



## WILL WE EVER KNOW ?

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Recently, Ramsey Clark, the United States Attorney General, told a reporter that all evidence relating to the assassination of President Kennedy has been made available to the public. He stated that Jim Garrison, New Orleans District Attorney, "was completely incorrect" in alleging that evidence has been suppressed. More recently, Senator Edward Kennedy appeared on the Joel Spivak radio program in Los Angeles (radio station KLAC) and stated that "the only material that was in the (national) archives that was not let out were photographs and those have subsequently been made available." Surely, one of the most fascinating aspects of the entire case is the federal government's continued suppression of the basic evidence along with its insistence that the evidence is not being suppressed. It is particularly unfortunate that the Kennedy family has lent itself, perhaps unwittingly, to that deception.

There need be no imprecision on this point. Available to the public at the National Archives in Washington D.C. is a document entitled "List of Basic Source Materials in Possession of Commission." Some 1,555 different files are listed and identified. On the list is the agency which submitted the report (i.e. the F.B.I., the C.I.A., the Defense Department or the State Department), the name of the employee of the organization who prepared the document, the subject of the file, the date of the report and the city from which it originated.

The files fall into four categories: Some are completely available to the public; some are partially available with certain pages or portions which have been classified being unavailable for examination; some files, well over 200 at last examination, are totally unavailable; some files are listed as "missing." In one instance, the C.I.A. explained that what appeared to be an important document was destroyed in error when it was burned up by a Xerox machine.

Many of the suppressed docu-

ments bear such vague and unenlightening titles that it is difficult to know what they may contain. For example; a document described only as "Lee Harvey Oswald" or "Investigation of the Assassination of President Kennedy" could be related to any of hundreds of facts.

Some of the classified documents, however, carry provocative titles. Commission Document 931 is a C.I.A. report, a copy of which was sent to J. Edgar Hoover by Richard Helms, then Deputy Director for Plans for the C.I.A. Helms, of course, is now head of that agency. The file is entitled "Subject: Lee Harvey Oswald's Access to Classified Information About the U-2."

Since the Warren Commission took great pains to point out that Oswald was never attached to any

United States intelligence apparatus, one is tempted to discover that which is contained in the file. However, the acting archivist for the United States has reported that the classified material will be suppressed until September 2039. He explained that that year was chosen because it represents a delay of 75 years from the date upon which the Warren Commission report was issued. He reasoned, probably correctly, that no adult alive today will survive the declassification of the evidence. He added that this procedure will



effectively prevent anyone from being harmed when the evidence is made available. Exactly who might be harmed other than the assassins of President Kennedy has not yet been fully explained.

The Warren Commission stated flatly that there was no New Orleans Division of the Fair Play for Cuba Committee and that Oswald merely pretended to be an officer of an organization which did not exist. Yet, part of the Commission Document 1085 is the F.B.I. investigation into an organization described by the F.B.I. as "The Fair Play for Cuba Committee-New Orleans Division."

The Commission stated, of course, that Oswald and his killer Jack Ruby never knew each other and that Ruby's murder of Oswald could be traced to an unpremeditated emotional outburst. Who

Ruby talked to and what he said in the 48 hours preceding the murder of Oswald is of paramount importance in determining whether or not he acted with others. Unavailable to the public is Commission Document 1138, an F.B.I. report with the curious title "Jack L. Ruby; Lee Harvey Oswald" which deals with various telephone calls "for period November 23 and 24, 1963."

Recently in New Orleans, just after I lectured at Tulane University, I was approached by William S. Walter, who had been in charge of security at the New Orleans office of the Federal Bureau of Information during November 1963. He told me that 5 days before the assassination a telex message was sent to each of the Southern regional offices of the F.B.I. by the main Washington office. The message advised that an attempt to assassinate President Kennedy would be made in Dallas on November 22, 1963. Since, according to the Commission, Oswald at that time had not yet thought about assassinating President Kennedy, the basis for the telex message takes on great importance. Yet, the telex message and the report containing the information upon which it was based remain classified.

Walter also told me that after it had been determined that the F.B.I. files were to be made available to the Warren Commission and might later be released to the public, another message from the Washington office of the F.B.I. directed that the agents employed in the local offices re-examine all files for the purpose of reconciling them with the position then taken by the F.B.I. that Oswald was the lone assassin. The message ordered that "apparent inconsistencies" be removed, if necessary by the destruction of the original document and by substituting a new one in its place. Under those circumstances, the Commission Document 1273 becomes even more interesting. It is a C.I.A. report entitled "Re: Apparent Inconsistencies in Material Furnished the Commission by C.I.A. and the Dept. of State." Thus, not only are the original reports secret, but even the report dealing with the inconsistencies in the original reports is secret.

While it might be possible to formulate a viable defense for the government's suppression of some of the data, including for example, income tax returns filed by persons found to be unassociated with the assassination, it is difficult to understand the logic which supports the position that

all of the evidence shows that Oswald was the lone assassin and also that the release of relevant material could endanger the national security. For example, the Federal Bureau of Investigation conducted an investigation concerning telephone numbers found on page 47 of Oswald's address book. The report of that investigation is classified.

Should the reader wish to conduct an independent investigation regarding the accuracy of Ramsey Clark's assurance that all of the evidence is available, he might direct a letter to the National Archives and ask for a copy of Commission Document 931 regarding Oswald and the U-2. I am not certain as to what the response may be, but I am quite sure the reader will not secure the document in question. So long as the Federal Government continues to suppress the relevant evidence in this case, it remains difficult to accept the sincerity of their statements when they seek to assure that they believe Lee Harvey Oswald was the lone assassin of President Kennedy. Had Oswald lived to face trial, all of the evidence adduced against him would of necessity have been made public. The refusal of the Federal Government to share that information with us now, almost 5 years after the event, causes one to question anew why it was that Oswald had to be executed without benefit of a trial.