

1/6/69

Paul and Gary,

The pages from EC 4-1 Paul sent me (are the numbers official or are they yours, necessarily but arbitrarily designated?) are quite important in several respects and strongly reinforce what in many cases I had learned from other files and sources. I shall comment by page rather than make an effort to organize. Some of this, I believe, can be quite important in my suit and is corroborative of what I already have for this purpose.

What follows deals with pages 5-11, 14-16, 17-28. I have made a few comments on those earlier pages you sent. If it is not asking too much, I'd very much appreciate an actual-size set of what you have from this file because the reduced size is too small for two purposes: reproduction and court. Do we know the extent of the entire file? If not great, I believe it would be worthwhile getting the balance.

In general, this file, or these parts of it, are the steamroller-whitewash double play against the Commission members by at least Rankin and possibly other members of the staff. The Commissioners had to be indoctrinated and swung. This file reveals the technique and specifics. To a degree, as Paul may remember, I have already gone into this in what I have written tentatively titled "EXCESS", projected as half of AGENT OSWALD but possibly to be separated into separate work. Whether you agree with this or not, I do ask you to consider whether it had these effects, after which, if you disagree, you may better decide for yourselves whether it was so designed.

Page 5 is one of the many early indications Rankin expected a cut-and-dried rapid conclusion to a prefabricated Report. He was so confident of this he was cleaning up before he began. However, I think certain parts of this can have significance in court:

He believed the Commission and its work would be scrutinized carefully (he omitted literary examination, strangely). This required the Commission to leave "as complete a record as possible of the work of the Commission", which I interpret as intent that all its records be freely available except where otherwise and for compelling reason specified. And if these "accounts" were prepared, we should read them. I'd prefer not to make the request myself. If Paul doesn't want to, I'll nominate Bud. The analysis of the staff work might be entertaining. Item 5, "evaluation of the work of the Commission", and of the subdivisions, "h. Validity of the findings", gave the staff members a chance to record disagreements, which some did feel.

Page 5 supports a major thrust of the executive sessions. The members were persuaded by Rankin reading the summaries was a substitute for reading the depositions, and there was a major pressure and effort to get these summaries completed. Need I point out that the summaries can be useful only if one is not looking for any disagreement, for nothing but a pony?

Despite the suggestion below that all the testimony would be printed, I assure you that this was never the Commission intention (either Rankin or members) thus there may be added significance in the suggestion the summaries might be printed. This, I believe, was a Rankin substitute for publishing the testimony and exhibits. No immediate preparation of summaries of testimony heard by any members is not necessarily contradictory to this possibility. They could readily be prepared at any time.

I recall nothing like what the second paragraph prescribes from my

reading of the Redlich file, but that was so long ago, this should not be depended upon. Also, there may have been a special file for these things. In my comment on the Eisenberg memo of 511-5/12 I have pointed out there are substantive changes made by lawyers as distinguished from witnesses, and there is no record of which I am aware except on the transcripts.

Note then on April 7, when they had hardly begun, Rankin's major concern already was the drafting of the report. He never had any doubt about what he would see to it that the Report says, as you may recall from PM. This never varied. He needed no investigation except as intended justification of what he had already decided the Report would say. On April 7 he could say, "as we near the end of our assignment." And by the last page of this file, he still did not plan, among other things, any New Orleans investigation at all.

Page 8. I believe what is here discussed is in PHOTOGRAPHIC WHITEWASH, but I see no point in checking it. The possible significance I read into this is that the day Ruby shot Oswald there was film not aired.

Page 9. As with 6 and 7, this and a number of the following pages do not bear the initials of those who drafted the documents. These are on letter-heads but are so indistinct they seem not to have been copied from originals. The carbons indicate the authors. Some time ago I made a close study of this question. My recollection is consistent with this memo, except that this was not the original intention, at least insofar as the files I went over faithfully reflect the original intention. It may have been and may have been disguised so the members could be persuaded.

Page 14. Despite the window-dressing, Item 1 tells the staff what lawyers usually do is okay-speak to the witnesses before taking their depositions. When there is another side, this is okay. But when there is but a single side, I question it only because this was a quasi-judicial proceeding, not like a Congressional hearing, where it is understood a single side is to be argued.

Item 3 is something of great interest to me and I have it more fully from other sources. One great significance I call to your attention (but like the rest of my observations and opinions, for various reasons I do not want bruted about) is the role in which this casts the FBI. It completely ends the independence of the FBI insofar as its work for the Commission is concerned. It with this function, I believe, became an integral part of the Commission (as, I also believe, its acting as the Commission's chief investigative arm, also accomplished). If I am correct, this may have considerable legal significance.

The attached letter to Hoover is also more skimpy than another version I have. But how fascinating Rankin's exception of Exhibit 111! This is never described in the testimony (Marina's), never described in the table of contents of the exhibits (except as a book in Russian), and did have Russian characters cut out. One of my colleagues, with a certain expertise in cryptography, was not able to reach any final conclusions. He believes it may have been a kind of grill code (and I believe there was a perfunctory investigation of this. I know of no work (I have not the background to follow this suspicion) that it may have been a message that was sent, that the cut-out letters themselves were sent someone.

Page 18. Carr and Wade may, indeed, have desired the Commission and its staff to stay out of Dallas until after the Ruby trial, but no one yearned for this as much as Rankin, and the devices he used should never have fooled the members, though I do believe it did. He did not eschew a kind of threat. This is already in ECCESS as much as I think necessary.

Examination of his schedule could make a long treatise. I have noted the absence of any New Orleans testimony. Nothing on any aspect of possible conspiracy is included, not even a suggestion of it. No Odio story, for example, although it was known and had been tested by the FBI.

If you make your own examination of this list and the testimony to be adduced, I think it will be clear to you that Rankin visualized and planned a bob-tailed investigation, a perfunctory justification of what he had already decided would be concluded. I do have a few comments on his list of witnesses and what they would say, for it all bears on the propagandizing of the members of the Commission, to the end that they might hold down what he was concocting.

Page 19-The four agents are not "the best eyewitnesses from the motorcade" and they did not observe any of "the basic facts of the assassination". Bill threw the single curve, his observation of the rear non-fatal wound, but that is not envisaged in this testimony. These are the drama people, the protectors of the three celebrities, the President, the Governor and the First Lady.

"Statements of key people"? Rubbish. Indoctrination.

"Immediate reaction of the principals"? Greer and Kellerman were with their backs toward them, never turned until after the last shot was fired, and then only Kellerman and only for a tiny fraction of time. They could not and did not "witness the immediate reactions of President Kennedy and Governor Connally". Bill was not the first from the follow-up car to "notice President Kennedy's reaction to the shots". Roberts testified he saw the rear non-fatal strike. Youngblood was there for another purpose: his testimony was safe, he was credited with heroism, and he was LBJ's chief of security.

The presentation of the next four witnesses, Rowland, Ruins, Worrell and Jackson is false and deceptive. I am not clear on the exact details of their precise testimony on seeing a rifle "in an upper floor of the building". But Rowland said he saw one in the right window much earlier and at the right time at the opposite end of the building and Ruins never saw a rifle. He saw a "pipe" thing. Brennan, the one who was specific, is not in this group, for a reason I will come to.

Before carrying this forward, Rankin has a shift, to Randle and Frazier, for the purpose, I am certain, of building more fortification begun with the misrepresented quartet above. This indoctrination of the members is careful to omit any reference to the basic disagreement of both witnesses with the official version, to the fact that their testimony, if believed, destroys the entire case. It was known. Omitting it is consistent with kidding the Members along, propagandizing them.

Page 21-"Every effort must be made to clarify the number and nature of the wounds suffered by President Kennedy". Not only was this not done, but note its careful separation from the wounds of Connally, from which it cannot be divorced. When Rankin says that before they are presented to the members these doctors will be deposed in Dallas, he is telling the shrewder ones their testimony will be carefully ordered before any member of the Commission is stuck with it. But in this part he again omits any reference to Connally. Scheduling Brennan, Jarman, Williams and Norman for April 6, after the foregoing, when Brennan was, as Ford put it, their "star witness", was because he dared not present Brennan either alone or without laying a foundation for his totally incredible testimony. Such is the character of the "star" witness and his "testimony". Brennan, in even Rankin's organization, belongs with the second set of witnesses, three pages earlier. Rankin or whoever drafted this for him seems to have had misgivings that this would be detected, for this passage concludes with a lie to seem to explain it: "These witnesses are delayed until this date in order to permit their interrogation in Texas on the actual scene before their appearance before the Commission". It was not done that way. They may have been schooled, prepared. But in any event, if it had to be done, it could have been done in time for the very first set of hearings. It wasn't simply because it wasn't wanted that way.

I'm skipping much that should be obvious. Page 23, the last nine witnesses are described as able to "supply information regarding the killing of Lee Harvey Oswald by Jack Ruby". With the possible exception of Vaughn and Daniels, who still could not do this, it is completely false of the others, Page 24, Cliff Carter to be a witness. They didn't dare, and he wasn't (as per WW).

The second part lists those to be questioned in Dallas. That some were

not need not be sinister, but it also may not be assumed that it was not without purpose. Henrietta Ross did not give a medical deposition (so I'd like to see any interviews of her). Page 26. It is hardly a fair reflection of the testimony to be taken from Weitzman that he "can supply additional testimony regarding the identification of the assassination weapon". He was not needed for this purpose, in any event. And if "witnesses Craig and (Marvin C.) Robinson have testimony regarding the departure from the Depository of a man in a station wagon", Robinson was not called (again, interviews available?) Nor was Robert McNeil (sic) who could have led to the belief Oswald was on the first floor. Nor Dr. Signore, "who can supply testimony regarding the wounds suffered by Tippit", and there is no such testimony. Or, as I believe I said in WW, the record here is so barren it lacks even the certification of Tippit's death. Page 27. All the projected New Orleans testimony is the last sentence, copied to the Murrelts, "This couple had more contact with Oswald and his wife than any other person in New Orleans".

Sorry about the haste. Perhaps I should have expanded some.

Sincerely,

Harold Weisberg

CC Bud only.