



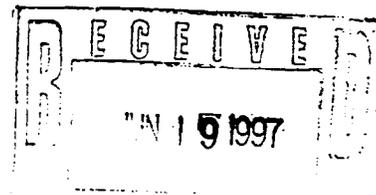
REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
ARMED FORCES INSTITUTE OF PATHOLOGY
WASHINGTON, DC 20306-6000

MD 262



June 12, 1997



David G. Marwell
Executive Director
Assassination Records Review Board
600 E St., NW, 2nd floor
Washington, DC 20530

Dear Mr. Marwell:

As requested in your letter of December 6, 1996, to Dr. Dickerson, as the Agency Compliance Official for the Armed Forces Institute of Pathology (AFIP), I am providing our Final Statement of Compliance. The National Museum of Health and Medicine (NMHM) is a division of the Armed Forces Institute of Pathology which in turn grew out of the Army Medical Museum. The AFIP, which is administered by the US Army, has historically been the US Government's source for pathological information and diagnosis. As the Museum's archivist, I also practically function as the AFIP's archivist and have an extensive knowledge of the AFIP's history and record keeping.

The Initial Search:

The AFIP began compiling its information on the assassination of President Kennedy at the request of Mr. Charles Bowers, Privacy Act & FOIA Officer for the Army's Surgeon General. (Copies of the search-related documents were provided on March 11, 1997; copies of the actual records have been transmitted earlier.) The search was coordinated by the AFIP's Legal Counsel, LTC Larry Williams. The only material then located in the AFIP came from the Museum. On May 17, 1993, the AFIP provided to the Surgeon General's Office (SGO) copies of:

a. Dr. Pierre Finck's "Personal notes on the Assassination of President Kennedy," 1 Feb 1965 (123 pages);

b. Dr. Pierre Finck's "The Autopsy of President Kennedy. SUMMARY," 25 Jan 1965 (2 pages);

c. LCDR Charles Stahl's Trip Report for the Annual Meeting, American Academy of Forensic Sciences, 24-26 Feb 1966, which discusses reaction to the Warren Commission Report (4 pages); and

001895

d. the envelope that the preceding material was enclosed in when acquired from General Blumberg's estate.

Documents a through c were created by the AFIP and removed by General Blumberg after his term as AFIP Director (1963-1967). They were acquired by the Museum after Dr. Blumberg's death in 1985 when his widow donated his papers and instruments to the Museum. The Kennedy records had apparently been stored in a locked filing cabinet marked "Confidential" in Blumberg's house. These were collected for the Museum by Archivist Daniel Bennett, III. Dr. Robert Karnei, Director of AFIP, ordered the Kennedy records sealed and not made available to researchers until the National Archives autopsy material was opened. Mr. Bennett told me that he expected to transfer the records to AFIP's Records Repository but was never told to do so. My telephone conversation note that recorded this information is attached. Instead the material was accessioned into the Museum's collections, along with the rest of Dr. Blumberg's donation, in 1988 when a new Museum registrar, Kelly Mathers, joined the staff. The records were "opened" on August 10, 1992, after Dr. Karnei's tenure, when copies were provided to Dennis Breo for his interview with Dr. Finck in the *Journal of the American Medical Association*. A copy of the letter to Breo is attached. Copies of the FOIA requests generated by this article are attached per the request of Mr. Haron.

Small sections of Dr. Finck's "Personal report" were blacked out, apparently by Dr. Finck, but are easily readable on the original; they were pencilled back onto the copy made for the SGO. A copy of the videotape "Confirmation of the Single Bullet Theory" (1992) by Dr. Michael West and Johann Rush that Dr. West had given to the Museum was also transferred to the SGO. In August, 1993 copies of the same material was transferred to the National Archives. Not included in either transfer was published information held in the Museum including the Warren Commission's report, the House of Representatives' Select Committee on Assassination's report; and *Four Dark Days in History* (1963) by Special Publications, Inc.

The Secondary Searches:

At the request of Dr. Horne of the Board, color photocopies of the Finck and Stahl reports were provided to the Board on September 18, 1996. As desired, the color photocopies clearly show the words under Dr. Finck's blacking-out. At this time, a Court-TV videotape on "the trial of Oswald" was provided to the Board as well. This had been transferred from the Office of the Armed Forces Medical Examiner to the Museum in the intervening years since the initial search.

In December, 1996, the Board requested that an Agency Compliance Officer be appointed. I was assigned this duty. The current AFIP Legal Counsel's records were inadequate to determine which AFIP departments had been the subject of the 1993 search. Accordingly, I determined that the four departments charged with maintaining original AFIP records would be searched again. These four departments consisted of the National Museum of Health and

Medicine, Repository and Research Services, the Medical Illustration Library, and Information Management. Copies of the two tasking orders that I wrote are attached.

The Museum had initially provided what I felt to be its complete material on the assassination. Museum records were checked again based on a recent report by an AFIP staff member that the President's brain had been in the Museum in the 1963-1965 period. The new search by Assistant Archivist Joan Redding included the Museum's 1963-1965 correspondence in which nothing was found. The accession records (i.e. the legal records of donations to the Museum), Anatomical Collections catalog files (i.e. the copies of the accession records used on a daily basis for research), and card file index for the same period were searched by Paul Sledzik, Curator of Anatomical Collections, and Jon Zachman, Registrar. No records relating to any specimens from the President were found. I searched the AFIP's published Annual Reports from the same period and found two mentions of a consultation being provided to the White House in 1963 by the Forensic Branch and the Wound Ballistics Branch. Since COL Finck was a member of the autopsy team and belonged to both branches of the AFIP, this is no surprise. Photocopies of the recent *Journal of the American Medical Association's* interviews with the three pathologists, now in the Blumberg Collection's accession file (1988.3003), have not been provided as they are easily available elsewhere. Other modern newspaper clippings, mostly related to the Board, have not been copied either. The staff of the Museum considers it extremely unlikely that the President's brain would have been in the Museum during this time period. The Museum was a far less appropriate destination for the brain than the AFIP's forensic departments. I do not believe that any other original material relating to President Kennedy is in the Museum.

The AFIP's records and specimens of pathological material are stored in a system that has been in existence since World War I. This system is maintained by the Records and Repository Branch, administered by Annette Anderson. Ms. Anderson reported negative results in searching the microfiche index and the computer database for President Kennedy. Ms. Anderson's search of an unaccessioned "Special Handling File" did reveal a trip report by COL Finck regarding his testimony at the Shaw trial and two newspaper articles filed with the report. Given Ms. Anderson's length of service and attention to duty, I do not believe that any further material related to President Kennedy, including his brain, was or is in the Records and Repository Branch.

Ms. Evelmer Jones, Chief of the Medical Illustration Library, searched her card index for photographs relating to the assassination. She found two negative copies of a portrait of the President. I have deemed this reproduced material not of interest to the Board, but prints can be made if desired.

Ms. Bonnie Short, AFIP's Records Manager, travelled to the Federal Record Center (FRC) in Suitland, MD, to determine if any AFIP records relating to the President were filed there. She was assisted by FRC Archivist Victor Wagher in her search. The AFIP does not appear to have regularly scheduled and shipped its records to the Center during this time. The only

001897

AFIP records found were 1965 administrative and computer-system records.

The Final Search:

On March 11, 1997, Douglas Horne and Ronald Haron of the Board met with me at the AFIP. They identified several areas of concern. Specifically, the Board's representatives have indicated an interest in:

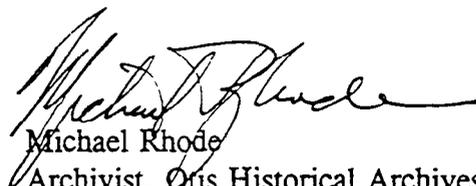
- a. AFIP Director General Blumberg's office files, 1963-1964;
- b. Head of Forensic Pathology branch Frank Kiel's office files from 1963-1964;
- c. Legal Counsel records from 1963-1964, as the AFIP's Legal Counsel may have accompanied Dr. Finck to testify before the Warren Commission;
- d. Legal Counsel's response to FOIA requests for material on President Kennedy before 1986 (the year that Dr. Blumberg's papers came to the Museum and began being provided as FOIA responses).

Several people were asked to respond to the Board's concerns and a copy of the tasking memo is attached. My office staff including myself and Joan Redding searched General Blumberg's papers that his wife donated to the Museum. No additional Kennedy material was revealed. No other files of Blumberg are known to exist. Another check of the AFIP's Historical Files, a set of records detailing the history of the Institute, was done as well. This search revealed an AFIP Oral History Project interview with Doctor Karnei (April 27, 1992) in which he briefly discusses his role in the autopsy. Copies of the complete interview videotape and transcript are attached. Dr. Jerry Spencer of the Office of the Armed Forces Medical Examiner, the successor to the Forensic Branch, searched his office's records for Dr. Kiel's files; nothing was found. A copy of his email is attached. LTC Davis, AFIP's Legal Counsel, searched his office for earlier FOIA requests or office records from 1963-1964, but found nothing. A copy of his memo is attached.

On April 1, Bonnie Short, Joan Redding and I went to the FRC to attempt to find additional AFIP records. With Archivist Victor Wagher's assistance, we checked the accession number master lists for three record groups, RG 112: US Army Surgeon General's Office, RG 330: Secretary of Defense and RG 338: US Army. Nothing relevant was listed. We searched deeper in RG 112, as this has historically been the record group that Museum/Institute records were assigned to. A check of every SF 135 for this record group did not reveal anything regarding the Kennedy assassination. Again, I conclude the AFIP does not seem to have transferred many records to the FRC. The AFIP Historical Files, located in the Museum since 1987 but created earlier, seem to have fulfilled at least part of the FRC's function for the Institute and have been searched several times. To this day, very few records (in practical terms, none) are being sent to the FRC.

I believe that all work by the AFIP has been accomplished in order to comply fully with the JFK act. All relevant records were copied and transferred to the Archives or Board with the earlier Initial Statement of Compliance. Given the AFIP's peripheral role in the President's

autopsy, where Finck was just an observer, and the limitations of the autopsy, I do not believe that any other original material on the assassination exists in the AFIP. I believe the AFIP has made a good faith effort to comply, and is in compliance, with the JFK Act. I declare under penalty of perjury that the foregoing is true and correct. Executed on June 12, 1997.



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cc: Dr. Dickerson, AFIP Director
LTC Davis, AFIP Legal Counsel
Dr. Noe, Museum Director,
Ms. Anderson, Ms. Jones, Ms. Short, Mr. Sledzik, Dr. Spencer

001899