

## And Still They Control . . .

### The 1993 JFK Records Release

At 8:45 a.m. August 23, 1993, the National Archives made 800,000 pages of records relating to the JFK assassination available to the public in a spectacular media event fitting for an opening of a fancy movie. It did not act on its own, *sui generis* [it never has on this subject] but hopped to the prod of the President John F. Kennedy Assassination Records Collection Act of 1992 that required all Executive, Judicial, and Legislative agencies to locate records on the assassination and transmit them to the archives those records. It set up enforcement provisions and a five member Commission<sup>1</sup> to oversee and direct the collection. The Archives beat the new Commission to the draw with this celebrity opener.

Lest the massive publicity blind us into thinking we have "new" records we note these are not the only batch of documents the Archives has, although the official releases were oddly silent about the others. An already available estimated 500,000 pages are part of the Archives collections primarily in the Warren Commission records and many hundreds of thousands of others had for years been in the archive's presidential libraries in Boston, Ann Arbor, and Austin. Many of the 800,000 pages come from the presidential libraries where many have always open to critics and ready to use.

Critical examination of the releases however discover that the National Archives misled the public on the releases. Much of what is released has already been released under various processes years before. Some were in the presidential libraries and just shifted literally from room to room in the Archives, certainly a gross piece of deception if there ever was one. Some of the documents are already in the critics files. Also many pages of the so-called new releases are in fact not

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<sup>1</sup>None of them have subject matter knowledge and will be at the political mercy of the government agencies.

open to researchers, still being withheld! Can anything be more crass than opening records that remain close? Sheer Orwell. Additionally, many batches of documents are heavily redacted for obscure and often irrelevant reasons. By no stretch of the imagination can a document be tagged released when in fact it has only been partially released. In the midst of this publicity rage though some new things were of course released. But the important question is what can that mean for an understanding of the murder of JFK?

Four major impediments bar the public from obtaining the information the releases contain. First, the researcher confronts mindless mountains of paper. They are not indexed. They lack subject categories for ready use and exist in a great mass loosely grouped by agency of origin. How on earth can scholars easily push into them and make sense of what is there? They cannot.

We have seen this before. The method of release under unaccessible conditions is the same tactic employed by the Warren Commission in 1964 when they dumped 26 volumes of printed materials, 10,000,000 words in 26 volumes, upon the public to buttress its Report on the assassination. It too had no index, no subject matter order, no chronological sense, and was salted with the irrational and the impossible. It took a year for critics to sift through them. The same is true of the mass of their deposited unpublished records.

Critics, scholars, and citizens will take many years of careful research to work through these new releases. But this raises a more fundamental problem for the republic.

Who has the money and the time to do this gritty, grinding, exhaustive work of many years? No one I can think of. Did anyone ask that question of the Archives or the government? It apparently never occurred to them. An element of disdain for the commonweal runs beneath the surface of the federal records act when this central element of access is omitted from considerations of the

documentary base. Nothing is more integral to public access to the knowledge of what happened to JFK than making it possible to know what the documents hold. It amounts to a species of control.

American history offers several other instances of control in this mode, although none as such a critical level. For it is constitutive of autocratic systems to control by burying the critics under paper. For example, in the vote of the U. S. Senate for War with Mexico in 1846, the hawk President James K. Polk met the outrage of the dissenting senators who demand the records of the administration on our Mexican didoes by putting a five foot stack of documents on the speakers desk and giving the critics one hour to read them before they voted. After all, they cannot say they did not have the papers given them. Of course, this is a gruesome facade of public release of information.

In addition to the blind bulk of the records and the lack of resources to study them being major impediments to their adequate study a further and imperative third condition exists that effectively blocks proper use. Who is there that has the subject matter knowledge to read through the material to understand what is there? Only a surprisingly small number of persons have the expertise in this complex, incredibly extensive factual base to use the material. Perhaps three or four persons exist who have the requisite knowledge of the complex crime to do it; perhaps it is only two.

To many not familiar with the subject I suppose this statement must seem out of touch with reality given the vast play on the subject in the literature and the press. Yet, almost all the authors of books and self-proclaimed authorities have little knowledge of the subject matter and work from a template that permits them to use only limited and usually mistaken evidence happily to hammer out their "solutions by design" or false and confusing understandings of the question.

Coupled to the lack of genuine subject matter experts to sift through the mass there is also a pernicious element affecting the use of the records. Many theorists<sup>2</sup> writing on the assassination believe that they do not have to examine the documentary evidence of the crime in order to understand it and reach definitive conclusions. Here again we find proof of this statement in the historical reality of the history of the assassination study.

Since 1973 various government agencies have released several great batches of documents in chunks of 250,000, 300,000, 12,000, and 50,000 pages. Not a single person to my certain knowledge has worked through the one FBI batch of 300,000 pages, although it has been freely available for 12 years. The same fate has largely been accorded the other records. With this track record among the theorists can we really hope persons honestly interested in the murder of President Kennedy will go through the new releases? My expectations of that occurring are quite low, about the same odds as expecting to win a bet on a horse race on Mars.

But overriding the great ballyhoo promoted by the Archives during the "releases" event when the archivists got all dressed up in their finery, with handouts, press releases, spit polished shoes for the great event, and looked so busy in the cameras' eyes, there looms a fundamental question, never asked by the media and commentators and apparently never by the archives, a question that strikes at the heart of constitutional democracy, the integrity of the American spirit, and the destiny of the "last, best hope of earth."

Why did the government wait 30 years to release these records on a crime said to have been committed by a lone self motivated assassin? No answer. Why would they deign to keep these from the people? No answer. What is there in

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<sup>2</sup>The writers on the assassination separate into two types: the critics and the theorists. The former rest on objective study of the documentary base and does not seek to find out who shot JFK, but to know what happened that day. The latter seek to solve the crime but applying their "theories" to the evidence in a modern application of the ancient Greek Procrustes' approach to reality.

these records that required a generation of closeting? Bluntly, baldly, and clearly, nothing. Is this not a constitutional republic? Apparently not where the murder of President Kennedy is concerned. Have we the citizens not the right to see the facts in a timely and proper manner? Of course we do. But we did not. Withholding essential evidence is a case of this critical importance to the continuity of democratic government is not an instance of a shade of a totalitarian government: it is totalitarianism, calm, bold, in three piece suits and silk hose.

Of course, this judgment is not understood by the government bureaucracy who by definition never sin. They casually label their judges as merely part of the irrational rabble on this odd subject. Never in the tumultuous course of 30 years of critical protest of 300 FOIA suits, a dozen congressional inquiries, and countless requests, having answered the simple question of why the secrecy? The press never ask the question either? That is its responsibility. So, are Americans in August 1993 to be grateful for the release of long and falsely suppressed handouts from an imperious government? Never.

The hard fact is when you go to the documents you will find much to read. And it must be read. But when you have seen this mass you have only glimpsed the tail of the monster; it is only part of the vast record available for the study of the JFK assassination. The true number of pages held in government files and not open to the public is probably on the order of 3,000,000 more pages. Some suggest even higher numbers.

There is also much you will not find in the new releases or in any releases. You will not find the FBI interviews of the autopsy doctors, the staff, and the aides. You will not find the neutron activation analysis report on the Tague shot. You will not find the careful tracing of Oswald's precise movements in the Depository that morning. Officials deliberately never performed these and many other essential acts in the criminal investigation of his murder, acts that would

have been normally done by police officials in almost any murder in the United States. In other words there is no answer buried in the records on who shot JFK for the shoddy facade of an investigation did not seek to find the murderer and rendered the evidentiary base so confused, partial, corrupted, and tainted that the evidence for the actual murderer is not contained in the records. Do not look for the Holy Grail; its existence is an illusion based on the passions of the theorists and the benumbed, benighted press, not on grim cold reality.

For research information and guide to the newly released records you can contact the National Archives Research Staff at (202) 501-5400.

The Released Transcripts of  
President Lyndon Johnson's  
Telephone Conversations

The press releases and press stories on the records release made much of transcripts of LBJ's telephone conversations and meetings during the the critical first weeks of his presidency. Much attention was paid to incidents reported within the transcripts. We were led to believe that these were "releases" generated by the Archives in response to the JFK Records Act.

Actually the transcripts had existed for 26 years in the archives and had been closed to researchers. All that occurred was they were made public and moved from one room [LBJ Library] to another [Washington, D. C., JFK Archival Room].

They had two sources. 1. When William Manchester published his book Death of a President in 1967 LBJ set his staff to compiling the documentary rebuttal to the references to LBJ's actions mentioned in this best seller. Manchester libeled Johnson plenty and good and distorted the record to make his book have a dramatic appeal. Part of the work went into making transcripts of telephone conversations as they related to the points of contest within the book.<sup>3</sup>

These had been extant for over a score of years.

2. The second major source came in the preparation of of President Johnson's memoir The Vantage Point, as the preface to the Archives release properly notes.

These also had a score of years of age.

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<sup>3</sup>Based on an examination of the materials rebutting the Manchester book in the LBJ library.

Neither were available to citizens until August 23, 1993 No reason given; no reason of course had to be given for the bureaucrats that staff the Archives have not to give any reason for any of their acts. They are a country unto themselves, by definition a world without morality, happy to do as told or as imagined their superiors would have them do.

When the time came for the "new" releases the archivists listened to the original tapes again; they "noticed inaccuracies of substance" significant enough "to change the meaning of the conversation" and made a processing note of the differences and included these in the transcripts. They urged researchers "to quote cautiously and to check the transcripts against the recordings for accuracy when they are made available for research use."<sup>4</sup> But the tapes are apparently not available to research use.

The staff never addresses the question of why these were not made public years before.

The transcripts in fact are not of all of President Johnson's telephone conversations during the critical days immediately following the murder and the formation of the Warren Commission. They are limited or selective conversations. LBJ did not cause to have the staff prepare the files as a complete transcript of his telephone conversations. He had specific reasons for compiling those that he did, which was not for the compilation of definitive historical records. .

For example, what is missing is LBJ's first telephone call to J. Edgar Hoover at 7.12 p. m., that first night. Here is when supposedly the FBI probe into the murder was given presidential authority, as under the law. We have only Hoover's reports on this through various channels and forms. Both the number of substance of his transcribed calls to Hoover seem sparse and not in accord with the nature of LBJ's normal mode of operation.

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<sup>4</sup>From the preface of the transcripts volume.



Also missing are most of the Abe Fortas transcripts. LBJ in one of his conversations mentions he was on the phone Sunday night until after midnight, yet the transcripts do not reflect this. There is no reason to suspect hyperbole. We know further that he had had to make more calls to persons about the events and issues in progress seeking critical advice. This is his nature and an imperative of the critical period to obtain this advice and counsel. Where are these?


We also need to know if only LBJ's calls are recorded. Was also the calls of Warren Jenkins, his top aide and a clear thinker recorded.? There is some reason to believe this might have happened. On one of Jenkins' memos of a conversation, found in the LBJ papers in Austin is a record of a telephone conversation, typed obviously from short hand notes written in pencil on the note. This suggests a record was made. Or did Jenkins use shorthand, which on the note though seems to have been made by a female hand with the strong well formed, flowing strokes of a professional..

Only a few LBJ phone calls to the military and intelligence heads are there. Is this probable that he made so few? It seems not to be consistent with his telephone mode of conducting business.

4-5 If now, why not then? If they would  
could be released, why the long delay?

5- Answer question why the secrecy? In fact case, did any say  
Doubtless more said not to let.

LBS + phone transcripts mms to what I want.

	
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Here are my "notes" on the releases  
the LBJ Telephone ~~too~~ transcript  
Comments you wanted me in

PR- 7-8-9

Dave