

Mrs. Raphaela Seroy
Richard Gallen and Co.
260 Fifth Ave.,
New York, NY 10001

12/24/93

Dear Raphaela,

Tuesday I got a copy of Posner statement to a House committee. Wednesday I mailed Richard an Epilogue based on it. (Perhaps it should be Chapter XXXII) Yesterday I got - from California - what I use for two insertions that are enclosed that I wrote this morning. I send these now because it seems probably that will eliminate the need to insert them after you have done the retyping.

I have begun to prepare other insertions for the most part based on what I did not have when I did the writing.

I'll hold them until I get the remainder to read. I'll then be able to indicate ~~where~~ where they go on your pages.

That I am so very, very anxious to get!

I hope you all have the best of holiday seasons!

Sincerely,



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Epilogue Gerald Posner GIVES THE CONGRESS THE BENEFIT OF HIS ~~WISDOM~~ WISDOM, KNOWLEDGE AND "WALL STREET LAWYER" OPINIONS

In response to the pressures created by Oliver Stone's movie JFK and the controversy around it that I began ~~the~~ Congress passed a law to require the disclosure of JFK assassination records.

I was responsible for the controversy over that movie. My sole objection to it was that Stone had announced it as his telling the people who killed their President, why and how, and doing that on the basis of On the Trail of the Assassins, Jim Garrison's book about the one trail that to my knowledge he never took. It is not possible to do a non-fiction movie based on that book. I gave the Washington Post Pulitzer-Prize winning reporter George ^{My} Gardner a copy of the script that had been given to me and access to my records of how I prevented Garrison from commemorating the fifth anniversary of that assassination ~~but~~ an even more outrageous desecration that his charging Shaw, Oswald and Ferrie with that assassination. Gardner and I were both well aware that the controversy would probable make more money for the movie and for Stone but the record for history was made straight.

If the government that is, in Justice Cardoza's wisdom, for good or ill the teacher of us all, had ever intended to live within the existing laws there would have been ^{Congress} no need for the law ^{JFK assassination records} it passed in 1992 to require the disclosure of all of them that can be disclosed. The 1966 Freedom of Information Act required that if requests were made for their disclosure. I made such requests, the government refused to abide by the law, and then in 1974, citing one of my earliest FOIA lawsuits as creating the need, the Congress ^{ed FOIA'S} amending the investigator's files exemption of FOIA to open the files of the FBI, the CIA and other such agencies to access under FOIA.

The volume of records transferred to the National Archives for disclosure was great. Most accounts give the number of pages as a million. But it was also soon apparent that many of the supposedly "new" disclosures were duplicates of what had been disclosed earlier. Of them about a quarter of a billion pages were given me as the result of that dozen lawsuits I filed to compel their disclosure to me.

The ~~1992~~ 1992 law required the President to appoint a review board to supervise compliance with it. President George Bush, while ordering compliance, did not appoint that board. ^{He} left that to incoming President William Clinton. ^{More than} ~~A~~ year after that law was passed Clinton still had not appointed that board. But some agencies did begin to comply.

John Newman, a professor at the University of Maryland, College Park who had spent 18 years in the Army, retiring as a major in intelligence, examined some of those disclosed by the CIA. He tells me that in them he found that contrary to the CIA's earlier statements under oath, that it had had neither interest in nor any contact with Oswald, three different components had and recorded their interest in him before the CIA established a "201" file on him, a personality profile file. Newman also tells me that he found proof that Oswald ^{was} interviewed by the CIA on his return from the USSR.

None of this ~~is~~ is in Posner's book. ^{He} says, indebted as he was and remains to the CIA, the ~~exact~~ opposite. His reproduction of the ~~CIA's~~ CIA's perjuries and other lies is absolutely faithful to them. This, too, makes him an outstanding expert. After all, is not his book the definitive biography of Oswald, as he and his publisher never stopped claiming?

So authoritative and dependable, so all-inclusive that it makes no mention at all of the fact that contrary to all official representations, contrary to what the Navy gave the Warren Commission and the Commission said, Oswald had an exceptionally high security clearance ~~as~~ as a ^{Marine} Marine. It was "CRYPTO", and that has a prerequisite his having a "TOP SECRET" clearance. Posner knew this from my 1967 book, Oswald in New Orleans. That is the one of my books Posner does not include in his bibliography. ^{It} also is one of my books that he used in a faulted, a factually incorrect criticism of me and of a minor point I had made of Oswald's career in ^{New} Orleans. What he ^{Posner} ~~issue~~ misused, as we have seen, comes uniquely from that one book of all I have written ^{and} all that have been ^written by others.

Now it happens that my friend Hal Verh, a San Francisco commercial artist, was with me when I broadcast on a KNEW radio talk show in mid-^December, 1966, after the

appearance of my second book, Whitewash II. Hal was in the control room with the show's producer ~~xxxxxxx~~ while I was in the studio with the show's host, Joe Dolan, when a caller-in told the producer he wanted to speak to me but not on the air. Hal passed me a note and I asked him to ask that caller-in to wait, that the show had only another 15 minutes to run and that I'd be more than please^d to talk to a former Marine mate~~x~~ who knew an entirely different Oswald than is described in the official ~~strip~~ accounts.

When after the end of that show I spoke to that man it ^{was} without question that he had known Oswald. He said he had just started a new business and wanted not to get involved in any controversy. But he had wondered why after Oswald's so-called "defection" to the ~~USSR~~ USSR Navy intelligence did not interview him. He also wondered why after Oswald was ordained the only assassin no investigator from any government component had wanted to speak to him.

He ^{was} troubled and he was troubled more because all ^{officials} they said about Oswald was unlike the man he knew. With whom he shot pool, with whom he ~~had~~ listened to classical music, with whom he had discussed serious matters.

He is the one who told me that Oswald had that exceptionally high security clearance. I reported the above in Oswald in New Orleans.

On returning home I checked the Commission's records and ~~was~~ sure enough, there is confirmation for all this ~~xxxxxxx~~ former Marine friend of Oswald told me. In that 1967 book my recounting of this unusual call begins on page 85. On the next page I refer to it as "part/confessional, part ~~is~~ shame mixed with self-pity and self-derogation, part fear and all worry." This was a genuinely troubled man, troubled by the false account of the man ~~he~~ he had known so well and troubled by his government's gross, really crude dishonesty in the investigation of the assassination of the President.

After going ~~to~~ into Oswald's having an assignment back in ~~to~~ California that required at least a secret security clearance (pages 90 ff) I also cited the ^{Commission} testimony of the man, then a ~~Marines~~ Marines captain, who had been Oswald's boss in that radar trailer in which all that highly-classified equipment was kept and used, John E. ^{to be allowed to do} ~~have from~~ ^{to do} Donovan. (pages 92ff) He testified to all the secrets Oswald had to ~~have from~~ that work and to the fact that it required at least a secret clearance.

As recounted earlier, the Commission's own records reflect Oswald's interest in classical music and ^{Johnny Kormundi,} in New Orleans I found a bar ^{keep} who knew him as a boy ^{there} and in ⁱⁿ which pool hall in Exchange Alley he shot pool. ~~That barkeep's boss~~ Kormundi's boss, known as "Ma" Sawyer, ^w owned and operated the Society Page bar. She also lived in the same building in which ^{Margyie "r" Marguerite} Marguerite Oswald ^{na Lee} lived, as I recall the ~~next~~ ^{next to them} apartment on the second floor of that Exchange Alley Building. "Ma" Sawyer confirmed what Kormundi had said about the boy Oswald.

(Oswald's favorite ^e opera, by the way, was Tschaikowski's Queen of Spades.)

With all of this and more in Oswald in New Orleans and with all the hoopla by Posner and Random House and ~~all~~ the all the ^y sycophantic, unquestioning media about Posner's definitive biography of Oswald as the assassin-to-be as a boy, when Posner made an appearance in his San Francisco home town Hal Verb made it a point to be there, with friends. When he told me about his questioning of Posner and of Posner's responses, really non-responses, I asked him to write ^e me a letter briefly recounting that matter. In ^e author's files, dated December 13, 1993).

It was on Wednesday, September 29, 1993. Posner's appearance to discuss his book was at the Green Apple book store. "Dr. (Gary) Aguilar (an ophthalmologist) pointedly made reference to Posner's misleading use of Sylvia Meagher's comments and his failure to quote fully from her book." As we have seen, this is vintage Posner. Hal's letter reports no response to Aguilar.

"During the question period, ^e Hal wrote me,

I got up and asked Posner two specific questions. The first of these had to do with Posner's references to you in his book. The question I asked was, "why did you (Posner) omit any reference to Weisberg's book, "Oswald in New Orleans" in your bibliography when in your (Posner's) text you specifically stated that Weisberg wrote six books and clearly "O in N.O." was one of the six"? Posner immediately replied that he only listed those books he actually referred to in his book. I immediately countered this "explanation" as being not true as Posner had referred to Oswald's transposition of address

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street numbers (in his address book and that the only place Posner would've found this information would have come from Weisberg's "O in N.O.". Posner appeared embarrassed at my reply and could offer no reply to my point.

On the second question by myself, Posner seemed almost caught in a tangled web of misdirection when he avoided my question. My query to him was to the effect that he had not properly explored the possibility of Oswald as an agent of the (U.S.) government by not going to the ~~various~~ various intelligence agencies and confronted them with known indications of Oswald representing others than himself (I supplied instances from your book, "O in N.O."). His rather vacuous reply to this was that he knew that had he done so he would've gotten no ~~more~~ satisfactory answers on this point. (I thought to myself: is this what we mean when we say "investigative reporting"?).

That Posner is a continuous liar is not new, nor is it new to the reader that his is anything but the "definitive" biography of Oswald, nor that rather than closing the case his book opens a case against him and his publisher and their official collaborator, the CIA. This matter of Oswald's having so unusual a security clearance is not worth including in Posner's book when he knew about it from my book that he so brazenly lied and said he did not have or use?

Can there be much more important in any honest account of the life of the only official candidate for Presidential assassin that the fact that he had such an exceptional clearance? ~~Or that he learned Russian while in the Marines?~~ ~~Or that he got a fraudulent discharge when he his enlistment was almost over and went to Russia?~~ ~~And was not prosecuted for it?~~ *Especially when* *then* *only* *and was*

Do not look for even the merest passing reference in this most definitive of biographies of Oswald to his having gotten a fraudulent discharge and to not ~~have~~ ^{his} been charged with that on his return to the United States from the USSR. There is no reference to it. Posner has nine references to "military discharge" under Oswald. All except the first are mere passing references to it. The first reference to it, as a "dependency discharge" (pages 32-3) is an encapsulation of what Posner did not suppress of what he knew. He makes it appear to be a normal "discharge" (on page 32) and at no point tells the reader it was ~~or~~ ^{it} obtained by a prosecutable fraud.

That it was obtained by fraud and was indictable and that Oswald was not indicted for it Posner did not have to learn for himself. He learned in in Whitewash (page 124) and

(This is not by any means the only time Posner did not know the names of those of whom he writes. That he got ~~names~~ well-known names wrong, even street names, is still another cause for wonder about how much of this work he did himself. Posner could not have paid much attention to or had much interest in Oswald as the special kind of special radar operator he was without know that his superior was a captain and not a lieutenant and that he was John, not Charles. Still again, this harkens back to Posner's boast about having read and indexed those 26 large Commission volumes. Donovan was a witness, he did testify, his testimony is published in those volumes Posner claims to have both read and indexed, and Posner does not know either his name or his rank?)

Leo indicated but does not say that he quotes this from Richard Reeves book, President Kennedy.

In commenting on its review of that book, Dr. James W. Kasch (correct), of Oakland wrote the San Francisco Chronicle that "' persistent persistent venereal disease disease' is not a meaningful medical diagnosis. Neither are 'frequent mysterious, recurrent high fevers,' except in older novels." Published in the 11/28/93 Chronicle)

Of what else Leo's prejudicially-titled "The weathering of Camelot" ⁷ article says here,

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that book, as we have seen, he perused with such a sharp ^{eye} he spotted four non-continuous words of a page of six hundred words and he then misuses that.

Readers of ~~this~~ "definitive" biography wondering about any security clearance Oswald had in the "archives" will not find that in Posner's index. Nor, if they have heard of Captain John Donovan as Oswald's superior in his ^{operation} that radar ~~bubble or van~~, he was in ~~it~~ will he be able to locate that from Posner's index. Unless it is a suspicious reader who uses the index and suspects that maybe ~~the~~ Posner's listing of "Donovan, Charles," is really ~~no~~ ^{John. It is} Captain ~~Charles~~. If the reader ~~checks~~ that he will find Posner saying that "Lieutenant ~~Chal Chaire~~ Charles Donovan, the officer in charge of Oswald's radar team..." (page 22) ^{491A}...

With this added glimpse of Posner's dependability and the definitiveness of his Oswald biography that, as we have seen, ^{he} told the CNN ^{is} audience and other audiences is the most important part of his book, let us proceed to the 30th anniversary of the JFK assassination. Random House marked that anniversary with a full-page ad in U.S. News and World Report dated the day of the assassination. That ~~ad~~ ^{sales} was long after the ^{September} peak of hardback copies of the book was past and when the coming August 1994 paperback appearance ^{of} was set, a rather unusual time for placing so costly an add when the probability of a return of that cost was slight.

On its part, U.S. News considered that an appropriate occasion for a scurrilous attack on the martyr whose assassination it had earlier exploited by paying Posner and Random House for the right to use 20/full magazine pages of rehash of the book when it first appeared in August of 1993. The commemoration article by John Leo is an exaggerated rehash of the ^{administration} JFK/revisionism. Its conclusion ^{version begins} before with a factual error and it ~~has~~ ^{gives} no sources ^{for it} in its final two paragraphs. They begin with the untrue statement that "the press managed to miss, although it was virtually ⁴ dumped in their laps by ~~the~~ Lyndon Johnson's people at the 1960 Democratic convention, was that ⁴ Jack Kennedy was virtually a cripple. He had serious spinal problems, Addison's disease, recurrent infections, persistent venereal disease and fierce fevers." ^{491B} Some of this was reported then and some may ^{not} be true, according to the autopsy it was not ^{was} true. Then, "The wonder of it was that

and elsewhere. He played touch football, sailed his boat alone on the rough Atlantic and was photographed doing those and other things vigorously.

Not content with this ~~disc~~ ^{shabby} indecency in exploitation, ^{in its self-promotion and} U.S. News extended ~~text~~ ^{it} to include the President personally and the institution of the presidency in ~~its~~ exploitation and its commercialization for the benefit of Case Closed, providing new and the best of plugs for it in any additional hardback reprints, ~~and~~ for advertising any coming hardback reprints, and for ^{the most} spectacular advertising and promotions of the paperback that in correspondence with other's Posner said was due in September.

As it says in its ~~December~~ issue dated December 13, 1993 (page 37) its "White House correspondents Kenneth T. Walsh and Matthew Cooper" had an exclusive ^{oval office} interview with President Clinton ~~this week~~ "last week", in the oval office. Of all the urgent national issues the President could have been asked about, his responses to six ~~only~~ are published. The fifth was ^{the} question not published about the assassination of President Kennedy. What lends itself to commercialization and exploitation is the President's comment that he'd read "a little bit" if it and "I thought it was pretty persuasive."

What the President thinks of the book to which U.S. News devoted a large part of an issue to is that urgent a national question is it one of only six that magazine believed newsworthy enough to be reported? (The sixth is his reaction to the disclosure of the content of some of the tapes of his conversation made by President Johnson and what ^{Clinton} ~~he~~ thinks about Johnson and his presidency.)

Is there anything more likely that if this blurb does not ^b appear on any hardback edition the paperback ^{with} ~~with~~ boast and advertise that the President of the United States found that book "pretty persuasive"?

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shabby in its self-promotion and *it*

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was that such a sickly, detached and cautious president, filled with ~~old~~ old cold-war ideas and only ^{briefly} ~~repeatedly~~ promulgating change, should have ~~not~~ released such energy among the young." It then states that ^{Kennedy} ~~Kennedy~~ was opposed to the changes blacks wanted.

We did have two and a half years of a very public Kennedy during his administration. He held regularly news conferences, about one each week, ^{he a/} and was photographed entering and leaving them. His autopsy reports he was "well muscled." ^{492A} ~~That is hardly~~ ^{all this and more is} "sickly," ^{u/} detached? After the Cuba Missile crisis? Detached when he got us the first limited test-ban agreement, ^{u/} then he proposes all the legislation he proposed, ^{u/} when he ~~is~~ rather than opposing black longings had the civil-rights bill introduced in the George Wallace/ Strom Thurmond racist era? ~~He got~~ "Old cold-war ideas" in his correspondence with Khrushchev when they groped toward ending the cold war? Detached in preventing World War III with his ^{u/} ~~settlem~~ ^{ent} of that Cuba missile crisis in October 1963 1962?

Neither his autopsy nor the subsequent history of his family reflects anything like what is expectable from "persistent venereal ~~dida~~ disease."

The ^{u/} same character assassins ^{also} ~~portray~~ him not as sickly but as a sexual athlete.

Whatever slander suits ^{at} any moment is the one they exploit.

~~They~~ exploited the assassination anniversary ^{politically} to vilify the martyr with this kind of "commemoration." 492B

~~Exploited~~ Posner had his own exploitation, using it repeatedly to promote his book. ^{It served and could have served no other purpose.}

He gave the Subcommittee on ^{and National Security} ~~legislation~~ of the House of Representatives Committee on Government Operations the benefit of his subject-matter expertise, maturity, wisdom and "Wall Street lawyer" ~~expert~~ ^{is} opinions when it was considering how the government was complying with that 1992 Kennedy-assassination records disclosure law. He prepared his statement in advance for his presentation of it to that committee on November 17, 1993, four days before the anniversary and coinciding with that "andom house full-page ad

~~XXXXXXXXXXXX~~ ^{u/} U.S. News.

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The utter shamelessness of this fraud, this poseur, this honey, this subject-matter ignoramus, this thief in his seeking to misuse every opportunity to plug his book is apparent in his statement prepared on November 17, 1993 to be presented to the House Of Representatives Subcommittee on Legislation and National Security of the Committee on Government Operations. Its then interest was the 1992 act requiring disclosure of JFK assassination records.

Some of his baloney will need no amplification. Some I do comment on.

He begins by saying he will inform ^{the committee} it about the effectiveness of that Act. He is ^{or to have even a reasonable suspicion of what was still secret.} too ignorant of what had been disclosed to be able to comment on the new releases.

His second purpose, he says, it "to dispel some of the baseless speculation" in the case. Again, he does not know enough to know what all is speculation. And he does not mention his own ^{speculations} without which he would not have had any book at all.

After a gratuitous plug for his book ^{the first of many.} he actually comes up with this super-spectacular ^{ad} lie that should be considered with all the other claims he made for what he did in little more than a year, like those 200 interviews and all the travel that required, reading all the books he claims to have read, and reading and indexing those 10,000,000 words of ^{the} what the Commission published about which, as we have seen, he is so ignorant he was reduced to citing it from secondary sources:

"My research included not only a review of the body of the work generated by both the Warren Commission and the House Select Committee on Assassinations (an additional 14 volumes!), but also several hundred thousand pages of documents released through Freedom of Information requests and lawsuits over the past ⁴ twenty-five years, ^{as well as} relevant documents still in the possession of private individuals." ~~as relevant documents still in the possession of private individuals~~

Only his shyster's use of the word "review" ^{and "body"} keeps this from being a total lie. He can claim that does not mean what his statement is clearly intended to mean, that he ^{says he "reviewed."} made a real, a definitive study of what he cites. ^{He could not have} He did not and he never intended to.

From his own notes and Acknowledgements there is only one place he could have "reviewed" those "several hundred thousand pages" of documents ~~discs~~ disclosed under FOIA, here. He was here only three days. He did not once examine any of those massive

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~~files~~ files I got and to which he had access. And could he have, in three days?

I know of nothing he examined other than my "subject" file. ~~It~~ ^I is my selection from those several hundred thousand pages that ~~either~~ I thought might later interest me or on which ~~I~~ ^I believed others might ~~express~~ have an interest. ~~But~~ ^{They} are but a minuscule fraction of all those records of which he retains ~~the~~ most outstanding and total ignorance.

As he book so amply reflects!

After ^{in a year about} boasting of those 200 interviews the sole purpose of which was to enable him to suppress what he did not want to say, he has the gall to then boast of his Nosenko interview. ~~He~~ ^{He} says of it no more than that it was Nosenko's first that was "public" and it was not that, and that it was the first time he "spoke publicly about Oswald." The latter is false no matter how it is interpreted. What ~~Nosenko~~ ^{Nosenko} told the FBI was public and I published the essence of it in 1975. As we have seen the essence that Posner used that interview to suppress from his book and from his readers. Beside,

York McNamee-H. 1/1/1978. Edward Jay Epstein also interviewed Nosenko for his book of a decade earlier, *Legend* (New York: Harper & Row, 1978).

Posner shamelessly lies in saying he "discovered primary documents" that had been ~~overlooked~~ overlooked by the two previous government investigations."

There is not a single citation in his book to a single such document and in referring to only two government investigations he misstates. He apparently referred to the Commission and the House assassins committee. How about all those government agencies and their investigations? The FBI's? The Secret Service's? The ~~STAT~~ CIA's? Those of the military? *or of general Ford's Rockefeller Commission?*

He ~~boasts~~ ^{boasts} also that he used "the latest computer enhancements and animation studies, technology unavailable to the previous government investigations." But he does not say that they produced anything new and they not only did not, ~~there~~ ^{they} were not even intended to!

It is obvious that this shameless exploiter and commercializer was misuing the Congress to plug his book and himself with nothing that was truthful or had any meaning other than this crude self-promotion.

And to make and leave a completely dishonest permanent Congressional record
about him and his book for history and for later exploitation.

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Ignorant of both the laws and regulations and of the documents themselves he next says what he contradicts in the very same paragraph. First it is that "The normal rules for sealing documents by both government agencies and congressional investigations should no longer apply in the Kennedy assassination."

Those "documents" are not "sealed." They are withheld, and not under his undescribed "rules" but under ^{regulations and} laws the most important of which are FOIA and the Privacy Act. Yet he concludes this paragraph by praising the committee from which the 1992 law issued "for having ~~so~~ done an excellent job of balancing the many competing concerns for privacy and security versus the public's ^{v/} absolute need to know what is contained in the files."

If there is this undescribed "absolute need to know" then there is no place for any "balancing" of "competing concerns." Nothing, if there is this "absolute need to know," is to be "balanced." All is to be disclosed, without any balancing.

Thus if some enemy told the FBI that Gerald Posner sleeps with both boys and girls and adds to his kicks by using whips on them, aided and abetted by his wife, and that he has pictures taken of his sexual indulgences and seals them only to perverts, that, in Posner's ^{must be disclosed because} mature judgement, there is this "absolute need to know" if it is contained in the files, " as is true of some such records that were disclosed to me.

If he his wife has nocturnal sexual fantasies and discusses them with older woman friends, there is his "absolute need" to disclose that, too as certainly was done ^{to} about another woman in records that were disclosed to me.

Or that another woman^a and these people are all named in these files disclosed to me when they should not have been slept with a man other than her husband ^{Mr and Mrs Gerald} husband?

And how about the disclosure of hotel and motel registrations in which say a ^{John} Posner ^{New York} in an ^{adults} hotel 715th & Posner is in their New York Smith of ^{about 1992} ~~Podunk~~ is registered with his wife when that John Smith's real wife is at ^{1010 Angeles?} home awaiting his return from his business trip? There is an "absolute" need to disclose ^{need} that hotel registration? ^{that?}

What a phoney Posner is! ^{And how ignorant. Stupid for a lawyer, too, several hundred thousand pages of} In this statement he ~~was~~ represented that he ~~had~~ studied all those disclosed

The word "researcher" as he uses it can only deceive. Anyone with reasonable intelligence can do research. But what do those people know about this subject matter? How can they really determine whether something is significant, even relevant, without the most detailed knowledge of the subject matter? They cannot and he knows they cannot. The only purpose they can serve, the only research they can do, is comb what they see for what they think can prove the phony case Posner did not prove, cannot prove and cannot be proven. *4 AS by Kmrw!*

Suppose, for example, his "researchers" saw the name Paul Aebersold in a document, or Lacombe, Louisiana, of of the corporation Union Carbide, of the places Davis, California, how could they possibly know, as I am confident Posner does not, the significance of these names and places in the investigations? *(correct)*

As we have seen, Posner himself does not know that Pontchartrain is a ^{very large} lake, not a river, but he refers to it as a river. He did not know Captain Donovan's first name or rank, so could he expect his researchers to?

Moreover, it is obvious that those alleged researchers did not report to him what others who are competent and informed found in those very records his supposed substitutes allegedly worked in for him. Otherwise he would have had public conniptions.

This kind of "testimony" is the cheapest kind of trickery! *Nothing else at all!*

Does any one of his substitutes know what ^{was} ~~has been~~ disclosed earlier? Obviously they do not and cannot without having read at least a ^{much of a} quarter of a million pages!

And have in addition a working knowledge of the Warren Report, its 26 volumes of published appendices, ~~the~~ the several hundred cubic feet of its unpublished records, the 14 volumes and the report published by the House assassins committee and the responsible, non-theoretical ^a book on the assassination.

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say This is these

records. But practised and skilled shyster that he is he was careful not to ~~use such~~ words. ^{But he also} ~~he only~~ was careful to select words that have no meaning unless they means this - typical of all his writing and statements I have read.

Missing no opportunity to plug ~~his~~ his book he says that it is only "the national furor created by" it that denied him "the opportunity to personally review the newly released files." He surely could have done that when he was not on trips promoting his book or with the time he spent in controversy with those he does not agree with on the computer networks. He was not constantly on the road with promotions.

But ^{he} ~~he~~ knows what has been disclosed because "private researchers have examined the files at my request, and they have not only reported to me the results of their review, but have provided me with copies of the materials in which I am interested."

The disclosed pages are said to total a million. Is it possible that those he says report to him read all those pages?

And when he sole interest is in Oswald's guilt, at most they have sent him what they spotted indicating Oswald's guilt. 496A

~~If they were really subject-matter experts, I would know who they are and what they have done. He may have people there going over at the Archives going over some of the disclosed records but when they begin with his prejud prejudiced concept of scholarship, the presumption of Oswald's lone guilt, will they spot anything else or if they do, tell him about it or send him copies?~~

~~Does any one of them know what had been disclosed earlier? Obviously not!~~

Does any one of them know the results of the FBI's scientific testing? Again, obviously not. But if they did, Posner himself ~~as~~ saw to it that he was as ignorant of this essential evidence when he left here as he was when he got here. He did not look at any of those documents I got or at any single page of the large file of court records of that most important litigation, ^{It is also the law} ~~the~~ suit over which the Congress amending FOIA in 1974 to open FBI, CIA and similar ~~file~~ files to FOIA access.

He says that he has interviewed both Delin and Blakey who, "between them, are familiar with most, if not all, the sealed ~~records~~ government files."

If Posner was not aware of this grim truth before Jim's testimony then he is both an incompetent and a subject-matter ignoramus on this basis alone. Without knowing the truth he cannot ~~as~~ responsibly present Blakey as an impartial ^{or} and a dependable source or authority.

The last part of a single sentence in Jim's prepared statement preparatory to his testimony states the ~~relati~~ ^l rality about Blakey and his committee. He testified that "265,000 pages of the approximately 540,000 pages that it (the FBI) made available to the House Select Committee on Assassinations are not Kennedy assassination records because they relate to organized crime activities."

Blakey was hung up on the mafia to begin with and he did not heal that sick mind during his investigation. *or since then.*

But what else does this mean about Blakey and his committee and about Posner the poseur?

It means that with all the rights of the Congress and its authority and powers behind him, Blakey got from the FBI only about a third of the number of JFK assassination records ^{page} (the courts forced it to give me - and Posner saw the file cabinets full of them when he was here. *(He did not did with their contents.)*)

The FBI was ~~so~~ so contemptuous of Blakey when he first got that job its internal records copies of which ⁺ obtained in C.A.75-1996 include its belief that it could get away with letting him see only part of what it had already given me, a private citizen!

As it so clearly did!

So much for Blakey - not that there is not much more.

How about Belin, that

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This is preposterously false and ~~Posner~~ ^{and} Posner is again flaunting his ignorance, his dishonesty of both.

Aside from records relating to the mafia, and they do not relate to the JFK assassination, Blakey and his committee got considerably fewer pages of JFK assassination records from the FBI than it had already disclosed to me and were in the public domain! This is in Jim Lesar's testimony to that same committee! 497A

no matter how wrong he is?
~~Belin~~ the specialist in saying he is right because he says he is right and nothing else matters. ^{supposedly} As Posner does not say, informed expert that he is, Belin ran the Rockefeller Commission for President Ford, after the Warren Commission and before the House assassins committee that ~~he~~ Blakey ran. Belin's word and judgement are disclosed in my 1976

reprint of my 1967 third book, Photographic Whitewash. There I publish in facsimile what Belin got from the CIA and suppressed, ~~from~~ ^{suppressed} from that investigation! It is the results of the CIA's National Photographic Interpretation Center's study of the ~~Zapruder~~ Zapruder film to determine when what shots were fired. (pages 298 ff) These result contradict what the Commission said and what Posner said! ~~Disprove~~ is not an exaggeration, such is the expertise of that CIA center!

So what is Belin's word, or Blakey's, ⁿ worth about anything at all?

Moreover, there is not, with regard to those files, any question about there being any "smoking gun" in them, Posner's words and quotation marks. Only the most conspicuous of subject-matter ignoramuses or shameless apologists could ~~con~~ conceive that is possible because, as my coming Never Again! documents with some of those disclosed records in which Posner had no interest at all, the crime itself was never ^{ially} officially investigated and was never intended to be!

So of course there is no "smoking gun" in them! But that is not, ^{now} the importance of those records at all. Their major importance is their reflection of how the government worked - ~~or~~ ^{or} ~~it~~ did not work - in its supposed ~~investigations~~ ^{investigations} of the crime and of whether or not it ^{was} ~~is~~ ^{truthful} to the people.

And guess what? Posner knew this! It is in the book he not only has but has in his bibliography! (page 583)

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Still plugging his book in the guise of informed testimony to the Congress ~~is~~
~~he~~ ^{Posner} next intoned:

I am sometimes asked how I can so confidently call my book *CASE CLOSED* when there are hundreds of thousands of document pages about the assassination still to be released by the federal government? The relevant question is whether there is enough credible information available on the record to draw an overall conclusion about what happened in the assassination. If the answer is yes, then the documents will fill particulars about the event, but will not alter that conclusion.

Personification of probity that he is, at that very time Posner was confessing to some ~~in the~~ among the critics that he knew very well the "case" was not "closed," the very "case" he testified to the Congress he was so "confident" that he and he alone, Dick ^Daring that he is, had "closed!"

And, of those pages the content of which he does not and cannot know, of hundreds and hundreds of thousands of pages, ^{They} can only support his claimed "closing" of the "case" he knows he did not and could not close, ^{They} will only "fill in the particulars about the event." But no indeed, they "will not ^{later} that conclusions," that he had "closed" that "case."

He then added what by this point the reader knows very well he knows is false, that "There is more than enough information on the record to conclude that Oswald, acting alone, killed JFK." More, "the documents which will be released" - ~~that~~ those documents he knows nothing at all about - "will not contradict that conclusions."

As the reader has also seen, those documents are not needed to disprove the conclusions with which Posner began his formula book, to exploit and commercialize the assassination by claiming that the government got the right answer even though it did that by being wrong about everything.

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He does admit that these to-be-disclosed documents ~~may~~ ^{may} help fill in some of the details for historians." Of these missing details, all presuming Oswald's lone guilt, he states three only. Aside from the ignorance of what was long disclosed that these questions represent and the fact that they are hardly the most important questions to be answered, his ignorance so dominates him his misstates all three:

91 _____ " i.e., what exactly did the CIA, in 1963, know about Oswald's visit to Mexico City; is there a copy of the original Army Intelligence file on Oswald which was routinely destroyed in 1973; did Garrison concoct photos of Oswald with New Orleans adventurer David Ferrie in order to boost his unravelling case?"

With regard to what the CIA knew, it is not merely "about Oswald's visit to "exico City"/but what did it know about Oswald himself? Including whether it had had any contact or any relationship with him.

With regard to what he refers to as "the original Army Intelligence file on Oswald," as usual, Posner does not know what he is talking about. The file he ^{means to} ~~is~~ ^{is not} that of "army intelligence" ^{it the file of} ~~was that one~~ of its many components, the one based in San Antonio. ^{it was the intel. disbanded 112th intelligence group.} (That is the one, as he does not say, Paul Hoch, of Berkeley, California identified long before Posner saw the commercial possibilities in a formula exploitation of the assassination ^{JH} first spread the report that Oswald as some kind of "red." Moreover, there were at least three ^{man} such Army ^{intelligence JFK assassination} files destroyed. And they were not destroyed ~~to~~ "routinely" but in defiance of law and regulation, Both, as I established from a full file drawer of copies of laws and regulations, which required the permission of the National Archives for any such destruction of historical records because ^u the Archives has the right to keep them. That this had happened, not routinely, I ^e learned from an Army FOIA official who was about to retire. ^H He wrote, in response to my request, identifying those three files and telling me that they had been destroyed. I gave that information to ^{then Les Whitten,} Jack Anderson through his ^{associate} ~~associate~~ (who was a friend of mine) ^C

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and that column, ^{the} "Washington Merry-Go-Round," then the most widely distributed of all columns, published it.

So much for Posner's definitive scholarship or for the use he made ^{or} ~~and~~ intended making when he was not limited to the three days he spent in unsupervised access to and copying of my files.

That Texas Army intelligence file was destroyed at Indiantown Gap, Pennsylvania, after it had been transferred to that Army installation. *(All the above in author's files.)*

Posner's third question is both stupid and false because Garrison did not make any such photo up. However, as Posner could have learned for himself if he had had any interest in making any real investigation of Oswald in New Orleans, as clearly he did not, he could have located such a real photograph ^{as} ~~that~~ the PBS TV show commemorating the thirtieth assassination anniversary ^{did and} ~~aired~~. ~~That show aired it.~~ Moreover, as Posner does not at any time state, that Ferrie was not officially active in the ~~Civil Air Patrol~~ Civil Air Patrol when Oswald ^{was} ~~in~~ it does not mean that he was not active in it unofficially. The FBI records I've had for more than two decades make it apparent that Ferrie was unofficially connected with it. If Posner had looked in ^{my} ~~the~~ file ~~xxxx~~ ~~zhshzhshzzapz~~ under Ferrie, David, he would have seen those FBI reports.

But genius of a "Wall Street lawyer" that he is, Posner does not tell the ~~readers~~ Congress how if Garrison did "coolect photos of Oswald with" Ferrie, that ~~would have~~ could "boost his unravelling case." The ^{reason} he did not inform the Congress is because it is that fabled Wall Street lawyer's poppycock. Garrison's case was ~~not~~ ^{not} against the dead Ferrie or the dead ~~Clay Shaw~~ Oswald. It was against the ^{only} ~~then~~ living defendant, Clay Shaw. Showing Oswald and Ferrie together when Oswald was a boy had nothing at all to ^{do} ~~do~~ with Clay Shaw. And, if Garrison had the need to show Oswald and Ferrie together, with minimal effort he could have done that without any picture, through testimony and copies of official records. *If he had made the effort he would have gotten the picture PBS-TV aired November 16, 1993.*

This country has innumerable David ^{Posner's} Luis ~~man~~ who can give much better questions that remain to be asked than ~~these~~ ^{these} three that need no answer ~~including~~ ~~to understand~~ to "help fill in ~~the~~ many of the now missing details" of importance to historians about the assassination. But if Posner was even in the right area in these three, the only

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questions he told the Congress had to be answered for the assassination to be understood by "hesitrians," not one of whom has asked any one of them, how about what Posner did know from my 1967 book he had and used in his book and lied saying he did not have or use it, Oswald in New Orleans? He saw in it that Oswald had a TOP SECRET and a CRYPTO security clearance as a Marine. How he could have held such ~~an~~ an exceptionally high security clearance as a Marine with his unhidden political interests is not a question to be answered? That his having this high clearance, a prerequisite for the work he did as a ~~marine~~ Marine, is not a question to be answered once he is accused of being the lone assassin? That there is no disclosed official record of this, including in what the Navy gave the Commission, is not a real question requiring an honest answer?

Pontificating Posner, as in his book, told the Congress, which knew it much better than he, that "Certain rules are constant, such as the use of the most contemporaneous witness statements." But he did not, as we have seen, practise this in his book. His only apparent reason for those 200 interviews was to get those people to say ~~an~~ almost 30 years later what is the opposite of what they were on record as saying contemporaneously. How many instances of this we have seen in our examination of his book without examining all of them!

^{"testimony"}
 The ~~this~~ came from the writer who so depended on the Bringuers and the Badauxes and their ilk, "one of the major problems with the Kennedy assassination is that the field is cluttered with so many spurious sources." He says it is this that makes it possible to "prove" anything. But what he does not say, as is by now clear to the reader, ^{is that} ~~he~~ personally did just that, used later statements by ["]spurious" sources, and that, too, is essential to his book.

He got so carried away with himself and his concoction that he then ^{added} ~~did~~, "There are more people today who claim to have been in Dealey Plaza than could physically have fit there." There is no way of knowing how many people "could have fit there," but the very few nuts of whom he speaks, a mere handful at most, could not have found it impossible to "fit" within what at the least is the area of a square city block, 400 or more feet in each direction. ^{160,000 square feet!}

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Without any taint of honest he continues pontificating, deceiving the Congress as he does. Referring to "Most issues in the case have yes or no answers," which is not at all true from the case record, he ~~ixxx~~ illustrates this without an answer, "Either Oswald did or did not enter the Book Depository with a rifle the day of the assassination." As we have seen, ^{100%} ~~100%~~ of the official evidence ~~at the time~~ of the official investigation is that he did not and could not have. As we have also seen, by violating ^a his own precept ^{of} as he had just put it, those "certain rules" ~~and~~ that are "constant," what is best evidence is "contemporaneous witness statements", he fabricated precisely the opposite story, that Oswald did bring the rifle there that day. In this, as we have also seen, Posner had many other lies and ignored much other unequivocal evidence, like that the well-oiled rifle in which Oswald allegedly carried it in a hand-made paper sack left ~~not~~ even the tiniest trace of oil on that bag in which the rifle was wrapped while he carried it by hand, from the top, or while to lay on the back seat of Duell Wesley Frazier's car. In this Posner added magic oil ^{and magic paper to the} on a magic rifle ^{and} the magic of that famous bullet and of ^{his magic} the tree, or a branch of it or a ~~twig~~ twig on a branch of that tree, all of which were so magical.

Nearing the end he could not have told a bigger lie, as we have ^{seen so abundantly,} ~~so amply seen,~~ that to tell the Congress that in his book he "concluded that Oswald acted alone in assassinating President John F. Kennedy, from a review of the public record." As this book proves so repetitiously, his alleged conclusion, which is what he began with, is disproven by that "public record" of the official evidence itself. ^{most of which Posner is ignorant of.}

Were this not enough, this most successful of the commercializers and exploiters of that assassination, this ~~and their~~ literary thief, this con man, this phoney, this palpable fraud, ^{his "(JFK's)} say of all others, "it is time to stop denigrating ~~the~~ ^{board} memory by turning the case into a pop culture game of who did 'who did it'?" Let us allow Jack Kennedy to rest in peace."

That with his record, his book, his statements in all those appearance, Posner could say this without laughing and without all others puking is remarkable!

When the law itself requires disclosure of all government assassination records that can be disclosed, there is no point at all in Posner's testimony that those records should be disclosed. However he got ~~at~~ the committee to listen to him, it got no benefit at all from his endorsement of the purposes of the law that was passed a year earlier to require the fulfilling of those purposes.

There is nothing else in Posner's statement other than propaganda for his untenable beliefs, self-promotion and promotion of the commercial possibilities remaining for his very dishonest book he ~~long before then knew~~ knew before he put a word on paper would inevitable be ^{the} a very dishonest book. *it is.*