

Mr. RANKIN. None of your clients had ever communicated to you about him prior to that time you heard about it over the radio?

Mr. ABT. No; I had no recollection of even having heard the name, his name, before that time.

Mr. RANKIN. Thank you.

Mr. ABT. Right.

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### TESTIMONY OF MRS. HELEN P. CUNNINGHAM

The testimony of Mrs. Helen P. Cunningham was taken at 5:20 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, assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Would you state your full name?

Mrs. CUNNINGHAM. Helen P. Cunningham.

Mr. JENNER. And would you rise and be sworn. Mrs. Cunningham, in your testimony that you are about to give, do you swear to tell the truth, the whole truth, and nothing but the truth?

Mrs. CUNNINGHAM. I do.

Mr. JENNER. I am Albert E. Jenner, Jr. I am a member of the legal staff of the President's Commission. The President's Commission was created by U.S. Senate Joint Resolution 137. That Commission under that legislation is appointed to investigate the assassination of our late President, John Fitzgerald Kennedy. The President of the United States, Mr. Lyndon B. Johnson, did act pursuant to that legislation and under Executive Order 11130, he appointed the Commission and brought it into legal existence. Its duties, as I have indicated, are to investigate the assassination of the late President, John Fitzgerald Kennedy, and in the course of that work, which has now been going on for some time, we find many people, especially people here in Dallas, who had some kind of contact in the normal and usual and regular course of business, most of them, whether State agents or otherwise, with Lee Harvey Oswald and some of them with his wife, Marina. We understand from others of your fellow employees of the Commission that you had some contact with Lee Harvey Oswald and I would like to ask you some questions about that.

Am I right in my assumption that you did have some contact with him?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And it was in your capacity, in the due course of your work with the Texas Employment Commission, that office being located here in Dallas?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Where do you reside, Mrs. Cunningham?

Mrs. CUNNINGHAM. 1046 North Winnetka.

Mr. JENNER. In Dallas?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Are you a native of Dallas?

Mrs. CUNNINGHAM. What is your definition of "native"—born here, sir?

Mr. JENNER. Well, say—born or lived most of your life in Dallas?

Mrs. CUNNINGHAM. No, sir; my speech indicates that I was not.

Mr. JENNER. I detected that.

Mrs. CUNNINGHAM. I was born in St. Louis, Mo., and resided in Missouri in various portions of it.

If my voice is low, young lady, if it doesn't come to you, well please call my attention to it.

We came to Dallas in 1951 and we have resided here since then.

Mr. JENNER. How long have you been employed by or associated with the Texas Employment Commission?

Mrs. CUNNINGHAM. Since August of 1957, if I am remembering my dates properly.

Mr. JENNER. And your duties with the Commission, say, the last 3 years have been what?

Mrs. CUNNINGHAM. As an employment counselor.

Mr. JENNER. Explain what that is, please?

Mrs. CUNNINGHAM. We are a small group of workers that are set into our operation, who are given more time to deal with applicants, who for one reason or another had difficulty in finding jobs or in holding jobs, and we used the best techniques that are available to us to be helpful, primarily to the applicant, but also preparing him for what he finds in the labor market, and what working conditions are, and what employers' requirements are.

Mr. JENNER. Tell me, in general, how does the Texas Employment Commission function?

Mrs. CUNNINGHAM. As a quasi-Federal-State operation under the U.S. Department of Labor and you undoubtedly know that there is a Bureau of Employment Security office here.

Mr. JENNER. That's the Federal Bureau?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Or agency?

Mrs. CUNNINGHAM. Yes, sir; which represents the U.S. Department of Labor and serves a region in which we are. I am by my paycheck an employee of the State of Texas, however. It works, in general, however, as all the public employment offices do, in the 50 different States. Now, do you want more detail than that, or was that helpful.

Mr. JENNER. Well, probably, that is sufficient, with a little supplementation. Let me put to you a couple of hypotheticals. Someone comes into this State who has had no connection with any employment in the State of Texas and that hypothetical person comes to the Texas Employment Commission and said he is seeking employment—does the Texas Employment Commission do anything, or would it do anything about seeking employment for him?

Mrs. CUNNINGHAM. Certainly. We have, you know, what is commonly known as a clearance procedure, which is an interchange of orders and applicants among the States and it is an interlocked operation among States.

Mr. JENNER. And that particular person, I take it from what you say, you would inquire of him as to his past employment?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. In the other States, and would seek the information from the other States by way of confirmation, or would you go that far?

Mrs. CUNNINGHAM. No, sir; we generally accept the applicant's statement as to what his previous employment is, and in general, the employer checks references if he is considering hiring that individual.

Mr. JENNER. Now, the second hypothetical I would like to put to you—I anticipate the answer is obvious—he is employed by someone in Texas, let's say, in this county, that employment terminates, he then comes to the Texas Employment Commission, I take it you would undertake upon review of his record and make it a necessary recording of that record; to also seek to obtain him employment if he sought it?

Mrs. CUNNINGHAM. Yes, sir. We are a public agency and our doors are open to the public.

Mr. JENNER. Is it coordinated in anyway with unemployment compensation?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Tell us how that operates?

Mrs. CUNNINGHAM. Well, you know the legislation better than I do, because I am assuming that your profession is a lawyer?

Mr. JENNER. Yes; I am a lawyer, but don't presume I know anything.

Mrs. CUNNINGHAM. Well, I would hate to be talking to the table [laughing].

Mr. JENNER. Mrs. Cunningham, the person who reads the record may not be a lawyer.

Mrs. CUNNINGHAM. I see.

Mr. JENNER. And may not understand this and my purpose is to record how the Commission functions.

Mrs. CUNNINGHAM. The original legislation established the employment service and the unemployment compensation program under one law, and until about

1 year ago in Dallas, applicants for unemployment compensation applied at usually the same office for recording their availability for work and making a claim for unemployment compensation, as where the employment services were housed in the last year in this particular area, and it is not true throughout all the public employment service offices—not even in this district. We have split out the employment services from the unemployment services, but there is a co-ordination between the offices and in the procedures on unemployment compensation, I know the general law and the necessity for being able and available for work, while being a claimant, and I make no pretense of knowing the up-to-date details of that.

Mr. JENNER. No; I wasn't seeking that. I just wanted the general picture of how they are coordinated.

Mrs. CUNNINGHAM. And you see, one of the necessities for a person filing a claim for unemployment compensation is that he be registered in a public employment office.

Mr. JENNER. And be available?

Mrs. CUNNINGHAM. Be available and be able to work. Those are basic requirements and I think those are the same throughout the States.

Mr. JENNER. Now, in the performance of your duties, your particular function with the Texas Employment Commission, did you have occasion to counsel, talk with, or examine a man by the name of Lee Harvey Oswald?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Tell us about that please, ma'am. If you need any of these records to refresh your recollection, please use them, and as you refer to them, would you hesitate so I can identify the exhibit to which you make reference? You may use those documents to refresh your recollection. You did have a direct contact with Lee Harvey Oswald and I would like to have you give me the time, when it commenced, and relate it to us.

Mrs. CUNNINGHAM. As Mr. Statman has probably told you, a photostat of the counseling record is not here. The record I am now looking at is the application form.

Mr. JENNER. Excuse me, it is the form that I described in the record, the top line of which reads, "Describe your longest and most important jobs, including Military Service. Begin with your most recent job." It is also the application form called E-13.

Mrs. CUNNINGHAM. Yes; it is E-13.

Mr. JENNER. We will mark it Cunningham Exhibit No. 1. Now, I take it you were at the Texas Employment Commission and Mr. Oswald came in; is that correct? [The original of Cunningham Exhibit No. 1 is in evidence as Cunningham Exhibit No. 1-A.]

Mrs. CUNNINGHAM. No, sir. I'm on the record. I got a call from an acquaintance of mine, as I recall it, it was from Mr. Teofil Meller, M-e-l-l-e-r (spelling).

Mr. JENNER. That is T-e-o-f-i-l M-e-l-l-e-r (spelling)?

Mrs. CUNNINGHAM. You can be right—I was recalling it with an "H" in it, but I believe that's the way he does spell it—asking me if I would see Lee Harvey Oswald or Lee Oswald, as it was known, as they were giving assistance to his wife and infant child, and they were saying, "If you can help him, it will help the family and relieve us of this burden."

Mr. JENNER. You understood, then, from Mr. Meller, that the wife, at least, was residing with him?

Mrs. CUNNINGHAM. At or had previously resided there for a brief time. I can't be certain of that.

Mr. JENNER. In any event, that the Mellers were under obligation to assist or they had volunteered to assist?

Mrs. CUNNINGHAM. Volunteered to assist.

Mr. JENNER. They had volunteered to assist the Oswalds or at least Mrs. Oswald?

Mr. JENNER. Did Mr. Meller say anything to you at this time as to who Mrs. Oswald was and who Mr. Oswald was?

Mrs. CUNNINGHAM. As I recall, he said that Oswald was a Fort Worth boy who had lived in Russia and had married a Russian girl, and it was she who was in their residence and it was their offspring.

Mr. JENNER. That is, they had a child and the child was the offspring of this marriage?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. All right. Go ahead.

Mrs. CUNNINGHAM. I cannot be certain whether I gave an appointment at that time or not, or simply said, "Well, ask him to come in and see me"; that would be normal procedure, or usually we look up any records that we may already have, you see, sir, and if you will excuse me, I will see what I have on some little scratch notes here when Mr. Odum of the FBI called me from the district office,

Mr. JENNER. You use anything you wish to refresh your recollection.

Mrs. CUNNINGHAM. All right, sir. I am uncertain whether the 10-9-62 dating on this application form is my handwriting or not. I know that the 10-10-62 is.

Mr. JENNER. That's October 10, 1962?

Mrs. CUNNINGHAM. Yes, sir—that is my dating of the application card and I would suspect that that was the first day on which I saw him, but I could have seen him on the 9th.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Part of the application appears to be in Lee Harvey Oswald's own handwriting or printing.

Mr. JENNER. Was this application filled out in your presence?

Mrs. CUNNINGHAM. That, I cannot recall, sir.

Mr. JENNER. Was it filled out as part of your interview that you then conducted?

Mrs. CUNNINGHAM. That would depend whether I saw him on the 9th and the 10th, also, and I cannot be sure of that at this time.

Mr. JENNER. Does it indicate that the form at least was commenced to be filled out on the 9th, and that in any event, most of the information thereon was recorded on the 9th and the 10th of October 1962?

Mrs. CUNNINGHAM. Or thereabout, because our practice is—if we have a current date that we did not redate every day—the individual is in—on the application form, you see.

Mr. JENNER. Would it indicate at least reasonable certainty in your own mind that he was in your own office on the 10th day of October 1962?

Mrs. CUNNINGHAM. Yes, sir; and that I talked with him.

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. The greater part of the information concerning his reputation and training is in my handwriting.

Mr. JENNER. And that would indicate that you obtained that from him when you interviewed him on the 10th of October 1962?

Mrs. CUNNINGHAM. Yes; it also indicates that I used one of our counseling tools, an interest checklist.

Mr. JENNER. Explain what that is.

Mrs. CUNNINGHAM. It is a form which asks for quick decisions about a person's interests, like or dislike or question about sample jobs or work and it is the relationship of the individual's interest to groups of jobs. It would further indicate that on the 10th of October in 1962, I learned from him that he had taken our general aptitude test battery in the Fort Worth office.

Mr. JENNER. Now, your general aptitude test battery is something distinct from the short form of test you just a moment ago mentioned, is it?

Mrs. CUNNINGHAM. Yes, sir; it is a correlated tool—the interest check list delves into interest. The general aptitude tests battery is a measure of aptitude.

Mr. JENNER. Now, would you tell me what the results of the inquiries as to the interests tests were?

Mrs. CUNNINGHAM. There is no indication on this form, and I would not have detailed recollection of it, sir.

Mr. JENNER. Do you have any kind of recollection, detailed or otherwise?

Mrs. CUNNINGHAM. To tell you the truth, unless I saw it—I saw I.C.L. here—I would have been uncertain whether I used this counseling tool.

Mr. JENNER. Mrs. Cunningham, this is Mr. Robert Davis of the attorney general's office of the State of Texas.

Mr. DAVIS. Thank you so much for coming today, Mrs. Cunningham.

Mr. JENNER. Do you have any recollection of the subject of his interest tests?

Mrs. CUNNINGHAM. I recall that there was some in the writing area.

Mr. JENNER. This was an aptitude, a particular aptitude?

Mrs. CUNNINGHAM. Interest, sir; I am speaking of.

Mr. JENNER. He had an interest in doing some writing?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Do you recall your inquiries of him on that subject, how did you probe him in that connection? He had an interest, but the fact that somebody says he has an interest in doing something, that isn't sufficient for you, is it?

Mrs. CUNNINGHAM. No, sir; but usually I use the aptitude test results along with the interests check list, and I could well have said something—"Yes, you have the capabilities for writing, but this is in a job area where you are not likely to get a job quickly," and I did not probe, as you are saying, as to what he wrote about or anything of that kind, sir.

Mr. JENNER. And you did not undertake a probing to determine whether it was merely an interest to go on to determine whether there was an aptitude coupled with it?

Mrs. CUNNINGHAM. The aptitude test indicates that there is some because the verbal score is high and the clerical score is high, but my concern was primarily to meet this family's need.

Mr. JENNER. The immediate need?

Mrs. CUNNINGHAM. The immediate need for income, and the young man's apparent need for employment, and in the counseling service, I attempt to do two things. First of all, to help young people to find a vocational choice which may not be an immediate thing that they can get into, but then, secondly, basically—applicants come to us for a job and I use the interest check list and the general aptitude test battery in working toward both purposes, and if the job can be in line with their vocational choice—fine and good—but if it is an immediate need for employment, then the emphasis is toward what can you get with immediacy? What is available? Where are your qualifications as of today likely to be used in the present labor market?

And, basically, that is what I did with Oswald, because as he was presented to me, that was the immediate thing—was at least to get this young man into work where he could support a family and himself, and I didn't even—I would at—I would say—attempt a vocational choice with him nor give that much time to Lee Harvey Oswald.

Also, the test results can be used in exploring what are the most likely possibilities and can be helpful to our placement staff in knowing at least where this individual has the potential for serving an employer well, and that's what some of these indications at the lower part concerning the test data indicates.

Mr. JENNER. Now, would you please interpret that for me? What the tests indicate?

Now, you are interpreting here the tests made by the Fort Worth District office, are you?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And you obtained those results by communicating with the Fort Worth office?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Either on or prior to October 10, 1962?

Mrs. CUNNINGHAM. Subsequent to 10-10-62.

Mr. JENNER. And when you got those results, what did you find in interpreting them?

You see, the reader of this transcript will look at these forms and see nothing but figures.

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. What do they mean?

Mrs. CUNNINGHAM. Have you identified this form?

Mr. JENNER. Yes; the form you now hold in your left hand, which I have marked as Cunningham Exhibit No. 2, we have identified as "Individual Aptitude Profile" and we have read into the record the figures sequentially occurring at the bottom, beginning with figure 109 and ending with 126. [The original of Cunningham Exhibit No. 2 is in evidence as Cunningham Exhibit No. 2-A.]

Mrs. CUNNINGHAM. Have you used this data here at all?

Mr. JENNER. Mr. Statman said you would be better able to interpret than he, and he suggested that when you testified that I ask you to do that.

Mrs. CUNNINGHAM. Very well, sir. To the right of the form we were just speaking of—

Mr. JENNER. In the vertical column?

Mrs. CUNNINGHAM. Under the headings "OAP".

Mr. JENNER. Meaning?

Mrs. CUNNINGHAM. Occupational Aptitude Pattern—the numbers of the patterns which are circled are the ones in which the applicant has made the minimum scores or above, and are indicative of strength for various patterns of occupations.

Mr. JENNER. Now, various patterns—aptitudes for various occupations?

Mrs. CUNNINGHAM. Yes, sir. You will see that if I copied correctly, the entries on the face of the application card are those which are circled on the test record, and are the ones that he had potential in those patterns—"Jobs for occupational patterns."

Mr. JENNER. And in which did he have potential and which were indicated as deficiencies or weaknesses, if any?

Mrs. CUNNINGHAM. Of the 23 patterns, then being used by the employment service, there were only three in which he did not meet the minimum requirements.

Mr. JENNER. And those three?

Mrs. CUNNINGHAM. Or 4, 1, 3, 5, and 20.

Mr. JENNER. You have just called off numbers that are encircled on the exhibit "Individual Aptitude Profile"?

Mrs. CUNNINGHAM. No, sir; they are struck off.

Mr. JENNER. And they are stricken off for what reason?

Mrs. CUNNINGHAM. Because the applicant's scores did not meet the minimum standards to qualify for those occupational aptitude patterns.

Mr. JENNER. What occupational aptitude patterns are indicated by the numbers you have read which in turn were stricken off on that exhibit?

Mrs. CUNNINGHAM. I'm sorry, sir; I cannot at this point answer that because we are using a new manual with new occupational patterns and there are a number of the detailed jobs in these patterns, and I could not even expect to carry the whole matter in my head.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. If you like—I shall talk a little about this.

Mr. JENNER. Now, before you go to the bottom line, there are numbered aptitude patterns that are encircled. That means that the applicant had the minimum aptitude for each of those that are encircled?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Since you were not able to tell me what the aptitudes were in which there was an indicated deficiency by the striking of the number, I assume you are not able to tell me what the aptitudes were that are encircled, in which he did score in them.

Mrs. CUNNINGHAM. Not in detail.

Mr. JENNER. Are you able to do some interpreting?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Would you do so?

Mrs. CUNNINGHAM. Perhaps I should talk about the next two columns to the right here.

Mr. JENNER. You are still talking about the same exhibit?

Mrs. CUNNINGHAM. Yes—note that the date on this is 10-11-62.

Mr. JENNER. That's October 11, 1962.

Mrs. CUNNINGHAM. And these are three specific tests which are set into the testing program in the Dallas clerical and sales office. Comparing the standards of those specific tests with the report as given from the Fort Worth office, I chose three of them—the B-400, which is a general clerical—a general office clerk is the designation of it; by BX-1002, and a B-493.

If my recollection serves me properly at the time of this interview, the B-493 was aptitude for entering drafting. The BX-1002 is an experimental test for

claims examiners in the insurance industry. On each of these three specifics, he scored high.

Mr. JENNER. What led you to select those, as to this man?

Mrs. CUNNINGHAM. Basically, it's usually done in relation to his interests, and because of jobs available in this labor market or possibly available. For instance, the Clerk General office cuts across all industry, and strength in it can be used in a number of industries, and in a number of work situations.

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. We have a lot of insurance and insurance firms here. The claims examiner is not usually a beginning job, but it is some indication that a young person can start in the clerical field and perhaps move in this direction in the insurance industry.

I would assume that there was a relationship to some discussion of this experience and training in the Military Corps in the electronics and radar that suggests the drafting or because I knew of some possibilities in that area.

I see nothing in what I have recorded about the high school training which would so indicate that.

Mr. JENNER. All of these records that have been placed before you, being three in number, do you interpret them indicating anything other than—I do not mean to be deprecatory here, that this man had about a high school education.

Mrs. CUNNINGHAM. Sir, I accepted his statement that at some time and some place, usually when the young man is in the armed services, he had taken the high school equivalency test and had passed it. There is nothing from the aptitude scores that would lead me to believe otherwise. In fact, there are some things in it that would tend to say that he could do college work.

Mr. JENNER. Indicate that, please—what leads you to say that?

Mrs. CUNNINGHAM. Well, the "G" score, which is a general ability and not an IQ score, is above 100. We have certain standards that we carry in the back of our head that that says—yes.

Mr. JENNER. It says—yes—what?

Mrs. CUNNINGHAM. College capabilities.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Other factors being equal, of course. The verbal is quite high—this is one of the learning tools, exact knowledge of words and word meanings.

Mr. JENNER. And his score in that connection was?

Mrs. CUNNINGHAM. 127.

Mr. JENNER. You say this is quite high—what is an average?

Mrs. CUNNINGHAM. We are told that about 50 percent of the people who take this test score 100 and below, and the other 50 percent of necessity 100 and above—the break point is. We are warned against, however, looking at any one of these items and considering it alone, except as we were talking of possibility for college training altogether.

Mr. JENNER. His score in the first category you have mentioned was what?

Mrs. CUNNINGHAM. 109.

Mr. JENNER. That is close to the minimum?

Mrs. CUNNINGHAM. No, sir.

Mr. JENNER. Explain that.

Mrs. CUNNINGHAM. You said "the minimum"?

Mr. JENNER. The minimum necessary—is there a minimum standard?

Mrs. CUNNINGHAM. A necessary for what, of course, is the immediate question.

Mr. JENNER. Well, for you to decide, for example, "Well, this man does have capability for college study."

Mrs. CUNNINGHAM. I have not reviewed these figures that are in our manuals recently, but if I recall correctly, 100 is thought sufficient to do a junior college or possibly in some—a 4-year course; that about 125 is required on the "G" score for professional schools, and 110 is quite good for finishing a 4-year college. As you see, this score is close to that, and we consider the test only about 15 percent of the total in making decisions about vocation and it is not the biggest factor.

Mr. JENNER. Off the record a minute.

(Discussion between Counsel Jenner and the witness, Mrs. Cunningham, off the record.)

Mr. JENNER. Now, I think we had better be on the record on this.

Mrs. CUNNINGHAM. None of our tests are personality tests.

Mr. JENNER. You see, I want you to tell me what these are, and if I misinterpret them, I want you to correct me. It is important that we know what testing was done and that we don't misinterpret it ourselves.

Now, is any of this a personality test?

Mrs. CUNNINGHAM. No, sir; none whatsoever. It is aptitude—it is an interest checklist and I am an employment counselor only, and that is why you got part of the answers from me a while ago, was that I was limiting it to that segment of counseling which presumably is my specialty, and for which I am paid by the Texas Employment Commission.

In general, I would say that the tests indicate potential for quite a broad number of jobs—certainly in the semiskilled and skilled occupations.

Mr. JENNER. Would these be a potential with training?

Mrs. CUNNINGHAM. Yes, sir. Certainly I have indicated the areas in the clerical field by the tests that I selected and most of the drafting jobs, of course, are semiprofessional. I did not apparently think that these others were important at the time or I would have given other classifications.

Mr. JENNER. Other classification tests?

Mrs. CUNNINGHAM. No, sir; I'm sorry—I am throwing you on terminology. This indicates where the application is held.

Mr. JENNER. Would you tell us what you mean by "this"?

Mrs. CUNNINGHAM. The words "Routine Clerical Work—1-X-4.9" is a classification of the application in the area where the application will be held by the placement interviewers for referral on jobs.

Mr. JENNER. This represents an entry based on your judgment in interviewing?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And that is your personal entry and your handwriting?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And what does that job classification mean and what degree of aptitude, if any, does it indicate?

Mrs. CUNNINGHAM. On the entry level.

Mr. JENNER. Just the entry level?

Mrs. CUNNINGHAM. Into routine clerical work—it covers a lot of jobs and a lot of work circumstances.

Mr. JENNER. Now, I ask you this—there is a surface inconsistency between that particular classification you gave him and your testimony with respect to his capabilities to do college work. I say there is a surface inconsistency, would you explain that?

Mrs. CUNNINGHAM. Yes, sir. To enter professional jobs, usually the employers require more training or experience in the area of the profession. The availability in this labor market of clerical jobs to a newcomer into the labor market area is very much greater and, therefore, the job opportunities for this young man in a clerical entry job would be much brighter than in an entry for a professional job.

Mr. JENNER. So, I take it, then, in that classification as dictated by your knowledge of the available labor market, this was an area which at the time seemed to afford greater opportunity for placement of this young man immediately.

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Having in mind the information related to you by Mr. Meller, that there was dire need for financial assistance here.

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And the other aptitudes you recorded on his ability you thought to do college work—those are not inconsistent with the classification you gave when you considered the whole problem that was facing you at the immediate time.

Mrs. CUNNINGHAM. Then I was talking about the potential only for the future, he had not even started college—a college training, by the record as I



was giving it, sir, and because there is nothing as presented in the work history when I first worked with him which would indicate that he had ever worked at a professional or semiprofessional level that would give strength to a professional classification, and remembering, too, that the aptitude test is really only about 15 percent of the decision as to where this individual shall seek as of this time in this place—

Mr. JENNER. The other factors being for one instance—one, the ready labor market, and two, the immediate need, if there is an absolute immediate need, and what other factors?

Mrs. CUNNINGHAM. Previous work experience—a good work record within the present labor market can be a big factor. Any employer, as you well know, would much prefer to pick up the phone and call for a reference than to write to Podunk and maybe get a communication and maybe not, and they don't know really what that firm is or with whom he is communicating, and I would say in general, and this is a personal judgment, that the incoming person to a labor market has to take the lower pay, the less desirable job, until he gets a work record in the community, unless he is highly qualified and in one of the shortage occupations.

Mr. JENNER. And from your visit with this young man, he had not much of a work record, do I fairly state that?

Mrs. CUNNINGHAM. The work record when he came to me was limited in length of time as indicated on the application. It was mixed, as far as occupation was concerned in the semiskilled, in the sales, in the clerical.

Mr. JENNER. That is, he had a semimixed work record involving one or more of the three major groups you have now mentioned.

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Your answer was "Yes"—when you nod your head, we can't get it on the record.

Mrs. CUNNINGHAM. I thought I had said it was broken and limited, so, "Yes" is the answer.

Mr. JENNER. All right, you go right ahead, you are doing fine.

Mrs. CUNNINGHAM. Please note that in the work record there is an entry subsequent to when he was counseled, and that is in the semiprofessional or professional, if anyone would look at it.

Mr. JENNER. You say "subsequent," does that mean a later time or subsequently during the course of the interview you had with him?

Mrs. CUNNINGHAM. No, sir; at a later time.

Mr. JENNER. When?

Mrs. CUNNINGHAM. As indicated on the record it is 4 months to July of 1963 in photography.

Mr. JENNER. And he had the experience for that length of time somewhere?

Mrs. CUNNINGHAM. It indicates that it was in New Orleans with William B. Reilly Co.

Mr. JENNER. And he reported that as having been experienced in what connection?

Mrs. CUNNINGHAM. Looking at the subsequent dating of the application card, it would appear that this was recorded in October 1963.

Mr. JENNER. Now, that is important and I am interested in that. In October 1963, which was a year subsequent to your interview, which had commenced at least on October 10, 1962, does it appear from those forms that he again returned to the Dallas office to make a work application?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And did you again counsel with or see him?

Mrs. CUNNINGHAM. No, sir. I did not know until after the President's assassination that he had recontacted the office after these October 1962 interviews of which we have been talking.

Mr. JENNER. Is there a record on any one of those exhibits of the number of applications that he made and when those applications were made in the sense of his personal appearance for the application? You have mentioned one, that is your own, that was generated by Mr. Meller? Do your initials appear there, or do you just happen to recall that? Is there something on the form in the way of your initials or signature that indicates to you that you did that?

There appears on the reverse side of the form, E-13. (Cunningham Exhibit No. 1) in the handwriting, the word "Cunningham." Is that in your handwriting?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. There appears above it, and also is a signature—are you familiar with that signature?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Whose is it?

Mrs. CUNNINGHAM. It is of a counselor, at least presently a counselor, in the industrial office.

Mr. JENNER. Of the Texas Employment Commission?

Mrs. CUNNINGHAM. Of the Texas Employment Commission in Dallas.

Mr. JENNER. Is there any significance in the fact that his name appears above yours or yours below his?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. All right, tell us about it.

Mrs. CUNNINGHAM. This brings to mind that in seeking the records for this applicant, because—I guess the Mellers must have said "He has already been down to the Texas Employment Commission office and has not gotten a job," then, I started trying to find the records, so I did not duplicate, and I am uncertain whether this is the record that Mr. Brooks transmitted to our office or not.

Mr. JENNER. Who is Mr. Brooks?

Mrs. CUNNINGHAM. The counselor in the industrial office.

Mr. JENNER. Here in Dallas?

Mrs. CUNNINGHAM. Here in Dallas.

Mr. JENNER. And you are in what office here in Dallas?

Mrs. CUNNINGHAM. Clerical and sales.

Mr. JENNER. So that your counseling and your examination is directed primarily to clerical and sales?

Mrs. CUNNINGHAM. Sir, I would not agree fully with that. We take the public as it comes to our door and it is entirely possible for me to have an applicant arrive where I could decide that he was better served in another office and would transmit records and suggest that the applicant call at that office. In the Dallas organization we have our offices organized around occupations basically, and in our particular building, as you may have been told, we have a professional office and the clerical and sales office. We also have an industrial office.

Mr. JENNER. In the same building?

Mrs. CUNNINGHAM. No, sir; at 1206 Ross Street, and this original application card could have come from there to our files.

Mr. JENNER. And is the fact that your signature appears under Mr. Brooks' signature indicative of that likelihood?

Mrs. CUNNINGHAM. Yes, sir; by location it would be. These comments that are above Mr. Brooks' are in my writing.

Mr. JENNER. They are?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And those comments are under the classification headed or entitled, "Applicant's characteristics—well groomed and spoken. Business suit. Alert replies. Expresses self extremely well." That's in your handwriting?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And you made that record after you had interviewed Mr. Oswald?

Mrs. CUNNINGHAM. Perhaps after at least the second interview when I had had the tests results. Usually, I try to hold it until I more or less synchronize the information that I get.

Mr. JENNER. In any event, that records your reaction of him at that time? After you had the interview or interviews with him?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Now, above that, under the heading, "Conditions affecting employment," there appears—would you read each line, and as you read it, is that in your handwriting?

Mrs. CUNNINGHAM. Yes, sir; "bus transportation."

Mr. JENNER. Bus transportation meant what?

Mrs. CUNNINGHAM. That he did not have a car and driver's license, and so consequently, he would have to use public transportation in seeking a job.

Mr. JENNER. You interest me; you say he did not have an automobile or driver's license. Did you make inquiry on that subject—did he have a driver's license?

Mrs. CUNNINGHAM. The front of the card—there are entries above the word "car—no" the license that we usually use here is a driver's license; then the word "none" is in front of it. Now, I didn't know who made these entries. They could have been made by Oswald or they could have been made by Mr. Brooks, if this is a photostat of the card which Mr. Brooks first worked with. Can you see that?

Mr. JENNER. Yes; I see what it is. That's what Mr. Statman said in his testimony and in any event, from examining the card and your interview, it was your impression on that day that he did not have a driver's license?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Is that correct?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. But you don't recall you made a specific inquiry on the subject?

Mrs. CUNNINGHAM. No, sir; what is on the card would tend to indicate that I took it as it was recorded and that I did ask whether he had to use the bus to get to and from work—to—yes.

Mr. JENNER. Now, the next line in your handwriting reads—

Mrs. CUNNINGHAM. "Wife and child" and in parenthesis "8 months" which indicates the information I was given about the age of the child as of that date.

Mr. JENNER. The child was 8 months old?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. When did you make the entries about which I am now examining you?

Mrs. CUNNINGHAM. In October 1962.

Mr. JENNER. At that time this child was more than 8 months old?

Mrs. CUNNINGHAM. I could have recorded it wrong. I could have been informed wrong.

Mr. JENNER. Let me see—I will withdraw that—I may be wrong.

Mrs. CUNNINGHAM. I don't even know enough to check on it.

Mr. JENNER. That's what you recorded, in any event?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And you would have received that information from him?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. The next line?

Mrs. CUNNINGHAM. "Outstanding verbal and clerical potential." That comes from what I was seeing on the test scores. It is to alert the placement worker of where the counselor finds his greatest potential to be through the testing.

Mr. JENNER. All right. Next line.

Mrs. CUNNINGHAM. "Financial position necessitates immediate employment."

Mr. JENNER. And that in turn affected what I might describe as being your immediate classification of him?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. And has a bearing on that—is there another line in your hand?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. What is it?

Mrs. CUNNINGHAM. "Brother—junior executive, Acme Brick" and the second line entry—

Mr. JENNER. That would have been information you received from him?

Mrs. CUNNINGHAM. Yes. "Brother—Staff Sgt. Air Force."

Mr. JENNER. Does that indicate to you two separate brothers?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And that is information that he afforded you?

Mrs. CUNNINGHAM. Yes, sir.

The next entry is "10-10-62."

Mr. JENNER. All right, that is 8 days later?

Mrs. CUNNINGHAM. It sounds like to me the first day I saw the boy, or the second day.

Mr. JENNER. Yes; you are right.

Mrs. CUNNINGHAM. "HPC" for my initials, and a "B" with a circle in it.

Mr. JENNER. Meaning what?

Mrs. CUNNINGHAM. I'm sorry—I'm not certain as to why that "B" was recorded there. We do use or did use, an A, B, C, D, E, F, for the kinds of problem and it could have been that, but I am unsure of what that entry means.

Mr. JENNER. What were your A-B-C problems?

Mrs. CUNNINGHAM. This gentleman is going to ask me to remember the whole manual this afternoon.

"A" is little or no work experience, and entry into the labor force basically, with no vocational choice.

"B" is an entry into the labor force or relatively so, or re-entry with a questionable choice.

Mr. JENNER. You mean questionable choice in what sense?

Mrs. CUNNINGHAM. That the applicant says, "I want to be a lawyer," and you say, "Are you ready, what training do you have, what is the indication?"

Mr. JENNER. Your questionable choice, therefore, is a question on your part as to his capability to attain that which he desires?

Mrs. CUNNINGHAM. Which is an expressed desire, but you see, sir, I do not have my basic counseling record among these papers and this is part of the reason that I am uncertain here. If I had the comparable and complete record, I could better answer the present question.

Mr. JENNER. What is your best recollection?

Mrs. CUNNINGHAM. I have no definite recollection of what the boy asked for, as far as an occupation is concerned.

Mr. JENNER. He wanted work immediately, you were also attempting to determine what he was seeking ultimately and your judgment of his capabilities to accomplish that which he sought ultimately; am I correct?

Mrs. CUNNINGHAM. Yes—but I again remind you that I did not attempt with Oswald the full counseling service, because I placed emphasis on the immediate with him.

Mr. JENNER. Well, that's important to me.

Mrs. CUNNINGHAM. Yes, I'm sure it is.

Mr. JENNER. What is "C"?

Mrs. CUNNINGHAM. "C" is expressed change of occupation for a variety of reasons.

Mr. JENNER. A desire to change whatever occupation he had been pursuing?

Mrs. CUNNINGHAM. And in that case it is presumed that the person is fully qualified in an occupation from his work experience.

Mr. JENNER. If a counselor reached the conclusion that he was not qualified or needed further training or you had any question about it as to the other occupation or the change of occupation the applicant desired, would you then classify him under "B" rather than "C"?

Mrs. CUNNINGHAM. No, sir; because as a counselor, I am applicant-and-individual oriented, and I guess as a counselor also, I work under the philosophy that the individual has some choices of his own and the best that I can do is give him information, use what tools and what knowledge I have gotten out of training and experience to help him to make the best choices, but the decisions basically are the applicant's.

Mr. JENNER. Did you say there was a "D" classification?

Mrs. CUNNINGHAM. Yes; there is a "D".

Mr. JENNER. What is that?

Mrs. CUNNINGHAM. I'm sorry, I cannot bring it to mind at the moment. There is an "E" and an "F" and a "G".

The "F" is emotional problems, which were not apparent in this young man to me in the few times that I saw him. He was well contained, well spoken, and did not give any information, as I recall, except what I referred to.

As I see his mother on television, this interviewee seems to me, and I have to use that verb, that there is a certain same kind of firmness in the individual there, and certain capabilities there, and to use words well.

Mr. JENNER. On the part of Mrs. Marguerite Oswald?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Do you notice any personality quirks or qualities or attributes in Marguerite Oswald as you observed her on television and her son, Lee Harvey Oswald?

Mrs. CUNNINGHAM. There is a driving in the woman that I did not see in the son. There is a strident of voice in the mother as she comes through to me on television that was not in the son. He was very self-contained.

I didn't probe for information because I was trying to meet the immediate need and to deal with the employment problem, only, sir, and then we also have workload and time pressures on us, as you well know in any job there are that.

We have applicants who are waiting to be interviewed and I guess now, with hindsight, I'm sorry that I didn't—but that's hindsight.

Mr. JENNER. Do you have capabilities in that area?

Mrs. CUNNINGHAM. Sir?

Mr. JENNER. Do you have capabilities in the area of inquiry into personality—when I said “capabilities”—first, do you have any training in that area? You necessarily have some experience, I am sure—formal training, let me put it that way.

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. I'm going to get into your overall training in a little bit.

Mrs. CUNNINGHAM. I hesitate to say this, because the pressures are with us in the Texas Employment Commission, to do a limited job on the vocational employment thing, because that is our emphasis and that is as right, but I have to say that I think a life is a unit and that you can't take a slice out of it and look at it alone and be very effective, nor that a human being can cut away from all his past, nor his associates, nor the other things that are affecting him and so I try to approach an individual, when time permits and when it seems like it might be effective in his vocational life, to get some information about other parts of his life.

Mr. JENNER. All right. Now, I got you off on this because I asked you what the “B” in the circle meant—may we go back to that?

Mrs. CUNNINGHAM. I thought I had answered completely.

Mr. JENNER. I think you have, but as I say, I got you off on it when we reached that point—I interrupted you.

Mrs. CUNNINGHAM. The entries on the application form, E-13 (Cunningham Exhibit No. 1) below “do not write below this line”—none are in my handwriting and they are not counseling records. They are referral placement records.

Mr. JENNER. Now, does the recording there indicate a reference of a job to the applicant and the result of that reference—what happened after the reference was made?

Mrs. CUNNINGHAM. The record is not absolutely complete, but in general—yes—and some line entries—yes.

Mr. JENNER. Would that form necessarily indicate if the applicant refused the position as distinguished from the possibility, for example, that the employer, when he interviewed the applicant, concluded that he did not wish to employ him?

Mrs. CUNNINGHAM. There is some indication of each, yes.

Mr. JENNER. Now, taking those entries, would you comment on each of them in that respect, taking them seriatim and tell us about it.

Mrs. CUNNINGHAM. On the first line entry, in the column headed “Call” there is a dash. That indicates to me that the applicant was not called in, that he was in the office and referred to the placement section. On the same line, under the word “referred” there is a date—10-8, which is struck through, and above that is written “10-10” and then under the heading, “Employer or agency,” I am reading the entry there, “Harrel and Harrington, architects;” under job title or purpose, the word “Messenger”; under the abbreviation for duration, the letter “P” which indicates a permanent job; under “pay”, I am reading \$1.50.

Mr. JENNER. Per hour?

Mrs. CUNNINGHAM. The hour is not indicated—that is inferred. There is no entry under “results”. On the same line under “remarks” are the initials “LL”.

Mr. JENNER. Whose initials are those?

Mrs. CUNNINGHAM. Placement worker who was with us formerly, whose name is Louise Latham.

Mr. JENNER. She was with you until yesterday?

Mrs. CUNNINGHAM. Well, I knew it has been an off again and on again situation—so you are more current than I about even in my own agency.

Shall I begin on the next line?

Mr. JENNER. Now, as far as that reference is concerned, there is nothing recorded as to what the result of that reference was?

Mrs. CUNNINGHAM. That is right. After having seen it, my recollection was that the boy was not hired.

Mr. JENNER. That was the decision of the employer?

Mrs. CUNNINGHAM. Yes, sir; and that is the information that would have come through me, either from talking to the placement worker or to Oswald on a second interview, you see?

Mr. JENNER. The cause for that doesn't appear—of course, it may be that when he got there the job was filled or anyone of a number of reasons?

Mrs. CUNNINGHAM. Since it is a blank entry, the applicant could not have reported, or the employer had rejected him, or he had seen other applicants and chose from them.

Mr. JENNER. All right. Let's go to the next line.

Mrs. CUNNINGHAM. Under the column "Call"—10-26-62.

Mr. JENNER. That indicates what?

Mrs. CUNNINGHAM. That he was called by telephone message, because there is a "TM" above the date.

Mr. JENNER. That means "telephone message"?

Mrs. CUNNINGHAM. I think that I am correct that that is the meaning there. Under the "referred"—NRO.

Mr. JENNER. What does that mean?

Mrs. CUNNINGHAM. No referral offered.

Mr. JENNER. What does that mean?

Mrs. CUNNINGHAM. That in trying to fill an order of an employer, the placement interviewer called in a given number of applicants, in trying to find one who would meet his specifications after reviewing application cards (referring to Form E-13; Cunningham Exhibit No. 1), and I would read it that the applicant replied that he came to the placement worker, that in the discussion the placement worker made the decision not to refer him.

Mr. JENNER. Is there a recording there of what the prospective reference would have been?

Mrs. CUNNINGHAM. Yes—employer agency: The Dallas Transit.

Mr. JENNER. For what position?

Mrs. CUNNINGHAM. Messenger, and I cannot read something in parentheses after that—"permanent duration"—I judge it to be \$175 a month.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. There is nothing in the result column.

Mr. JENNER. Whose initials?

Mrs. CUNNINGHAM. I'm sorry, I cannot distinguish them.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. However, there is the date—10-30, and I can't read what is above the date—10-30.

Mr. JENNER. Is that on the same line?

Mrs. CUNNINGHAM. Yes; I think.

Mr. JENNER. Let me see if I can read it—could that first word be "working" and then there is some initial following 10-30, the first of which appears to be "W", the next is "T", and the next is "F".

Mrs. CUNNINGHAM. I wouldn't risk a guess at either one of those, sir, because I am not acquainted with this handwriting and it is not mine.

Mr. JENNER. All right. Go to the next line, please.

Mrs. CUNNINGHAM. The next line—there is a dash under the word "Call", "referred"—there is a date 10-12, there are no other entries on that line.

Mr. JENNER. So, what does that mean to you?

Mrs. CUNNINGHAM. Well, it can mean a number of things.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. There is no indication on the front of the card to indicate that the applicant was in the office at that time. It can be that someone started an entry and never completed it, and I am sorry, I just don't know.

Mr. JENNER. Okay, let's get to the next line.

Mrs. CUNNINGHAM. Under "called"—the change of the year is indicated by 1963 having been written.

Mr. JENNER. Let's—

Mrs. CUNNINGHAM. Under that is May 3 and the letter "M" which indicates a call in by mail. We use a form.

Mr. JENNER. Does that mean the applicant called in?

Mrs. CUNNINGHAM. No, sir.

Mr. JENNER. That means the agency called him in by mail?

Mrs. CUNNINGHAM. Yes, just as the 10-26-62 "TM" meant telephone message.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. There is no entry under "referred". Under "Employer—Agency" is Texas Power & Light Co. The job title or purpose is "Meter reader." The duration is permanent, the pay is \$250. A runover item in the "Results" column is an E-19. That is one of our form numbers which the employment service uses to inform the unemployment compensation office that an applicant who is a claimant was called but did not report or did not accept—or at any rate appears not to be available for referral to jobs.

Mr. JENNER. Could it be that there was no response to the mail notice?

Mrs. CUNNINGHAM. Yes, sir; it does mean that because there is no entry in the referred column, you see.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Under the remarks are the letters "NR" which means "nonreport"—just what you were asking, and there is a repetition, if I am reading it correctly, of E-19, which is the same entry we just spoke of and the date—

Mr. JENNER. One, which is a similar entry meaning the same thing as the previous one?

Mrs. CUNNINGHAM. Which is a duplicate entry—E-19?

Mr. JENNER. I wanted to make clear that you weren't merely reading the same entry you read before.

Mrs. CUNNINGHAM. No, sir; on the same line is written the date 5-8-63, which is 5 days subsequent to when the card was mailed, wasn't it?

Mr. JENNER. What was the date—May 8, 1963?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. And then in parentheses are written the words "Moved—left no address" and there are two initials there that I cannot decipher.

Mr. JENNER. I don't think I need to ask you to interpret that.

Mrs. CUNNINGHAM. All right.

Mr. JENNER. Is there another line?

Mrs. CUNNINGHAM. Under the word "Called" is 10-7-63—TM, indicating a telephone message under the column headed "Referred" is 10-8-63.

Employer-agency—I read—"Solid State Electric; job title or purpose—sales clerk; duration—permanent; pay—\$350 a month; under "Results"—"NH"—meaning, "Not hired."

Under "Remarks" is printed the word "direct," which I interpret to mean that our staff member did not make an appointment for the applicant but asked him to go directly to see the employer.

Mr. JENNER. The "not hired" entry indicates what to you as to whether the employer rejected the applicant or whether the applicant declined their employment or any other reason. What did that indicate to you in this area?

Mrs. CUNNINGHAM. Ordinarily it means that the employer rejected the applicant and I am seeing that there was an erasure in this "NH" which looks as if it could have been "ARJ".

Mr. JENNER. What does that mean?

Mrs. CUNNINGHAM. That means "Applicant rejected job," and frequently these kind of changes are usual happenings with us because we can always call an employer and check too quickly and he will say one thing, or if you talk

to another person in staff they will say, "No; we didn't hire him." Can you see how that would happen, sir?

Mr. JENNER. Yes; that combination with the erasure leads you to interpret that, that while there was initially a report that the applicant refused the job, on a further check it was ascertained that he was not hired, meaning that the prospective employer did not hire the applicant, rather than that the applicant rejected the position?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Is there another entry?

Mrs. CUNNINGHAM. I think I got into the column under "Remarks" and had explained the word "Direct" before.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. I'm sorry—I cannot read the entry under the word "Direct." I can read the initials "RLA", who is our Mr. Robert Adams.

Mr. JENNER. That is the man I examined this morning?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. That means that Robert Adams handled that particular item?

Mrs. CUNNINGHAM. Yes, sir; and that he saw the applicant on that day and gave the referral.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. In the next line under the word "Called" is a dash, which indicates that the applicant was not called in, but probably appeared at the office and was routed back to the placement interviewer, and the date is the next day—10-9-63; "Employer agency is Burton-Dixie"; job title or purpose is "Clerk Trainee"; the duration is permanent; the pay is \$1.25, the results are "NH", which means "not hired."

Under "Remarks" is "direct" and the initials RLA which is our Mr. Bob Adams.

Mr. JENNER. All right.

Mrs. CUNNINGHAM. Under "Called"—10-15, with a "T," which means that he was called by telephone, under "Referred" is 10-15, which would indicate that he reported the same day, and under "Employer-agency—Trans-Texas"; under "Job Title or Purpose—cargo handler"; under "Duration" is "P"—under "Pay" is \$310.

Mr. JENNER. That's a month?

Mrs. CUNNINGHAM. Yes, sir; "result" is "NR".

Mr. JENNER. What do you mean by that?

Mrs. CUNNINGHAM. "Nonreport."

Mr. JENNER. That in turn means what?

Mrs. CUNNINGHAM. That the applicant accepted the referral, led the placement interviewer to assume that he would see the employer, and that when the placement interviewer checked with the employer, he reported to him that the applicant had not reported. Under "Remarks"—working—I think it is 10:30 a.m., 10-16. There is no indication of where working.

Mr. JENNER. Are there any initials there?

Mrs. CUNNINGHAM. "RLA."

Mr. JENNER. That's the same Mr. Adams?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. That would indicate that when that reference was made, it was found that Mr. Oswald was already working somewhere else?

Mrs. CUNNINGHAM. Yes, sir; it would indicate that Mr. Adams very likely checked the following day in some fashion or it could be that Oswald called Mr. Adams and reported that he was working.

Mr. JENNER. This reference was made on what day, according to that record?

Mrs. CUNNINGHAM. Are you using the word "reference" as we use the word "referral," sir?

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. 10-15.

Mr. JENNER. And then there is an indication that Mr. Adams made a check on that reference the following day or the same day?

Mrs. CUNNINGHAM. I am uncertain which it is referring to, whether he left



the entry there—let me go back—"NR" that he called the employer on the 16th and recorded the "NR," or whether there was a conversation between him and Oswald on 16th, from where he got the information he was working—I do not know whether he ever worked at Trans-Texas from this.

Mr. JENNER. Does this complete the entries under that section of the form?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. Now, give me your impression of Lee Harvey Oswald, as you recall him, doing your best to transport yourself back to the time that you had contact with him.

Mrs. CUNNINGHAM. Self-contained, able, perhaps not giving any more information than he was asked for, entirely presentable as far as grooming and appearance was concerned; there was nothing at all that I recall that was argumentative in my contacts with him. The general appearance was of, and what these records indicate to me, was of a young applicant with capability, not any sound or extensive work experience, the longest period of the training and experience was in the Marine Corps—

Mr. JENNER. And a limited education?

Mrs. CUNNINGHAM. A limited education, but he had done something about it before he came to me or he wouldn't have a high school equivalency certificate, if he did have. At least, I had no reason to question that he did not have, after I got the test results from the Fort Worth office.

Mr. JENNER. Mrs. Cunningham, would you tell me, please, your education qualifications for the work you are doing and your experience qualifications and what brought you into this field?

Mrs. CUNNINGHAM. I have a master's degree from the University of Missouri, which was granted in 1938. It is a B.S. in educational and vocational guidance.

Mr. JENNER. You have a master's—and you have a B.S.—did you say?

Mrs. CUNNINGHAM. I have the B.S. and the master's subsequent to it and I have a B.S. in education from Southeast Missouri College in 1928, which you see comes before this master's work.

Mr. JENNER. Yes.

Mrs. CUNNINGHAM. I have taken some subsequent courses at night, classes as I could at a variety of universities, St. Louis University, Washington University, in St. Louis, at SMU—a summer subsequent to the master's at the University of Minnesota.

Mr. JENNER. All in what areas?

Mrs. CUNNINGHAM. The B.S. was education.

Mr. JENNER. That was in 1928?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And at Southeast Missouri, did you say?

Mrs. CUNNINGHAM. Yes; Cape Girardeau. And my undergraduate majors are math and science, I guess I've got one in English, too, that I picked up.

Mr. JENNER. You graduated from college, then what did you do—there's 10 years there I wanted to cover.

Mrs. CUNNINGHAM. I taught school and went to school some summers, I did some social work during the depression days in the Southeast Missouri area.

Mr. JENNER. I remember them—I was practicing law then.

Mrs. CUNNINGHAM. You should have been down where they have good land and poor people, down in the Boot Heel of Missouri.

Mr. JENNER. In the Wood River country?

Mrs. CUNNINGHAM. In the Boot Heel of Missouri where the Mississippi and Ohio come together.

Mr. JENNER. I was down in the area where the Mississippi and Ohio come together forming the tip of Illinois—down at Little Egypt.

Mrs. CUNNINGHAM. In Cairo?

Mr. JENNER. Yes, in Cairo.

Mrs. CUNNINGHAM. And part of the time I was a housewife. In 1938 I went to Jefferson City where my husband was employed—this was Jefferson City, Mo.

Mr. JENNER. That is the State capital?

Mrs. CUNNINGHAM. Yes. I was with the Missouri Employment Commission and I worked in the central office there and he was a teacher in the public

schools of the city and I went from there to the St. Louis metropolitan office in the spring of 1940, I think.

Mr. JENNER. Was that the OPA?

Mrs. CUNNINGHAM. No; that was the War Manpower Commission—really during the war period. You know, we moved from State to Federal and then back to State—it was much easier going in than coming out—with the stroke of a pen—we were in.

I moved with that agency, I guess, from interviewer to labor market analyst for that metropolitan area and then I taught awhile. There may have been a period where I was not employed, because Mr. Cunningham and I have had heavy family responsibilities on the other end of life from 1940 to the death of his mother this past Christmas at 89, the same as Churchill, and in 1951, we came down here.

I have basically worked for A. Harris as an accounting clerk. In 1957 I had qualified under the Texas law and had taken the examinations, and in August 1957—I was employed by the Texas Employment Commission as an interviewer of some variety.

Mr. JENNER. And you have been at it ever since?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Mrs. Cunningham, does anything occur to you that you think might be helpful to the Commission in these areas about which I have inquired of you which, due to my lack of knowledge of the facts or for any other reason I have not brought out, that you would like to volunteer and which you regard as pertinent to our investigation?

Mrs. CUNNINGHAM. I've never really been into the investigation—of course, have never been into any kind which was of such grave importance as this, sir. I couldn't really make a judgment of what would be important to you.

Mr. JENNER. Well, I don't want you to try to make a judgment as to what would be important—all I said, is there anything you think is pertinent?

Mrs. CUNNINGHAM. Yes. I would like to say this: As I said to the gentlemen from the FBI who called me.

I have not been close to the Mellers recently. You see, this acquaintance came through our both working for A. Harris.

Mr. JENNER. For whom?

Mrs. CUNNINGHAM. A. Harris & Co.

Mr. JENNER. What business is A. Harris?

Mrs. CUNNINGHAM. A retail trade—it is now Sanger-Harris, one of the major department stores here, but I have no reason to believe otherwise that the Mellers were good citizens and very grateful for American democracy.

I rather suspect that the records show that I was a sponsor of Mr. Meller for his citizenship, and I think, having been one made me value my own greater, because I came down and sat in the courtroom and saw what it meant to incoming people.

I also recounted to him that one time when we were playing tennis—Mr. Meller came to the court, and he said, "I have a letter I want to show you," in a state of excitement, and I said, "You have?" And he got it out and it was from the U.S. Department of State, saying "You registered as an alien" at such and such address. "We have a request from Australia of a sister or a woman who purports to be your sister, and she is asking for your address. Do we have your permission to give it to her?"

And then Teofil said, "Nowhere else in the world would any Government be this considerate of me. I am only an alien."

Now, I haven't seen him because our paths haven't crossed very much in the recent years, but I think that that incident sticks with me because, again, I'm a stick in the mud—I have been in Missouri and I have been to Texas, and I just have to get some experience by reading and by studying and by talking with people, and other experiences, but when I worked at A. Harris, I talked with some of the displaced people who had been through World War II and through the horrors of that period and it was a broadening of my own experience. There was some gaining of some firsthand knowledge of the Jewish people and their history. I read some in the area. I helped them a bit with their use of

English in the trade and they were all apologetic to me for involving me, you see, and I said—well, I just accepted the boy as another applicant.

Mr. JENNER. It was the normal course, as far as you were concerned?

Mrs. CUNNINGHAM. Yes, sir.

Mr. JENNER. And you saw nothing that would lead you to believe it was other than the normal course as far as the Mellers were concerned and they were activated by charity in their hearts and desire to help out?

Mrs. CUNNINGHAM. That's right, and out of their own suffering. It is my observation that people who have suffered and who have helped to share, tend to do it a little more, probably, than those who have never known what it is to starve.

Mr. JENNER. Do you ever recall a conversation of whether the subject of Mr. Oswald's loss of these positions arose, and whether he said anything on that subject?

Mrs. CUNNINGHAM. Which positions, please, sir?

Mr. JENNER. You interviewed him 10-10—he had been employed prior thereto by Leslie Welding Co., I think?

Mrs. CUNNINGHAM. Yes.

Mr. JENNER. Doing sheet metal work, he says, "Made ventilators, cut sheet metal—4 months"?

Mrs. CUNNINGHAM. That is a Fort Worth employer, is it not, sir?

Mr. JENNER. Yes; it is. All I am seeking to do is to stimulate your recollection—if you have one—as to whether the subject ever arose in which he said he was having difficulty obtaining a position or retaining, either way, and whether he made any comments in that area?

Mrs. CUNNINGHAM. No, sir; the entry which is on the application card in "Reason for leaving" is "Laid off." I do not know whose handwriting it is in, and I did not delve into that.

Mr. JENNER. You didn't delve into that?

Mrs. CUNNINGHAM. No, sir—that says, "Dallas" doesn't it—10-62. I was thinking it was a Fort Worth employer—I did not go into that, as I recall, sir.

Mr. JENNER. I think it was a Fort Worth employer, as a matter of fact.

Mrs. CUNNINGHAM. I don't know—why it seemed to stick in my head that that Leslie Welding was Fort Worth, whether he told me he had worked briefly in Fort Worth or how it got there.

Mr. JENNER. You have no entries in any of those papers to refer to the fact that he had been in Russia and that he returned from Russia with his Russian wife—why is that?

Mrs. CUNNINGHAM. I think that in the kind of job we are in, sir; we never know who is sitting beside us. We are, as I say, a public agency and there is a certain amount of information that is supplied us by the applicant, and ours is not an investigative procedure. There is a certain amount of information that one accepts and works from, and I think that I would not have thought this a pertinent entry on this employment.

He was back in the United States. I would work on the assumption that the Federal Government would know why he was back and had given him permission to be back. Sometimes, with noncitizens, we ask for some kind of an emigration card or a visa and make that kind of an inquiry. This young man came to me, presented as an American citizen, the record indicated that; he had served in our Armed Forces and I guess that I would also add, rightly or wrongly, that in my judgment this could have blocked his getting employment here and if the employer learned it by questioning him when he was an applicant, he would make use of the information as he saw fit.

Basically, I try to assume that the other guy is telling me the truth and unless it is apparent that some things don't stack up, I don't probe and say, "Now, what were you doing between so and so and so," or if there is a big gap which could indicate a prison sentence or hospitalization or what have you, I would probe there. If he has his dates befuddled, I may work with him to help him to recall or suggest to him that maybe some home work—he ought to write all this down so that when he is filling an application form out for work so that he can get it accurate.

As you well know, this is not too cosmopolitan an area, with people with a

lot of backgrounds in it, and you see "Oswald" is not again a name that would indicate anything but an American background—the appearance of the American, his speech, and so I just give those two basic reasons.

Mr. JENNER. Did you inquire of him as to whether he spoke Russian with a view in mind possibly of recording that as a job qualification?

Mrs. CUNNINGHAM. No, sir; I did not. If he had been apparently a Russian citizen or of Russian derivation, I could well have done it, as I enter Spanish, or Polish, or German, and I would not think that Russian would be very helpful because all of this background doesn't say—translator—or again any of the rare jobs or professional, does it, and that in our classification is professional work.

Mr. JENNER. I can think of nothing else that has stimulated me to inquire further of you. I appreciate very much your coming over and this has been a helpful interview and at some inconvenience to you, I appreciate. You have been very helpful and very cooperative. Now, you may read your deposition, make any corrections in it you wish, sign it and Miss Oliver will have it ready sometime next week. If you will call Mr. Barefoot Sanders' office and speak with his secretary, she will let you know when it is ready to be read.

Mrs. CUNNINGHAM. Let me make a note as to when and where.

Mr. JENNER. All right—she will have it for you, and thank you again very much.

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### TESTIMONY OF R. L. ADAMS

The testimony of R. L. Adams was taken at 1:55 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. Adams, would you rise and be sworn, please?

Mr. ADAMS. Surely.

Mr. JENNER. Do you solemnly swear in the testimony which you are about to give on deposition that you will tell the truth, the whole truth, and nothing but the truth?

Mr. ADAMS. I do.

Mr. JENNER. For the record, I am Albert E. Jenner, Jr., one of the members of the legal staff on the President's Commission, which, as I believe you know, was authorized to be created by Senate Joint Resolution 137, and President Johnson added to that legislative authority by an Executive Order 11130 appointing the Commission and fixed its powers and duties. In general its duties are directed towards investigating all of the facts and circumstances surrounding the tragic event of November 22, 1963, the assassination of President John Fitzgerald Kennedy.

This has brought us as members of the staff and the Commission itself to inquire into a rather wide range of circumstances, including running down a lot of things that have arisen by way of rumor and otherwise, to sort out the wheat from the chaff.

One of the people towards whom our particular inquiries have been directed is Lee Harvey Oswald, and we have testimony from a host of people who had some contact with him during his lifetime.

The particular assignment of our division, Mr. Liebel and I and others helping us, is of Mr. Oswald's life from the day he came on this earth until his death on the 24th of November 1963.

If I may ask you some questions—I understand you had some contact with him or in your official capacity in the Texas Employment Commission, you in turn have people under your supervision and direction at least who had contact with him?

Mr. ADAMS. Yes, sir.

Mr. JENNER. You are Mr. R. L. Adams of the Texas Employment Commission, and is that located at 1025 Elm Street?