

August 12, 1969

Senator Walter F. Mondale
United States Senate
Washington, D. C. 20510

Dear Senator Mondale:

Thanks for your letter of July 28 and the letter from Will Wilson enclosed therein. The most serious aspect of the Warren Commission controversy is perhaps exemplified by that letter from an assistant attorney general of the U.S. First of all, if intelligent persons and qualified experts draw different conclusions from a certain body of evidence than did the Warren Commission, why would that be insufficient reason for further inquiry. Secondly, the statement that the "Department of Justice is not aware of any significant new evidence" produced by the critics of the Warren Report is either an outright falsehood, or hangs completely on the use of the word "significant" (i.e. "significant according to the Justice Department and undesignated criteria). Thirdly, many of the criticisms Mr. Wilson claims "are based upon different conclusions... drawn from parts of the same body of evidence that was examined by the commission" were in fact based on materials in the national archives never seen by the commission. In fact, as indicated in previous letters, the vast majority of the evidence was never examined by the Warren Commission--something which can be easily demonstrated from the public record and has been documented countless times. Then Mr. Wilson goes on to term the Commission's "inquiry" and "thorough" and call its "analysis" "detailed," ignoring that such an inquiry did not even include a study of the vast photographic evidence except for about 1% of that invaluable record. And what of the Justice Dept? On the record it did re-examine a dubious aspect of the Warren Report--the autopsy--and even released Panel Review reports done in 1967 and 1968. And what was the result? The Justice Department, with all of its resources and those Panel reviews still secret along with many other documents unavailable to critics, was incapable of refuting the claim that the president was killed by shots fired by more than one gunman. Need it be added that federal judge Hallack is scarcely a Warren report critic or even partial to such persons. The fact that this charade is still continuing indicates an approach to the problems of law and justice, not to mention problems relating to national security, totally unbecoming a department of justice or any open society.

I understand your decision not to make this a major issue in that you are, fortunately for the citizenry, an active congressman involved in many important projects. Although I have not mentioned it in our correspondence, I agree with the votes you have cast on a great many issues. But, even if you do not foresee making this a major issue you do acknowledge it as a "very important subject." In this regard it might be useful for you to obtain a briefing on the subject. Other congressmen who undoubtedly will never make this a major issue have done so and felt they profitted from it. Perhaps there would be sometime within the coming year when you would be in Minnesota and have a few free hours to examine a short summary of the evidence and the controversy. It is set up on slides for quick and easy presentation anywhere, and is put together in a fashion which requires no previous knowledge of the subject. I am at your disposal, or that of your friends and family.

In closing it is worth reiterating that wrapped up in this controversy are very serious questions concerning the actions of the Secret Service, FBI, CIA, and two attorney generals. Perhaps even more important in the present political situation, there are some very serious questions which someday, if people like myself have our way, high ranking military personnel will have to answer. For instance, they must explain why they told President Johnson and the Secret Service, when fear of conspiracy was rife a few hours after the assassination, that there was no conspiracy and Oswald was the lone assassin. Even the public was not told such a lie, but even if they had been, the president and the Secret Service had to know the truth. At the time that message was sent to Air Force 1, prior to 5 PM Dallas time on Nov. 22, the conclusions of the Warren Commission 10 months later notwithstanding, there was no evidence indicating Oswald's involvement in the crime, let alone evidence proving there was no conspiracy. In fact, it wasn't until several hours after that message was sent that Oswald was charged with killing officer JD Tippitt, and not until many hours later that he was charged with killing the president. It wasn't until about 2 AM the next morning that the FBI even linked him with the rifle. But before 5 PM on the day of the assassination the President and the Secret Service were taken off their guard, and as T.H. White describes it: "...the President's mind turned to his duties of consoling the stricken and guiding the quick." (Making of the President 1964) Instead of being oversensitive to the possibility of conspiracy, the military (the message came either from the Joint Chiefs of Staff who were in session or Major Harold R. Patterson in the Situation Room of the White House) ruled it out in the face of the only evidence available, thereby possibly placing both the president and the country in extreme jeopardy. Remember, this was not an assurance given the public, and furthermore, the weak excuse of confusion and hysteria cannot be utilized since everyone who heard those messages and has subsequently written about it has described them as calm, cool, and collected. (cf Salinger's With Kennedy and T.H. White) Before that black Friday was over, however, representatives of the military would do still worse. They would direct an autopsy conducted by two men not fit to perform an autopsy on a skid row bum who had been shot to death (and who could not have testified as expert witnesses at Oswald's trial), aided for only some of the time by one man with some training. This autopsy excluded civilian experts, some of the finest in the world, who were readily available and who even teach in the institution where the autopsy was performed. The autopsy itself, if one wants to glorify it by calling it that, was woefully incomplete not only due to incompetence, but because the one qualified man was ordered not to do what he knew he must. On page 48 of the transcript of the testimony of Lt. Colonel Pierre Finck in the Clay Shaw trial we learn that an Army General seemed to be in charge of the autopsy, and that there were Admirals there (p.52), that there was even an Air Force Brigadier General there (p7), that eyewitness data on the assassination came to those military physicians from military brass--Admiral Berkley and Admiral Galloway (p114), that Admiral Kenney instructed that there would be secrecy (p.52), and that someone in the room (identity not remembered) ordered the surgeons not to trace the path of the bullet in the neck region (p117-8). The result of course, after the surgeon in charge Commander Humes, burned his draft notes and the original draft of the autopsy in the fireplace of the recreation room, was an autopsy report which has been challenged by everything from the physical evidence and sworn statements of federal agents to top experts, and even the Justice Department's own report (text, not conclusions, of course). Never has there been such a determined effort to avoid discovering anything, and then to suppress or alter what little was discovered. And there are more questions concerning the military like unto these. Until these questions are answered, above and beyond what happened in Dallas, many things which happened in Washington on Nov. 22, 1963 need explanation.

Warmest regards.

Sincerely,

Gary Richard Schoener
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cc: Harold Weisberg, Bud Fensterwald