Material Collection at the Archives.

The AMRB will only review material that other agencies request be withheld from the public for privacy or national security reasons. Within 90 days after it is established the AMRB will publish a schedule of review of records in the the Federal Register. Within 2 weeks of the board's determination of whether material should be released or withheld, a notice of the decision will appear in the Federal Register. After a determination is made by the board, it can be reversed by the President, with an updated notice appearing in the Federal Register ever 30 days.

The AMRB will have subpoena power, can compel the testimony of those who have destroyed documents, and hold them accountable for their actions. This board will have two years to complete its work, with an option for one additional year.

Now is the time to act. A list of specific documents we want must be compiled to ensure they are considered under the act, and a citizen watchdog committee is being established to keep an eye on the review board activities. The documents, as soon as they are released, must be disseminated as widely as possible, indexed, analyzed and computerized.

Although the release of the long sought JFK assassination files is at hand, the opening of the secret files cannot be limited to just the JFK material. The Martin Luther King assassination files as well as all other Congressional documents are still locked away, and there is no active effort to spring them. Nor are these documents subject to Freedom of Information Act (FOIA) requests because Congress exempted itself from compliance. So our lobby effort is not over.

We must now convince the new and relatively young 103rd Congress that the tide of reform that swept them into power requires them to continue the movement towards an open society.

Committee for an Open Archives

Ending Twenty - Nine Years of Cover-Up - November 22, 1992

Dear friend,

We are at a critical juncture in the long history of investigating the assassination of John F. Kennedy. On October 27, 1992 President Bush signed into law the JFK Assassinations Collection Act of 1992. While there are many things wrong with this bill, we must now join in an effort to make it work in our favor.

The Committee for an Open Archives is in a unique position to assist the public and the broad community of independent researchers in monitoring the release and distribution of the files. First, we are working to influence the formation of the Review Board and its staff. These next few months are crucial. If you are in contact with the various professional organizations that can nominate members, please contact us in that regard. Once the nominations are in we will oversee the confirmation hearings and track the progress of the creation of the JFK Assassinations Material Collection at the National Archives. We intend to diligently monitor the activities of the Review Board, once it is established.

Most importantly, we want to define exactly what documents and records that we want first, and ensure that they are given a priority. We are compiling a booklet of specific agency source material that we want released first and will use this booklet to press Congress and the Review Board for full and complete disclosure.

To ensure the Review Board does its job, and to focus public pressure on the situation, a Citizen's Oversight Board will be established as an independent but official advisory panel to the review Board.

As the files are released we will index them by name and topic, and make them inexpensively available to interested researchers. After obtaining a hard copies of documents we hope to make them available to researchers over a computer modem and eventually make them all available, as indexed, on CD-ROM.

Those researchers with a special expertise or interest will be asked to help analyze the significance of various documents and report on them in our newsletter, Prologue. We will also try to ensure the accuracy of national mainstream press reports on the release of files.

We are excited about helping to uncover "the crime of the century," and exposing the cover-up that followed, but we can't do this work without your help. The form on the back of this sheet is designed to get your input. We also need your help in distributing our petition to amend House Rule #36, release the MLK assassination files and prevent any Congressional material from being locked away from public scrutiny.

We are proud that the new law was passed less than a year after we formed the Committee for an Open Archives last November, but we currently lack the funds to rent office space, purchase copy and computer equipment and to print and mail our newsletter. If you have not already subscribed to Prologue, please do so now. Your \$25 dollars will make it possible for us to keep thousands informed about the new developments. Early money, they say, is like yeast, and can only help us grow. All donations are tax-deductible, and larger donations now will make our future work possible.

Thanks for your support! - *John Judge and Bill Kelly*

Enclosed is my donation of _____ \$25 _____ \$50 _____ \$100 _____ \$500

Name _____

Address _____ City _____ State _____ Zip _____

- Donations of \$100 or more get free copy of the pre-assassination CIA file on Lee H.Oswald.

Free the Files (Continued)

materials. The Federal Register will also publish "notice summarizing all postponements of disclosure" by the ACRB, the President or the Congress, including description of the record, the originating body, and "the grounds for withholding the record." Our Committee already anticipates daily search and reproduction of that record for the research community, and the public.

The Work Ahead

The stated goal of this legislation is "to ensure that the public will be enabled to make its own observations, judgement and determinations with regard to the history of the assassination and related matters." They speak, as do we, of "underlying principles" of "independence, public confidence, ... speed of records disclosure, and enforceability" which "creates a presumption of disclosure upon the government." But we know that without years of hard research, and the wave of public opinion once that information was translated into a visible and popular movie medium, we would have no bill. Many have recently found or renewed their interest in the case. That is evident from the volume of our mail and petition signatures. But others have heard that a bill to free the files has passed, and having no intention to read them anyway, they have gone on with other business.

The House Committee on Government Operations, and the Senate Committee on Governmental Affairs will have "continuing oversight jurisdiction" over the collection. Future battles will be waged over nominees and appointments for the ACRB and its staff, postponed documents, and operations of what this law envisions as an "enforceable, independent and accountable process." It will be up to the "public" mentioned above to see that it is.

The Committee for an Open Archives will help to coordinate that effort, and be vigilant over the coming years so that all records will be identified and released. As they are released, we will assist the research community to make the most of them, and publicize all that they can tell us about the real killers of John F. Kennedy. We will continue with our national petition drive as well, demanding a change in House Rule #36, so that Martin Luther King and Robert Kennedy assassination

records will someday be released as well, and to prevent Congressional abuse of future records that belong to all of us.

Unless we keep up constant public scrutiny, challenge and pressure, this bill will remain what it is now, words on paper. The "presumption" has been, and remains, for secrecy in the National Security state we live under. Nothing will be conceded so easily. The authors of this bill may not survive the electoral processes long enough to see it enforced. The ACRB will follow the same tortured path as the HSCA, and other ill-conceived attempts to have this government solve the case. It is evident to us that the only ones left who care enough, or are honest enough to solve it now do not work for the U.S. government, or their "controlled corporations" mentioned in this bill. If the people don't come forward to find the killers of John F. Kennedy, the media and the government will laugh in our face as they bury him once again. We have a flawed bill, with a few interesting provisions. Let's make it work.

Extra Bullets

**JFK Researcher Accidentally Shot
Man is wounded by detective
who was handcuffed to Oswald**
By Sylvia Martinez
Dallas Morning News
Saturday, December 5, 1992

Here's another weird one for Kennedy assassination buffs:

A photographer documenting how a Dallas police officer tried to keep Jack Ruby from shooting Lee Harvey Oswald was accidentally shot himself Thursday.

The bullet was fired from a replica of the gun that killed Oswald.

And the man holding the .38 -caliber Cobra was the same detective who was handcuffed to Oswald when the assassin was slain in the basement of Dallas police headquarters 29 years ago.

The photographer, Bob Porter, and former Dallas mayor Wes Wise were at the Garland home of former detective James Leavelle, interviewing him for an oral history project on the Kennedy assassination.

As Mr. Leavelle was demonstrating how to grip the revolver's cylinder to keep it from firing, the gun went off, tearing into Mr. Porter's upper right arm.

"It was strictly an accident," Mr. Leavelle said. "It was a very unfortunate thing. I should have known better."

Mr. Porter, who is director of public programming for the Sixth Floor, the West End exhibit on President Kennedy's assassination, was in fair condition Friday at Parkland Memorial Hospital after reconstructive surgery on his arm. He is expected to regain about 85 percent of the use of the limb, said his niece, Shelly Porter.

The Christic Institute, which had investigated a Secret Team whose covert operations dated back to WWI, and involved key figures in the JFK assassination has been shut down by government pressure. Federal courts levied outrageous fines, claiming that their civil suit against the conspirators was frivolous, and fined them again for a frivolous appeal. Then the IRS moved in to cancel their tax exempt status because they had been critical of George Bush!

The American Bar Association held a mock trial of Lee Harvey Oswald at their annual meeting in San Francisco, and following a "mistrial", the lawyers found him not guilty, *San Francisco Chronicle*.

"[W]e need more new ideas for more wise men reading good books in more public libraries. These libraries should be open to all — except the censor. We must know all the facts and hear all the alternatives and listen to all the criticisms. Let us welcome controversial books and controversial authors. For the Bill of Rights is the guardian of our security, as well as our liberty."

John F. Kennedy, 1960, quoted in JFK by Fletcher Prouty.

Thanks for continuing to send in our national petition to amend House Rule #36. It is still current, and will help us to free the Martin Luther King files.

Ford Library (Continued)

Ford Library still has assassination materials that are available to the public, and as much as 50% of available materials have been indexed by subject and name, accessible through an in-house computer search database, called PRESNET.

There are 17 cubic feet of Warren Commission Files (1963-76) among Ford's Congressional papers, with a name index to the testimony and depositions. This includes a description of series of papers concerning his work on the Warren Commission, and in which containers they are stored. The nearby Bentley Library also has materials used by Mr. Stiles to draft the book, "Portrait of the Assassin," which he co-authored for Ford.

There are 41 cubic feet (82,000) pages of documents in the file on the Rockefeller Commission. These files contain JFK assassination materials, most of which relate to allegations that E. Howard Hunt and Frank Sturgis were at Dealey Plaza on November 22, 1963, and anti-Castro Cuban materials, including the Operation MONGOOSE papers.

Horrocks notes that, "Included are minutes of meetings of the various special groups assigned to planning anti-Castro operations, reports on the operations, and memoranda between the individuals involved. Also included are (sic) sworn testimony from government officials regarding what they knew of plans to assassinate foreign leaders, and about the connection between the Cuban operations and organized crime."

One PRESNET item of interest, for instance, is listed as "HIT-88-89-Box-5-Assassination — Materials, Deposition of Edward G. Lansdale, of 28 and 24 pages." Researchers at

the Ford archives will assist you on inquiries made by mail, but you should keep the focus of your requests narrow, to avoid having to pay for unnecessary material. They will not sort through a file to determine which, if any, pages are more worthwhile than others. You can visit there however, and do the research yourself.

Photocopies ordered by mail from the Ford Library are standard National Archives fare, at .25 per page, with a minimum of \$6.00 charge for all mail orders, but on site self-service photocopies are only .10.

COA has already applied for a grant to survey the JFK assassination materials, and we will share our findings in future issues. Those willing to assist in perusing the Ford or Bentley Libraries, with access to computer modem, are encouraged to help us work with other researchers, to avoid duplication of effort. A survey and indexing of the material already available, along with the identification of what material is still classified, would be our first order of business.

MORE INFORMATION

The Third Decade, Prof. Jerry Rose, SUNY, Freedomia, NY 14063
Steamshovel Press, 5927 Kingsbury, St. Louis, MO 63112
Dateline Dallas, JFK Assassination Information Center, 603 Munger, Box 40, Dallas, TX 75202
Back Channels, P.O. Box 9, Franklin Park, NJ 08823
Grassy Knoll Gazette, P.O. Box 1465, Manchester, MA 01544
JFK Honor Guard, Deanie Richards, PO Box 3724, Akron, OH 44314
Propaganda Review, Media Alliance, Bldg. D, Ft. Mason Center, San Francisco, CA 94123
Covert Action Info Bulletin, 1500 Mass. Ave. NW #732, Washington, DC 20005
Lies of Our Times, 145 West 4th St., New York, NY 10012

OPEN AND SHUT: BOOK REVIEWS

Destiny Betrayed: JFK, Cuba and the Garrison Case, by James DiEugenio (Sheridan Square Press, New York, 92, \$20), by Bill Kelly

Destiny Betrayed should actually be called *Justice Betrayed*. In essence, James DiEugenio documents what occurred when New Orleans D.A., Jim Garrison tried to apply the routine investigative techniques of a local prosecutor to the crime of the century. Using information that has come to light since that time, DiEugenio does a service to the research community and to history by confirming that Garrison was on the right track in his accusations against the Military Industrial Complex, the Nazis, and the U.S. intelligence community.

Even Shaw's acquittal, used to slam Garrison and the conspiracy thesis by his critics, rings hollow under closer scrutiny. DiEugenio points out that Garrison's failure to convict Clay Shaw as a conspirator in the assassination of President Kennedy should not contradict Shaw's guilt by association, involvement and complicity with the domestic, anti-communist intelligence network that killed JFK.

For seasoned researchers, there's not much new here. But DiEugenio does marshal all of the relevant facts necessary to convince any relatively objective person. His footnotes are exhaustive. As Garrison suspected, what happened in New Orleans, in the summer of 1963, may have had as much to do with the assassination of John F. Kennedy as what happened in Dealey Plaza, at the time of his death.

DiEugenio takes us beyond Dealey Plaza, and doesn't even bother repeating the mundane

ballistics, acoustics, medical and autopsy evidence that others collect, and argue over. He dismisses the single-bullet theory with a wave of his pen. The "Mafia did it" scenario is contradicted in one potent sentence. DiEugenio calls the assassination what it was — a covert operation, a coup d'état.

Beginning with the historical development of cold war covert activism in the late 40s and 50s, DiEugenio places the murder of Kennedy in its proper context — along with other covert ops in Germany, Guatemala, Vietnam and Cuba. Kennedy was a victim of the Cold War, not of a lone nut.

DiEugenio has compiled many interesting photographic profiles, including the youthful Oswald, Nazi spymaster Gen. Reinhard Gehlen, mob courier Jim Braden, Warren Commissioners John J. McCloy and Allen Dulles, and victim Rose Cheramie. He puts faces to the names we've been reading about.

Updating Garrison's leads, he acknowledges the work of Mae Brussell, Mark Levy and John Judge, who he calls the "unsung heroes" of the investigation. He reminds us that C.I.A. agent Richard Snyder, who met with Oswald at the U.S. Embassy in Moscow, had worked for John J. McCloy after World War II, when McCloy pardoned key Nazi criminals. He also gives due mention to Otto Winnaker, the German refuge and U.S. Army historian who actually wrote the Warren Report.

This book goes beyond Garrison's story, and objectively reveals the atrocious attacks on Garrison. DiEugenio shows how the New Orleans investigation was compromised and overwhelmed by

see page 13

Fourth Reich (Continued)

F. Kennedy" parking garage.

So, if I had not had a single thought about the sewer system being used before, this would have aroused my curiosity, because this is just about the last bit of the physical evidence that remains at the scene. There's been a pattern of destroying, removing and shifting everything, and I wouldn't be surprised that this was related to it. On the other hand, it might be entirely coincidence.

Anyway, the closeness of these sewers to a man riding in a convertible becomes very significant when you consider that there was a bullet found on the south side of Elm street, in a neutral ground. It landed on its base, among pieces of the President's head. We have photos of the bullet. And in the photos, you see Deputy Sheriff Buddy Walthers of Dallas, smoking a cigarette, looking down at the bullet, and a Dallas policeman apparently standing on top of a manhole cover, which leads down into the sewer system, I don't know why he is standing there at this time; and the clock over their shoulder says it is 12:40, ten minutes after the President [was] shot, and his heart [was] still beating. The third man in the picture, who appears to be a federal agent — and we haven't been able to identify him, because there is no way to get any cooperation from the federal government — he is picking up a .45-caliber bullet.

The size of the bullet has been identified by comparing it with [other] real bullets, and there is no question about the fact that it is a .45 caliber bullet, which landed on its base, among pieces of the President's head. Now this was never admitted into evidence among the Warren Commission, nor was it ever mentioned by the Warren Commission in any way.

In fact, they pretended that it was a great mystery. No bullets were ever found except #399 — which was found at the hospital — to which they consigned the seven different wounds. Now the .45 caliber, although it was in the picture, and is being picked up and looked at by Sheriff Buddy Walthers, has now ceased to exist officially, because it presents a problem to the federal government. It's not possible to shoot a .45 caliber bullet from a 6.5 Mannlicher-Carcano. The official fairy tale says that Oswald was the lone assassin, therefore it

was necessary for this bullet to become a non-bullet.

And already, Sheriff Buddy Walthers replied, when we made the photo available, that he doesn't think he found a bullet. Now it's kind of hard to remember, a lot of things happened that day, and you can't remember whether you found a .45 bullet sitting there or not. He doesn't think he found a bullet. But today we released — and I hope it makes the news services here — we released the correspondence between two attorneys of the Warren Commission, and they refer to the fact that Sheriff Buddy Walthers originally had said that he found a bullet. But now, he backs off from it.

Now, this is one situation in which, finally, the federal government has been caught. They have told so many lies, one lie after the other, new lies to keep the old lies alive. This is one time when we have finally caught them. It's one thing to know that they have lied. Anyone who has read the Warren Report, or Mark Lane's work or Harold Weisberg, or have looked into it, must know that the government is lying rather systematically, at least in this area — and God knows how many other areas. But we finally have them caught. The bullet is so clear, but we knew they would say that bullet was not a bullet. So, we held off with the letter describing the deputy sheriff's statement, and now we have the Warren Commission records, and a photograph that shows the federal government did find and conceal a .45 caliber bullet, which was certainly involved in the assassination.

This is very significant, because it means the overwhelming probability [is] that not just the command of the FBI, but that Lyndon Johnson himself, had to know, before the sun set that evening, that among the bullets that killed John Kennedy, there was a .45 caliber bullet. It means that Lyndon Johnson had to know, when Oswald was arrested for, among other things, being the assassin of the President, that he could not have fired a .45 caliber bullet.

And it means that Lyndon Johnson had to know that when Lee Harvey Oswald was executed by Jack Ruby, that the assassins were simply getting rid of a patsy, a man who might tell of what really happened. But I haven't heard a word from Lyndon

Johnson about a .45 caliber bullet, which his employee had found at 12:40. It means, furthermore, that before the Warren Commission was appointed, that the command of the FBI and the President of the United States, had to know that there were a number of people shooting at John Kennedy, and the Dallas police scenario was completely false.

And in the final analysis, it means that every one of these honorable men, without any exception, prostituted himself, let his country down, let you down by participating in an absolute fraud, knowing that it was a complete lie.

Open and Shut (Continued)

federal government interference.

DiEugenio does not ignore how the conspiracy centered around Oswald — the patsy — in New Orleans, in the summer of 63'. He shows that other incidents, like the shooting of General Walker, and Oswald's "visits" to Clinton and Mexico City, are subtle keys to understanding the assassination.

Significantly, DiEugenio digs up a link to Corlis Lamont. In August, 1963 Oswald passed out leaflets, written by Lamont, on the streets of New Orleans. Copies of these leaflets were shown to Lamont, who checked his records. They show that these particular, first-edition leaflets were among a batch ordered by, and mailed to the Central Intelligence Agency.

DiEugenio confirms that Garrison's case was victimized by C.I.A. media assets, such as Walter Sheridan, a former ONI-NSA-FBI man and aide to Robert Kennedy. Sheridan hooked up with NBC to intimidate Garrison's witnesses, and should have been indicted for obstruction of justice. There's also Hugh Aynesworth, the street-beat reporter who caught rides with Dallas cops to Dealey Plaza, and to the scene of the Tippit shooting. Aynesworth ripped Garrison in Phil Graham's *Newsweek* magazine, and sold the press Oswald's alleged "diary".

Because of this book, Garrison will be viewed as a more honorable character by students of history than in his own time. It is justice that has been betrayed, and it is justice that will eventually take revenge against those who killed Kennedy and obstructed the truth. We hope to see more from this author in the future. *see page 14*

LITERATURE AVAILABLE FROM COA

CIA Pre-Assassination File on Lee Harvey Oswald.

128 pages (All orders postpaid) \$15
Congressional Statements and Testimony Concerning Release of JFK Assassination Materials

House Government Operations, 4/28

Chairman John Conyers, 5pp, .75
 Leslie Harris, ACLU 10pp, \$1.25
 James H. Johnson, 12pp, \$1.50
 Howard P. Willens, 28pp, \$3.50
 Rep. Louis Stokes, HSCA 14pp, \$2.00
 Oliver Stone, 4pp, .50
 Rep. Lee H. Hamilton, 4pp, .50
 Dr. Harold Relyea, CRS 12pp, \$1.50
 Herbert S. Parmet, 6pp, .75
 News Release, 1pp, .25

Senate Governmental Affairs, 5/12

Sen. David Boren, 17pp, \$2.25
 Robert M. Gates, 11pp, \$1.50
 James H. Lesar, 21pp, \$2.75
 Ernest R. May, 10pp, \$1.25
 Athan G. Theoharis, 25pp, \$3.25
 William S. Sessions, FBI 14pp, \$1.75
 Sen. Carl Levin, 2pp, .50
 Rep. Louis Stokes, HSCA 4pp, .50
 Background Material, 13pp, \$1.75
 News Release, 4pp, .50
 Record Release Flow Chart, 1pp, .25
 FBI Released Files Chart, 2pp, .25

House Government Operations, 5/15

Chairman John Conyers, 4pp, .50
 Robert M. Gates, CIA 12pp, \$1.50
 Floyd L. Clarke, FBI 10pp, \$1.25
 Don W. Wilson, Archivist 8pp, \$1.00
 David G. Leitch, Justice 8pp, \$1.00
 News Release, 2pp, .25

Sen. Economic & Commercial Law, 5/20

Sen. Hamilton Fish, 2pp, .50
 Jack Valenti, 6pp, .75
 William O. Studeman, CIA 11pp, \$1.50
 Jane E. Kirtley, 7pp, \$1.00
 Louis M. Seidman 11pp, \$1.50

House Government Operations, 7/22

Chairman John Conyers, 4pp, .50
 James H. Lesar, 8pp, \$1.00
 John Newman, 4pp, .50
 G. Robert Blakey, 15pp, \$2.00
 David W. Bellin, 4pp, .50

NameBase, Public Information Research, P.O. Box 5199, Arlington, VA 22205 (Computer name index, a who's whoof whodunit.)

Open and Shut (Continued) by John Judge

Coup D'État in America: the CIA and the Assassination of John F. Kennedy, Alan J. Webberman and Michael Canfield (*Quick American Archives Press*, San Francisco, 1992, \$13).

This re-issuance of the classic work that first outlined Oswald's extensive intelligence connections, and caused a furor in official hearings concerning the real identity of the Dealey Plaza tramps by naming them as Frank Sturgis and E. Howard Hunt. Webberman has added introductory material by Rep. Henry Gonzales, 50 pages of new research, and additional photographic evidence that the Watergate figures were at Dealey Plaza. We know from other recent works that Hunt has changed his story several times on where he was that fateful day. The authors have also identified the lead "tramp", known as "Frenchy," as Daniel L. Carswell, another CIA asset. Whether you agree or not, this book is a must read. If only we had a Kirilian photograph of Dealey, showing the auras, it would be more useful. Even if Hunt and Sturgis were not arrested at the Plaza, they were there in spirit.

The President Has Been Shot: Confusion, Disability and the 25th Amendment in the Aftermath of the Attempted Assassination of Ronald Reagan, Herbert L. Abrams (*W.W. Norton*, New York, 1992, \$23).

Although the author shows little imagination in compiling the facts on the "lone nut" Hinckley, and repeats dis-information, this book is one of the few detailed accounts of the shooting of Reagan and its aftermath. Most significant is the story of the nuclear command issue, and the transfer of Presidential power in a crisis. As in the Kennedy coup, the nuclear "black box" or "football", which travels with the President at all times for immediate nuclear and crisis communications, disappeared from Presidential control for many hours. In both cases, representatives of the U.S. military were in charge, in collusion with the Secret Service. Hinckley, like Oswald, was a planted patsy, this time an armed and dangerous one. But a close study of the ballistics and wounds will show that Hinckley's bullets did not hit Reagan. The press at the time viewed the close social and financial connections of the Hinckley and Bush families as "ironic".

JFK: The CIA, Vietnam and the Plot to Assassinate John F. Kennedy, L. Fletcher Prouty, with an introduction by Oliver Stone (*Birch Lane Press*, New York, 1992, \$22)

At last, another book from Fletcher Prouty, former Chief of Special Operations at the Pentagon. This one completes and expands on his series of articles in Freedom magazine years back. It should have included the evidence and photographs from his "Guns of Dallas" pieces as well, but does not. It does give the entire framework of cold war operations after WWII, the secret history of U.S. involvement in Vietnam, and explores the motives and means in the assassination of JFK. Prouty also delineates the struggle for control of the military and the CIA that made Kennedy such mortal enemies. Portrayed as "Mr. X" in the film JFK, Prouty's essential message of a military coup d'etat is explained in detail here. Prouty goes beyond the documented story of Kennedy's Vietnam policy outlined in John Newman's JFK in Vietnam, having been privy to the elaborate internal planning of numerous covert operations, including the Bay of Pigs, and foreign assassination plots. This book answers the questions Mr. X asks in the film, "Why? Why was Kennedy killed, who benefitted, who has the power to cover it up?"

JFK: Conspiracy of Silence, Charles A. Crenshaw, MD, with Gary Shaw, (*Signet Press, Penguin Books*, New York, 1992, \$5)

An on-the-scene account by one of the Parkland doctors, breaking years of pressure for silence. Crenshaw confirms the early and accurate reports that all Kennedy wounds revealed shots from the front, not the rear. He was also witness to the illegal abduction of Kennedy's body from Texas, where a full inquest still needs to be done, and took a call from the newly sworn-in President Lyndon Johnson, who was desperately seeking a death-bed confession from Oswald. Roundly attacked in the press, and by the Journal of the American Medical Association editor and doctors, Crenshaw and pathologist Dr. Cyril Wecht held press conferences to defend their reputations, and their evidence of a conspiracy. We can only hope his candid example will encourage others.

see next page

Open and Shut (Continued), by John Judge
The Ruby Cover-Up, Seth Kantor (Zebra Books, New York, 1992, \$4)

Another of the recent re-issues of important JFK books, such as Sylvia Meagher's *Accessories After the Fact*, and Lane's *Rush to Judgement*. Kantor, a Dallas newsman who knew Ruby well, and who saw him at Parkland Hospital when Kennedy lay dying (despite Warren Commission denials), has worked to draw a portrait of Ruby's mob and intelligence connections. We are finally disabused of the notion that Ruby and Oswald were strangers, and of Jack's ridiculous "motive" of saving Jackie the agony of a trial. A close-up look at Ruby, from someone who knew the Dallas scene, gives us information about who befriended and defended Ruby, where he came from, and why Oswald had to be silenced.

Unnatural Death: Confessions of a Medical Examiner, Michael M. Baden, MD (Ivy Books, Ballantine, New York, 1990, \$5)

The former Chief Medical Examiner for the City of New York, Baden was one of only five doctors invited to examine the autopsy evidence in the days before key items disappeared. Of course, they all said Oswald did it alone. He was also the coroner in the controversial case of Nelson Rockefeller's death, and cremated the body without family consent, before an autopsy could be performed. He provided additional dis-information to the HSCA investigation of Martin Luther King, but did slip up at one point in revealing the real direction and source of the shot "from below." His words were altered in the official record later. This is Baden's book, but dis-information can be as valuable as information for those able to read between the lines.

The Mafia, CIA & George Bush: The Untold Story of America's Greatest Financial Debauchery, Pete Brewton (SPI Books, Shapolsky, New York, 1992, \$23)

Brewton, a fine investigative reporter at the *Houston Post*, first broke the Mafia/CIA links to the S&L scandal. The idea that a few people may have been controlling the whole scam was documented in *Inside Job* by Pizzo, Fricker and Muolo. Brewton has now identified five major players, most of whom relate directly to George Bush, and his son Neil, once a key player in the

failed Silverado S&L. JFK researchers will not be surprised to see these agencies and individuals caught once again with their hands in the till, but they may find interesting the reappearance of Texas politicians John "They're going to kill us all" Connally, and Lloyd Bentsen, once the boss of David "William Torbitt" Copeland, who spilled the beans on the killers of Kennedy, and our old friend Carlos Marcello from New Orleans. Almost every breaking scandal, if researched well enough, gives us new insight into the crime of the century.

George Bush: The Unauthorized Biography, Webster Tarpley and Anton Chaitkin (EIR Press, Washington, DC, 1992, \$20)

First, a warning. Executive Intelligence Review, the publisher, is an arm of Lyndon LaRouche, and the work is tainted with their Anglophobic conspiracy ideas. On the other hand, the information that matters to researchers is copiously footnoted, and can be checked for veracity. Bush family links to Nazi leaders, Prescott and George's initiation in Yale's secret society Skull and Bones, the Texas race against Yarborough, the Bay of Pigs and later CIA activities of Bush, Watergate and Contragate, and the links to the shooting of both JFK and Reagan are explored in detail. If one ignores ending with the "larger picture" the LaRouche followers are trying to paint, the book is a good starting point on Bush's complicity.

Goodnight Mr. Callabash, Robert Cutler (Grassy Knoll Gazette Partners, Manchester, MA, 1991, \$18)

Written simultaneously as a play, and the script of a slide show, and hand-illustrated by researcher and architect/artist Robert Cutler, this playful romp exposes the "Professional War Machine" agenda, and the evidence that links it to seemingly disparate assassination scenarios in Dallas, Memphis, Los Angeles, Chappaquiddick, and even the depths of the Kurile Trench, the final resting place of KAL 007. This book is a quick overview of the painstaking work Cutler has done in identifying the true ballistics and assassins in the murders of JFK, RFK, MLK,

EMK, etc., lavishly illustrated with diagrams, photos and charts.

JFK: The Book of the Film, Oliver Stone & Zachary Sklar (Applause Books, New York, 1992, \$19)

An annotated script of the popular film JFK, documenting each scene and authenticating much of the dialogue in a movie attacked for mixing "fact with fiction." Unlike most Hollywood propaganda fests, this one added in real fact and history, infuriating the powers that be. In addition, Stone has included an exhaustive reprint of press articles pro and con that appeared as the debate raged, beginning before the film was released. Appendices include key National Security Memoranda discussed in the film, as well as an early version of the House bill to release the files. If you liked the movie, see the book!

Who Killed JFK?, Carl Oglesby (Odonian Press, Berkeley, CA, \$5)

One of a series of "Real Story" books, this primer is a quick and easy read outlining the conflicting evidence, the major theories, and the important facts. A good bibliography follows for the next generation of JFK assassinologists. In another new paperback, *The JFK Assassination: The Facts and the Theories* (Signet, New York, 1992, \$5), Oglesby has also compiled various articles written earlier, when his *Yankee and Cowboy War* thesis — of a split in the ruling class leading to the murder — appeared. Founder of the Assassination Information Bureau, and a major force behind the creation of the HSCA, Oglesby is still trying to solve the case, and calls for additional ballistic tests once the files are released.

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Our Advisory Board now includes Fletcher Prouty, Ed Asner, Peter Dale Scott, Dr. Cyril Wecht, Robert Groden, Gaeton Fonzi, Jane Rusconi, Ed Lopez, Jack White, Professor Jerry Rose, George Michael Evica, Fr. Bill Davis, David Scheim, Richard Sprague, Carl Oglesby, Robert Cutler, and Jerry Policoff. To subscribe to *Prologue*, send a donation of \$25 or more to Committee for an Open Archives, P.O. Box 6008, Washington, DC 20005.

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What an Autopsy Cannot Show

by Bill Kelly

When three pathologists at the Bethesda Naval Hospital morgue performed the autopsy on our slain president, on the evening of November 22, 1963, they did not know that the doctors at Parkland Hospital, in Dallas, had performed a tracheotomy, obliterating an already-existing throat wound.

Today, there is still much controversy surrounding the official autopsy of John F. Kennedy. Unanswered questions linger as to why the body was illegally removed from Texas, whether the military officers at Bethesda influenced the doctors' actions, whether Kennedy's throat and head exhibited entrance or exit wounds, whether the back wound had an exit at all, and what became of the brain.

An exhumation of the body and a proper autopsy could answer some of these questions, although objections of the Kennedy family would probably forestall such an operation. As Commander Hume said, "This was an extraordinary subject...but an ordinary autopsy." If this homicide concerned anyone else but the President of the United States, it would have been easy to get an exhumation of the body, and a proper autopsy.

Startling evidence has now emerged, discovered at the President Gerald Ford Library among documents from the Military District of Washington, that such an exhumation took place on March 14 and 15, 1967. This re-interment was held in the presence of Lyndon Johnson, the Kennedy family, Robert McNamara, members of the Secret Service and the U.S. Army, who had begun planning it in August, 1966. Arrangements were made with the Carl C. Warnke Construction

Company, whose president is related to Paul Warnke, a nuclear arms negotiator for the government. A brief report appeared in the *New York Times*, March 15, 1967. It was ordered done "in the best interest of the nation and the public," by Alfred Fitt, General Counsel, U.S. Army, with collaboration of Cecile B. Stanton, who represented the Kennedy family. Nearly 100 photographs were taken. The results and photos should now be released in the interest of that same public.

Even if all of the wounds inflicted on the President and Governor Connally were the result of two bullets, fired from the rifle that allegedly belonged to Lee Harvey Oswald, and shot from the sixth floor of the Texas School Book Depository, there is still evidence of a conspiracy to kill the President. The proof of conspiracy does not rest with the autopsy.

For one, Lee Harvey Oswald, was neither a loner, nor deranged. Oswald was an intelligence agent, an agent-in-place, a living agent, possibly a double agent, and definitely a dispensable agent. But he was definitely one undercover agent of a domestic, possibly military, anti-communist covert intelligence network.

Oswald was the agent for a network that included personnel who had worked in previous covert operations, including Guatemala in 1954, Cuba 1957-1962, and the Philippines 1957-59. It was a network that also included Guy Bannister, David Ferrie, Clay Shaw, David Atlee Phillips, Frank Sturgis, E. Howard Hunt, Marita Lorenz, George DeMohrenschildt, Ruth Hyde and Michael Forbes Paine as well as others. It is doubtful that any one of them knew the complete details of the plot to kill the President.

Almost all eyewitness evidence, and

ballistic testing indicate that Oswald did not fire a rifle that day, and was not on the sixth floor of the TSBD at the time of the shooting.

In addition, the assassination of John F. Kennedy was accompanied by a psychological warfare, black propaganda disinformation campaign, active even before the assassination, and designed to blame Fidel Castro for the murder. Neither lone nuts, nor the Mafia conduct such "psych-war-black-prop-ops".

The scientific, medical, autopsy, acoustic and ballistic evidence concerns only the how, or how many. It does not settle the who or why, and merely detracts from the main thrust of the investigation, away from those who actually are responsible. This evidence does not indicate who killed John F. Kennedy. It may indicate Oswald did not, and hard proof of Oswald's innocence, or the presence of other gunmen, might galvanize a search for the real clues in this case. Despite what information a real autopsy might give us, it is unlikely to name the real assassins, or who sent them.

Only those still lost in doubt and confused by propaganda need to exhume the body of the president to prove that President Kennedy was killed as the result of a conspiracy. What the rest of us need is a more definitive identification of the background of Oswald's friends and associates. Who sent him to Clinton, Mexico City and Dallas?

That investigation can lead to unclocking the domestic covert network that had our President killed. This network is still in existence today, and still providing disinformation. Now is the time to move on to identify the conspirators themselves. This is what no autopsy can show.

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