

scientific community or the general public. The report was based upon careful scientific evaluation by a panel of respected scientists chosen by other scientists. The process was carefully designed to avoid the selection of scientists based upon any relationship with the Department of Justice or any other entity which might be considered to have a bias in the matter. The conclusions of the panel appear to be sound, based upon the absence of substantive opposition and the apparent inherent validity of the results. In particular, the proof that the sounds analyzed by the Committee experts were not the sound of the gunshots directed at President Kennedy because they occurred after the assassination seems to have permanently discredited the Committee's assassination conclusions, which were based upon that flawed acoustical analysis.

It would be inappropriate to conclude that the entire Committee process and Justice response were not productive because they were based upon what has now been determined to be severely flawed scientific evaluations. The House Select Committee on Assassinations significantly advanced the investigation of President Kennedy's assassination. A panel which was clearly not predisposed to ignore evidence of a conspiracy (as manifest by its conclusion that a conspiracy did exist) discredited, detail by detail, virtually all of the popular conspiracy "evidence" and theories in existence. After such a thorough examination of the evidence and of the numerous theories of the assassination, the determinations that Lee Harvey Oswald was the President's assassin and that organized crime, anti-Castro Cuban groups, the Cuban Government, the Soviet Government, or the United States Government were not involved must be considered very persuasive.

That such a body, in announcing a belief that the assassination was a conspiracy, could find no supporting evidence other than the since-discredited acoustical evidence contributes significant support to the belief that no such additional evidence exists. That such a body could not provide information regarding the identity of the alleged co-conspirators even after it had concluded that there were probably such co-conspirators seems to lend great support to the belief that no such persons are identifiable.

The Department of Justice built upon the foundation established by the Committee by focusing the Department's subsequent investigative activities upon those issues raised by the Committee's efforts. That our inquiry regarding those issues and our review of unsolicited correspondence generated by the report failed to develop new evidence of value casts further doubt upon the existence of support for any of the conspiracy theories.

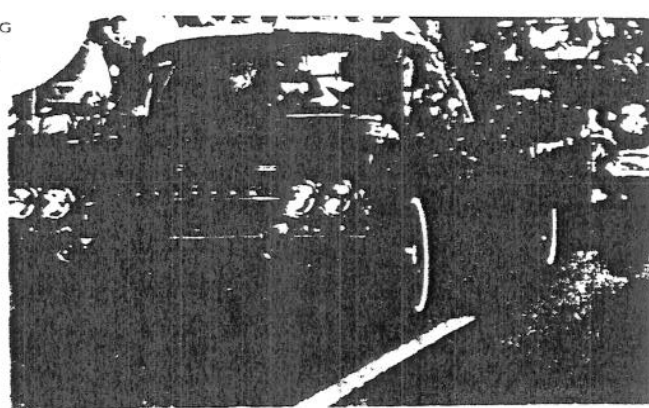
Accordingly, the Department and the Congress should be more confident than ever in the quality of the review of the assassination which has followed the Warren Commission report.

RECOMMENDATIONS

A letter consistent with the conclusions above to the Chairman of the Judiciary Committee has been drafted for your signature. The letter reports our view that the Committee's basis for a conspiracy theory was effectively discredited by the independent conclusions of the National Academy of Sciences. It further advises the Congress that we believe that we have exhausted our existing leads in investigating these matters until some further information of value is identified. Finally, we assure the Congress of our continued willingness to review all unsolicited correspondence and to act appropriately should new information of potential value be identified regarding either assassination.

With your concurrence, we will coordinate the release of this letter with the Civil Rights Division, Office of Legislative Affairs, Office of Public Affairs, and Federal Bureau of Investigation, each of which offices has recently approved the text of this memorandum and of the attached draft letter to Chairman Rodino. The Office of Legislative Affairs has agreed to assure delivery to appropriate Members of Congress and the Office of Public Affairs is prepared to respond to any media inquiries. No formal press statement is anticipated. The General Litigation and Legal Advice Section will continue to review and, as appropriate, respond to correspondence regarding the John F. Kennedy assassination. The Civil Rights Division will continue to staff inquiries regarding Dr. King's assassination.

Attachments



This is the Altgens photograph. The focal point is the man in the doorway who fits the description of Oswald.

Dear Mr.

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While I made the picture, I am unable to prove the things you brought out in your letter. However, one point of interest may be the fact that I received a phone call from Lovelady (who resides somewhere here in the city) asking me for a copy of the photograph showing him on the steps of the school book depository. The call came as a surprise. Both The AP and I had tried for pictures and interview with the gentleman following the assassination, but we were never successful. In this phone call, I tried to trade off a private interview and photo session in exchange for the print of the picture he wanted, but Lovelady refused. He told me that the picture does show him as the Warren Report described and that because of people invading his private life, his family had been forced to move several times since the assassination to avoid possible harm to the family by aggressive people. One of the most sought-after items from him was his shirt worn the day of the assassination. His home was broken into several times by people searching for that particular shirt; he said. While the shirt was value-less (his wife had wanted to throw it away prior to the assassination because she hated it) he finally had to put the shirt in a vault for safety; however, his home was messed up rather badly a few times by culprits who entered his home, during their absences, trying to find his elusive, no-good shirt. This is what caused him to move so many different times. It was to thwart this kind of abuse to his home and family. Whether these things are true or not, I am not in a position to say. I merely quote what he has said to me, or what his wife has said. I have met Mrs. Lovelady.

If my pictures are historic, this is gratifying. As a newsman and photographer, I do the best I can at recording or writing news as it happens. In a way, I can almost refer to this work in the past tense. Retirement from this kind of work for me may be only a year away—not that I have reached the age, but, because of automation and modernization of our equipment, my services may no longer be required by The AP. After all, I am in my 39th year of employment and a good nine years away from social security or age 65, so I guess retirement should be considered—ready or not.

Sincerely,

James W. Altgens
James W. Altgens

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General Correspondence No. 99

February 24, 1970

Mr. Joseph C. Goodwin
Assistant to the Director
Central Intelligence Agency
Washington, D. C.
20505

Dear Mr. Goodwin:

Subject: Warren Commission Exhibit 237

Commission Exhibit 237 is a cropped photograph of an unidentified individual which was furnished by your agency to the FBI, who then tried to show it to Marina Oswald. If you will not identify this individual, can you tell me in what way he was involved in the case?

Also, in your letter of December 5, 1969, you wrote that a formal review of classified CIA reports (now withheld from researchers) would be made in 1970. Has this review been made and will you advise me as to which documents if any, the Agency might release?

Sincerely,



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

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OFFICE OF THE DIRECTOR

3 March 1970

Mr. Emory L. Brown, Jr.

Dear Mr. Brown:

We have received your letter of February 24, 1970 concerning Warren Commission Exhibit 237.

Since the individual whose picture is listed as Exhibit 237 has not been identified, we are unable to furnish any information in addition to that contained in the affidavit of Mr. Richard Helms published at p. 469, Volume XI, Hearings Before the President's Commission on the Assassination of President Kennedy.

The formal review of the classified documents scheduled for 1970 has not yet been made.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joseph C. Goodwin".

Joseph C. Goodwin
Assistant to the Director

General Correspondence No. 99

March 9, 1970

Mr. Joseph C. Goodwin
Assistant to the Director
Central Intelligence Agency
Washington, D. C.
20505

Dear Mr. Goodwin:

Reference is made to your letter of March 3, 1970.

Would I be correct in assuming that the Agency is still unaware of the identity of the individual portrayed in Commission Exhibit 237 ? The affidavit of Mr. Helms indicates that this person may have been under surveillance for a period of up to five months prior to the Assassination and inquiries by the Federal Bureau of Investigation indicate that they felt this person may have been associated with Oswald.

Again I would ask you, in what way the Agency felt this particular individual may have been involved in the case.

Sincerely,



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR

657

11 March 1970

Mr. Emory L. Brown, Jr.

Dear Mr. Brown:

In response to your letter of March 9, 1970:

Your assumption is correct. We do not know the identity of the individual photographed.

Because of the nature of its duties, required by law, the Central Intelligence Agency does not publicly discuss its methods of operation or its sources of information. For this reason we are constrained from discussion of your interpretation of the affidavit, and of the question as to how the Agency "felt".

I regret I can not be more helpful.

Sincerely,

Joseph C. Goodwin
Assistant to the Director

General Correspondence No. 99

April 4, 1970

BY CERTIFIED MAIL

Mr. Richard M. Helms
Director
Central Intelligence Agency
Washington, D. C.
20505

Dear Mr. Helms:

Subject: Warren Commission Exhibit 237

Your assistant Mr. Goodwin has informed me that the identity of the individual photographed is still unknown to the Agency and that the question of this individuals involvement in the matter can not be discussed.

I have read your affidavit of 7 August 1964, and assume that there is a possibility that Mr. X may have been under surveillance for a period of up to five months prior to the Assassination. Based upon the affidavit of Special Agent Bardwell D. Odum, FBI, it would seem this individual may have been associated with Oswald. There is also the possibility that Mr. X could fit the description several witnesses gave of an unknown husky blonde male, observed carrying a rifle case through the streets of downtown Dallas around noon time, on the date of the Assassination. The fact that this particular photograph was made available to the Federal Bureau of Investigation on the same day as the Assassination would seem to link him to it.

Therefore, I appeal to you for some additional information concerning this individuals involvement in the case.

Sincerely,

SHERIFF'S DEPARTMENT
COUNTY OF DALLAS, TEXAS

Before me, the undersigned authority, on this the 22nd day of November A. D. 19 63

personally appeared Ernest Jay Owens, Address 3007 Peachtree
36 Phone No. None Mesquite, Texas

Ernest Jay Owens says: Yesterday afternoon, Thursday, and while on my way home from work, I passed a man walking in a westerly direction on Wood Street as well as I can remember about Good-Lattimer Expressway. I was driving to an Easterly direction in my car and this was sometime between 5:00 and 5:15pm. This man I saw was a white male, about 5 foot 4 to 5 inches tall and heavy build, not fat but large shoulders. This man was carrying a foreign-made rifle, long blue steel barrel and a long yellow stock. This man was wearing a dark colored suit and was bareheaded. He was carrying the gun on his right side in his right hand. As far as I know I have never seen this man before and I could not be sure that I could identify him if I ever saw him again. This man came out of a parking lot with the gun in his hand. I can not be sure if this was a .38 and a scope on it or not. I would say this man's age was between 35 and 45 years and he did not have glasses on.

Ernest Jay Owens

Subscribed and sworn to before me on this the 22nd day of November A. D. 19 63

Clay Jones
Notary Public, Dallas County, Texas

DECKLE EXHIBIT No. 5323-Continued

SUMMARY: Statement to DPD
Ernest Jay Owens

1. Passed a man walking Westerly on Wood Street at about Good-Lattimer Expressway. The man was a W/M 5-4 or 6, haevy build, large shoulders. The man was carrying a "foreign made fifle". He was around 35 or 45 years of age. This ocured on the afternoon of 21 November, about the time of 5:15PM.

On November 22, 1963 the Central Intelligence Agency furnished the Federal Bureau of Investigation with a copy of two of a photograph for purposes of identification. On the evening of 23 November, Special Agent of the FBI Bardwell D. Odum, Dallas Office, removed the background from one of these copies so that only the main subject which was an unidentified white male, was visible. He then proceeded to the Executive Inn motel where he hoped to exhibit the photo to Marina Oswald, but being refused this opportunity by Lees mother Marguerite, he showed the photo to her instead.

In her testimony before the Warren Commission, Marguerite Oswald stated that at the time this particular photo was shown to her she could not identify the individual in it but at a later date, after viewing numerous pictures in local newspapers, she is positive that the individual portrayed in that photograph was none other than Jack Ruby. The individual depicted in Commission Exhibit 237, which is said to be the photo shown to Marguerite Oswald, is quite obviously not Ruby. So, who then is it?

From the affidavit of Richard Helms, now Director of Central Intelligence; we see that there is a possibility that " Mr. X " may have been under surveillance for a period of up to five months prior to the Assassination. Yet, I have been advised by the CIA that the identity of this person is still unknown.

There is cause to wonder why this particular photo was made available within hours after the President was shot. From looking at the photo, one might think that the subject was not alone. Could he have been with Oswald?

The fact that the FBI wanted to show this photo to Marina, seems to link Mr. X to Lee Oswald. The fact that this photo was distributed on the day of the Assassination would seem to link Mr. X to the Assassination.

Other evidence linking Mr. X to Oswald is CD-1389 (a) which concerns an-FBI interview of one Evaristo Rodriguez. Rodriguez was the owner of the Habana Bar in New Orleans, where he observed a man identified as Oswald, in the company of another man, who was unidentified. Rodriguez could not identify the individual in the photo and did not recall ever having seen him before. Rodriguez was also shown five additional photos of other individuals which he could not identify. How were they tied into the case, and who were they? The FBI has refused to tell me who these five are.

As a closing note, the statements given to the Dallas Police Department by Philip Hathaway and John Lawrence are rather interesting. Both men mention having seen a tall, husky, blonde (crew cut) white male, carrying a rifle case as he proceeded down Akard Street towards Commerce Street. The date was November 22. The time was 11:50 am. This description seems to fit the man in CE-237.

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General Correspondence No. 99

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D. C. 20505

OFFICE OF THE DIRECTOR

17 APR 1970

Mr. Emory L. Brown, Jr.

Dear Mr. Brown:

In your letter of April 4, 1970, you appealed to the Director of Central Intelligence for some additional information concerning the individual whose photograph is in Warren Commission Exhibit 237. As we informed you a number of times previously, we do not know the identity of this individual. Accordingly, as we stated in our letter of 3 March 1970, we are unable to furnish any information in connection with the picture in question in addition to that contained in the affidavit of Mr. Richard Helms published at page 469, Volume XI, Hearings Before the President's Commission on the Assassination of President Kennedy. In particular, therefore, we have nothing which would in any way bear on the assumptions and speculations set forth in the second paragraph of your letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. K. White".

L. K. White
Executive Director

MARK CROUCH

180

7-18 1991

60-439
319

HOMETOWN
RADIO
OR
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ITY

663

PAY TO THE
ORDER OF

Register of Copyrights

\$ 10.00

DOLLARS

The 1st National Bank
of West Chester
West Chester, Pennsylvania 19380

MEMO

To Register of Copyrights:

During the course of an investigative news report in March of 1981 I encountered a former United States Government Official (James K. Fox United States Secret Service) who had in his possession 9 black and white photographs of the body of President John F. Kennedy.

Mr. Fox gave me the photographs with the proviso that they not be released until after his death. During the period from 1981 to 1988 I conducted research as to the historical implications of these photographs. In 1988 I allowed for the reproduction of 7 of them in the rerelease of Best Evidence - David S. Lifton - Carroll & Graph. Subsequently the photographs, with my consent, were used in several other publications.

I realize that under normal circumstances, United States Government material is not subject to copyright but the unique status of these photographs and the accompanying inventory constitute a unique work.

The photographs or ones similar, now reside in the National Archives but are sealed under a special Deed of Trust held by the Kennedy family, I feel, therefore that they cannot be subject to the rules of United States Government Property because although held by the government, the government has no control over their use, disposition or access.

It has been my practice and desire that the photographs be available for study in the historical context of books such as Best Evidence, High Treason and others, but recently I learned there was an attempt to expurgate the photographs from one of these publications and sell them to a national tabloid publication.

I have a true and unique claim this material and am entitled and I feel morally accountable for it's responsible use. For these reasons I am requesting a copyright on the photo's shown on the attached proof sheet and the inventory and observations attached.

Sincerely:

Mark A. Crouch

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January 22, 1992



Mr. Mark A. Crouch

Re: John F. Kennedy Black and
White Autopsy Photographs.
Our Control No. 60 114 577 C

Dear Mr. Crouch:

LIBRARY
OF
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Please accept my apologies for the long delay in responding to your application for registration of a claim to copyright in referenced work. The application, though received July 15, 1991, was just recently brought to my attention.

Please note, under the Copyright Law, the person who owns copies of a work does not necessarily own the copyright in the work. When an author creates a work, the author of a work initially has the right to claim copyright in the work. The author may give all copies of the work to others, and still retain ownership of the copyright.

Washington
D.C.
20559

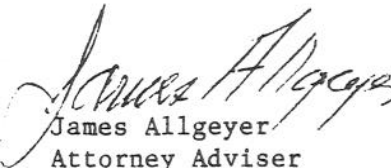
Once the 1976 Copyright Act became effective on January 1, 1978, the law made the following requirement for someone other than the author to be able to claim ownership of a copyright, or for someone who has obtained ownership of a copyright from the author to transfer that ownership to someone else. The requirement is that if the transfer is not by will, or by operation of law (intestate succession), it must be made in a written instrument of conveyance, note, or memorandum signed by the author who initially owns the copyright, or by someone to whom the author has transferred the copyright, or by their duly authorized agent. See 17 U.S.C. secs. 201(d), and 204(a).

With respect to your claim in these photographs, because you did not take the photographs, you are not the author. It is not clear who took the photographs, and apparently you do not have a written assignment of the copyright in the photographs from the author, or from a person who has obtained ownership of the copyright from the author. As a result, you cannot claim ownership of copyright in this work. I am therefore filing your application without further action. The \$20 fee is being retained to defray the administration costs of handling this claim.

With respect to the authorship in the text accompanying these photographs, you are apparently the author, and we can register a claim in that authorship on your behalf. Please submit a new application on Form TX, the \$20. filing fee, and if the text is still unpublished, another copy of the text. If published, we will need two copies of the best edition of the work as published to the date of deposit in this Office. In preparing the application, please state only "Text" in the NATURE OF AUTHORSHIP block of space 2, because that is the only authorship on which you can base a claim. If you have already registered a claim in the text, you will not have to make a second registration, even if the work is subsequently published. But note, you may register the published version if you wish.

Should you reply, please return the enclosed copy referring to our CONTROL NUMBER 60 114 577 C.

Sincerely,



James Allgeyer
Attorney Adviser
Visual Arts Section
Examining Division

Enclosures:
Form TX

666

May 7, 1992

Mr. James Allgeyer
Attorney Adviser
Visual Arts Section
Library Of Congress
Washington D.C. 20559

Re: Your Letter Of January 22, 1992 J.F.K. Black-and-White Autopsy Pictures
Your Control Number. 60 114 577 C

Dear Mr. Allgeyer:

Please accept my apologies for not responding sooner to your letter of January 22, 1992. I have considered the issues you raised in your denial of copyright. I feel the issues raised do not preclude my right to Copyright.

The first point you raise concerns an author creating his work. The photographs I have submitted to you were created by me in 1981 from materials supplied me by former Secret Service Agent James K. Fox. They are an essential componet of the inventory document and other verbal and written material supplied to me by Mr. Fox. Your office has granted copyright protection to several books dealing with the JFK case which contain my photographs. Is it your contention that these photographs can be expurgated from these copyrighted works without recourse for the authors?

I am somewhat baffled by several statements in your letter. You say, "it is not clear who took the pictures." I must assume you did some research on this matter and in due course contacted the National Archives. According to published documentation by the Warren Commision and The House Select Committee on Assassinations the photographs were taken by Navy photographer Gerald Stringer. There are signed receipts from Stringer to the United States Secret Service. Why is there confusion on this point?

Stringer gave the unprocessed exposures to the Secret Service. Jim Fox then processed the photos on November 29, 1963. Several days later Fox made prints in the Secret Service Lab, one set of which was placed in his private possession. On April 26, 1965, Robert Kennedy assumed possession of this material when it was transfered from the Secret Service to The Archives. I can understand that prior to 4/26/65 this material was obviously government property and as such was not subject to copyright however, upon transfer to private possession it would then have to come under copyright jursidiction. To say otherwise is to create a "gray zone" in Copyright Law. Fox then gave the pictures to me under the provision that they not be released until after his death. The existence of this arrangement can be confirmed by credible witnesses.

I contend that the author of these photographs was The United States Secret Service and that I obtained them from that author. Since the author, an agency of the Federal Government maintains that this material is no longer government property but is in fact private property when I therefore request you honor my application for copyright.

Sincerely,



Mark A. Crouch

June 26, 1992

Mr. Mark A. Crouch



Re: John F. Kennedy Black and
White Autopsy Photographs
Our Control No. 60 114 5771 C

Dear Mr. Crouch:

This is in response to your letter of May 7, 1991, requesting reconsideration of our refusal to register a claim to copyright in the referenced photographs.

Thank you for providing the identity of the person who took these photographs. We normally do not do research about a claim, but rely upon the copyright claimant who is usually sufficiently familiar with the facts to give us the information we need. Basically, it is incumbent upon the claimant to provide us with facts that state a proper claim to copyright. Unless the claimant's facts fly in the face of reason, or are something we incidentally know not to be true, we generally accept them.

You say that Navy photographer Gerald Stringer took the photographs. If he did so as part of his official duties as a Navy photographer, the copyright in these works is in the public domain under both the 1909, and 1976 Copyright Laws. That means they are not protected by the copyright law.

Whether these photographs can be removed from another copyrighted work and used, depends upon whether the person removing them only takes the unprotected photographs, or also takes some material from the work that is protected. If that person takes nothing other than the unprotected photographs, there is no copyright infringement involved. If the person takes additional protected material, the additional material will have been infringed.

When, as you state, Stringer gave the unprocessed exposures to the Secret Service, they were apparently not protected by copyright because they were government works. When Jim Fox processed the photographs his processing would not normally have added any copyrightable authorship, because merely processing film into prints generally does not involve the addition of any copyrightable

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D.C.
20559

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Mr. Mark A. Crouch
Page two


authorship. Also, if Fox were acting within his official duties at the Secret Service when he did that, his work would have been an uncopyrightable government work. From the above you would be correct when you say that prior to 4-26-65, these photos were not subject to copyright.

Please note, the person who has physical possession of the prints has ownership of personal property in the prints themselves, providing the prints were obtained from someone who owned them. But that person does not own the copyright in the photographic authorship appearing on the prints. If, as in the case of these public domain photographs, someone were to copy them, there would be no protection against the copying under copyright law. If someone were to take the public domain photographs from the owner of the items themselves, they may have committed a theft of personal property, which is usually covered by state laws, but there will have been no violation of the copyright law. Thus transfer of the prints to private possession does not give rise to copyright protection, though their physical possession is protected by other laws.

In view of the above, I cannot agree with you that because the "Federal Government maintains that this material is no longer government property, it is in fact private property" if by "private property" you mean protected by copyright. When the photographs were made by a government employee as part of his official duties, the works were not protected by copyright, and under the Copyright Law the government could not keep anyone from copying them. All it could do was to restrict access to prints and negatives themselves. Once the government allowed access, there was no copyright protection from them being copied by others who had access to them.

Since these photographs were apparently produced by government employees as part of their official duties, they are not protected by copyright, and registration which is a statement that they are protected cannot be made. I am therefor filing your application for the works entitled John F. Kennedy Black and White Autopsy Photographs without further action.

Sincerely,


James Allgeyer
Attorney Adviser
Visual Arts Section
Examining Division



ITEK CORPORATION - 10 MAGUIRE ROAD
LEXINGTON, MASSACHUSETTS 02173 - TEL. 276-2000

669

August 5, 1974

Mr. Edgar F. Tatro

Dear Mr. Tatro:

I do not recall the incident that you mentioned regarding a Mr. Marcus and film taken by Mary Moorman. However, I believe I can respond to your letter.

First, Itek ran two film examinations relating to the Kennedy Assassination. Both were performed for press organizations - UPI and Time-Life. During that general period of time (1967-1968), we received many, many requests from various individuals to perform other studies on a wide variety of subject material - ranging from glass plates from the Lincoln era to copied newspaper photographs that appeared in 1963. We declined all requests except the two I mentioned. Both the UPI and Time-Life studies were run on film that they either owned or held reproduction rights. In addition, both organizations were able to widely report on our results exactly as we found those results to be.

I have enclosed a copy of the Time-Life study. Please note item 5 on page 2. We did analyze a duplicate of the Mary Moorman film. All the analyzed film, to the best of my knowledge, was the property of Time-Life and they held all rights to it. I don't recall or even know how anyone else could have given us this particular film but I could be wrong. This was eight years ago and the coordinators of the project are no longer at Itek.

Reproductions of the examined film were not reproduced in our report - again due to copyright laws and reproduction rights.

Very truly yours,

A handwritten signature in cursive script that reads "Howard J. Hall".

Howard J. Hall

Director of Public Relations

Enc.

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Todd Wayne Vaughan

May 22, 1992

The Honorable Henry B. Gonzalez
United States House of Representatives
Washington, D.C., 20515

Dear Mr. Gonzalez:

This letter is in regards to the assassination of President John F. Kennedy, November 22, 1963 in Dallas, Texas, of which you were a witness, having been in the motorcade.

Are you able to recall after all of these years, who was riding with you in the car in which you were traveling, and perhaps recall the seating arrangement, that is, who was sitting where?

Also, there is a story in one of the many publications on the assassination that you took two photographs of President Kennedy at Parkland Hospital as he still lay in the back of his limousine before being taken into the emergency room. The story says that you then put your camera back into the car you were riding in and it was not there when you returned, presumably it was stolen.

Can you please confirm or deny this story. And if it is true, or partly true, could you kindly elaborate or set the record straight?

I would also be interested if you could recall any other photographs you may have taken that day, if any.

Thank you very much for your time.

Sincerely,

Todd Wayne Vaughan

WP5.1 GONZ0522

COMMITTEE
BANKING, FINANCE AND
URBAN AFFAIRS
CHAIRMAN

SUBCOMMITTEES
HOUSING AND COMMUNITY DEVELOPMENT
CHAIRMAN
GENERAL OVERSIGHT AND INVESTIGATIONS
CONSUMER AFFAIRS AND COINAGE
DOMESTIC MONETARY POLICY
POLICY RESEARCH
AND INSURANCE

Congress of the United States
House of Representatives
Washington, DC 20515-4320

JOSE B. GONZALEZ
San Antonio, Texas
Office Building
Washington, DC 20515-4320
202 225-3236
San Antonio Office
8-124 Federal Building
227 E. Duval Street
San Antonio, TX 78206-1288
512-229-6195
HOUSE TASK FORCE ON THE
QUINCENTENNIAL CELEBRATION

June 8, 1992

FILE REF:
B17JFK
jcs

Mr. Todd Wayne Vaughan

Dear Mr. Vaughan:

Thank you for your letter regarding the movement to unseal documents relating to the assassination of President John F. Kennedy. I introduced legislation on January 22nd (H.Res.325) that, if adopted by the House of Representatives, will unseal those files of the Select Committee on Assassinations that pertain to President Kennedy.

Additional legislation has been introduced in Congress, as well, but it addresses all government records on the Kennedy assassination - not just the House records as my resolution does. This other legislation has exceptions to full release and would require passage by both the House and Senate as well as signing into law by the President. This legislation is receiving some action in both chambers, but the Administration has at one time endorsed it as well as opposed it, so its future is uncertain at this time.

In answer to your questions, I was riding in the motorcade in Dallas in car #4, and in the front passenger seat next to the driver was Representative Young from Corpus Christi. I was in the back seat next to the window behind the driver, and State Senator Bill Patman (Representative Wright Patman's son) was in the middle next to me. Next to Senator Patman was Representative Purcell from Wichita Falls. Regarding your second question, I had three cameras with me as I accompanied President Kennedy on his trip around Texas. I just had one with me in the motorcade, and it was with that small camera that I took pictures of the President at Parkland Hospital. I just took general shots, however, and did not disturb the sheet draped over the President's body. After the assassination, I went immediately to Washington and did not return to San Antonio for two weeks. Two of my cameras were in my luggage, and the small one was in my pocket. When I returned to San Antonio, I went by an office I had on Houston Street to finish cleaning it out because I had my district office then at the old Post Office building. I put the three cameras in the front of my car, locked it, and went very briefly into my Houston Street office. When I returned to my car, I noticed it was unlocked although I had specifically remembered locking it, but there were no scratches, broken glass, or other signs of illegal entry. Then I noticed all three cameras were gone, and I was heartsick. Although I reported the theft

Mr. Todd Wayne Vaughan -- Page 2

immediately to the police, who took it to be a routine petty theft case of the type which had been on the increase in downtown San Antonio, the damage had been done. I eventually recovered two of the cameras which had been fenced, but the film was missing; I never did see the small camera or its film again.

With regard to the investigations of the President's assassination, I have never been satisfied with any of them. Further, I believe that the sealing of documents by the House Select Committee is abhorrent to the open processes of Congress, and until early this year I had no idea that any documents had been sealed. Although I am not certain that re-opening the investigation would be any more successful than was my attempt to look at this and the other tragic assassinations, I am certain that continued secrecy does not serve the purpose of justice.

You may be aware that I was the one who introduced legislation to create the Select Committee on Assassinations. When I first introduced the legislation, I had hoped to investigate all of the political assassinations, including the murder of Senator Robert Kennedy, the assassination of Dr. Martin Luther King, and the attempt to kill Governor George Wallace. My plans did not turn out as I had hoped.

The Select Committee was finally formed in Quixotic fashion, limiting its jurisdiction to the assassination of President Kennedy and Dr. King. I was not named as the first chairman of the Select Committee which was hastily organized at the end of one Congress with a lame duck congressman as chairman. The Select Committee died, and I was faced with an awesome task during the new Congress (1977) of trying to reconstitute the Committee in face of numerous charges regarding steps that had been taken by the departed chairman. I wound up having to resign both my short-lived chairmanship as well as my membership on the Committee. They spent \$6 million and really accomplished nothing. As it turned out, the committee turned into a "who dunnit" rather than a committee dedicated to a legislative purpose. Thus, the committee was undermined from the very start when it took off in the direction of an investigation with no legislative goal. When the Committee announced its findings that the assassination of President Kennedy was probably the result of a conspiracy, but then sealed the records of the committee, the germ seed for eternal conjecturing and infinite hypothesizing was planted.

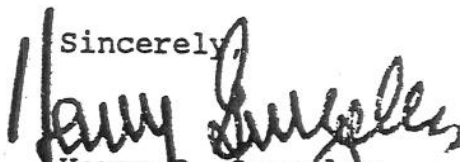
As you may know, I was riding in the motorcade several cars behind President Kennedy when he was assassinated. I had traveled with the President from Washington on his trip to Texas, as he and I had been friends since the early 1950's. The President had enjoyed the opportunity to receive a very warm and moving reception in my home city of San Antonio. I had, however, been apprehensive about going to Dallas all along, and had even tried to delete Dallas from the agenda when the

Mr. Todd Wayne Vaughan -- Page 3

trip was still in the planning stage. My apprehension was still just as great when we began the motorcade in Dallas. A few minutes later my worst fears were realized when I heard gunfire. The cars we were in jerked and then sped off following the President's car to the hospital. I stayed with Mrs. Kennedy at the hospital and witnessed her removing her wedding ring and placing it on the President's left hand. After she was taken, with the President's casket, to Love Field, I joined Senator Ralph Yarborough and we flew back to Washington on Air Force Two - Air Force One having taken off moments before we arrived at Love Field. All through this, I was unconsciously clutching the personal effects of Governor John Connally, for which I was asked to sign and take possession at the hospital.

I am not reviving anything, not espousing any theory or endorsing any inference of conspiracy, and I am not asking for anything other than to release the sealed records to the public. I appreciate your interest and support on this matter, and I share your hope that efforts to unseal the record of the Select Committee will be successful.

Sincerely,


Henry B. Gonzalez
Member of Congress

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Todd Wayne Vaughan

June 20, 1992

The Honorable Henry B. Gonzalez
United States House of Representatives
Washington, D.C., 20515

Dear Mr. Gonzalez:

This letter is in regards to the assassination of President John F. Kennedy, November 22, 1963 in Dallas, Texas, of which you were a witness, having been in the motorcade.

I want to thank you for your very quick and thorough reply to my letter of May 22, 1992. Your letter of June 8, 1992 left me with a few questions which I hope you could again find time to answer.

Regarding the photographs that you took Of President Kennedy at Parkland hospital, the story as I heard it, was that you took your photographs of President Kennedy as he still lay in the back of his limousine before being taken into the emergency room. In your letter to me you stated "I just took general shots, however, and did not disturb the sheet draped over the President's body." This indicates your photographs were taken of President Kennedy as he lay on the stretcher in the Parkland Hospital Trauma room rather than as he lay in the limousine? Is this correct?

Also, was this prior to or after the Presidents death at 1:00 CST? And can you recall how many photos you took and what they possibly may have shown.

I am asking these questions only because I am working on a complete listing of photographs taken the day of President's assassination. I want you to understand that this is not just some sort of morbid curiosity.

Again, I want to thank you for your letter of June 8, 1992. Thank you very much for your time.

Sincerely,

Todd Wayne Vaughan

WP 5.1 GONZO620

HENRY B. GONZALEZ
20TH DISTRICT, TEXAS

675

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512-229-6195

HOUSE TASK FORCE ON THE
QUINCENTENNIAL CELEBRATION

June 30, 1992

FILE REF:

B17JFK
jcs

Mr. Todd Wayne Vaughan

Dear Mr. Vaughan:

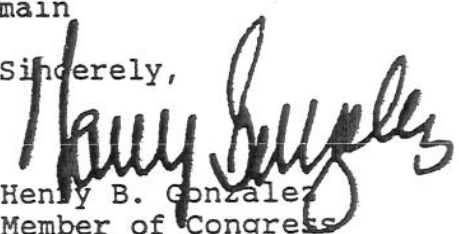
Thank you for your letter of June 20th. I appreciate your continuing interest in the assassination of President Kennedy.

In answer to your questions, the pictures I took of President Kennedy in Dallas were taken in the hospital, but as I mentioned in earlier correspondence they were general shots and not close-ups or detailed in any way. I took the pictures after the President's death, and the photographs would not have shown anything other than a body with a sheet draped over it.

Again, I appreciate your continuing interest and your taking the time to write.

With every good wish, I remain

Sincerely,


Henry B. Gonzalez
Member of Congress

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

July 27, 1979

Mr. John R. Woods II

Dear Mr. Woods:

This is in response to your letter dated June 27, 1979.

The files of the FBI concerning the Assassination of President Kennedy do not indicate that the FBI was ever in possession of a film taken by Beverly Oliver.

Enclosed are the articles concerning Fred Lee Chrisman. There is no charge for these documents.

Sincerely yours,

David G. Flanders / *DFB*

David G. Flanders, Chief
Freedom of Information-
Privacy Acts Branch
Records Management Division

Enclosures (7)

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OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

DECLASSIFIED *SANITIZED*

EO 11652, Sec. 11

FBI *lt* *March 31, 1977*

By *ap* NARS, Date *4-1-77*

Date: February 14, 1977 BY COURIER SERVICE

To: Legislative, Judicial and Fiscal
Branch
Room 2E
National Archives Building
Washington, D. C.

Attention: Mr. Marion Johnson

cmk
From: Clarence M. Kelley, Director

Subject: REVIEW OF WARREN COMMISSION DOCUMENT 729a IN
ACCORDANCE WITH FREEDOM OF INFORMATION-PRIVACY
ACTS APPEAL OF JOHN R. WOODS II

Per your request, Warren Commission Document 729a has been reviewed for possible declassification and the results of this review are as follows:

Commission Document 729 contains certain information which cannot be made available to the general public. This information is currently and properly classified pursuant to Executive Order 11652 in the interest of the national defense and/or foreign policy. Under Title 5, United States Code, Section 552 (b) (1), Document 729a is classified "Confidential" and is exempt from disclosure. Document 729a is exempt from GDS in Category one, as described in Executive Order 11652, and is excluded from automatic downgrading and/or declassification.



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Mr. John R. Woods II

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

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National Archives and Records Service
Washington, DC 20408



April 1, 1977

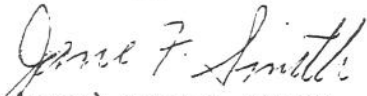
Mr. John R. Woods II

Dear Mr. Woods:

This is in reply to your letter of March 18, 1977, concerning material relating to the autopsy of President Kennedy.

We have the x-rays and photographs relating to the autopsy of President Kennedy that we received from the Kennedy family in 1966. We have never had the brain, the microscopic tissue slides, and the brain sections in our custody. We will be glad to talk to you in the National Archives building, but we have never had the stainless steel container and its contents to which you refer. We do not know where it is. We will show you the autopsy photographs of Lee Harvey Oswald if you will let us know when you plan to visit the National Archives.

Sincerely,


(MISS) JANE F. SMITH
Director
Civil Archives Division



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UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Archives and Records Service
Washington, DC 20408



JUN 7 1977

Mr. John R. Woods II

Dear Mr. Woods:

This is in reply to your letter of May 18, 1977, concerning the records of the President's Commission on the Assassination of President Kennedy and citing the "Freedom of Information Act" (5 U.S.C. 552 as amended). Your letter was received in this office on May 23, 1977.

The material relating to the autopsy of President Kennedy which you wish to examine is not in the custody of the National Archives. The memorandum of transfer of the autopsy material dated April 26, 1965, did not involve a transfer of the material to the National Archives but to Mrs. Evelyn Lincoln as an agent for Senator Robert F. Kennedy. The letter of Senator Kennedy to Admiral George G. Burkley requesting him to turn the material over to Mrs. Lincoln stated that the material was to be under Senator Kennedy's personal control. Mrs. Lincoln had an office in the National Archives Building because she was working on President Kennedy's papers, but she was not a member of the staff of the National Archives and had no authority to receive research materials for the National Archives. The 1966 agreement between the General Services Administration and the Kennedy family concerning the clothing and the autopsy x-rays and photographs of President Kennedy did not include the four autopsy items you wish to examine, and those items have never been transferred to the National Archives. This agency has no knowledge of the existence or location of these materials.

The material deleted from Commission Document 871 is denied to you under 5 U.S.C. 552 (b) (1), matters "(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order," and Executive Order 11652, Section 5 (B) (2), "Classified information or material specifically covered by statute, or pertaining to cryptography, or disclosing intelligence sources or methods."

You have the right to file an administrative appeal concerning the material denied to you. Such an appeal should be in writing, prominently marked "Freedom of Information Appeal," and addressed to the



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YALE LAW SCHOOL
NEW HAVEN, CONNECTICUT 06520
mailing address: Box 401A Yale Station

BURKE MARSHALL

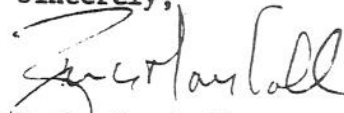
September 2, 1980

Mr. John R. Woods, II

Dear Mr. Woods:

In reply to your last letter, I cannot give permission to have any prints made of any photographs unless I know the reason for them. In addition, I do not know what prints you are referring to by "the prints taken back in 1972 by court order for Mr. Weisberg."

Sincerely,



Burke Marshall

BM:kb



July 29, 1981

Mr. John R. Woods, 11

Dear Mr. Woods:

We assume that you refer to a provision in paragraph 5 of the "Regulations Concerning Procedures for Reference Services on Warren Commission and Related Items of Evidence" that states as follows: "To the extent possible, photographs of the materials will be furnished to researchers as a substitute for visual examination of the items themselves. In the event that existing photographs do not meet the needs of the researchers additional photographic views will be made." This provision allowed the showing of photographs of Warren Commission evidence to researchers rather than the original evidence, and it applied particularly in practice to the clothing of President Kennedy. It did not relate to the sale of copies of photographs by the National Archives. Copies of special photographs of the clothing of President Kennedy taken by the National Archives have never been sold to researchers. We have always sold copies of special photographs of other Warren Commission evidence to researchers, and we make special photographs of the clothing of President Kennedy when necessary to show to researchers without selling copies to them. Copies of all documents relating to the revision of the regulations of which we are aware were included in the copies of our correspondence with Mr. Harold Weisberg that we furnished you in February 1980. Both the original regulations and the revision were authorized by the Archivist of the United States.

Sincerely,



CLARENCE F. LYONS, JR.

Chief
Judicial and Fiscal Branch
Civil Archives Division



November 5, 1981

Mr. John R. Woods, II

Dear Mr. Woods:

Thank you for your letter of October 23, 1981, concerning the records of the Warren Commission.

The following is in response to your list of questions:

- A. Mr. Burke Marshall, the Kennedy family representative, permitted the use of President Kennedy's clothing by the House Select Commission on Assassinations to which you refer. This does not affect the terms of the agreement with the Kennedy family by GSA or the National Archives procedures adopted pursuant to the agreement.
- B & E. The question of whether particular photographs of President Kennedy's clothing or a particular use of those photographs could be a violation of the terms of the agreement with the Kennedy family could be a matter of subjective judgment that cannot be anticipated before the photographs are made public. That is why the National Archives does not sell copies of photographs of the clothing taken by the National Archives, in order to avoid any possible violation of the agreement.
- C. We are not aware of a court order in 1972 that could be interpreted as directing the release of photographs of the clothing. If you have such an order, we would be pleased to receive a copy of it.
- D. The view of the National Archives concerning the release of the photographs of the clothing taken to show to Mr. Weisberg is stated in the response to B and E above. The Information Security Oversight Office deals with security classified documents and information and would not have jurisdiction over the photographs of President Kennedy's clothing.

Sincerely,

CLARENCE F. LYONS, JR.
Chief, Judicial and Fiscal Branch
Civil Archives Division

National Archives

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Washington, DC 20408

NOV 8 1985

Mr. John R. Woods TT

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Dear Mr. Woods:

In a letter that you wrote on August 9, 1985, to Marion Johnson of our Civil Archives Division, you asked among other things about access to the clothing worn by Mrs. John F. Kennedy on the day that President Kennedy was assassinated.

The clothing is being preserved here in the National Archives Building. Because it has not been donated to the National Archives, however, we have no authority to make it available to the public.

I understand, moreover, that the Kennedy family has no desire to display the clothing in the Kennedy Library.

Sincerely,

Judith A. Koucky

JUDITH A. KOUCKY
Archivist
Office of Presidential Libraries

EDWARD P. BOLAND, MASS., CHAIRMAN

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U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE
WASHINGTON, D.C. 20515

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October 1, 1979

Mr. John R. Woods, II

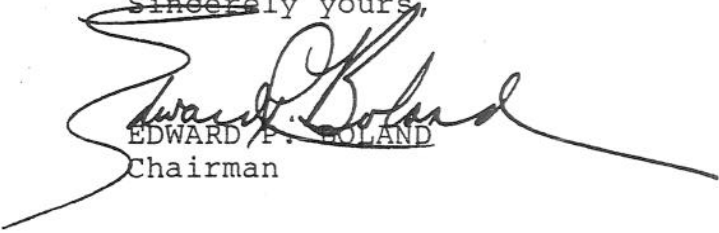
Dear Mr. Woods:

Thank you for your further correspondence concerning Mr. Regis Blahut and the House Select Committee on Assassinations.

The Committee has not issued -- nor does it plan to issue -- any further statement concerning this matter than is contained in the statement which I inserted in the Congressional Record of August 2. In addition, the Committee has no information concerning any photographs which he may have.

With every good wish, I am

Sincerely yours,


EDWARD P. BOLAND
Chairman



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PBH:LL:JIF:gvr

Washington, D.C. 20530

JANUARY 13, 1961

Mr. John R. Woods, II

Dear Mr. Woods:

Reference is made to your recent letter to the Criminal Division. You raised numerous specific questions regarding the investigation of the John F. Kennedy assassination. In particular, you expressed your opinions regarding autopsy evidence in that matter.

We have taken the liberty of forwarding your letter to the F.B.I. for its review and action as it deems appropriate. The F.B.I. will investigate information related to this matter if it has apparent investigative merit. The Department of Justice is completing its review of the U.S. House of Representatives Select Committee on Assassinations report. Upon completion of the National Academy of Sciences review of acoustical evidence in this matter, the Attorney General will issue a report to the U.S. House of Representatives.

Your interest in this matter of mutual concern is appreciated. In view of scarce personnel resources available to the Department's J.F.K. assassination investigation, it is requested that you accept this letter as an acknowledgement of all future correspondence.

Sincerely,

PHILIP B. HEYMANN
Assistant Attorney General
Criminal Division

By:

LAWRENCE LIPPE, Chief
General Litigation and
Legal Advice Section

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DEPARTMENT OF THE TREASURY
UNITED STATES SECRET SERVICE



WASHINGTON, D.C. 20223

2099

OFFICE OF THE DIRECTOR

March 8, 1978

Mr. John R. Woods

Dear Mr. Woods:

Reference is made to your most recent letter to the Secret Service regarding the John F. Kennedy Assassination.

With respect to missing autopsy items, I refer you to the memorandum dated April 22, 1965, of Robert F. Kennedy to Dr. Burkley authorizing the release of all of the material of President Kennedy. Further, you will note the letter designates Mrs. Evelyn Lincoln as custodian of this material.

Reference is further made to the memorandum to Mrs. Lincoln from Dr. Burkley dated April 26, 1965 in which Mrs. Lincoln signs for the attached list of materials.

You refer also to a J.A. Milteer tape concerning his threats against the former President. In that connection, the Secret Service has no knowledge of such a tape.

We trust this will be a satisfactory and final response pertaining to your recent letter.

Sincerely,

A handwritten signature in cursive script that reads "Thomas A. Trombly".

Thomas A. Trombly
ATSAIC
Freedom of Information &
Privacy Acts Officer