

Chapter 4. THE THOROUGHLY TERRORIZED COMMISSION
January 20

After Warren opened that emergency session by telling the members, "I called this meeting of the Commission because of something that happened today" and he turned it over to Rankin, and Rankin reported his phone call from ^Uarr that morning, Rankin could not avoid disclosing that it was not ~~disclosed~~ ^{the report} by any means a secret, ~~matter~~ ^{by} thus against establishing that except for the fear the Texans might do something about it, nothing had "happened" that day. Beginning in the second line of the second page of this transcript "the source of the information" Rankin reported that ~~Case's source~~ ^{the report} that Oswald had worked undercover for the FBI was the press. He said the press had 25 to 40 "different versions" of this story.

Some secret!
For all the secrecy and Warren's statement that it has "developed" only that day, on the third page of the transcript Boggs and Cooper reveal that they knew about this report ~~earlier~~ before Warren informed them, Boggs from an FBI report denying it and Cooper from "one of the lawyers for this fellow," Jack Ruby. (Joe Tonahill's name is misspelled in the transcript as "Thornhill."), whose source was said to have been Oswald or Ruby. But none of Ruby's lawyers interviewed Oswald and there is no way Ruby could have known of that report because he was in jail.

The FBI might "never show it" but the FBI's records would.
Of the report Rankin volunteered the incorrect information that "the FBI records would never show it" if it was true. (Transcript, page 3) At the very least the FBI office running any informant and FBIHQ do have records on each and every informant. From my examination of a great number of FBI records relating to its informants this is certain.

First the field office must obtain FBIHQ permission to use the prospective informant for a period of probation, usually about six months. Whether or not the informant survives the probation, each contact with him is recorded on a special form for that purpose and on it an evaluation of the information is reported. There ^{separate classification} is a file for each of the different kinds of informants, ^{like} political or criminal, ⁱⁿ File Numbers 134 ^{is for} labelled "Security Informants," and ^{is for} File Number 137, ^{On what to do FBI is 'extremist'} labelled "Criminal Informants." If the information obtained is racial, it is filed as ^{170 Extremist Informants.} "157. ^{Extremist Matters; Civil Unrest.} **Extremist Matters; Civil Unrest." The ** represents "Security-related Classification" of the file. *My source is the FBI's official list of its file classifications.*)

3
Temporary

are used to

They ~~are~~ identifications that avoid giving the informer's actual FBI number or his name. The meaningful identification, by the correct number or name, is on a separate sheet or sheets at the end, where that page ^{those} or pages can easily be detached. ^{in some distributions} Thus the FBI can distribute the information without identification of its source or sources.

But to itself it can always identify its source ^{and} focus from its own files.

These sources are used in what the FBI refers to as Letterhead ^{or "LHM's"} forms. This is because their first page is on an FBI letterhead. ^{From} when ~~this~~ LHM's are distributed, the actual identification of the FBI's informer is withheld. This is simplified by having them on a separate sheet at the end that it merely removed from the LHM.

It may very well be that ~~he~~ after eight years as Solicitor General of the United States the FBI never ~~tr~~ trusted Rankin with the actual identifications of their ^{its} sources ^{only} and informers. In that event he is familiar with the "T"-number ^{substitute for} of identification. But it seems unlikely that by January 22 ~~1964~~ 1966, after getting FBI LHMs for almost two months, ~~Ben~~ Rankin was not aware of this old FBI system of protecting its sources.

If he was not, ~~he~~ he should have been.

Inside the FBI, where the correct symbol is ~~seen~~ seen- and not all inside the FBI see it- the correct number discloses immediately the FBI office for which the informer works and the kind of informing he does.

Each symbol begins with the standard abbreviation for the FBI office, in two letters. It then has four digits. They are followed by one or more letters. NY1234C thus tells those who see the actual symbol replacement for the informer's name know ^{immediately} that the informer is of the New York office and is a criminal informant. "S" is used to indicate "security." "Security" is the FBI's avoidance of using the word "political."

But in each and every instance the FBI knows who the informer is who is represented by any kind of number, real or temporary. Otherwise its informer system could not and would not work.

To put it another way, the way in ^{manner} which what Rankin did in misrepresenting to the Commissioners present could be sinister if he knew the truth, ^{if he did not know the truth he unethically misled the Commission,} with the central question ^{was}

whether Oswald had been an FBI informer Rankin told them it would not be possible to learn the truth when in fact the FBI could have, if honest, reported the truth quite rapidly. FBIHQ has ^{those records as well as the field offices,} and preserves the requisite records.

Dulles also sought to play the whole thing down. First he asked what use the FBI could have had for Oswald as an informer, answering in part that it could have been "to penetrate the Fair Play for Cuba Committee," which is farcical, and then he added what is utterly ridiculous, that the FBI would not use "a fellow like this," or Oswald, because "You have got to watch out for your agents," here referring to informers, not agents, because "You really have to know. Sometimes you make a mistake." ^{(continued}

⁸⁶⁻⁷⁾
onto transcript page ~~74~~
^{some of}

Other members described those the FBI uses as informers more accurately and pointedly at the January 27 executive session, as we shall see.

Dulles' factually incorrect addition to Rankin's statement that is the complete opposite of reality helped persuade the commissioners that, as Rankin had told them, the FBI not only would not know- it would, if it did know, not tell the Commission

the truth. This had the effect of convince ^{ing some members who} at least some what later said it ^{made} that their task was insoluble. ^{A But if} Given the FBI's ^{wanted} intent to be honest, they had no real task at all. They ^{Commission} need only have asked the FBI. ^{for the proper search and proper attestation,} But without undertaking to learn the FBI's practises the Commission was not in a position to know ^{what to do} them and with these childish beliefs soon convinced itself that it could never learn the truth and would have to accept self-serving statements.

Ford then made a correct ^{N/} and a significant observation, that Oswald ~~is~~ "was writing ~~to~~ letters to both" the Communists and the Trotskyites (transcript, page 7). Ford found that "strange." It was a clue that should have been followed and wasn't. Oswald could not have simultaneously adhered to the beliefs of both.

Dulles then noted correctly that the FBI had people inside those parties and had ~~no~~ need for an Oswald in any such function. (Transcript, page 7)

5A

When several members identified only with an A or a Q wondered whether Oseald could have served the FBI when he was in ^YRyssia, Dulles informed them that the FBI "have no facilities and have no people in Russia," other than "American Communists who go to Russia under their guidance, but they have ^N't any organization of their own in Russia."

That ended that conjecture and an ~~A~~ A (still on transcript page 7 and continuing onto page 8) noted "the strange thing that happened" when Oswald, "who is a defector," could apply for a passport " in New Orleans and come out ~~with~~ the next day with a passport." That A, ~~who may well have been Dulles,~~ ^{then} said that "from my observations of the case(s) that have come to us, ~~such pas spor passports~~ ^{such pas spor} passports are ~~not~~ ^{not} passed out with such ease."

~~This is quite true.~~ I went into how unusual it was for anyone but particularly for one with Oswald's past to get an overnight passport in Whitewash. (See pages 124, 126, 127, 128, 130, 131-2 and 200, where I reproduced the New Orleans teletyped reuquetsing ~~29~~ 31 passports of the State Department.) Although "NO" was written after Oswald's name and his alone, t/e State Department's explanation to the Commission is that NO represented New Orleans. When the request was from New Orleans noting "NO" on it to identify New Orleans obviously was not necessary. *Oswald alone got his passport overnight*

Dulles told that A " "I think you are wrong on that" (on transcript page 8) and followed that with the non sequetur, that passports are good for "anywhere except specified countries". ^{truly} that had nothing to do with the/exception speed, overnight, that Oswald did get his passport.

While that may have been only coincidence, the Commission never conducted any investigation so it could learn the truth.

And those of us old enough to remember may recall that withholding passports for political reasons then was not uncommon.

When Dulles said ab^out passports, "You can get them quick" and A who had to have been Warren responded, "I think our General ^Vounsel and I ~~was~~ both have some experience ~~in~~ in cases that have come before our Court which would indicate that isn't exaccly the fact. ...They have great ~~id~~ difficulty, some of them getting a passport to go to Russia."

The fact is that under regulations Oswald's name should have been ~~flagged~~ ^{another} flagged in the possport office in the event he applied for a passport. The State Department later told the

not Commission not to worry about that overnight passport - it had merely goofed - three times on a single application! And that by one considered a defector.

After Dulles got tired of making light of this and the others stopped disagreeing with him ^{o/} Copper brought them back to the reason for that emergency executive session. He asked, "How do you propose to meet this situation?" Boggs followed him saying, "This is a serious thing." (Transcript, page 10.) And this, beginning at the top of page 10 of the transcript, is where they finally got down - more or less at least - to the business at hand. The Pentagon stenotype transcriber missed a few words, failed to get the names and made a correctable mistake but their great fear of the FBI and their correct understanding of what the FBI had done to them is explicit:

*What
is
the
issue
here?*

[Rankin] A: I thought first you should know about it. Secondly, there is this factor too that a (blank) consideration, that is somewhat an issue in this case, and I suppose you are all aware of it. That is that the FBI is very explicit that Oswald is the assassin or was the assassin, and they are very explicit that there was no conspiracy, and they are also saying in the same place that they are continuing their investigation. Now in my experience of almost nine years, in the first place it is hard to get them to say when you think you have got a case tight enough to convict somebody, that that is the person that committed the crime. In my experience with the FBI they don't do that. They claim that they don't evaluate, and it is uniform prior experience that they don't do that. Secondly, they have not run out all kinds of leads in Mexico or in Russia and so forth which they could probably -- It is not our business, it is the very --

Dulles: What is that?

[Rankin]

A: They haven't run out all the leads on the information

and they could probably say -- that isn't our business.

[Dulles]

Q: Yes.

[Rankin]

A: But they are concluding that there can't be a conspiracy without

those being run out. Now that is not (blank) from my experience with

the FBI.

[Dulles]

Q: It is not. You are quite right. I have seen a great many reports.

[Rankin]

A: Why are they so eager to make both of those conclusions, both in the original report and their experimental report, which is such a departure,

Now that is just circumstantial evidence, and it don't prove anything about

this, but it raises questions. (blank) We have to try to find out what they have to

say that would give any support to the story, and report it to you.

The terrified Rankin spelled it out: the FBI had decided that there had been no conspiracy, that Oswald was the lone assassin, without having run out all the leads indicating that there had been a conspiracy, but if the eminences of the Presidential Commission, with all the powers granted them by the President, at least on paper, opened their eminent mouths to utter a peep the FBI would tell them that solving the crime or knowing what the FBI supposedly was doing to that end was none of the business of the Presidential Commission!

unscheduled emergency

Remember the purpose of this executive session, to consider what the Commission would do about the reports that Oswald had been an FBI undercover informer ^{*in this the hope to evaluate*} in evaluating what Rankin could have had in mind when he asked why the FBI was "so eager to make both these conclusions," no conspiracy and Oswald as the lone assassin, when it is, as Dulles had already stated, "such a departure" from FBI practice? Rankin added that it "is just circumstantial evidence," of what he did not say and wasn't asked, "and it don't (sic) prove anything about this (Oswald as working for it) but it raises questions."

The staff had to find out, he said, and "report it to you." ^{*or 'A They never even tried to.'*} They never did.

Beginning at the top of Page 12 there was discussion of Ford's question, "Who would know if anybody would in the Bureau have such an arrangement?" Ford was so uninformed he assumed that someone in the FBI could have arranged for Oswald to be an informer for it entirely on his own. That is not possible. The Rankin brought them back to the earth that was quaking under them: "But when the Chief Justice and I were just

unduly reflecting on this we said if that was true and it ever came out and could be established, then you would have people think that there was a conspiracy to accomplish this assassination that nothing the Commission did or anybody could dissipate.

And this is an admission that the Commission began with the FBI's own determination, to conclude that there had not been any conspiracy. ~~but~~ Then Rankin added that if it was believed that Oswald had worked for the FBI it would not be possible to convince the country that there had been no conspiracy!

^{*The Commission*} In plain English, it was not going to investigate the crime ~~but~~ and it was going to conclude there had been no conspiracy, that Oswald was the lone assassin but if it was

Dulles, still ~~driving~~ ^{striving} hard, as some might think not entirely for the FBI but also for the CIA ~~that~~ drove home another restraint and restriction, saying, "The only copies of this record should be kept right here."

Boggs has another worry: "I would hope that none of these records are circulated to anybody."

A, whose identity has to be guess, added, "I would hope so too." Meaning that nobody would ever see the record they had just made.

Rankin explained about these transcripts that they were given to the Commissioners and "if you don't want them, those are the only ones who get them but Sides himself." (Sic)
9 His last words, the last words uttered ^{on the record} then, are "Off the record." Immediately under that the court reporter noted "END".

~~However~~ However, that executive session did continue, albeit "off the record," as Dulles proposed and the others agreed to, for the rest of the hour and a half not taken up by these 17 pages of double-spaced typing, for more than another hour at the least.

So, the panic-stricken Commission, shocked at the report that its only candidate for assassin had worked for the FBI, gathered in TOP SECRET ^{emergency} executive session to decide what to do about that report, wound up neither considering nor deciding what to do, confessed that it lived in terror of the FBI, which had already decided for it what it would pretend to be deciding for itself but actually would be what the FBI wanted it to decide and then, recognizing the importance of its admission that ~~long~~ before it held its first hearing it had already decided, without any investigation at all, that there had been no conspiracy, they decided to destroy this record and suppress all ^{else they then said} others.

But they did, fortunately, overlook Ward & Paul's stenotypist's tape! ^{of what was not}
"off the record!"
When it was transcribed for me it became apparent that the one thing not discussed at that executive session is the one thing for which under emergency conditions it was convoked: to ~~decide~~ deliberate and decide what to do about reports that Oswald had worked for the FBI as an undercover agent.

Instead five of the seven members of the Warren Commission admitted that they began with the determination to find that there had ^{been} no conspiracy, which means with the preconception of Oswald's lone guilt, and then, recognize ^{how} how disastrous it could be if

any word of that got out, decided to destroy the record they had made of all of that. ^{had}
How sad that with the doubts and questions he already had, that Russell was not there to hear all of this!
They did decide to go off the record and they remained off the record from the

records I have. It appears that in the intensity of what followed ordering the reporter not to take any more of what they said down and as happened separately, they ordered that what was taken down not be "written up, typed typed."

For any doubting spoeks, kooks or diehard Commission apologists and defenders I cited some of my documentation, enough to ^{establish} the basic facts ^{to their silence.}

The executive session of January 22 was to have been Volume 5 of the Ward & Paul transcripts. on the log of these transcripts ~~is~~ this entry is lined through and the spaces for posting ^{are} information relating to delivery ~~is~~ blank.

The next Ward & Paul job for the Commission was the January 27 executive session. ^{It} became Volume 5.

The court reporter ~~was~~ sent to take the January 22 session down was named Cantor.

His first page number was to have been 127. That number was then assigned to the January 27 transcript.

Instead of the records of page numbers and copies made that line of the form identifying Cantor as the court reporter has ~~written~~ ^{write} written in those spaces, "no write up-reporter's ~~notes~~ notes confiscated by Commission."

And, relating to what ^{is} ~~is~~ said in the ^{see written in White Wash IV and herein} preceding chapter, that Rankin had not arranged for the court reporter to make a verbatim transcript of Russell's disagreements with the basic conclusion of the Report, the last time Ward & Paul provided a court reporter to the Commission was three days earlier, on September 15.

^{These court reporting records}
~~The first and records here cited~~ also establish what will ^{soon} ~~in time~~ interest us, that Rankin also avoided having any court reporter present to take down the exact words of the Texans he asked to come to Washington amidst the secrecy it was impossible to keep from the FBI. Between January 21 ¹¹ and January 27 or between Volumes 4 and 5 there was no transcript and no reporter other than the abused Cantor was sent to the Commission. (Rankin paid the firm a disgraceful \$25 only for the time of that reporter, Cantor, ^{after the normal working day.}

If readers are shocked by this exposure of the actual shenanigans of the eminences

^{of the}
~~of the~~ Presidential Commission assigned to solve that crime and report on it, as I believe all readers should be, they ought not lose sight of the fact, whether from shock or indignation, that this was in fact not atypical, that it was in fact the way the Commission avoided investigating the crime itself while pretending to be conducting a diligent and careful investigation, as its Report boasts it did.

As the Commission continued with its grim face of pretending to decide what to do about that report of Oswald as an FBI undercover agent, what this chapter reports never changed. It got no better and, when they actually did get around to chatting about that report and what they should do, save for what is confessed in this chapter it was perhaps even worse.