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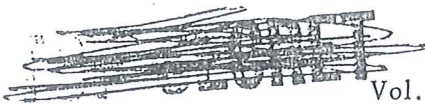
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PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY

Report of Proceedings

Held at

Washington, D. C.

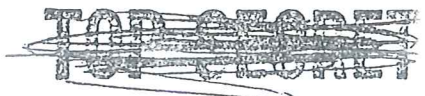
Tuesday, May 19, 1964

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PRESIDENT'S COMMISSION

ON THE

ASSASSINATION OF PRESIDENT KENNEDY

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Washington, D. C.

Tuesday, May 19, 1964

The President's Commission met, pursuant to notice, at 4:00 p.m., in the Hearing Room, Fourth Floor, 200 Maryland Avenue, Northeast, Washington, D. C., Chief Justice Earl Warren, presiding.

PRESENT:

Chief Justice Earl Warren, Chairman

Senator Richard B. Russell, Member

Senator John Sherman Cooper, Member

Representative Hale Boggs, Member

Representative Gerald R. Ford, Member

John J. McCloy, Member

Allen W. Dulles, Member

- - -

J. Lee Rankin, General Counsel

- - -

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BY MAJ, NARS Date 4/24/75

The Chairman. The meeting will come to order.

The purpose of the meeting today is to consider the field reports on our employees.

Lee, would you take over here and give us the problems?

Mr. Rankin. Yes. We have two questions remaining for decision by the Commission. One is Norman Redlich, and the other is Joseph Ball.

The Full Field Investigations on each of them have been circulated to all of the Commissioners. The material I know you are familiar with. I think you should know that I am the one that hired Norman Redlich, and in a way I hired practically all the rest of the staff.

Some of you may have known one or two of them, but I took the responsibility of trying to locate men that were qualified. And I think the file shows you how much I knew about Norman. I knew him because he was a professor at the New York University, and he had an excellent record in school at Yale, where he was the first man in his class. He has been editing the Tax Law Review for the New York University Law School.

He is very competent and is a hard worker.

And all I knew of him was good.

I didn't know he was a member of the Emergency Civil Liberties Council. I did know that he was very much interested in civil liberties and civil rights, and that he has been active in that regard in some litigated matters in New York State over a

period of years.

He has been an excellent member of the staff. He has worked long hours, longer than anybody else. I think he is more familiar with our work than anyone else, and has been of great assistance to me and the other members of the staff.

The staff members are very much disturbed about the attack on him. They have worked intimately with him and are fully satisfied of his complete loyalty, both to the country and to the Commission. And they are also very much disturbed at even the thought that he won't be here to help -- continue to be here to help make the report, because they feel that he could make and can make a very great contribution.

The other one, about Joseph Ball -- of course, one of the elements I am sure you are aware of in connection with the Emergency Civil Liberties Council is that they are opposed to the Un-American Activities Committee. That is one of their creeds, and one of the positions they take.

That organization is cited by the Un-American Activities Committee and the Internal Security Committee of the Senate. It is not cited on the Attorney General's list.

Sen. Cooper. What is it cited for?

Mr. Rankin. It is cited for being a Communist-front.

My experience with the Government -- according to the Regulation 10450, that is one of the elements to be considered, is membership in any Communist-front or any front organization.

Mr. Dulles. It is not on the Attorney General's list, though is it?

Mr. Rankin. No, it is not. It is not a bar to employment in the Federal Government, and never has been so considered, as Mr. Hoover testified. If you recall, he testified that if a person was a member of two or three Communist-fronts, that would not bar them to Federal employment. If they were a member of as many as 18 or 20, as I think he said, it might indicate that they were softheaded or at least that you might wonder whether they were fit for employment in the Federal Government if they got so involved.

And then he pointed out the fact that ministers and others have been engaged in all kinds of front organizations where they were interested in the cause and did not realize the full implication of the association.

In regard to Ball, I don't know whether that is any problem for any of you or not.

He is an outstanding lawyer on the West Coast, he is very able and highly regarded.

He joined with all the members of the California Bar Association in a resolution against the Un-American Activities Committee when it was out there on the West Coast, and the whole council decided this resolution attacking the Un-American Activities Committee for the way they conducted themselves at that time.

He is not a member of any front group, as you have noticed in the file, I am sure.

And everything about him has been good on the staff. He has been losing a lot of money for very low pay to come here and help us in this work. We need him very badly.

Now, about our help situation -- we are going to lose some of our people, by the nature of things, because some of them are young men who their offices insist on having them returned to them promptly. One of them, Mr. Eisenberg, is going to leave as of June 1, and his firm has said they just cannot spare him any longer, because of certain business that he has to help them with.

Mr. Jenner says that he has to return on June 8, but he will try to help us from Chicago after that.

And Mr. Hubert tells us that he has to return as of June 1, but he will come on the weekends to help us.

Everybody wants the report written by June 30th or sooner in order to avoid the conventions or any political aspects to the report, and we have all tried to shoot for that date.

Personally, I feel that there is no question of Mr. Redlich's loyalty as an American citizen or his dedication to this Commission, and I think that he is entitled to have the Commission determine that he has a right to a security clearance under all of the criteria, and that it should be decided on that basis.

As far as I am concerned, I don't know how we can get the

report out with the limited help we have got unless we all just work long hours like we have been doing, way into the night and over the weekends, and so forth.

I would be glad to try to answer any questions.

The Chairman: You did some teaching up at New York University didn't you?

Mr. Rankin. Yes, sir, I taught a night class. And that is the way I got acquainted with him. It was rather casual, because he was a member of the faculty. And they asked me if I would not teach an evening class, and I did that during the fall of the last three years. And that is the way I got to meet him.

The Chairman. Would you mind telling us what the reaction of the faculty of the law school was when this attack was made in the press?

Mr. Rankin. They sent a letter down in which they asked the Commission take action, and that they endorsed his complete loyalty as a citizen, in their experience with him, and their confidence in his competency and ability, and his integrity, and it is signed individually by the various members of the faculty.

Sen. Russell. The F.B.I. file -- I believe it came from your office.

Rep. Boggs. It did so. I got it from Jerry, read it, and sent it to you.

Sen. Russell. I have been here so little and have been

associated with these man so little -- my reaction is, such tentative conclusions that I have reached, have all come through the reading of that file. I did try to go through that.

Mr. Ball, so far as I could see, there was nothing in his file that would affect him. He is much more liberal than I am in many respects. But I didn't see anything in there that could affect him.

Now, this man Redlich, I do think he has had some connection there that are very unfortunate for us, particularly being involved in this Cuban controversy, and this right of going down there. And while I was not here, I want the record to show very clearly I knew nothing about him and didn't even know he was employed here until after this matter was broached in the press.

He, apparently, is a born crusader, and I think he is going to be controversial as long as he lives, and he will be breaking out in something else the next three or four months, and everybody will say, "Isn't that the same fellow up there with the Warren Commission?"

I am not saying anything against his character or patriotism. Apparently he is a very brilliant person. And there is nothing in the file that would indicate he had any direct affiliation with any subversive group.

But he has been tied in with a lot of fellow-traveling groups.

For my part, I don't want to take the responsibility for employing him.

Rep. Boggs. I think -- of course I will say I had nothing to do with employing him either. I think the unfortunate thing about Professor Redlich is that it does give people an opportunity who want to criticize the Commission to criticize it.

Now, as you know, we have had a Congressman over there who has made two speeches already. And these things go way beyond anything that may be in the record. But that is the sort of business that gets circulation.

This is a matter that gives me concern.

Insofar as Mr. Ball, the former President of the California Bar Association, I don't think there is any question about him by anybody. I haven't heard any.

Have you, Jerry?

Rep. Ford. No. I have read the file on Mr. Ball. This is a file that I think completely and forthrightly clears him of anything other than in his capacity as a commissioner, was it, of the California State Bar Association, and as president during the period that this matter was brought up.

Mr. Dulles. He was a member of the Lawyers Guild, was he not Vice president or some officer of the Lawyers Guild?

Mr. Rankin. He was connected a long time ago, in the early period.

Mr. Dulles. He is no longer connected with it? That is not clear from the file.

Mr. Rankin. He is not, and he has not been for a good many

years.

Rep. Ford. May I say a word on this?

I would like to state for the record that I have been tremendously impressed with Professor Redlich's ability. I think he is a brilliant man. And in the work I have seen in the Commission, I think he has contributed significantly to what we have done. He has been very diligent.

One time I heard him interrogate a witness, I thought he did extremely well.

I think it also should be said, as I read the report of the F.B.I., that there is not a scintilla of evidence that he is a member of the Communist Party, or ever has been a member of the Communist Party.

As I read the report, he is given in this connection a clean bill of health without any question whatsoever.

I think it is regrettable that somebody as brilliant as he and as nice a person as he appears to be gets involved in some of these causes. It is his right and anyone else's right. But the fact that he has been, does do what Hale Boggs says, creates a problem as far as the image of the Commission is concerned.

I think the Commission as a whole, in every way that I know of, has done a very thorough job. I think the staff particularly has done well. And I think the Commission members as a whole have done a fine job.

This report and the work that we have done will be a document

that will be part of American history as long as the country exists. And it is vitally important, because of the nature of the assignment, that we be as free of any criticism as possible. The image of the Commission, in my opinion, is something that just cannot be tarnished in any way.

I think I said at the very outset, when we were talking about the employment of people, that we should not, as a Commission, have on the staff anybody who was connected in any way whatsoever with any organizations of the radical right or the radical left. I felt then, and I feel now that people who are affiliated with such organizations, or have an affinity for such causes, are extremely controversial.

The mere fact that they are controversial to some extent, rightly or wrongly, casts some shadow on what the Commission is doing.

I think if I had known of anybody we were considering for employment who was in any way connected with any of these organizations, right or left, I would have personally vetoed their employment -- not because those people don't have a right to belong to such organizations or get interested in such causes, but my objection would have been to the shadow that they might have cast on what the Commission was trying to do. Such individuals because of their interest in such organizations, would have clouded the image of the Commission.

For that reason, I am sure I stated from the outset that we

should stay clear of people who had such affiliations.

That being the case, my view being such in the employment of people, it is hard for me to say now that we should continue the employment of any person.

I don't know if there is much more I can add, Mr. Chairman. But I think this best expresses my view on the subject.

Sen. Cooper. Mr. Chairman, I would join myself with Congressman Ford in saying that, sitting here in many of these meetings, I have observed Mr. Redlich, and I agree with him that he has been very diligent and a hard worker, and, as far as I can judge his work was good.

I would like to say this, also -- because it has been suggested in several newspaper articles I have read, and also several speeches have been made in Congress, in the Senate and in the House, that Dr. Redlich might in some way influence our report to his own views, whatever they may be.

I certainly would disagree with that statement. I am sure that this Commission is not going to be influenced in any way except that which it believes is the objective facts and the truth, by anyone.

I do raise this question, though -- I know we don't want to do an injustice to any individual. I think, though, that the chief function of this Commission is to present actually an objective, fair report that is credible, I think without regard to whoever is employed. That is our chief duty.

And I think we will.

But I think, also, that we are expected and were expected not to do anything which would make it less credible to people outside. I think the real question before us is -- I say again, this man would not influence our report, we know that, against anything we believe is right and just. But do we do the Commission an injustice and make this report less credible by the fact that he is associated with us? I think that is the real question -- at least to me.

The Chairman. Allen?

Mr. Dulles. I have read over the file.

Frankly, if I had known these facts, I would not have been in favor of employing him in the first instance.

I think now we have got three alternatives. One is to keep him on in full status.

One would be to terminate him along with certain others who are terminating around the first of June.

The third is to keep him on.

I would be inclined -- I realize how deeply this will handicap the preparation of the report, because I agree with everything that has been said here, that he is a man of outstanding ability, that except for Lee himself he has probably mastered this whole case more completely than anybody -- knows it probably better than anybody, except possibly Lee.

I do, however, feel, as has been expressed on the other side

*Dunk, Ford
Russell
Casper
P. M. Kennedy
H. M.*

of the table here, and by Senator Russell, that we have got not only to get out a report that is as free as possible of any extraneous criticism, but also to avoid the appearances that will bring that attack against the report.

And this has built up now to a point where that is, I believe a danger.

So despite the fact that this is going to, I realize, cripple us a great deal, I would think that the middle course that I outlined is probably the best and the wisest course to pursue.

The Chairman. Gentlemen, I did not know Professor Redlich -- as far as I am aware I did not know he existed at the time he came here. I don't know what I would have said had I known he belonged to this organization, so far as bringing him here is concerned.

I don't think it would have affected my judgment very much on him, because as far as I can see the only real criticism against him is that he has been against the Un-American Activities Committee of the Congress. And there are some very, very fine Americans who are so recognized in all circles who have exactly the same views.

And certainly I would not downgrade him because he has that view of a governmental agency, any more than I would question the loyalty of anyone who believes that the Court of which I am a member is not in ~~TOP SECRET~~ -- acting in the best

interests of the country. And as you all know, there are plenty of people of that kind, and some of these very people, I think, who are complaining, are vociferous in that respect.

I don't judge people by their views of that kind.

I have observed Professor Redlich here, and I have the same opinion of him that Congressman Ford has expressed. I think he is an able man. And I have come to believe that he is a man dedicated to the work of this Commission, also.

I know that the staff, every member of the staff, feels the same way about him, and they feel that a great injustice has been done him by reason of this attack that has been made upon him in the Congress by a very few members.

I think that -- I know that the faculty of the law school has the same view concerning him -- they express it in that letter.

I think that there are just an untold number of people throughout the country who believe that he has been done an injustice, and that for this Commission not to approve him now would be an un-American thing to do. I am sure that in academic circles throughout this Nation, it would be so considered. I know that the least that they would expect and that most Americans would expect at this particular time would be that if he is charged with disloyalty -- and that is the only reason we could drop him -- that he is entitled to a trial, and that we ought to give him an opportunity to make his defense. I believe that, myself.

*more
problem of
staff*

Werner

A thing of this kind, for this Commission to drop this man on this charge that has been made of his being a member of a Communist-front means that we would be dropping him as a disloyal individual. And that is a hurt that can never be remedied as long as a man lives.

It affects his wife, it affects his children, and I am told that one of the commentators, in reporting on what went on over in Congress, even gave his home address in New York, and I am just sure for the sole purpose of harrassing his wife and his children.

And I am told that they have been harrassed by this thing, and they will be harrassed, just as long as the injustice remains.

I think that should we decide that there is any question of his loyalty, that the least we could do would be to give him a trial, where he can defend himself, and where he can show that he is a good American citizen, and is not disloyal. That is the American way of doing things.

If it is the wish of the Commission that that should be done, I would regret it very much. I would be willing to go through with it. But I think that we should at least give any American that opportunity before he is declared to be disloyal.

And the courts have so held in Government employment, that before you discharge a man for security reasons, that he has a right to an administrative hearing.

I would think if this Commission is looking for an image

and expecting an image throughout the country, that we would at least want to have an image of fair play to our own people if we expect people to think we have been fair to Oswald and the rest of these people in here, we certainly ought to give them the image of being fair to those who have worked for us, and who have been loyal to us as far as we know, and who have worked sacrificially.

I myself would feel that there is -- there is only one of two courses of which we can take. One of them is to approve him and the other is, if we question his loyalty -- is to give him a hearing at which he can defend himself, and then make our decision as to whether he is disloyal or not.

E.W.
The idea of just dropping him now and letting him go off quietly would serve no purpose except to make a great many people despise us for not being willing to face an issue. Everybody would know why it was done, and we would get no credit from those who are against us now for having employed Professor Redlich. They would just take the position that we had shown our weakness not only in employing him, but in standing up to what we have done, and that we have run for cover when we have been attacked by them.

I would think that would be thoroughly deceitful to do that. This man is either loyal or he is disloyal in our opinion. If he is disloyal, he shouldn't be here. And I would not vote for him, as I know the rest of you wouldn't.

But I certainly could not be a party to a subterfuge that would make it look as though we had decided that he was all right, or that we were afraid to face the issue, and then had just dumped him out of the organization.

I feel very strongly that there are only two alternatives and those are the ones I have mentioned.

Jack; we are glad to see you. We started early, Jack, because the Congressmen thought they might get a roll call at any minute, and might have to go, so we thought that inasmuch as we waited this long to have our meeting we ought to have the time while they are here.

We have gone around the table, and each in his own way has expressed his opinion about the Redlich situation -- I know you have read it, you were here yesterday afternoon.

Would you mind saying how you feel about it, Jack?

Mr. McCloy. Yes, I read the record, and I came to the conclusion that his having been on the staff, been here this length of time, that there was nothing in his record that I saw that would make me feel that he would be a dangerous factor in connection with the work that we are doing or a security risk in connection with the work we were doing, and that though I don't have any personal knowledge of Professor Redlich, I do know some people that know him who have spoken rather highly of him, his capacity. I think he is a man who is very definitely somewhat addicted to causes. But I repeat that I don't find anything which

I feel is a security risk in connection with the work that we have to do.

I feel that purely from only on the matter of expediency at this stage in our proceedings that we would be better advised to carry on with him than to ask him to step down.

He can continue to render service to the Commission.

His views may be somewhat more liberal than mine are. But I don't find anything sinister in connection with the work I have read and the papers I have seen.

I think we may be subjected to considerable criticism if we don't continue with him.

That is about my views.

Sen. Russell. I, of course, have been here less than anybody else, and probably shouldn't talk at all, but I would like to say a few more words.

I cannot agree, Mr. Chief Justice, that it is purely a question of his loyalty, and that we would stamp him with disloyalty.

Understand, I am making no recommendation, because I don't know enough about it.

But I don't think it is that narrow at all.

A man's views on issues can be so extreme that he can be a handicap to a commission of this kind, even though he may be the very sole of loyalty and patriotism to the country and would even die for it.

I don't know who is the general counsel for the John Birch

Society. But if we had employed the general counsel for the John Birch Society down here on this staff, however loyal he might be -- I don't know if he is loyal or disloyal -- but if we had, I think we would have run into a great deal of criticism, and properly so.

I don't know Professor Redlich. I do say that from reading that record, he is a man that is given to causes, he supports causes. The fact that he opposed the Un-American Activities Committee of the Congress I didn't consider, in forming my opinion of him here, so much as I did some of the other organizations with which he is associated.

I particularly didn't see why he should go out and organize a committee to fight for the rights of people to override the State Department to go into Cuba and things of that kind.

My views on him are not colored by the criticism in the Congress. It hasn't even started yet. One Senator sent down a great long speech to me and asked me whether I had any personal objections to him delivering it. I read about a third of it -- John, he may have sent you one.

Sen. Cooper. Yes.

Sen. Russell. I read about a third of it, and I haven't had time to read it all. I saw him and told him it didn't make any difference to me as an individual, but that it might be wise for him to defer that until he knew a little more about Mr. Redlich.

I can't agree that we would label him as being disloyal

to the United States of America, There is certainly nothing in that record that would convict him of disloyalty to the country.

But he is a promoter of causes. He will be a controversial figure. And in this report -- we are going to have plenty of trouble with this report in the years to come without that.

Rep. Boggs. Senator, may I ask you in connection with what you are saying -- I am just wondering whether he suffers more -- I don't know what word to use -- this Commission is going to terminate pretty quick, anyway, all of us -- whether he suffers more under those circumstances, as suggested by Allen, or under these other circumstances, with people making these charges all over the Floor of the Senate and the House.

I don't know where his situation is best, to be quite frank with you, just looking at it from his point of view. What do you think?

Sen. Russell. I don't know. I have a great compassion for any individual who gets himself in this kind of fix -- and his family.

I was brought up in a controversial family. I know what it is to have people try to burn down your house. So it doesn't make any difference how violently I disagree with an individual, when he gets in this position I have a feeling of great compassion for him, because I know anything that is done, it is not going to be to his benefit. Anything we do is not going to completely

cure this question.

There will be some people who will be doubting his loyalty. And it may have gone so far that it cannot get much worse.

I frankly was thinking about it solely from the standpoint of the Commission -- what Mr. Ford called the image of the Commission, which would have a great deal to do with the reception of such report as we make.

I haven't been here as much as I should. But from making an earnest effort at long range to try to follow behind, I am not sure that we have got all the facts now even as meticulously as we went into every single straw that has been brought out to Mr. Rankin's attention.

Sen. Cooper, I said a few minutes ago that while I know we do not, and I am sure I do not want to hurt an individual, particularly the question of someone's loyalty, and bring it into issue, when it is not an issue. The question I raise -- perhaps we could have a little more discussion on it -- whether in this instance we are charged with a very particular duty to make a report which we know will be objective from our viewpoints -- we know it will -- and also will give -- have the support as far as you can of its fairness and objectivity.

Now, the points that worried me about this man were these:

One -- because we have had testimony about Oswald's activities in the Cuban affair -- as Senator Russell said, this man -- it is not the same thing, but he has been interested, also,

in activities connected with Cuba. That doesn't implicate him in anything. It is just an unfortunate problem.

The second thing was his attack on the Un-American Activities Committee -- while many people do that, it is always joined together with an attack upon the F.B.I.

Now, the F.B.I. in this examination was a very important factor. If criticism should be made of the F.B.I., and its operations in connection with this case, then that could be seized upon, too.

A couple of newspaper people asked me about it, and I said it was ridiculous from this viewpoint, whoever he was, none of these people would influence our report, we would make our own report.

I said that was an absolutely idiotic and foolish viewpoint.

But I gather from what the Chief Justice says you think our higher duty is not to do an injustice to an individual

The Chairman. Well, John, I think this: I think that the only purpose that these field reports are made is not to determine whether he would be a good employee, whether we like him, whether we don't like him, whether he is controversial or whether he is not controversial. The only purpose of those reports is to determine whether these men are entitled to security. If they are loyal, honorable, American citizens, they are entitled to a clearance for loyalty. If there is a question about their loyalty, then I take it it is our duty to find that they are not,

that they shouldn't be cleared.

Now, I think that everyone who has spoken here practically who knows him -- you and Congressman Ford, Congressman Boggs, and I, Allen, I think, and Jack, have all said that we don't question his loyalty. Then it seems to me that we have a duty to perform in connection with these field reports on him, and that is to determine his loyalty, whether he is entitled to security or not.

Then if we decide that he is entitled to security, if we want to fire him for anything, whether it is being a controversial person or whether it is for being inefficient in his work, or whatever it is, that is another question.

But it seems to me that the question before us today in connection with all of these -- we are deciding all of these reports -- the question is whether or not he is entitled to security or whether it should be denied to him by reason of any doubt we might have about his loyalty.

Having decided that, we have got something more, maybe, to decide -- if the members of the Commission feel that way.

But I cannot escape the feeling that if we refuse him security clearance on security matters here today, on the basis of those reports, we are doing nothing more than stamping him as a disloyal American citizen. I just cannot see -- it is the only issue that is before us.

Mr. Dulles. Mr. Chief Justice, I don't quite agree. I think

that we all agree here right now -- I would -- on security I would clear him right now.

I don't think that is the issue.

I think the issue is as to whether when we come to write the report, a man who is so associated with certain causes should be in on that particular part of the work. I think he has done his work excellently. I would clear him on security at any moment. I would give him anything that one wants to give him as far as a certificate on that point, as far as I am concerned.

Sen. Russell. Perhaps I am looking at it from the wrong angle, but I look at this thisway: If I had known about Mr. Redlich, and his predisposition to embark on all of these kinds of causes before he was employed, I would have opposed it very vigorously here in this Commission.

Rep. Boggs. So would I.

Sen. Russell. This is the first time I have had my opportunity to express my views on it. I don't charge him with being disloyal, and I don't agree with that.

There might be a thousand other reasons why we might vote against some employee of the Commission. But I didn't know he was here, I didn't know he was employed, until after all of this controversy broke.

I understand he revealed to Mr. Rankin these affiliations that he had.

Now, I think that is entirely different from questioning a man's

loyalty to his country. I just would not have supported any man, I would have opposed as vigorously as I knew how the employment of any man that was disposed to embark on all these tangents, or chase rabbits of the kind this gentleman apparently has.

I am going altogether by the cold record I have read. That is all I know about him.

Rep. Ford. Mr. Chairman, let me supplement what I said earlier.

This problem has caused me a great deal of scul-searching, because, as I said earlier, Jack, I have been tremendously impressed with his ability, his diligence, in the limited association we have had in this Commission room. I have been personally impressed with him as an individual -- I like him.

I have no doubt whatsoever about his loyalty. I have no doubt about this ability in the preparation of a report to be completely and totally objective.

But I do go back to the problem at the outset of the Commission. This Commission has a tremendously serious responsibility imposed upon it. And in order to do our job the way I think all of us wanted it done, we had to be most careful in how we plotted our course of action, how we employed people, how we conducted our hearings.

If we made any error at all, whatever we put in the report would suffer.

Now, under the criteria I thought we were using for the

employment of people, we did not want to get involved in controversy. I think it was the consensus of the group we could find top grade lawyers to work for us who were not associated either with extremists on the right or the left.

I share the view that if I had known this, his affiliation with the Emergency Civil Liberties Committee, or any of the other associations, I would have said, just as a practical matter, from the point of view of the Commission, we shouldn't have hired Norman Redlich.

Now, we are faced with a problem that you raise. He has been working for us for five months, doing an excellent job. I don't want to hurt him in the slightest.

In reading the reports, you cannot help but be impressed with his character, his family.

But I think we are right at the point now where we have to make a choice between the image of the Commission and the problem of an individual.

When I look back at the beginning, since I would not have approved an individual with these affiliations then, I have a terrible time trying to convince myself that we ought to continue the employment.

That is just the practical problem we face.

Sen. Cooper. Well, I can say, too, if I had known of this connection I would have voted against his employment. And I think that would have been the judgment of all those that have expressed

themselves that way -- perhaps every one -- because there is just no point in taking a risk.

The Chief Justice has raised a question, I think, which is a difficult one. We have had him here for five months, or six months. He has heard all the evidence. He has seen the reports. He knows all that we know about this investigation.

Even from a practical viewpoint -- although I felt like you -- if there was some way that he would not be associated with this any more it would be much better.

I am now being the devil's advocate. How do we make it any better even for ourselves by getting rid of him?

Mr. McCloy. I think very strongly we don't make ourselves any better for it.

I would have questioned his original appointment. I never heard of the Emergency Civil Liberties thing, except it was designated by at least one of the elements of our government as a front for the Communist activity.

But that is over the dam.

We have got a responsibility here. We have employed this man, used this man -- and to denounce our responsibility at this time, five months after the event, it seems to me that is somewhat lax -- we may be lax about it, but at the same time we say we are certain of the man's loyalty, it means we can only be afraid of the criticism we get.

I think we are going to get as much criticism if we drop him

at this point as if we retain him. I think you are going to have as much comment one way as the other.

And I just have the feeling that you cannot cure this thing by relieving him at this point. You cannot cure his loyalty -- we don't need to cure his loyalty -- we certainly can't clear the element of criticism at this stage.

I would feel that we would probably be more respected as a Commission, if feeling as we do about his loyalty, we say "Well, we made a mistake here, but we are going to carry this through because we are confident that he can be objective in assisting us, with a lot of other people on the staff," and with our own good judgment, independence, and our own character to bring out a good report.

I am afraid if we dropped him at this point, we would be in the middle of as great a controversy as if we did not.

I go a long way with you, Congressman, or with you, Senator -- I think everybody. I think if I had known about this at the beginning, I would have raised my eyebrows at least, and said, "Well, why go into such a situation as this, even though this man is" -- I know a fellow up in New York, one of my closest friends -- I wouldn't have selected him for this job, even though I know he is a thoroughly loyal and honest man. But there is no use crying over spilt milk. It is there. There is certainly enough in that record to convince me that we don't take any dangers, other than dangers of criticism.

I don't know what your recommendation is.

Sen. Russell. I haven't made any recommendations. I stated at the outset I should refrain from expressing any opinion at all. I just know about this from reading this raw file of the Commission. I sat up the better part of two nights reading that, and all the attachments.

Mr. Dulles. We did get together a large number of lawyers, 15 or more, in order to help us collect all of the data preparatory to writing the report. That staff is now being reduced, it has been reduced by attrition already to some extent, and it is being reduced more from what you tell us.

Now, we have the job of writing the report. And I recognize that this man's loss would be a very, very serious loss.

I am a hundred percent for his complete loyalty. But if when the Commission size -- I mean the staff size is reduced, why would he have any more attention attracted to him, except for the publicity he has already had, than these other men going back to their ordinary work when the Commission completes the task of getting together all of the material preparatory to writing the report? That is our job. We have got to have help on it, obviously.

But that is the job of the Commission rather than of the staff.

The Chairman. Aileen, there may be an answer to that -- in an article that appeared in the Washington Post yesterday, in the Washington

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Star. It is entitled "Warren Probe. Redlich may go in cutback. The Warren Commission investigating President Kennedy's assassination may be able to get off a political hotseat by including Norman Redlich, its controversial staff consultant, in a general staff cutback early next month. The idea is being broached quietly as one way to avoid the distasteful alternative of firing Mr. Redlich, the New York University Law Professor, because of his affiliation with the Emergency Civil Liberties Committee. Republican members of Congress and some conservative groups have been mounting an increasing attack on the Warren panel over Mr. Redlich's connection with an organization they consider to be a Communist-front."

And then it goes on at great length to elaborate on that thing. And it tells things about this -- I don't know --

Sen. Russell. Is that a letter?

The Chairman. No -- this is an article with a byline of

J. T. Ter Horst, Star Special Writer. And it goes on to tell a lot of other things.

I don't know where they got the information.

But it is now in the press and with the people that we are going to crawl, and we are going to hide behind a cutback rather than to face our responsibility of firing him. And I am just sure that anything we do at this time is going to foment trouble rather than to alleviate it.

I have this idea, gentlemen -- that if we don't clear

J. T. Ter Horst
J. T. Ter Horst
see answer
specimen?

Mr. Redlich, I think there will be very little morale left in the staff of this Commission, because from all I can hear -- and, Lee, you can tell me whether this is right or not -- they feel deeply offended at the present time that one with whom they have worked so closely and so fraternally in this important work going on six months now should be so unjustly accused.

Mr. Rankin. That is correct. The feeling is that they have seen him at close hand and have seen no sign that would cause them to think he was disloyal or less loyal than any of them or anybody they know. And I assume that the Commission feels, from what they know, the same reaction.

Now, as far as the problem of the report is concerned, it was my concept that the Commissioners are going to decide what this report finally is.

*Rankin -
Decided to
to set the
up for now*

But I know you are all terribly busy men, and I assume you are not planning on writing it, and that you want us to make some drafts, and then present it to you, and you examine it carefully, and then we make new drafts to try to meet your suggestions and ideas -- maybe you will do a little drafting yourself. But I did not conceive that you wanted the task of trying to make the draft yourself.

And so I assumed that we have got to do that job for you yet in order to finish our task. And the men in the particular areas that have been working there, of course, know things about it that no Commissioner could possibly know -- and he needs the

help of that intimate knowledge in order to have something before him to judge between -- shall it go this way or that way. And that is what I conceived.

So that I didn't anticipate -- I want you to know this -- that these men I have described would leave us this soon. I assumed that they were all going to stay through the writing of this report and get it in a form that was acceptable to you gentlemen as Commissioners.

Now, I am faced with trying to adjust to all of that with the men that are leaving, and it is a great task.

There is one other thing --

Sen. Russell. I don't think they are treating you very fairly to leave.

Mr. Rankin. It is very rough.

But I do think there is another factor that I want to call your attention to. I don't think it is my function to argue this question. I am just trying to present to you the facts, and I think that is my duty as counsel, in regard to it.

But I think there is a factor that I should call to your attention for your own legal protection, and that is that all this time he has been seeing classified materials, along with all the Commissioners, myself, and everybody else.

Now, there are people from the press that say, "Well, why didn't you wait until he was cleared?" Or anybody else cleared.

Well, none of you wanted me to wait four or five months. And

*See schedule to memo w/ June - January
to Hunsberr, and
Crosenberry
Adversus husband
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we have moved as fast as we could -- as soon as the question came up, we asked for a Full Field Investigation, and presumably the F.B.I. responded as promptly as they could.

So we do have the problem, through my action the Commission has allowed, or I have allowed for the Commission a man to examine these classified materials. And I don't think the Commission should ever be in a position of saying that this man was not entitled to a security clearance under the standards of this Government to see those materials, because there isn't anything that points to any disloyalty or anything. And to make it look like what has happened in the past was a violation of the security of this country, I think would be the worst thing that could ever happen to this Commission.

Now, what you do after that is another problem.

But I have pointed out what I think is the legal situation.

Sen. Russell. Well, we are in a predicament either way you move. I would be less than frank if I didn't say, Mr. Rankin, that I think you should have, when you saw that on his application -- should have declared it to the members of the Commission. That would certainly have put you on notice. Not as to the man's loyalty, but as to probable lack of objectivity in dealing with these matters.

Sen. Cooper. I have to say one more thing and get it on the record. I read this one article, or, rather, maybe one speech -- I think submitted to you, and also submitted to me. I don't know

if I want to make any comment about him making the speech. I did say to him what Dick said, that he better get all the facts.

Whether it was in this speech or some article, one of the criticisms made was that as Dr. Redlich had adopted the position of those who criticized the Un-American Activities Committee and the F.B.I. -- this article said that this gave him the opportunity to get an insight into F.B.I. activities and procedures and so forth.

I just say that to bring it into the record -- all of the criticism I have heard.

Sen. Russell. Well, Mr. Chairman, I have the director of the CIA to meet with our little group of five Senators on a special CIA committee at 5:30. I am going to be compelled to leave. I don't know exactly what the meeting was called for, Rep. Boggs. I have to leave, too.

The Chairman. The meeting was called for the purpose of determining whether we could clear all the members of our staff for security.

Sen. Russell. I know of no reason why I cannot vote to clear them all for security.

But I don't clear this man for objectivity. I think his background is such that he is a born crusader, and I don't think he can help himself.

Mr. Dulles. I find no issue of security as far as I am

*R =
"born
crusader"
questioned his
objectivity -
assigned to
CIA
not charged
w/ security
threat.*

concerned.

Sen. Russell. People will get out and die for their country, but sometimes they cannot be objective.

Mr. McCloy. I don't feel we have any sensible alternative but to keep him as long as he wants to stay.

The Chairman. Thank you, Senator, for coming over.

Sen. Russell. Sorry I couldn't have been with you more.

Sen. Cooper. If we clear him for security, there is no reason in the world in my judgment to make any change in his employment.

Rep. Ford. I think the Commission has to make a division of the question -- as I said several times, there is no doubt in my mind whatsoever about Professor Redlich's loyalty or his diligence, or his intelligence, personality or otherwise.

The question is -- that is one question.

And the other question is whether he should be retained as an employee of the Commission.

As I have expressed myself, I don't think a person with these affiliations should have been employed in the first place. And feeling that way at the outset, I think the facts are clear that we shouldn't continue the employment. That is the view I want to express.

It is a very regrettable position for me to be in.

But I was very strong on that view at the outset, and I cannot change it at the present time.

*Ford
u no*

Mr. McCloy. I don't want to argue against it -- but I would like to get some clarification of your attitude in my own mind.

I don't see how it is going to help us one single bit to remove him at this point, in the first place.

In the second place --

Mr. Dulles. I would not remove him in any event.

Mr. McCloy. In the second place, I don't believe there is a single thing in this whole affair that he would be disposed to be unobjective about. I think he is a trained lawyer. He can examine evidence. We are not going to be up here -- he is not going to take a position, for example, that this man, Oswald, was an employee, let's say, of the John Birch Society against the weight of any evidence.

Even though he was a member of the Emergency Civil Liberties and didn't like Rankin, who was the chairman of the Un-American Activities Committee -- this man has a good mind, he has an honest approach, even though he leans in this direction. And at this stage of our history, and with our responsibilities -- because, after all, we depend a great deal on Mr. Rankin as counsel, and he has done a very fine job in getting material for us, and apparently knew this man.

You knew him in New York University?

Mr. Rankin. Yes.

Mr. McCloy. He was on notice he had been a member of this

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organization, which a good many people who are perfectly loyal have been members. And I think for us to at this point remove him or relieve him or take some subterfuge in connection with it reflects on the integrity of the Commission, and on our good sense at this stage.

I just don't see how -- the fact that I would probably have agreed with you, if I had seen this and knew something about it, I would have said, "What's the use? Why take on this practical difficulty?"

But now that he is here, and now that we are satisfied that he can be, as I am, thoroughly objective on the state of this record at least, it might be something else again as to whether or not there should be an un-American Activities Committee or something else, some other civil liberties issue.

But on this record, I have a feeling we don't have any sensible alternative, or any respectable -- I don't want to be too rough in my language.

Rep. Boggs. I wonder if I could say something off the record.

(Discussion off the record.)

Rep. Boggs. For the record, let me say this. This has been a matter of concern to those of us who serve in the Congress, because some of the members of the Congress on both sides have raised questions about this matter. And it is not something that can be brushed aside. It has to be answered.

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Rep. Ford. Let me say, to follow what you said, Hale -- I have had the same problem, and have discussed this matter with some of our colleagues, and told them that the matter was of concern to us and to the Commission, and we were trying to act responsibly in this whole matter.

I think through our assistance and through the understanding of some members of the Congress, this matter has been responsibly handled.

Sen. Cooper. I would say, too, that this is a matter which has been raised in Senate speeches. I have not responded.

Senator Russell has not responded.

Because we were discussing the matter here in the Commission.

Mr. Chief Justice, I would like to go off the record.

The Chairman. Off the record.

(Discussion off the record.)

The Chairman. I think if in the House Jerry would stand up and say just exactly what he said, 'I have worked with this man for five months, I have observed him, I have seen him in every posture.' If you said to the Congress over there that you have seen this man under all circumstances before the Commission, and you had concluded that he was an upstanding, loyal American citizen, able to do his work, energetic in his efforts to do it, and loyal to this Commission, the thing would be dead.

And that being the truth, why shouldn't it be said?

Rep. Ford. Let me just say, Mr. Chairman, I would have no

hesitancy repeating on the floor of the House what I have said before the Commission today, to repeat what I have said, and what I would be willing to say on the floor of the House -- he is a man of great brilliance, he has been extremely diligent, he has been personable. I have read the F.B.I. Field report. I found no evidence whatsoever in there that he has been in the past or is now affiliated with the Communist Party.

Furthermore, all the evidence that I have read is that he is a loyal citizen. I believe that.

I would also say, however, that if I had known of these other affiliations at the time of his employment, I would not have approved his employment.

And that being the case, even at this late date, I would be constrained to say that I don't think he should be further employed.

I would be glad to say that.

Rep. Boggs. That wouldn't solve the problem.

Mr. McCloy. Personally, I think if you saw -- I think it is some equivocation of the situation to do that. But I think if you come out forthrightly that way, we would do the thing that would be most apt to bring respect and approbation from the good thinking citizens of the country. This would be the best thing that we could do under these circumstances -- to keep him on, and to let him complete his tour, if he is willing to do it, and that any other alternative I think would tend to bring critic

down on the Commission which would be, I think, undeserved.

Rep. Boggs. I think any statement that was made would have to be the statement of the Commission, rather than of an individual member. And such a statement, of course, would be available to those of us who happen to serve in the House and the Senate.

But an individual statement by Jerry or by me or by John or by Dick would be quite different from a statement that was subscribed to by the Commission unanimously.

Rep. Ford. May I add a footnote to what I have said?

I would add that I would not have condoned the employment of a person who was affiliated with any cause on the extreme right. I would have been as adamant against such employment of an individual with those affiliations as I would be with a person who had the affiliations that Norman Redlich had.

I would have opposed the employment of a person on either side of the spectrum -- just because I felt and I feel now that such employment creates problems to the Commission, and the best evidence of that is what we are discussing here today.

Mr. McCloy. That is right. I agree with that.

Rep. Ford. The image of the Commission has suffered, just because of the problem. It has suffered in the minds of some.

But if we had hired somebody who was affiliated with the extreme right, the extreme left would have been as vehement and vigorous and difficult as the problems we are having today.

This is a most regrettable situation.

Rep. Boggs. Well, I might say that the only man that I really checked on that we hired was our distinguished counsel and I really checked on him, as well as I knew him when he was here the Government. I was totally satisfied with his competence, and I still am, by every test that I can think of.

But that is the only one I looked at was you, Lee.

And I looked at you pretty hard.

Mr. McCloy. We all did.

Rep. Boggs. I think you have done a magnificent and outstanding job.

Rep. Ford. I share that view.

Mr. Dulles. We all do.

Rep. Boggs. I know it is impossible for seven men to sit down and look at every Form 57. Every reasonable man understands that.

You hired how many people -- 15 or 20?

Mr. Rantlin. About 20.

Rep. Boggs. And out of the 20 people this is the only thing that has developed. For a Commission that is under as much scrutiny and public examination as this one, it is a pretty good average.

Sen. Cooper. What I do think is ridiculous in the statements that have been made, is something I think we should emphasize, is that -- I say we should emphasize, we should emphasize as rebuttal -- these statements imply that somebody is going to writ

our report for us.

Mr. McCloy. That annoys me, too.

Sen. Cooper. The Commission is going to make the report.

Mr. McCloy. We are going to be responsible for this report, the people sitting right around this table. And we have a heavy, heavy responsibility. I think we rather shirk it if at this stage --

Rep. Boggs. There may be a mechanical device or two that we can use, regardless of how the work of the staff terminates, and it will terminate.

I would think the Commission would want to write a letter or give some tone of its appreciation to the people who have been members of the staff to show we have all appreciated their dedication to the Commission, to the country, and so forth. I think this in itself would be an answer to charges that are irresponsible in nature against anybody.

The Chairman. Well, gentlemen, Congressman Ford made the suggestion awhile back that there were two facets to this thing. One was the question of security, and the other one was the question as to whether he ought to be retained, Professor Redlich should be retained, in the future.

I think there is a lot of merit to that.

Now, I think that the main reason we are here today, though, is to review these field reports and determine whether these members of our staff are entitled to security clearance. And that

is the main object and the main question before the Commission at the present time.

As I understood the statements that had been made, everyone on this Commission has stated that he did not doubt the loyalty, the honesty, the integrity, or the ability of Professor Redlich.

In those circumstances, I cannot see how we could do anything except clear him for security matters.

If there is something left after that, what disposition should be made of them, that is another thing. But I think on this thing we have met here for today, as to whether he is entitled to security clearance, as are all the rest of the other members of the staff, I think that should be decided here and now.

Rep. Ford. Mr. Chairman, I would be glad if you want a motion to approve that all members of the staff be cleared for security as far as the Commission is concerned. I would be glad to move it. And I would certainly vote for it.

The Chairman. Is there a second?

Mr. Dulles. I second that.

The Chairman. Is there discussion?

All in favor say aye.

(Chorus of aye)

The Chairman. Contrariminded?

(No response)

The Chairman. The ayes have it.

Now, is there any motion before the Commission?

*Ford motion
to dismiss*
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Rep. Ford. To lay it right out on the table, if this is what the Commission wants, to bring the matter to a head, I would move that under the current circumstances, that the employment of Norman Redlich be terminated as of June 1.

If this is what the Commission wants, one way or another, I will be glad to propose that.

Mr. McCloy. With a good bit of soul-searching, Jerry, I think I would vote against it, for the practical reason as well as my belief in his integrity, and our own integrity. I think that we balance all that and our responsibilities, I think it would be wrong of us to suggest that -- in any way that he ought to sever his connections.

Rep. Boggs. I think it would be a mistake if we had a divided vote here of three to four or four to three.

The Chairman. Gentlemen, I just couldn't discharge this man without giving him a trial, either for misconduct or something. I just could not do that.

When a man comes here and takes employment from us honorably he is entitled to honorable treatment. And to discharge him without showing cause, and without giving him an opportunity to defend himself against any charges it seems to me would be unseemly.

I just don't believe that this Commission could gain any prestige in any way from taking action of that kind.

Rep. Ford. It is not a charge, Mr. Chairman; it is a question

of whether under the policies of employment he should have been employed in the first place.

Mr. McCloy. Well, let's agree that everybody here would have said if we were aware of all the facts we are now aware of, this is something we would have preferred to avoid, and we would have indicated as you have, I think, quite rightly, that anybody that was known to be an adherent of the extreme right or the extreme left, by very reason of our responsibility for the integrity of this Commission, we would have said no.

But that isn't what we face now. And I think any equivocation after passing that bridge, is apt to bring a little more disapprobation upon the Commission than if we rode it through with the satisfaction at least that I have that this man is competent to continue to assist us.

Mr. Dulles. Could I go off the record just a minute, Mr. Chairman?

(Discussion off the record.)

Sen. Cooper. Why don't you just say the Commission reviewed the reports and arrived at the conclusion there is no question about the loyalty, and it seems to me that ends the thing right there.

Mr. Rankin. Well, it seems to me what Congressman Boggs says -- if you members of the Congress had something that the whole Commission, the position it took, and you could say that is the position of the Commission, I think the whole country

is going to accept a unified position of this Commission.

But I think you need to have that, rather than just each one of you have to go out and defend it by yourselves.

And if you could have some statement at this point as a common position of the Commission, then you could turn at any time to use it whenever you thought it was necessary, or have it made as a public statement at this time, and just refer back to it.

Mr. McCloy. I didn't complete my thought in regard to the papers I saw when I was out in San Francisco recently -- several people brought these to my attention. And turning through a good part of this comment was that the Commission can be satisfied to do what is right, they have faith in this Commission, and "We can let them determine that, they are the best people to determine it, and if this is the decision we have confidence in the Commission."

That appeared even in the article here in the Washington Star. It ...

It is an unfortunate situation. But we have lived up to our responsibility by very critically examining this thing and coming to this conclusion.

And I think that probably this will be better designed than anything else to maintain the integrity and the reputation of the Commission. And in history, I think it will tend to support the conclusions that we arrive at.

Rep. Ford. I feel that because of the publicity given to the

Redlich aspect, the Commission has got to make a decision on his case individually. I don't care how the vote is taken, or the consensus is arrived at.

But I do think that this has to be done in some rather specific way.

The Chairman. Now, by specific way, what do you mean?

Rep. Ford. Either by a resolution saying that his employment is to be continued, or the defeat of a resolution that his employment will be terminated.

I don't think we can duck that issue, because when you talk to the press, if you do, or if a release is issued, this is what they are going to talk about. This is the area where they are going to raise the question.

Mr. McCloy. Do we need anything more than a determination that you have already made -- and this is the statement that you give to the press? We can see what his reaction is and we can see what the whole reaction is. But this is what we are convened here for today, as I understand.

Mr. Dulles. I am not quite sure I know what you mean by "this". That we have examined the security of all the personnel and they have all been cleared?

Mr. McCloy. Yes. That is what I mean.

Mr. Dulles. Without any reference to Norman Redlich?

Mr. McCloy. That is right. This is what we have done.

Rep. Ford. If he stays on, you, by indirection have agreed

to his further employment.

It seems to me that from the position I take, that there ought to be some action by the Commission affirming his continued employment -- if that is what the majority of the Commission want to do.

As I say --

Mr. Dulles. We will continue to employ those needed in connection with the preparation of the report. But I don't think we ought to go into specifics.

The Chairman. Jerry, there are no charges against this man. There are no charges against him.

Rep. Ford. The only question that I have raised is he shouldn't have been employed in the first place under the criteria that I thought we were going to follow. And that being the case, how can I now agree to his continued employment?

You have to go back and look at the circumstances at the time that we were selecting our staff.

I would not have employed anybody that was affiliated with any organization, or any causes of one extreme or the other. And that being the case, I don't see how I in good conscience -- and I have wrestled with this a great deal in the last month or so -- could vote to continue the employment.

Now, I don't want to belabor the question. I think I have rather extensively on the record expressed my view.

But I will leave it up to the Commission and the majority

of it to decide what they want to do.

The Chairman. Well, I think you did make a motion. I didn't hear anyone second it.

Rep. Ford. I did make a motion.

The Chairman. Very well.

Rep. Boggs. Excuse me, Mr. Chairman.

He made a motion, but he didn't quite make it.

I think, frankly, that the most unfortunate thing that could happen would be if we went out from here, that we had had some kind of motion to terminate this man's employment, and it was three to four or something.

Mr. McCloy. He said, "If you want a motion."

Rep. Boggs. Exactly. That is what I understood him to say.

Mr. McCloy. Isn't that what you said -- if you want a motion?

Rep. Ford. I think that is the way I phrased it. I may have gone a little stronger than that.

The Chairman. I think we can all accept it in that spirit, because that is the way you propose it.

Rep. Ford. Well, if that is the way I can best express my concern about the situation, I see no alternative other than that. And if there is no second, the motion is not before the Commission.

Mr. McCloy. You would not want to withdraw the motion?

Rep. Ford. I don't think the Commission can duck the fact that the problem is before us.

Mr. McCloy. I think that is right.

Rep. Ford. I think we have to face up to it. I understand the arguments on the other side. I think you understand my views from what I have said.

If we don't take action on a motion such as I suggest, then by implication the employment is continued. That is obvious.

The Chairman. Oh, yes.

Rep. Ford. So -- but, on the other hand, I think the Commission ought to take some affirmative action, then -- either by direct action or by implication that he is to be continued in employment.

The Chairman. Well, I wonder if this would satisfy everyone -- that having cleared all of these people for security, I wonder if a motion would now be in order to continue the employment of our entire staff until the conclusion of the work of the Commission or until such time as they are no longer needed. Is there a motion of that kind?

Mr. McCloy. I think I would move that.

Mr. Dulles. Continue such members of the staff as are required for the preparation of the report?

Rep. Eggs. I think I will have the same reservations about that motion as I have about the other one.

Mr. McCloy. I think I would prefer to leave it --

Rep. Boggs. What we have done -- we have said that everybody on this staff is cleared, and if they want to stay, they can stay, if they want to leave tomorrow let them leave. That is about what we have said.

As far as I am concerned, we can leave it just like that.

The Chairman. Well, I only threw that out as a possibility.

Mr. McCloy. I will withdraw my motion.

Sen. Cooper. It seems to me that the Chief Justice is going to be asked what we did about this, what happened about it. There has to be some answer.

It seems to me the honorable answer is this -- that we did consider the matter, that we have reviewed his security file, we agreed that there is nothing in it against his loyalty, he had been employed for some time -- although there was some discussion that if we had known about that particular organization he might not have been employed, but there is no question about his loyalty. Therefore, there is no question about his continued employment.

Mr. Dulles. Were the staff employed for a certain period of time, or month to month? What was the general terms of their employment?

Mr. Rankin. The general terms were that they were not employed beyond six months, because of the consultant status. They were all subject to clearance.

Mr. Dulles. When does the six months expire?

Mr. Rankin. It varies for each one depending on when they came on board, but some time in June, probably close to the end of it would be for most of them, because it would be from January through June would be six months.

Mr. Dulles. You don't know what time in Morgan's case?

Mr. Rankin. It could have been late in December, but I don't remember.

Mr. Dulles. That would be late in June?

Mr. Rankin. It would be late in June. It wouldn't make much difference -- a week or something at the outside, for six months.

Rep. Ford. May I say something off the record here?

The Chairman. Yes.

(Discussion off the record.)

The Chairman. Back on the record.

We will recess now.

(Whereupon, at 6:30 p.m., the Commission recessed, subject to the call of the Chair.)

Check on Rankin's letters to Senator Casper

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