

my level it is simply paperwork. You send a notice to them that we have these jobs available and employers ask us to start signing out from Dallas to find—to try to find someone, we'll say, in a 50-mile radius, or in a 100-mile radius, as the case may be—it's all done by paper, you see. I'm sure Mr. Sayre would know the people to contact with them.

Whenever we do uncover any derogatory information, well, anything which leads us to believe that the applicant is not—does not appear to be the type of person that we should refer, we have no way—we are precluded from making any written comment. I would just say, "See Adams before it is turned over."

Mr. JENNER. And that means if an occasion arises to refer this man or he makes an inquiry subsequently, then anybody reading the card realizes that there might be something derogatory or at least something special, and they should come to you and talk to you about it?

Mr. ADAMS. That's right; for instance, an employer will report that he thinks an individual is a sex deviate or something of that sort. Now, in the naivete of the Texas Employment Commission, I have made an entry, "Employer reports that this individual appears to have undesirable traits of character," and they say, "Oh, you can't put that in."

Mr. JENNER. Off the record.

(At this point Counsel Jenner conversed by telephone to Mr. Sayre of the Texas Employment office.)

Mr. JENNER. He said he turned over those records to the district office and he is going to run them down for me this afternoon and call me back.

Mr. ADAMS. I remember reading the paper that on account of his having applied for unemployment compensation, he made a trip to Corpus and then to Mexico and came back—it was none of my business and I never did pursue it with the Commission, but if he had nothing to draw on, he would certainly have applied for his unemployment compensation and it would have been recorded, whether here, Corpus Christi, or Fort Worth or where—the Lord only knows—I don't know.

Mr. JENNER. That's all that occurs to me, sir, and I appreciate your coming in and your help.

Mr. ADAMS. I'm sorry I couldn't be more helpful.

Mr. JENNER. Well, sometimes you people think you are not more helpful, to use your expression, when, as a fact you are.

Mr. ADAMS. I hope so.

Mr. JENNER. It's hard to tell from your vantage point whether you are or aren't, but the fact you appear here and tell us what you know is always helpful. I appreciate it very much.

Mr. ADAMS. I know it is like the intelligence business in the service, you take all the little pieces and piece them together, and you make a picture.

Mr. JENNER. You have a right to read your deposition and to sign it, if you see fit, and you also have the right to waive that privilege if you wish.

Mr. ADAMS. I would like to see it and I will sign it.

Mr. JENNER. We will have it ready toward the end of this week or early next week, and if you will call the U.S. attorney, Barefoot Sanders, he will know whether it is ready for you to read and sign. Thank you very much, sir.

Mr. ADAMS. Thank you.

---

## TESTIMONY OF DONALD E. BROOKS

The testimony of Donald E. Brooks was taken at 2 p.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Messrs. David W. Belin, Albert E. Jenner, Jr., and Wesley J. Liebler, assistant counsel of the President's Commission.

Mr. JENNER. Would you rise and be sworn, Mr. Brooks. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

Mr. BROOKS. I do.

Mr. JENNER. Mr. Brooks, I am Albert E. Jenner, Jr., a member of the legal staff of the Warren Commission.

The Warren Commission was appointed pursuant to Joint Resolution 137, which authorizes the Commission to investigate the circumstances surrounding the assassination of our late President, John Fitzgerald Kennedy, on November 22, 1963, and then President Johnson, pursuant to that resolution and Executive Order 11130, appointed the Commission and outlined its powers and duties and authorities.

We have a legal staff authorized by the Commission to come here, and other places in the nation, and make inquiry of persons who had some direct connection, or indirect, or whatnot, with the events, and also those who did, or might have had, some contact with one Lee Harvey Oswald.

Mr. BROOKS. Yes, sir.

Mr. JENNER. In the performance of their official duties or otherwise, which we think might be relevant or pertinent to the inquiry we are making. It is my understanding that you had such a contact. Do you reside here in Dallas?

Mr. BROOKS. Yes, sir.

Mr. JENNER. What is your address?

Mr. BROOKS. 2836 Dyer.

Mr. JENNER. Are you a native Texan?

Mr. BROOKS. No; I was born in Wichita, Kans.

Mr. JENNER. You came here when?

Mr. BROOKS. When I was about 4 years old.

Mr. JENNER. But since, you have been a resident in and about Dallas?

Mr. BROOKS. I have been a resident of Dallas since 1935.

Mr. JENNER. You are a married man?

Mr. BROOKS. Yes; I am.

Mr. JENNER. Have a family?

Mr. BROOKS. Yes; I have two children.

Mr. JENNER. What is your business, occupation, profession, and with whom are you associated?

Mr. BROOKS. Associated with the Texas Employment Commission, and I am an employment counselor.

Mr. JENNER. Employment counselor?

Mr. BROOKS. Yes.

Mr. JENNER. How long have you held that position?

Mr. BROOKS. About a year. It will be 2 years in July, actually, in this position.

Mr. JENNER. So you became one in July of 1962?

Mr. BROOKS. Yes, sir.

Mr. JENNER. At the Dallas office?

Mr. BROOKS. Yes, sir; I have been in the Dallas office.

Mr. JENNER. Do you function in any particular division of the Dallas office of the Texas Employment Commission?

Mr. BROOKS. Yes; counseling department in the industrial office.

Mr. JENNER. In the industrial office?

Mr. BROOKS. Yes, sir.

Mr. JENNER. Now there are counseling departments, are there not, and divisions or offices other than the industrial?

Mr. BROOKS. There are people assigned to be employment counselors in the other offices.

Mr. JENNER. In the course of that employment, did the occasion arise in which you met officially a man by the name of Lee Harvey Oswald?

Mr. BROOKS. Yes; he was referred to me by the placement division.

Mr. JENNER. Now give us the circumstances, first, so that someone reading the transcript will be able to comprehend the circumstances under which this young man was referred to you.

Mr. BROOKS. As I remember it, he was referred to me because he had shown reluctance to accept employment in the industrial field, and therefore, this is one of the reasons they send a man to the counseling division, and this is how he came to me.

Mr. JENNER. Came to your division?

Mr. BROOKS. Yes.

Mr. JENNER. I take it then that the Texas Employment Commission—let's use a hypothetical now at the moment: Assume there has been an applicant for employment. There appear to be positions open in the industrial field. The applicant indicates some reluctance to accept, to seek, at least, employment in the industrial field, but mentions preference for some other field. The fact that there is a reference to you does not necessarily mean, does it, that the applicant is one who is inclined to "gold brick" and is not really looking for a job?

Mr. BROOKS. Nothing in conference like that.

Mr. JENNER. Tell us what the industrial field is?

Mr. BROOKS. The industrial field, of course, is primarily jobs with factories, actually. That includes skilled and semiskilled jobs, and also in our industrial office, truck driving and service station work is also included in this field. But primarily it is an office where the factory employer calls in for factory laborers, whether they be skilled or unskilled.

Mr. JENNER. All right, now, yesterday Mr. Adams, Mr. Statman, and Mrs. Cunningham provided some records from the Texas Employment Commission, and I notice that on one of them appears your name, Don Brooks, and that is what is referred to generally as an applicant card.

Mr. BROOKS. E-13.

Mr. JENNER. E-13 (Cunningham Exhibit No. 1), and that the other witnesses generally refer to that as an E-13 card?

Mr. BROOKS. Yes, sir.

Mr. JENNER. Now would you please examine that E-13 card, particularly the inside face which bears your signature. By the way, does that bear your signature?

Mr. BROOKS. Yes, sir; that is my signature.

Mr. JENNER. It says interviewer. Where it says interviewer, there is a signature on the card opposite the word interviewer, and that signature in longhand is Don Brooks, and that is the witness' signature. There appears below that signature, the word "Cunningham." She was in yesterday. That is a fellow counselor, also?

Mr. BROOKS. Yes, sir; in the clerical and professional office.

Mr. JENNER. Professional and clerical?

Mr. BROOKS. Yes, sir.

Mr. JENNER. Can you explain to us the coincidence of each of you having signed that form?

Mr. BROOKS. Probably because this card was transferred over to the other office, actually.

Mr. JENNER. From your office back over to Mrs. Cunningham?

Mr. BROOKS. And she signed below because—I wouldn't swear to this but evidently she made some more comments in here.

Mr. JENNER. When an interview is held, do you interviewers make notations on this card?

Mr. BROOKS. What sort of notations?

Mr. JENNER. The sort of notations that appear on the card now?

Mr. BROOKS. Sure. We give applicant's characteristics usually, and then if there is any special information, we put it in on condition that it might affect employment.

Mr. JENNER. Is any of that writing that appears above your signature yours?

Mr. BROOKS. No, sir; I can't see any of my writing.

Mr. JENNER. Now examine—examining the bottom half of that application (Cunningham Exhibit No. 1), is there any writing of yours on it?

Mr. BROOKS. No, sir; I don't recognize any of my writing on this at all in this section, where we send them out on the job. This is where usually the placement interviewer sends them on.

Mr. JENNER. You are not a placement interviewer?

Mr. BROOKS. No, sir.

Mr. JENNER. You are a counselor. So that on the inside of the card when folded, there is nothing in your handwriting on that card other than your signature, is that correct?

Mr. BROOKS. That is all I see, sir. Yes, sir.

Mr. JENNER. Now would you turn the exhibit over. Would that be the top portion when folded that you are now looking at?

Mr. BROOKS. Yes; this is the face.

Mr. JENNER. Now on the face, which is the bottom half of the exhibit, is there any handwriting of yours?

Mr. BROOKS. Yes, sir; I see some. Looks like up in the left corner: I see high school, 8 years in the area. Service dates also. Also a date over here, 10-9-62.

Mr. JENNER. 10-9-62?

Mr. BROOKS. Yes, sir.

Mr. JENNER. What does that indicate?

Mr. BROOKS. That means that he was in on that date, October 9, 1962.

Mr. JENNER. And that you interviewed him?

Mr. BROOKS. Me; yes.

Mr. JENNER. These notations that you have now identified, was that information he furnished you on that occasion?

Mr. BROOKS. Yes; this is usually the primary interview. First day, actually.

Mr. JENNER. Now does this refresh your recollection as to what occurred after the interview of October 9, as to whether you had further contact with him, for example?

Mr. BROOKS. This evidently—I wouldn't want to swear to this.

Mr. JENNER. You aren't certain? Go ahead, but you say you aren't certain?

Mr. BROOKS. I know that he was referred to me, and that is all. I was the one that changed his occupation code.

Mr. JENNER. Would you explain that?

Mr. BROOKS. We assign an occupational code to our applicants, and these occupational codes refer to specific work, whether it is a trainee job or a semiskilled job or skilled job. And he had a previous code, I don't know what it is now, but this 1-X4.9.

Mr. JENNER. Now that is written in whose handwriting?

Mr. BROOKS. That is not my handwriting.

Mr. JENNER. That looks like Mrs. Cunningham's. I think I can tell you that is Mrs. Cunningham's writing. That was an assignment of code made by whom?

Mr. BROOKS. I don't recognize her number. It was made by someone else other than me, actually. I had thought I gave him a code number but that is not my handwriting there. I am not sure about what code, I know I put him in the other office, which was our clerical.

Mr. JENNER. After interviewing him you determined he should be classified in the clerical?

Mr. BROOKS. Yes, sir; because he was interested.

Mr. JENNER. And not classified in the industrial division?

Mr. BROOKS. Yes; this was because of interests, primarily?

Mr. JENNER. Whose interests, his?

Mr. BROOKS. Yes; his interests.

Mr. JENNER. Did you determine his interests after you had examined him and your judgment as to where best he might be able to obtain employment, having in mind those interests?

Mr. BROOKS. Was not in the industrial office; yes, sir.

Mr. JENNER. Did he express an aversion to factory work?

Mr. BROOKS. I can't tell you the words, but I got this general impression, as far as I remember; yes, sir; and he did not want to do factory work. Of course, we try to place an individual where he wants—will be exposed to his job.

Mr. JENNER. Do you have any recollection of who put on that same side of the folded card, the face, "Lee Oswald, 2515 West Fifth Street, Irving, Tex."?

Mr. BROOKS. Right here, this Lee Oswald is, as far as I can tell, my handwriting, his name. 2515 West Fifth Street is someone else's handwriting. Just like Irving, Tex. Blackburn 3-1628 is somebody else's handwriting. 433-54-3937.

Mr. JENNER. That is the social security number?

Mr. BROOKS. Yes; as far as I can determine. This carbon makes it a little difficult. And the service date, and this where it says none, referring to driver's license. And car, no. Those two are my handwriting, I am sure.

Mr. JENNER. Could I stop you there. The word "none," opposite or to the left of the word, "license," before which there also appears a square, directing your attention to that, is that "none," in your handwriting?

Mr. BROOKS. Yes, sir.

Mr. JENNER. What does that signify?

Mr. BROOKS. That he didn't have a driver's license.

Mr. JENNER. That he didn't have a driver's license?

Mr. BROOKS. Yes.

Mr. JENNER. Is that a square that you make normally?

Mr. BROOKS. Yes. This is of importance especially in the industrial office because a lot of times a person working in a factory office might be required to sub in as perhaps a driver of machinery, and we always ask—pay attention to this, not because of Texas, but because of commercial operator's license.

Mr. JENNER. Let me inquire of you a little further on that. Does your inquiry go beyond asking whether he has a driver's license? That is, do you go on and ask whether he is able to operate a motor vehicle?

Mr. BROOKS. Yes, sir. Well, not necessarily. I mean, if he doesn't have a driver's license, he is not supposed to be driving, actually.

Mr. JENNER. But he could get one the next day, couldn't he?

Mr. BROOKS. Yes. Sometimes I have gone further and asked, are you able to drive a car. I have done this on occasion.

Mr. JENNER. Do you have any recollection of whether you did that on this occasion?

Mr. BROOKS. No, sir; I might have and I might not have. I wouldn't want to swear that I did either one.

Mr. JENNER. But your entry does indicate for certain that he did not have a driver's license, and you made inquiry on that subject?

Mr. BROOKS. Yes.

Mr. JENNER. All right, go on. Maybe there is something else that you have written there to stimulate me to ask you something.

Mr. BROOKS. We have not covered my handwriting. Unfortunately, my handwriting is pretty easy to see. I write big. Now this—I am on the back of the card now. Now this Leslie Welding Co. in Dallas, 4 months, 10-62, \$1.25 an hour, sheet metal worker, mild ventilators, is in my handwriting.

Mr. JENNER. Is that something he told you?

Mr. BROOKS. Yes.

Mr. JENNER. By the way, was this form E-13, made up in your office or made up in some other office?

Mr. BROOKS. The original must have been made up in my office. That is usually the procedure, actually.

Mr. JENNER. Do you recall whether you made inquiry of the Fort Worth office as to whether they had what you call this ATB?

Mr. BROOKS. This is something—oh, you mean, test records?

Mr. JENNER. Yes.

Mr. BROOKS. No, sir; I didn't, I am sure of this. The other office, Mrs. Cunningham, might have, but I didn't.

Mr. JENNER. Do you have a Mrs. Louise Latham?

Mr. BROOKS. Yes. She works for the commission. She works in C&S. I am not too familiar. I believe she is a placement interviewer.

Mr. JENNER. I notice on the bottom below your signature the last two lines appear the initials RLA. Is that probably Mr. Adams, the RLA?

Mr. BROOKS. It might be and might not be. I am not too familiar with the person. I know who is over there.

Mr. JENNER. Do you recall anything about this young man?

Mr. BROOKS. No; I wouldn't want to say. The only thing I recall vaguely now—at the time when I was asked, I was surprised that I had taken his application. I had not remembered it at the time, actually. I had vaguely remembered the name Oswald, but then—when I saw about it, I remembered that vaguely he was somebody referred to me from the placement, actually, and he didn't want, evidently did not want industrial work and he had an interest in clerical, and I gave him a clerical code, although the code number is not in my handwriting.

Mr. JENNER. It is the classification you gave him?

Mr. BROOKS. I think that is the one I gave him. I am not certain, but I think that is the one I gave him; yes. I mean, to say anything further, I would have to perhaps look in the E-41.

Mr. JENNER. In whose handwriting are the entries appearing on the back of the card in the squares relating to summary of other work experience. Shoe salesman, 4 months, New Orleans, La. General office work, 1 year, New Orleans, La., 1961.

Mr. BROOKS. This is my handwriting. Shoe salesman, 4 months, Louisiana, central office. General—excuse me, 1 year, New Orleans, 1961. That is my handwriting.

Mr. JENNER. Did he supply that information?

Mr. BROOKS. Yes; probably on the initial interview.

Mr. JENNER. Do you recall conversing with him or going back into his history when he was in the service or was married and where he had been?

Mr. BROOKS. I would not want to say if I did. I usually do. But, of course, I inquired evidently about the service or I have—I wouldn't have put the service date.

Mr. JENNER. Those service dates, where are they?

Mr. BROOKS. They are on the front of the card here; right here.

Mr. JENNER. Oh, yes. Under the heading "Entry on Active Service," October 23, 1956. "Released from Active Service," September 11, 1959.

But you do recall, or you wouldn't have made the entry "General office work, 1 year, New Orleans, La., 1961"?

Mr. BROOKS. That is my handwriting.

Mr. JENNER. That was made in the usual regular course of your business and in having an interview with this man?

Mr. BROOKS. Yes; that is right. I put those dates there.

Mr. JENNER. The back of the card, which is Exhibit E-13 (Cunningham Exhibit No. 1), when we look at that address, that is, Lee Oswald, 2515 West Fifth Street, Irving, Tex., that appears to have been written over something that had been erased first.

Mr. BROOKS. This is probably due to the fact that he probably moved.

Mr. JENNER. Moved?

Mr. BROOKS. Yes, sir. We have to keep, we try to keep up our address dates as current as possible, because if we don't, there was no way to get in contact with the applicant.

Mr. JENNER. I see another entry of 10-9-62, and then Mrs. Cunningham of 10-10-62, and then an entry or series of entries in October 1963.

Would I be correct in supposing that when you interviewed him on the 9th of October 1962, and put in whatever address he had at that time, and then later on in October 1963, when he was again interviewed, he had a new address, and the old address was erased and the new address put in?

Mr. BROOKS. Yes; that is the way it usually happens.

Mr. JENNER. I will have to get the original to bring out that latent address.

Mr. BROOKS, you have been very helpful to us.

Mr. BROOKS. I wish I could remember more, actually.

Mr. JENNER. You have added to our fund of knowledge, so don't you be regretful. There are one or two things here that neither Mr. Statman nor Mr. Adams nor Mrs. Cunningham could enlighten us about and you have done so, so you have been helpful and I appreciate it.

I know you are anxious to be more helpful as we all are, but all we can do is get the basic facts.

Mr. BROOKS. I want to be certain if I say something. But I wish I could remember more about the applicant Oswald, himself, but it is hard to do, actually.

I was surprised actually at the time, of course, when they had told me I had taken his application. Actually, I didn't remember it at the time, but I thought about it.

And the Marine Corps probably brought in back a little, and like everyone else, I read the papers a lot.

But I can't remember anything specific about him, just general things.

Mr. JENNER. By the way, Mr. Brooks, you have a right to read over your deposition if you so desire. And you have a right to sign it if you so desire. And you also have a right to waive that if you wish. It is your choice, one way or the other. If you desire to read it and sign it—

Mr. BROOKS. Did you want me to sign it?

Mr. JENNER. Well, as a matter of fact, it would be more convenient for us to have the reporter certify the accuracy in transcribing and just send it to Washington so we don't have to go to the trouble of calling you in and asking you to read it, but it is your option.

Mr. BROOKS. No; if you don't want me to, I won't.

Mr. JENNER. I would just as soon be relieved of it, but I don't want to press you on it.

Mr. BROOKS. To the best of my knowledge, that is all I remember. I could have been confused about some issues, but I don't think so.

Mr. JENNER. As far as you are concerned, you waive the signing of the deposition?

Mr. BROOKS. Yes.

Mr. JENNER. If you think of anything hereafter, there will be members of the legal staff here next week, and if they are not, call Barefoot Sanders and he will relay the information to us. Thanks for coming over. We appreciate it.

---

### TESTIMONY OF IRVING STATMAN

The testimony of Irving Statman was taken at 4:20 p.m., on April 1, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Mr. Statman, would you rise and be sworn, please?

Do you solemnly swear that in the deposition you are about to give, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STATMAN. I do.

Mr. JENNER. I'm Albert E. Jenner, Jr., of the legal staff of the Warren Commission. The Commission was authorized by Senate Joint Resolution to provide a body to investigate the assassination of our late President, John Fitzgerald Kennedy, and pursuant to that legislation, the President, Lyndon B. Johnson, appointed the Commission under Executive Order 11130, and we of the staff are enjoined by the Commission and the Commission itself to inquire into all the circumstances, especially that we find pertinent data, regarding Lee Harvey Oswald, to investigate his life and a good many people, you included, either in an official capacity or friends with other people who touched his life in some fashion or other.

Your employment is what?

Mr. STATMAN. The assistant district director of the Dallas district of the Texas Employment Commission.

Mr. JENNER. And just tell us generally what your duties are in that respect?

Mr. STATMAN. Well, we have the unemployment compensation of this and the placement office, and research and statistical branch, and an office in Garland and in Grand Prairie. They are separate entities and it is my duty to assist the district director in any functions there are, and to assist in any problems that there are in any of the offices.

Mr. JENNER. Is there any office of the Commission in Fort Worth?

Mr. STATMAN. Yes. We are the Dallas district. Now, also, he was registered in the Fort Worth district too.

Mr. JENNER. He was?

Mr. STATMAN. Yes; but our connection with him was in actually three capacities—number one, as an applicant for a job, and as an applicant for a job, we had him counseled. In other words, if there are any reasons to believe that