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PRESIDENT'S COMMISSION

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ON THE

ASSASSINATION OF PRESIDENT KENNEDY

By m h g

Date 2/21/68 Case

Washington, D. C.

Tuesday, January 21, 1964.

The President's Commission met, pursuant to call, at 2:10 p.m., in the Hearing Room, Fourth Floor, 200 Maryland Avenue, Northwest, 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 M.M.G. The Chairman. Well, gentlemen, the meeting will come to
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Gentlemen, we have been very busy since the last meeting of the Commission. I had hoped that we might have one a little earlier than this, but we ran into some difficulty because of the absence of some of the members, and they were not all away at the same time, but I think we have lost nothing by reason of the fact that we haven't had a meeting.

Our organization work has gone on without any relaxation since we last met, and I think now that we are fully staffed, and the members of the staff are engaged in their respective duties, and progress can be expected reasonably rapidly.

We had one member of the staff of senior officers under item one, who was not reported with the last, Mr. Leon D. Hubert and he is recommended to us as a very capable man who has had very considerable experience along this line, and since he has been here he has proved to be quite satisfactory.

I want to say that these -- it is unfortunate that the announcement of these other members of the staff did not get in the press the way we would like to have it, the way it should be done. As they were appointed, of course, they would talk to people in their own districts, and then there would be a little news item leak out at home, and there would be some request down here concerning them, so a press release was sent out concerning all of them on Friday night for release Monday morning, and we didn't have a

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publicity man here, and I doubt if we want one, but Mr. Rankin inquired of the Department of Justice how it could best be done to get it to all of the services, and they suggested taking it up to the Press Club, --

Mr. Rankin. Press Club.

The Chairman. -- which he did. He put it on there and apparently it was Friday night and they didn't pay any attention to it, and it only came out in one or two newspapers. It was unfortunate, but we will find a better way to do it in the future.

Then there were two junior members in addition to Mr. Hubert who had been appointed, and this completes the staff as we see it now. These are both highly educated, very intelligent, very active young men who have done very well in their professions. They are in their early thirties, and are here, and I am sure they are going to do a great job for us.

Mr. Rankin. Their biographies, Mr. Chief Justice, are shown in one, yes.

The Chairman. They are shown in one, yes.

Now, the next item is arrangement re consultants. Unless there is something more on staff, is there any question anyone would like to ask or anyone would like to say to staff?

Sen. Russell. No, sir, I personally would like to meet all of these gentlemen if it could be arranged. I don't know whether it could be done at --

The Chairman. We will bring them in this afternoon.

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Sen. Russell. I would feel better to see what a man looks like, to see the cut of his job, sometimes you know him a little better.

The Chairman. Yes.

Mr. Rankin. There are two senior members who are not here today, Mr. Chief Justice, and the Senator.

The Chairman. Yes.

Mr. Rankin. One is Mr. Coleman, who is from Philadelphia, he is a colored man and the other man is Albert Jenner. Both have come down and done a little work, but they had some business they had to take care of, and then will both be on the job by either tomorrow or Thursday, and as full time as possible. They still have some commitments to try to clean up occasionally, so they won't be here today but the others will be.

The Chairman. Lee, you make arrangements so if we finish in time today the Commission can meet them.

Mr. Rankin. All right.

Sen. Cooper. May I ask then, do I understand at present, then, this completes the personnel, the six chief --

The Chairman. The lawyer personnel.

Sen. Cooper. The lawyer personnel and their assistants?

The Chairman. Yes.

Sen. Cooper. And then those who have been named here for research?

The Chairman. Yes.

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Sen. Cooper. And Davis, Overholser.

The Chairman. Overholser, of course, is not a lawyer.

Sen. Cooper. No.

The Chairman. He is a doctor. I think those of you in Congress, members of Congress, certainly know him. He has been the head of the St. Elizabeths Hospital here for many years.

Rep. Boggs. St. Elizabeths Hospital.

The Chairman. Just recently retired and he is a very well-recognized, a very competent man, and we felt that we ought to have someone who in that field who could advise us on matters concerning the life of Oswald and possibly the life of Ruby also.

Mr. Rankin. He is on a part-time basis, Dr. Overholser, whenever the Commission or the staff need him.

Jim Davis is the man assigned, Senator Cooper, from the State Department, but he works for the State Department, and he will only consult with us about whether we should make an approach government-to-government about Russia and so forth and he has been designated by them to handle the matters so far as the State Department is concerned.

Mr. Dulles. A very good man. I know him very, very well. He has been over there --

The Chairman. There are some blind spots in that foreign phase of it and we thought, when we were dealing with things in and out of Russia we ought to have someone from the State Department who could consult with us so we wouldn't get into any cross

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 purposes with them.

We also have thought that an important part of our work is going to be the putting together in writing as one document the report that we might make, and we consulted with the Defense Department, and they have offered to lend us one of their historians to do this job, and we think that it is quite essential to the work of the Commission, and that the man they have sent will be very helpful.

Sen. Russell. Who is the man they have sent?

The Chairman. What is his name?

Mr. Rankin. Goldberg is one of them and the other one is Cokeley. Goldberg is with the Air Force and Cokeley is with the Army and they say that Goldberg could be readily made available to us but Cokeley they don't want to give up. But we wanted to look at more than one man so we are looking at both of them, and --

Mr. Dulles. Can they write?

Mr. Rankin. Mr. Winniker recommended them,

Sen. Russell. What is their function?

Mr. Rankin. They advise us from a historical standpoint, and help us on some of the drafting but we would work with them and try to anticipate all of the various historical aspects.

The Chairman. It seemed to me that the work of the staff is to be pretty much fragmentized. They are going to work on different phases of it, and the job of putting it all together and putting it in readable form, but in form that will be accepted by

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those who are knowledgeable in the field of history that it would be well if rather than to assign one lawyer to it, we took somebody from the Defense Department who was used to doing such things that we would be in better shape.

Sen. Russell. Changing the subject rather rapidly, does the FBI material, the material we have, and the raw material, include the examination of Oswald when he was in prison?

Mr. Rankin. It has some of that material. There were a great many interviews and some of it was done by the FBI and some by the Secret Service, and we have, those were all reports.

Sen. Russell. They did have reports transcribed?

Mr. Rankin. Yes.

Mr. Dulles. I wonder if those could be pulled together and sent to the Commission, also from Texas?

Mr. Rankin. We have asked them to.

The Chairman. I have asked them already.

I am sure that Mr. Rankin can put together everything that we do have on the statements of Oswald and put them into one folder for you and get them to the Commission, if that is what you would like to have.

Sen. Russell. I would like to see at least part of his examination and if it isn't too lengthy, I would like to go through all of it.

The Chairman. We will see that that is done right away.

I thought you might be interested in seeing a list of the

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members of the staff of the FBI who worked on this case. It doesn't mean a great deal to me because I don't know these. I used to know the FBI very well, but these are all since my time, and I don't recognize a single name on there, but some of them might be familiar to members of the Commission.

Mr. Rankin. After the Tab 2.

Sen. Russell. Does this city indicate where they did their work or where they come from?

The Chairman. That is where they are located, stationed.

Mr. Rankin. That is where they were located, stationed.

The Chairman. Then the next item is item D under 1, progress report.

Mr. Rankin. Mr. Chief Justice, I think we ought to tell them about those Internal Revenue Agents who are in there.

The Chairman. Oh, yes; it seemed to me, gentlemen, that one of the important things in our investigation is to be able to trace every dollar that we can in the possession of Oswald and every dollar that he spent, because we don't know where his money came from. There is no evidence of any affluence or anything of that kind, but I think for, in order to make our report complete we ought to know that as far as we can every dollar that came into his possession and every dollar that he spent, and we have taken that up with the Treasury and they have assigned two of their topflight investigators to run that matter down, and I am satisfied that they will do as good a job as anybody could do

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along those lines, and will give us some comfort, I think when it is over to know what they have found.

Mr. Dulles. There is a pretty good list already on page 35 of the FBI report.

The Chairman. Yes, there is, but a lot of blind spots in that, too, Allen, that I think ought to be checked thoroughly.

Mr. Dulles. He paid his taxes, one of the interesting things is.

The Chairman. I beg pardon?

Mr. Dulles. I say Oswald paid his taxes.

Mr. Rankin. Mostly withholding and he got a refund most of the time.

Mr. Dulles. Most of the time. Quite right.

The Chairman. And he did pay back that loan that they gave him over in Russia to come back to the States.

Mr. Dulles. Yes.

The Chairman. Now, in the next item, B, assignments of personnel to areas defined in tentative outline, we find that this has been divided up into six different categories, and there have been one senior lawyer and one junior lawyer assigned to each one of those categories.

Mr. McCloy. What tab are you on now?

The Chairman. We are under B of 1.

Mr. Rankin. B of 1.

Mr. Dulles. To get that assignment we have to go back to

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that other earlier paper, don't we?

The Chairman. That is right.

Mr. Rankin. I might be able to call your attention to them.

The Chairman. Lee, that doesn't follow in one.

Mr. Rankin. We furnished that earlier, you know.

The Chairman. Yes, yes, that is right.

Mr. Rankin. They have all got a copy of that.

The Chairman. But these are the personnel and the way the work is distributed.

Now, that might change from time to time because we were flying blind when we made this tentative outline, and all we could judge by was what we had, but we have talked it over with the staff, and they seem to think that for the present, at least, it is a logical division of work but that we will find out as we go along.

Are there any questions about that?

Mr. Dulles. I suggested to Mr. Rankin, Mr. Chairman, that I thought it would be very useful for us, if the rest of you agree, that as items come in that deal with motive, and I have seen, I suppose, 20 or 30 of them already in these various reports, those be pulled together by one of these men, maybe by Mr. Rankin himself so that we could see that which would be so important to us.

The Chairman. In other words, to see what we are running down on the question of motive.

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Mr. Dulles. Just on the question of motive I found that in this last paper particularly I found a dozen or more statements of the various people as to why they thought he did it.

The Chairman. Yes.

Mr. Dulles. Or what his character was, what his aim, and so forth that go onto motive and I think it would be very useful to pull that together, under one of these headings, not a separate heading necessarily.

The Chairman. Well, I think that that would probably come under Mr. Jenner, wouldn't that, Lee, isn't he the one who is bringing together all the facts concerning the life of Oswald.

Mr. Rankin. Yes, yes. We can get that done. We will see that that is taken care of.

The Chairman. Yes.

Mr. Dulles. I have one other point. I think it would be well to assign one of these people to the question of studying previous cases of assassination attempts against the head of state particularly in the United States and maybe a few others.

There is a pattern that runs through that, you know. It is rather interesting, I have been studying that a good bit myself, in getting the books I can get including Don Vance and others.

Mr. Rankin. I am doing that myself, under the point of the various agencies and how they operate in the protection of the President and I am trying to cover the whole thing, all of the assassinations that we have any history of, and whatever record the

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is, and then the State Department --

Mr. Dulles. Good.

Mr. Rankin. --has a considerable record in their security work as to how they would handle various personages who come here, notably people and also protecting the Secretary of State and so forth, and we are going into that, and we will cover that whole thing as part of my area.

Mr. Dulles. Good.

The Chairman. Is there anything further on that subject?

The next is C, memorandum in each area being prepared by staff and a tentative deadline which the Commission desires.

Gentlemen, it is rather early from the work that we have done already and from the materials we have to say when we could close this matter out, but I think it is not too early for us to start thinking about when we anticipate quitting.

I think if this should go along too far and get into the middle of a campaign year that it would be very bad for the country to have this thing discussed at that particular time.

On the other hand, if we were ready today we couldn't put the report out because of the Ruby situation, and how long that will take, I don't know.

But I thought if we should pick a date, say the first of June as a target date to finish this thing up and have our report ready and filed, so we could work toward it, that it would be a good thing to do, because things can drag on if you don't have

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a target day. We can't say we can do it that day or some other day, I would think it would be well to select as a target date. What do you think of that, Senator?

Sen. Russell. Well, Mr. Chairman, it would be desirable if we can do it. I think we would have to take a number of things into consideration.

The Chairman. Oh, yes.

Sen. Russell. If Mr. Rankin has analyzed each one of these six areas closely enough to have any idea as to the time that might be involved in concluding each one of them.

The Chairman. Lee, are you going to answer that, if you can?

Mr. Rankin. I think that we could plan very definitely on dosing up on all of the areas except the foreign area by a certain date, and I was thinking about trying to have everything done so we could have a proposed report for the Commission's consideration by, well, by the middle of May, anyway, and trying for a date, possibly the 1st of June, that you could say you had a report.

Now, the foreign areas is a very difficult one because there are large patches in Soviet Russia period, and in Mexico city that are unaccounted for by any report that we have, and so we don't know what is going to develop, and we have to try to run them out day by day and hour by hour to try to account for it.

If we hit something that we have to go a long ways to try to get the rest of it, then we don't know what will be involved there.

Sen. Russell. Has Ruby's case been set for trial yet?

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Mr. Rankin. Well, tentatively, they have talked about the 10th as I recall.

The Chairman. The 10th of February.

Sen. Russell. Do you have any idea how long it will take to conclude that?

Mr. Rankin. They also said in the news account today if you noticed in the paper to try for a continuance so I don't know what they are up to but we all agreed that the smartest thing they could do in defending their client was to get him to trial quickly but we are not trying the case.

Sen. Russell. That time may have passed now.

Mr. McCloy. Isn't there a motion for a change of venue?

Sen. Russell. Yes, a number of motions and a motion for bail which hasn't been heard yet.

Sen. Cooper. That is to be heard now. You don't intend to set a target date publicly?

Mr. Rankin. No. I was thinking for the Commission's purpose. That is privately.

Sen. Cooper. They could have the Ruby trial postponed.

Mr. Rankin. No. I thought we would just have some kind of a, see what your thinking was, and it seemed like it was wise to try to get out of the way of the conventions if we could.

Sen. Russell. I see no objection to a tentative date. I wouldn't want to be bound too tightly by it because you never know where we will be with respect to it. I think Chairman and counsel

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might agree on some tentative date.

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Rep. Ford. That may be pushing it a bit, but I think it is good to have a push.

The Chairman. Some pressure on us to get something done.

Rep. Ford. Right.

The Chairman. Well, of course, with the understanding, Senator that anything that intervenes to change it, the target date we will --

Sen. Russell. I realize that the entire Commission would then want to clear up anything that might happen that we hadn't fore seen.

Sen. Cooper. Can I ask a question: In your judgment, taking into consideration the material which we now have, all this raw material and everything, how long will it take this group to have to read it and to study it and to analyze it and make some judgment about its content. I may say that the material that has been given us, I found you can read it pretty quickly, I am not certain that you can analyze everything in it. You developed a good many questions reading it. But is there such a volume of material out here now that would require quite a time?

Mr. Rankin. Yes, I think it would take 30 days to read it and to digest it. Then we have to go back for a lot of additional material, to the agencies and it depends on how fast they will come back with that and then we will have to see whether that fills it out and whether there are more questions in order to exhaust the subject.

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If we could just have it all given to us completely why I think 45 days, this crowd could do quite a job.

Rep. Ford. Lee, are our people working full time now more or less, with reasonable exceptions?

Mr. Rankin. All except two senior men and we had some commitment they had to take care of, Mr. Coleman and Mr. Jenner, but otherwise they are on the job.

Mr. Dulles. I wonder if we couldn't ask our staff to take out of this tremendous mass, I have been down here a couple of days, and it is just perfectly tremendous, and about two-thirds of it is of no importance in the sense that people say they knew something about this, and then you tackle them and you find they don't know anything about it but maybe just a little or something of that kind.

But if the staff could pick out what they think is essential, I should think we could rely on them pretty largely, I mean, because it is tremendous. It is as high as this room now. The raw reports that have been collected together here. These FBI and other reports, there is -- they are very simple to read and excellent, but there is quite a lot more we may have to do. And I don't think we could every ourselves, the members of this Commission, without devoting all our time and more, could ever read all that stuff.

The Chairman. Oh, no.

Mr. Dulles. I think the staff could say, "This has some sig-

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nificance" and so on and so on, of course, we can browse around if we have time, because I have read a good many of these reports and I know there are a good many thousands back of them.

The Chairman. No, we must rely to a great extent to our lawyers and what appraisal they make on it and, of course, we will be briefed to such an extent that if we want more information we can go into it ourselves. And that leads me to this thought. I have been thinking about it for some time, and without trying to inflict any more work on any of you, I thought that maybe because of your particular experience that some of you, at least, would like to pick out one phase of this thing that would especially attract you, attract your attention, something that you think you would do a better job on than to just scrutinize the thing generally, and that if you could, we could have our staff keep you advised particularly on that phase of it, not to diminish what you get in the other phases, but to keep you particularly advised in that phase, and then if we have witnesses called to testify in that phase, try to do that at a time when that particular member of the Commission could be there to hear it and so forth, and I really think if that could be done, it would be very helpful to the staff and I think it might be very, very helpful to the Commission itself.

Are there any observations concerning that?

Sen. Cooper. I think that is a good idea because each member then could deal with the staff who would work on that subject and develop questions which he could put to the Commission.

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The Chairman. And then when we had a hearing of a witness there would be one Commissioner there who was particularly knowledgeable in that area. I don't imagine that we would all want to be present at all of the testimony that is taken. Certainly not if it -- if we end up with the taking of the testimony of a great number of witnesses, but if we could do it in some such way, I think you might find satisfaction in it.

Rep. Ford. I raise this question, Mr. Chief Justice, and I am just thinking out loud now.

The Chairman. Sure, we all are.

Rep. Ford. I am not so sure that would be good if it was publicized as such.

The Chairman. Oh, no.

Rep. Ford. Because if there was an area of criticism, one might share the blame and others wouldn't, and whether we do a good job or not is dependent upon all of us putting our name on that dotted line with full and complete responsibility.

The Chairman. Very true.

Rep. Ford. If it were informal and not as a part of a specific assignment, I think it would be good, but to have it officially known that Hale or I were the person responsible for a particular part it might lead to some criticism or perhaps to dissention or anything else, and I --

The Chairman. Or even to harrassment by people on the outside.

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Rep. Ford. You are right. Somehow these things might leak and somebody could be criticized within the group. This would be my only off-the-top of my head thought on it.

The Chairman. I think you are right, and I see no reason why, if we decided to do that, whatever we decided to do I see no reason why it should ever get out of this room, even to our staff, there is no need of the staff knowing that that is the situation.

Rep. Ford. Yes.

The Chairman. Are there any other observations concerning it?

Mr. McCloy. I think that makes sense. I think there probably will be a number of cases where we want to do some interviewing that is not in connection with the taking of testimony where if you have one member of the Commission available we would be able to save time and expedite it rather than try to go through that exhausting process of finding everything.

Sen. Russell. I didn't understand that that was what the Chief Justice had in mind, Mr. McCloy. I may be in error. That some one member of the Commission would more or less direct his activities with respect to one of the six subdivisions that counsel had suggested that the hearing be divided into.

Mr. McCloy. I understood that. But then I thought that leading out of that that that particular fellow might be able to sit in on a particular phase of it that he was familiar with without the necessity -- of course, anybody could sit in any time they wanted to.

The Chairman. Sure.

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Mr. McCloy. But rather than hold up the work until everybody is available that one particular expert on it, so to speak, could perhaps move things along and then make reports that was my thought, just as a matter of getting ahead. It is a terrible hard thing to get everybody lined up and with the necessity for speed, I am thinking of things like this. I think of an interview between the doctors and Overholser, let's find out about these wounds, it is just as confusing now as could be. It left my mind muddy as to what really did happen. Overholser could tell about that, why didn't they turn the body over, who turned the body over, who were the people up there, and why did the FBI report come out with something which isn't consistent with the autopsy when we finally see the autopsy? That is one phase of the thing.

Then talk to the head of the FBI and not Mr. Hoover, but the fellow who headed this investigation, and go in, what did you do, what is all this talk about your having no liaison with the Secret Service? You did have an interview or at least you located this man two or three weeks before the assassination. Didn't you pass this on to the Secret Service, why didn't you if you didn't, and how about this business of the overpass? Did you have Secret Service men on the overpass? It was obviously a place to have somebody, because you can drop a bomb right over it. Well, apparently it turns out they didn't have, for God's sake why didn't you?

Rep. Boggs. I notice in the overpass it never even gets into it.

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Mr. McCloy. No, but this report all abroad of shots coming from the overpass. How about the relationship, well, how about the Mrs. Kennedy investigation? We haven't decided yet who did that.

Sen. Russell. Hasn't that testimony been taken yet?

The Chairman. No, we have never bothered Mrs. Kennedy, Senator

Mr. McCloy. I think we have got to at some point sit down and talk with her not with regard to the sworn testimony.

Mr. Dulles. You haven't talked to Connally or Mrs. Connally?

Mr. McCloy. Do we talk to Mrs. Oswald and what is this we see in the newspaper about Mrs. Oswald being examined by the Commission?

Mr. Rankin. We are planning to examine her and it is on the agenda.

Mr. McCloy. Now people like Isaac Levine -- then about visiting the scene of the crime. I think sooner or later one of us or all of us ought to go down there and visit it in spite of the very graphic and interesting exhibits.

Mr. Rankin. We have an interesting problem on that. We are being asked for all kinds of evidence by Ruby's defense counsel and I think if we go down there, we might all be subpoenaed.

Mr. McCloy. Slap a subpoena on us.

Mr. Rankin. Subpoena duces tecum and then what do we do.

Mr. Dulles. We have no immunity in our capacity as a Commission, do we?

Sen. Russell. We do have executive immunity, we are a President

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Commission, which is the highest we can have.

Mr. Dulles. If we could get into subpoena we would be in great trouble, I don't think we could.

Sen. Russell. I don't think we could. I don't think we are subject to any subpoena.

Sen. Cooper. You don't think we are?

Sen. Russell. No, sir, I don't think so.

The Chairman. You don't think we are subject to subpoena?

Sen. Russell. I don't believe you can subpoena this Commission to produce any paper we have.

The Chairman. I don't think we ought to produce anything.

Mr. Rankin. We have executive privilege.

Sen. Russell. We have executive privilege. If we don't have executive privilege as appointees of the President, to do a specific performance, a specific job for him, I don't know how you create executive privilege.

Rep. Boggs. I don't, either.

Mr. Dulles. Five months ago, Mr. Chairman, I agreed to make a little talk down in Dallas and I hadn't called it off and that is the 3rd of February.

Sen. Russell. I wouldn't go down there with the bands playing and the colors flying just now but that is talking about an entirely different thing from whether or not you're subject to the subpoena.

Mr. Dulles. I was going because I think to say you can't go to a great city in the United States because a crime happened there, I

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don't know.

If you can't go to Texas, I mean you couldn't go to the whole state of Texas.

Rep. Boggs. But that is not the reason for your not going, the reason that you are a member of this Commission.

Sen. Cooper. I was invited to go there in January and accepted it. But I said I couldn't go because we were busy.

Mr. McCloy. Sometimes we do have to.

Mr. Rankin. That is something different. When this settles down.

Rep. Boggs. When we get to talking about it. I want to talk about it. I think if we go, the whole Commission has got to go, I think for one man to go down there would be unfair to the one man and unfair to the other members of the Commission as well.

If a determination is made to go there then I think the whole Commission has got to go. I see no alternative for it.

Mr. Dulles. I will cancel it out right away.

Rep. Boggs. I think you should.

Mr. Dulles. Frankly, I would be relieved to do it. I think I will take the judgment of the Commission without any question.

Mr. Rankin. I think it is very important if anybody goes you all go, because you are going to be passing upon this whole question and you ought to have the same kind of evidence before you when you get there.

Rep. Boggs. Positively..

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The Chairman. Senator, I agree with you that they have no right to subpoena our records or get any of them. We could prevent that all right. But they could serve a subpoena on us,

Sen. Russell. That is correct.

The Chairman. They could embarrass us tremendously, and that is what I was thinking about. We discussed that very thoroughly about the testimony of Mrs. Oswald and it was first thought we ought to take the testimony down there, but it occurred to me that there might be a lot of complications if we go down there, and we should work it out with her attorneys to bring her up here and do it in quiet right in this room, right in this room with no fanfare or anything else about it.

Senator, I was wondering about this: if that little woman, with her babies and if she comes she has got to come and bring her babies with her, goes on a commercial airplane, she will be subjected to flashbulbs and everything, and she will be embarrassed and maybe she will be made hostile, and I thought that if we were to ask the Armed Forces if they would --

Sen. Russell. I don't think that would be the slightest difficulty in that up here in one of these jet stars in a couple of hours from down there.

The Chairman. Yes, you see no objection to that?

Sen. Russell. No, sir, I see no objection to that.

The Chairman. Does anybody see any objection?

Rep. Boggs. That is the way to do it. Without any fanfare.

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The Chairman. Yes.

Rep. Ford. May I ask this, Mr. Chairman. Is it envisaged that her attorneys would accompany her?

The Chairman. Yes.

Rep. Ford. I think that is right.

The Chairman. I think so.

Sen. Russell. She is certainly entitled to have counsel.

The Chairman. Yes, entitled to have them in the room and after we finish questioning her, if they want to ask her any questions, to clarify it, they may do so.

Rep. Ford. Right.

The Chairman. Now, her attorney is apparently cooperating very well with us, and she intends to sell her story to one of the magazines but we got him to agree to send her story to us, and let us see it and let us examine her before the thing goes to the printer, and she has agreed to do it, and she has sent us 50 pages in her own handwriting here, it is in Russian, we had to have it translated but we have got it in her own handwriting and when translated we can have a basis for examining her here.

Sen. Russell. Her attorney is not commercial-minded, is he? If he was he would say, no, he is going to sell the story first, beat the Commission. Because the story would sell three times as many as after the report is made.

The Chairman. He doesn't agree to wait until the report is made, but until we have examined it and have had an opportunity to

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take her testimony.

Sen. Russell. I think that is fine.

Mr. McCloy. He is still peddling this thing?

The Chairman. Oh, yes.

Mr. McCloy. He has two offers apparently, this is what I heard at least from Life Magazine, and Life said they weren't going to bid for it, but there are two others, one called Pyramid or 20th Century Fox, he has been dickering with them but I don't know that he has actually closed on it but he is not satisfied with the bids they have made. It hasn't been quite enough money involved.

Mr. Dulles. Fox -- it would be a movie.

Mr. McCloy. It might develop into a movie, but then also in contact with this fellow Levine to try to break the story up a little more graphic manner and tie it into the Russian business, and it is with the thought and background of a Russian connection, conspiracy concept.

Rep. Ford. Is the general impression of the attorneys who have been employed by Ruby and by her and any others, are they responsible, reliable or what is their reputation?

Mr. Rankin. We have checked that out. The Chief Justice has known Mr. Belli who represents, is one of the attorneys who represents Ruby, for almost back to law school days, I guess.

The Chairman. Yes, I have known him since that time.

Mr. Rankin. He has a national reputation that is very competent but he is flamboyant and is very good about getting his name

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in the paper and he is very successful. He has made well over a millinn dollars in handling various negligence cases and so forth

Sen. Cooper. Torts.

Mr. Rankin. Thorne, Marina Oswald's attorney we have checked out, and the reports we get are not too good although he has kept his promises with us and we did that checking through the --

Rep. Eggs. What is his background?

Mr. Rankin. He is an attorney in a small town of Grand Prairie in Texas, and the local attorneys, I got my information from the Attorney General there, Waggoner Carr, the local attorneys in the Dallas araa say that his repuration is such that they wouldn't rely too much on his word if he was telling them that he would do certain things, so they cautioned me to be careful. But we have been careful and he has done exactly what he agreed to do, but on the other hand, I think it is quite satisfactory to their program to do what they agree to with us.

So, it isn't the kind of a thing where he might want to try to get away from his agreement.

Mr. McCloy. What is the reading on J. H. Martin?

Mr. Rankin. No, I met him when Thorne came up here with him about trying to get her story sold and whether we would object to their going right out and doing it before we took the testimony, and we told him we wanted to take their testimony first.

But he is apparently in on the deal, and we know he has a percentage in it, along with the lawyer and along with Robert

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Oswald, the brother, and we think that they put Robert in there in order to get him to cooperate, and try to get her to do things they want her to do in connection with the matter, but that is just our guess, and Martin started out in a rather unusual posture where he was just trying to help Mrs. Oswald and apparently was going to get nothing out of it and just furnish her a place where to live, and he took her into his household, and provided a place for her to live, and with his family, but then they developed this idea, which apparently later, in which they have an interest, financial interest, in it.

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Now, on the other hand, his situation is rather burdensome in that he has a rather small home, and he has the secret service agents there, too, who are watching to see she doesn't love the country or anything, and he has got his own family, so that the consideration for his part is somewhat reasonable.

He really is putting up with quite a bit to have that situation. Of course, he invited it in his own business.

Sen. Russell. Who is that?

Mr. Rankin. He is sort of a business agent for Marina Oswald.

Sen. Russell. She is staying in his home?

Mr. Rankin. Yes.

Sen. Russell. Where is his mother staying?

Mr. Rankin. I think she is still at Fort Worth. They never lived together.

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Sen. Russell. I understand.

Mr. Rankin. In recent years.

Sen. Russell. But there are so many lawyers brought into it. She has lawyers in Texas and didn't she employ someone in New York?

Mr. Rankin. Well, there is Mark Lane who has, it is on the agenda here, it is in the agenda here about representing Oswald, the decedent before the Commission, and Mr. Thorne told me that he came to Marina Oswald, too, and Mr. Thorne and asked if he couldn't represent the decedent on her behalf and she turned him down, she didn't want any part of him.

Mr. Dulles. I think she was wise from what I hear about Mr. Lane.

Mr. Rankin. Then she went to Marguerite, the mother and persuaded her. But apparently she didn't seek him out. It is a situation that you can understand.

Sen. Russell. He was down soliciting business.

Sen. Cooper. Mr. Chairman, I know you have certain matters you have to take up here, certain resolutions and so forth. I would like to submit this for the judgment of the Commission: would it be helpful to all of us to have from Mr. Rankin, after his work is done on that, what he proposes to do in each one of these fields and then at this point, at least what questions have been raised, if any, about the evidence that has been submitted and then give us a chance to perhaps submit any questions that may have come to our minds?

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My point is some idea of what the direction of the inquiry is going, not only in what fields but if there are issues which he has discovered or any of us have discovered in reading the testimony, what they are and what we are really trying to find out.

The Chairman. Well, John, I thought that this agenda had a number of things on it, and I thought maybe we could go through this agenda, see what is left open after we finish it, and then get to any questions like that and maybe some of them will be answered and maybe some of them won't.

Would that be all right?

Sen. Cooper. Yes, that is what I meant.

The Chairman. Well now, are there any further questions with Mrs. Oswald, if not, before we get --

Rep. Boggs. I have a million questions, but no questions on the procedure that we have agreed to.

The Chairman. That is what we are talking about and that alone now.

Rep. Boggs. Right.

Rep. Ford. And June 1 is a tentative target date.

The Chairman. Tentative target date, does that suit you, gentlemen?

Very well, it is so understood.

Now, I wonder --

Mr. McCloy. Not to be given out. That is just within the confines of this room.

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The Chairman. Not to be given out.

Rep. Boggs. One thing I am uncertain on, in Mrs. Oswald's procedure, when she is brought here is it the contention you will interview her or the Commission would examine her?

Mr. Rankin. My concept was I would examine her under oath and one or more Commissioners would attend the hearing and rule on the objections and other things that would come up because I conceive that the attorney might say, "Well, you are not -- that is not a proper area of inquiry," and someone other than myself has got to decide to go ahead, and it seemed like the Commission is intended to be the one or the Commission, who would rule on that kind of a question.

Rep. Boggs. Does one Commissioner have the authority to act for the Commission?

Mr. Rankin. If you authorize it.

The Chairman. Yes, sir. Under the order it does, and we have that on our agenda here to provide for it, and my thought was this, gentlemen, we might as well discuss it now: that this Commission, when we hold hearings should be conducted as judiciously as it is possible to do it.

Rep. Boggs. Absolutely.

The Chairman. And whoever we examine will have his case studied very thoroughly by a member of the staff before there is any interrogation at all, and I thought that it would be the better way to do it, to let the counsel examine the witnesses and we sit

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here as near like judges as the situation will permit.

If we have things we want to have asked, that counsel can do it, and I don't mean you should be barred from asking questions, but I mean in the main, I think we ought to let the counsel who is prepared for it beforehand bring out the testimony, in the way he thinks it can best be developed and if there are any objections we could act on them.

And I thought that in every case where we have lengthy interrogation we ought to have at least two Commissioners present. I think Mrs. Oswalds' testimony will be very lengthy, not perhaps because of what she says but because everything will have to be translated, and so I wouldn't be a bit surprised if her testimony would take two or three days. It might be that one Commissioner would have to go and we would not want to put her testimony over for a week and send her back to Texas and so forth, so if we could have at least two Commissioners here at the taking of her testimony, it would be very helpful, and then there would always be one, one Commissioner here while the testimony was being taken.

Does that seem to you to be a sensible way to approach it, Senator?

Sen. Russell. I think that is all right.

The Chairman. That is what we had in mind.

Now, let's see, the next item is D, is it D?

Mr. Rankin. Yes.

The Chairman. Would you explain that?

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Mr. Rankin. This gives you a list of the various items that we have received, and I think you have everything now, you have the supplements and today we have given you the visual aids which is a reconstruction by the FBI of the scene, and with photographs and all, and the actual reconstruction models are downstairs in a large room, locked room, that isn't going to be -- that is going to be protected, and isn't going to be accessible except with a key and the record of anybody entering, and will be available to the staff and the Commission to see the FBI spent a considerable sum of money in trying to reconstruct this scene with these models and all down there, and we thought we would have them down here so they could be serving any purpose that the Commission might be helpful to the Commission. And so they will be where you can look at them, and the staff can look at them, and they are set out in detail in these photographs, too, in the visual aids with a description.

You have also received the supplemental material from the FBI of its investigation, which brings you up to date generally with the basic materials we have in a summary form.

Now, we have, as Mr. Dulles said, piles of, about as high as the room of their raw material which in my conception you don't care to look at except where there is a particular dispute that you may want to evaluate, and I thought that in each one of these areas, I will check out the evidence that is rejected in any case, where someone has claimed that they saw Oswald and it is established that

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there is nothing to the story, by two or three other witnesses or he admits finally that he didn't see him, that kind of a witness, we have that kind of stuff in there, too.

In regard to Senator Cooper's question, I had in mind, we would by now have all kinds of requests to direct to the FBI and the other agencies in detail of additional material we need to fill out these various holes and we were getting down to this point where we got this additional supplemental material and I didn't want to go back to the FBI and say to them, "Where is this matter about Mrs. Payne, for instance on such and such a date," an additional inquiry and find that they said, well, that is all in your supplement. Why don't you read what we give you, and you would really be in a bad spot if we did that and it would make our relations difficult and make it hard for us to get the other material if we needed it later.

Sen. Russell. That is what you are for, Mr. Rankin, you are supposed to know what is in all those things and avoid our being embarrassed by asking such a thing.

Mr. Rankin. That is right. That is my job.

Sen. Russell. Yes, sir.

Mr. Rankin. So I want to analyze the supplement before I started asking, and now shortly we will be ready to get that list of questions.

Then, at that time if you would like we can duplicate that on our xerox machine and let you see the type of additional

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inquiries we are making to the FBI and the Secret Service and everybody else. We would like you to have that. That will give you a really good picture along with the synopsis you have as to what we think might be some further guidance in this further picture.

Is that the kind of thing, Senator Cooper, that you had in mind, would that be helpful?

Sen. Cooper. Yes, I know we have to finish the agenda but I thought after that even at this point, there have been questions raised in your own mind about --

Mr. McCloy. About direction.

Sen. Cooper. And in our own mind, I have one or two it might be well to discuss it.

Mr. McCloy. Let me ask you about this raw material business that is here. What does it consist of? Does it consist of the raw material of the autopsy? They talk about the colored photographs of the President's body -- do we have those?

Mr. Rankin. Yes, it is part of it, a small part of it.

Mr. McCloy. Are they here?

Mr. Rankin. Yes. But we don't have the minutes of the autopsy, and we asked for that because we wanted to see what doctor said about something while he was saying it, to see whether it is supported by the conclusions in the autopsy and so forth, and then we have volumes of material in which people have purported to have said, or say to various agents certain things, they are not sworn,

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and they are merely a statement to an agent who may have interpreted it, and then it conflicts with what he told somebody else, and we have to try to reconcile those and see where the truth is.

Mr. McCloy. But you don't have the original fingerprint evidence or the original handwriting evidence.

Mr. Rankin. No, that is always available to us, though. It has been offered to us, and I thought it ought to be produced here at the time when the Commissioners could have a chance to examine it personally and also the 400 items of evidence, there is some of that that you may want, like the gun itself, and I thought you would want to examine that in such a way that you wouldn't be disturbing fingerprints or anything that would affect its evidentiary character but still be able to know the basic items of evidence, physical evidence that are involved in the case.

So, I was going to arrange for a special time for the Commission to examine that material.

Sen. Russell. I don't know that it would help me any to examine these fingerprints and all because I am not well enough informed to know whether it is the same thing or not.

But I did have in mind, and I think it was mentioned earlier at one of our meetings, having some independent agency or some state agency who is thoroughly trained in fingerprints to review this whole situation to see whether they were in complete agreement with the FBI as to these various fingerprints.

It wouldn't mean a thing to me to get the original fingerprints

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because it wouldn't be worth any more than to me than one of the scrolls found in the Dead Sea because I couldn't read it. But I would like to have the more essential ones, such as on this gun. Apparently there is going to be some contention made somewhere along the line that this isn't the same gun that Oswald had originally, but the FBI fixes his fingerprints on this gun.

And out of an abundance of precaution I thought if somebody from the New York Police Department or some other source, and I think we mentioned the fact that your man Adams had had experience and would be informed as to who could do that work on the more outstanding pieces of evidence that relate to fingerprints and measurements and things of that kind, if we could just have it, a report from two agencies instead of one it might preclude questions in the future.

Mr. Rankin. Yes.

Rep. Ford. I share that view, Dick. I don't know whether it ought to be another governmental agency or whether it ought to be an independent non-governmental agency. I don't know --

Rep. Boggs. Are there such agencies?

Rep. Ford. I don't know.

Mr. McCloy. You have handwriting experts, of course, individual. But I would think if you didn't take a Federal agency, if you took -- the District of Columbia would be Federal, I suppose, but let's say the San Francisco, or the New York Police, they have the ballistic experts, something to show there is no

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self-interest in it.

Sen. Russell. Every state has ballistics tests and handwriting and even fingerprint people, but some of them I am quite sure are more capable than others.

Mr. Rankin. We can have that done for you.

I think that you all will be, if you haven't done it, in the past, been interested in seeing how much you know as laymen, though, and can determine by a blown up picture of fingerprints, how much it does reveal to a layman, if it is properly done, and I think that you might want to have first the explanation of the FBI before we go to the other source, with the idea that we would.

But let them show you what they can, to try to demonstrate it to you.

Sen. Russell. I have a great confidence in the FBI. I am not making any statements in any sense to challenge their ability. I have great confidence in them and I realize all over the country as a whole when they get down to the question of ballistics, for example, when the states have exhausted themselves they ask the FBI to make a study of it. But it seems to me that the FBI itself would be glad to have that done because there is going to be unquestionably in the years that are ahead, maybe perhaps months, there will be so many questions raised, that it would be desirable to have a double check made on matters of that kind that are capable of being investigated by another competent group.

I don't think anybody in the country is as competent as the

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FBI. They are undoubtedly the best.

Mr. Dulles. I wonder, then if we can't attach them to the staff. I wonder, it would be difficult to have a state authority to go over its own work.

Mr. McCloy. I don't think they would.

Mr. Dulles. If we put them on our staff then it would be the Commission doing it. I was wondering about it.

The Chairman. I would think, gentlemen, if we could borrow some from the state and some of them are really good these days, there is no question about that, it would be much better than to make a hero out of one private handwriting expert who could use it forevermore to exploit the situation.

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Sen. Russell. I agree with that.

The Chairman. But we can find those people people who are thoroughly independent, too, of the F.B.I.

Sen. Russell. I don't think that is a matter that we ought to go out and discuss. We ought to perhaps not even refer to it along the line, but have it quietly in reserve.

Mr. McCloy. That was a difficult thing.

Did his handwriting ask for that gun? It was a different name was it his handwriting?

Mr. Dulles. Couldn't somebody be temporarily made a member of the staff to do it?

Mr. Rankin. That could be worked out.

The Chairman. But what difference would it make?

Mr. Dulles. It would be better, I think.

The Chairman. That wouldn't be any problem to put him on.

Sen. Russell. A man's standing and experience would be the determinative factor as to what it presents. Whether he is just attached to the staff or not is incidental. If he wanted to come down that way, we could pay him as a consultant.

The Chairman. I am satisfied that we could get whatever high-class men we needed in that area from the State maybe by paying them expenses.

Mr. McCloy. There was no question about that. The F.B.I. fellow was over and said, "We would be glad to check it."

Sen. Russell. I don't know how they would feel about it.

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They might not like it.

Mr. McCloy. He had an F.B.I. fellow with him, I think Katzenbach when I was over there the other day, and I brought this point up, and he said if anybody wants to check the handwriting or fingerprints they can do it.

Mr. Dulles. But we could put somebody on the staff for a couple or three weeks and put him on the job then there would be no difficulty of selecting one state as against another state.

Sen. Russell. I wouldn't want to get into that kind of business. But I think the F.B.I. would like it. People are going to be writing books with all kinds of bizarre and unusual claims.

Mr. McCloy. If we took one man's opinion about it without being confirmed.

Mr. Dulles. Can I ask one question about the visual aids, Mr. Chairman. Do the F.B.I. and the Secret Service and maybe the police of Texas agree on these models and so forth and the various visual aids you have given us here, or is this just the F.B.I.?

Mr. Rankin. Just the F.B.I., and the Secret Service is different on the distances, and I have already put that up to them and asked them about it.

Mr. Dulles. Can they get together on that?

It seems to me if we get visual aids we ought to agree on facts.

The Chairman. How much difference is there, Lee?

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Mr. Rankin. About 11 feet.

Rep. Ford. How many, sir?

Mr. Rankin. Eleven feet.

The Chairman. And both of them are an estimate, based upon the speed the car was moving at the time.

Rep. Ford. You can never prove that anyway.

The Chairman. You could never prove one was right and the other was wrong. There is not enough difference, but what you could split the difference with them and so forth.

Sen. Russell. The pictures don't give you a fixed point where you could work it out mathematically, and it would be a triangle from the place of the building up to the sixth floor.

Mr. McCloy. This depends upon the speed of the car.

Sen. Russell. And you would have the two factors of the right triangle.

The Chairman. It depends upon the speed of the car.

Mr. McCloy. Some people say the car was going 15, 16; others say 12, 11. That is the difference.

Sen. Russell. And the pictures can't tell you the exact second that the bullet struck.

Mr. McCloy. Well, --

The Chairman. For instance, there were some reports that the instant the shot was fired, the first shot was fired that the car speeded up. Now, I had a letter from Senator Yarborough who said he was in the second car behind it, and he said that when the

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shot was heard, that there was a noticeable slowdown almost to the point where the motorcycle rider, as I recall it, couldn't keep erect, and then it was after that they speeded up.

Now, when you are dealing with five seconds, you are cutting it pretty thin to try to tell whether it is 96 yards or 98 yards from the first shot to the third shot.

Rep. Ford. And it really isn't significant, I don't think.

The Chairman. I don't think so.

Rep. Boggs. What is really significant is whether the man lived or died. If the car speeded up he probably would still be alive today.

Rep. Ford. In that regard, you are right.

The Chairman. But this was in the context of the distances between the two, and how long it would take to fire the rifle, and so forth.

Is there anything more, gentlemen, on one?

If not, we will go to No. 2.

Now, I would suggest we leave this frequency and schedule of future Commission meetings to the end because you will have a better idea of it as we go through the rest of them.

Now, the next one is B.

As you can imagine, we have problems about press relations. They badger the life out of Mr. Rankin, and here at the place. They don't bother me very much any more, because I just tell them frankly I have no comment to make to them, and won't have until



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5 we are ready to report, except what we give them after each meeting.

I suggest that we have a release after every meeting as we have in the past, and then try to keep from making any more in the meantime. That is extremely difficult for Mr. Rankin, but he believes in it, too, and is trying to do the best he can.

Sen. Russell. I realize his difficulties, Mr. Chairman, but one of these releases that the New York Times, I believe it was, got it, to the exclusion of anyone else, and caused quite a bit of feeling among some of the working press, particularly for the associations, the AP and the UPI. I regard that as being very unfortunate. It would seem to me if we are going to make press releases that they should be given out on the same basis to every reputable news gathering agency at the same time.

That, also, was a story that carried the agenda of the Commission and set forth as if it had already been approved, as I understand we are in the process of approving it now, and that anticipated the action by the Commission and I regard that as being somewhat unfortunate and I hope that does not happen again.

You are familiar with that story, are you not?

Mr. Rankin. That is the time we prepared this material and the department told us to put it up at the Press Club and the reporters would get it there. It was a Friday afternoon. We got it finished about six or so.

Now, at that same time Tony came up here and asked about what we were doing, and we gave him the slip and he asked some

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questions and those were answered, and the other part of it wasn't any part of a release and to that extent it was not included for all the press, and the criticism is correct.

But the other material, about the staff and all was placed there for everybody.

The only difficulty is that they said that doesn't get them. They said, "We don't always go up there on Friday afternoon" and they said, "We would like to leave our number with you, and then have you call us if you have any release."

And then the problem is, if I don't get them, any one of them and they don't come and get it then they are critical of us about that, too.

Rep. Boggs. Each one of us has that problem, If I may make a suggestion, if you want to get that list to the press associations, the AP and UPI, the main radio and television people, and the biggest newspapers then you ought to have someone here who distributes it to them, just calls them. There is no other way to do it, isn't that right, Senator?

Sen. Russell. Yes. I think they should do it. I had two or three of them speak to me about it.

I wouldn't have seen the New York Times story -- I was talking about, Senator Cooper was reading the paper there and handed it to me and asked if I had read it. I hadn't.

Rep. Boggs. The Washington Post picked it up the next day and said it was a New York Times exclusive.

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7 Sen. Russell. One of the chaps from Time or Newsweek, one, was talking to me, and he was very indignant. If he had gotten it that day he could have gotten it in that issue, whereas the New York Times got it.

A man who is in public life, and who has to be elected to office, he can afford to have press pets because he knows pretty well who is going to help him and who is going to be cutting his throat. But a Commission can't do it, a Presidential Commission. They have got to deal it out with the same spoon to everyone without regard to their relations with them.

Mr. McCloy. I wonder if we want to have a man who knows his way around on press relations. You suggested, Mr. Chief Justice, you didn't know whether you wanted to do it, but there are so many darned tricks in this thing, in this jealousy amongst them and particularly in this area, and a man who is sensitive to that might save us a real contretemp some time, who knows how to get it out and appease these fellows.

They are more disposed, he is usually one that they recognize as a pro, and I wonder whether in the light of the Ruby trial coming up and with all the intensities we are going to have from here on out that it would be a prudent thing to have a man like that.

Sen. Russell. I wouldn't know anybody I would vouch for.

The Chairman. I will tell you, and I will tell you what I think about that. Here we have had one news release since this

8 last meeting of ours which was quite awhile ago, as you know, and we will get into trouble on that one.

If we have a publicity man around here, he is going to want to--

Rep. Boggs. He is going to want publicity.

The Chairman. He is going to want to serve these papers, and he is going to want to put publicity out and if he isn't everybody is going to put him out as a bad publicity man and he is going to be ferreting things around here and getting us into trouble rather than keeping us out of trouble, and I would rather take one of our bright young men who is on our staff, teach him the rudiments and teach him how to get any press release we have to all the agencies at the same time so there won't be any kickback from them and let him do something else in the meantime and forget about trying to stir up publicity for us.

Rep. Boggs. I agree on that.

The Chairman. I wouldn't call him a publicity man at all. I would forget that.

Mr. McCloy. I don't mean a publicity man. But somebody who is knowledgeable.

Sen. Russell. It has its advantages. I don't know that we would look very good with a public relations man with a Commission of this nature.

Mr. Dulles. Let's call him a minor historian. We can get a historian and let him do it.

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Rep. Ford. Would it be wise to borrow somebody from the Bureau or CIA who handles their business in this way? That would not be drawing somebody from the press per se.

Mr. MCCloy. That is what I had in mind, somebody who is a technician in this area. I don't press it.

If you feel -- it is just a thought of having somebody here who knows his business and if this thing is anathema, why I will drop it.

Sen. Russell. It has much to commend it, but also presents --

The Chairman. Yes, it has.

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Sen. Russell. It also presents certain difficulties. Just an

ordinary public relations man is the last thing we want, because their idea is to get just as much publicity as he possibly can. Because he could get the Commission, if he wanted to on the front page every day.

I don't know where we would wind up, and we would be in the news for at least as long as we lasted.

Sen. Cooper. May I make a comment?

I have a feeling we don't want to have a press agent, to give the press notice of our work. Perhaps somebody, one of these young lawyers, under the direction of counsel could perform that and see whatever release, it gets into the hands of everyone.

As long as it has come up, I would like to raise another question. I think it is only fair that I bring it up because you have raised it with Dick and with the Chief Justice, and I have

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been raising this, and I recognize that I have been rather unclear for the last two months. We didn't have much to talk about. We were not doing very much.

But all of us have been asked, or at least I have, for comments. I couldn't make any, and we had discussed whether or not we would say the hearings would be on or whether we would make a report before the Ruby Trial, our relationship with the Ruby Trial, how long the hearings might last and some other question I want you to know I think it is my duty to raise it. And then I did see three interviews in which counsel gave in which he discussed all these questions, it seemed to me, the relationship to the Ruby Trial, how long the work of the Commission might last. And one other thing, it was either yesterday or today I was called by the New York Tribune, I think, I didn't talk to them, trying to raise the question of the political effect of this on the coming election.

Now, my only point in raising this is, I believe if we have press releases to make, they should be after the Commission determines what should be released and that the releasing be made on that basis, or that we from time to time authorize Mr. Rankin to discuss certain questions with the press.

There were several questions raised.

Rep. Ford. It would protect him.

Sen. Cooper. Not only the question of whether it was just distributed, of whether the New York Times got a special --

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Sen. Russell. But as to the content.

The Chairman. Yes, that is the problem.

Sen. Cooper. Which we said we didn't know anything about or we weren't prepared to make a comment on, and then the interview said the Commission had decided, A, B and C.

I am not, as I say our lines were rather unclear at the time. What I am saying is in no way personal, but I think it is important. The Commission has to speak for itself.

Sen. Russell. It does seem that the Commission should have a little more direct relationship that anticipates what the Commission is to do, that is what I had in mind a moment ago. But I think that can be worked out.

If the Chief Justice will initial whatever is given out, I would be perfectly satisfied.

Rep. Boggs. I would think that too, Senator.

Sen. Russell. I would think the Commission should have some part in the releases and not to have them strictly of counsel; in other words, where the Commission wouldn't be the appendage of the counsel but the counsel being the counsel for the Commission.

Rep. Boggs. I think you have to have some sort of happy medium. I would not think it wise, just to completely tie the hands of counsel in a situation such as this. He is the fellow who is being harrassed by the press, and there are many things that he can say that are totally within the realm of the decisions

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that have been made or anticipated.

But I would think any policy matters would certainly have to be by the Commission.

The Chairman. Yes, of course.

Mr. McCloy. I don't think he should stand mute under some of these questions.

The Chairman. No.

Mr. McCloy. You can say, for example, nobody is going to be harmed. We intend to get the report out just as quickly as we can possibly get an objective report out.

I have said that when people came up to me, and the pendency of the Ruby Trial is a matter of common knowledge, even though you don't need to say one thing or another. I think in this way, you could give counsel some flexibility within policy lines so he just doesn't have to stand dumb.

The Chairman. For instance, I give you an example. We are expecting to bring Mrs. Oswald here within a week. I would like to do, as we spoke about a moment ago, have to take her from her home to a military establishment, transport her up here, get her established in some hotel some place quietly, bring her up here without any knowledge of the press at all. But sure as night follows day, they are going to know that we have examined her.

Rep. Boggs. Sure.

The Chairman. And if the press comes in and says to Mr. Rankin, now, here, have you examined Mrs. Oswald?

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Sen. Russell. If they are going to ask him, I think the statement should be given out, the Commission has examined Mrs. Oswald. I think that ought to be about the extent of it. I don't think you ought to go into her testimony, and things of that nature.

The Chairman. Yes.

Rep. Boggs. That was the point I was going to make. I think it important for the public to know that the Commission is active and is doing things. It doesn't necessarily mean they should know what we are doing, but in my judgment it would be a mistake if all of a sudden the Commission disappeared out of the news totally and completely.

Sen. Russell. You couldn't do it if you wanted to. They have got too many keen people around here, and you have got too many leaks of anything that goes on, from people right who work around the building here, you can't possibly keep it a secret and there is no reason why it should be.

After she is here and after she has testified, there is no reason why we shouldn't give out a statement stating the Commission has taken her testimony.

Rep. Ford. There is no reason why some facts about how she was transported here shouldn't be given to the press.

Rep. Boggs. How long she was here.

The Chairman. Yes.

Mr. Rankin. Some of the press indicated to me when I said

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I had no comment about the work of the Commission, they said, if you don't give us anything we will speculate about what you are doing.

Mr. McCloy. That is the old Army game.

Mr. Rankin. And that isn't going to help us any, I am sure about that.

Mr. Dulles. And they will speculate. It is a little blackmail.

Rep. Boggs. And then they will call Jerry and me and none of us will tell them anything but they will put it together.

Mr. Dulles. I have a little worry about what is going to happen when I say I am not going to Dallas, that may start a story.

Mr. McCloy. You can see a virus attack coming up at that point.

Mr. Dulles. I have never done that. Because I run around too much.

The Chairman. Yes, I think if we have an understanding today that, of course we are not seeking publicity but bearing in mind that certain questions will of necessity have to be answered such as, "Did you take the testimony of Mrs. Oswald," and things of that kind, that those things can be answered with a minimum of discussion or a minimum of details and without the discussion of any policy matters or the length of the inquiry or the things that are troubling us or anything of that kind, and that if we can try that out for a little while and see how far we get, I think it might be the best thing to do.

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Rep. Boggs. Mr. Hubert, whose appointment is being announced today, is a distinguished lawyer, and he is a constituent of mine. I would like to be able to say something in my local paper that he is a fine gentleman.

The Chairman. Of course, that would be fine. I think that is fine.

Sen. Russell. I wouldn't denounce him if I were you.

(Laughter)

Rep. Ford. I noticed you appointed the son of a good constituent of mine who is out in the State of Colorado, as a matter of fact.

I had no knowledge of it.

Mr. Rankin. Mr. Slawsen.

Rep. Ford. His father is a fine lawyer in my home town, but the son went to Colorado.

The Chairman. Well, I will tell you, I didn't know until this noon, when I was at lunch that Byron White came up to me and said you took one of the finest young men in Colorado from my old firm. I said, "I had no idea."

Mr. McCloy. Is that Slawsen?

Mr. Rankin. That is right.

Rep. Ford. And he is the son of a constituent of mine.

Rep. Boggs. I am fine about Hubert, one, because he is an exceedingly able and competent person and very well trained for this. Number Two, as you read through the F.B.I. reports and

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other documents you will see that Oswald spent a great deal of his life in that part of the world. Someone who is acquainted with these people would be helpful.

Mr. Rankin. While he was home on a weekend someone gave him another lead about Oswald being connected with somebody that may help in regard to the Mexican situation. I don't know. Almost anything can happen down there.

Mr. McCloy. I heard Coleman. Is he the colored fellow?

Mr. Rankin. Yes.

Mr. McCloy. Somebody said they thought he was of the same quality as Hastie, circuit court judge. You know Judge Hastie.

The Chairman. Judge Bill Hastie.

Mr. Rankin. He is magna cum laude.

The Chairman. He is a tremendous lawyer. He is one of the senior members of the Dilworth firm, Mayor Dilworth's firm in Philadelphia. He is one of the four top men of that big firm, yes.

Sen. Russell. I never challenge any lawyer out of Philadelphia anybody said it was the last word to have been said it would take a Philadelphia lawyer to figure it out.

Mr. McCloy. What does it mean?

Sen. Russell. Why that saying ever got as far down south as that -- it is a common saying.

Rep. Boggs. It moved as far down as my town, Senator.

Sen. Russell. Did it? It would take a Philadelphia lawyer to figure this out.

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The Chairman. Gentlemen, is there anything further on press relations?

I think we can work within that without any difficulty.

The next item is C, Delegation of Authority by Commission to General Counsel to handle administrative matters on behalf of the Commission.

Lee, will you tell them about that, please?

Mr. Rankin. Well, there are a number of matters in regard to forms, and we have to have clearance for all these people to handle top secret documents, and that has, someone had to sign requesting that, and then all of the various financial provisions with the GSA have to be signed by somebody on behalf of the Commission.

We have quite a little mail that the Chairman has to sign anyway on behalf of the Commission, asking various agencies and departments of the Government, and this is housekeeping that ought to be done by, delegated to someone to do.

Mr. Dulles. I move it.

Rep. Ford. Support it.

The Chairman. All in favor say aye.

(Chorus of aye)

The Chairman. Contrary-minded, no.

(No response)

The Chairman. The ayes have it.

Next is designated Private Members of the Commission and Staff

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18 and Special Government Employees.

We looked into the question of conflict of interests, and we had to do that because all of these lawyers that we have got have got some litigation with the Government. You know on tax matters or something of that kind, and they were concerned about it, about whether it would injure them in any way, and we took it up with the Department of Justice, and the Department of Justice said that if they were there for 130 days and no more under the statute this kind of conflict of interest where they had a claim against the Government would not apply.

If they were there longer than 130 days, it would apply to them, and they said that if we designated them as 130 day employees, and then they weren't finished at that time they could go over, but they would still be in that classification. So we thought it would be the better part of valor to have them designated as 130 day employees.

Is that about a fair representation of it, Lee?

Mr. Rankin. Yes.

Rep. Ford. I so move.

Mr. Dulles. Could I just ask a question?

They are getting a salary from the Commission and not from the firms?

Mr. Rankin. They are getting it only from the Commission except some of the senior lawyers, I have never discussed whether they continue to get paid from their own firms, but there is no

19 problem of that kind in regard to consultants.

The problem is when they are --

Mr. Dulles. Is that sure?

Mr. Rankin. No, there is a new statute in regard to that.

Mr. Dulles. I know, but I have been all over that, and I thought --

Mr. Rankin. That is what the Department of Justice told us.

The Chairman. The Department of Justice told us that.

Sen. Russell. It at least affects retired officers in the Army and Navy. They cannot take a government job but they can be employed as consultants for 130 days.

Mr. Dulles. And take their two pays? I don't think they can take two pays.

Sen. Russell. Yes, they can. There is a pension statute on it. You can't give them regular employment. You can't employ one, for example, on the staff of the Armed Services Committee, but you can employ him as a consultant for, say, ten or twenty days, or you can enter into a contract with him for a lump sum to do a specific job and that takes it out of the conflict of interest.

Mr. Dulles. Jack, you and I are in somewhat the same position. I had planned to serve without compensation as a member of this Commission.

Mr. McCloy. I don't ask for any compensation, I just accept my expenses. Because your expenses sort of run up. But I don't

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care about compensation.

Mr. Dulles. That is the same, I guess, with everybody else on the Commission.

Mr. Rankin. The rest of the Commission is being part of the Government, and not authorized except for expenses.

The Chairman. Not unless it is to get travel expenses.

Mr. Dulles. I am getting a pension from the Government.

Sen. Russell. That is not a pension, it is retirement.

Mr. Dulles. It is retirement.

Sen. Russell. That is not a pension.

Mr. Dulles. Excuse me.

Mr. McCloy. There is no question about your paying travel expenses?

Mr. Rankin. No.

The Chairman. No, nonewhatsoever.

Rep. Ford. Do you want a motion on this, Mr. Chairman?

The Chairman. Yes.

Rep. Ford. I so move.

The Chairman. Is there a second?

Mr. Dulles. Seconded.

The Chairman. There is Draft Resolution Attachment 4. Is there further discussion?

All in favor will say aye.

(Chorus of aye)

The Chairman. Contrary-minded?

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(No response)

The Chairman. The ayes have it.

Now, we have a question raised by Congressman Wymanas to the validity of this resolution, because it did not state that it was -- what was it?

Mr. Rankin. Not for a legislative purpose.

The Chairman. Not for a legislative purpose.

I don't think that there would be any necessity of going back for that and doing anything.

Mr. McCloy. No.

Mr. Rankin. The Department's memorandum is set out here after the resolution, and it is clear that there isn't anything like that required, and the Congress has supported the Executive Branch in doing, subpoenas and all those things for years in various legislation that is independent of a legislative purpose. So it just suggested that letters similar to, like the drafting to him, explaining the fact.

Rep. Ford. Will go to Congressman Wyman?

Mr. Rankin. Yes.

Rep. Boggs. I so move.

The Chairman. Is there a second?

Mr. Dulles. Seconded.

The Chairman. All in favor say aye.

(Chorus of aye)

The Chairman. Contrary-minded?

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(No response)

The Chairman. The eyes have it.

Next is the interview of Mrs. John F. Kennedy.

I have been thinking about that very considerably, too, and I wondered if the proper thing to do wouldn't be perhaps to talk to her brother-in-law, Robert Kennedy, the Attorney General, and ask him if some time at her leisure, and in her own way, if she would give us a statement of exactly how she saw this thing happen. Somehow or other, I sort of recoil against bringing that little woman here and questioning her about anything of that kind.

But her brother-in-law can, I think, do this thing for us, and I think it ought to be a matter of record before the Commission, and I am of the opinion that would be the easiest way to do it.

Rep. Boggs. I so move, that we ask him to do that.

Rep. Ford. I support that.

Sen. Russell. Does that mean it will not be under oath?

The Chairman. I would think so.

Rep. Boggs. I would think it should be formal, Mr. Chairman.

The Chairman. I beg your pardon. She can have it attested.

Rep. Ford. I think that is important, to have her write it and sworn to.

Sen. Russell. That is very important because somebody will be raising an issue about it the first thing.

The Chairman. Yes.

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Rep. Boggs. I would also hope in this connection that the Attorney General would have somebody else do it, like Katzenbach, not himself, because of the obvious family connections The Chairman. Yes.

Mr. Dulles. I think, I would prefer to have somebody else do it. But I wonder whether we shouldn't leave open the possibility of the Chief Justice calling on Mrs. Kennedy.

Rep. Boggs. That is a wonderful suggestion.

Mr. Dulles. I think that would be much better.

Mr. McCloy. Katzenbach talked to me about it. He said, I see no difficulty. What I would like to know ahead of time, what I thought was if somebody from the Commission, and I had you in mind, Mr. Chief Justice, would call on her, at a certain time, but in order to sort of ease it for her, could you just give him a little ahead of time what the general line of questioning would be so she could be thinking about it a little bit and he said then I can prepare for it and that would be perfectly appropriate, but he thought you ought to call on her rather than ask her to come here or somebody should call on her rather than ask her to come here, and give him a little advance notice of it so that she could be trying to think of it.

Mr. Rankin. I am sure that can be worked out.

I would like to speak off the record a minute in regard to this matter.

(Discussion off the record.)

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(Discussion off the record.)

The Chairman. On the record.

Rep. Boggs. I would like to say only, to put it in the form of a motion maybe, that in the case of the widow of the late President, and in the case of the President and his wife, that the Commission authorize its Chairman, the Chief Justice, to take whatever steps he deems advisable to get whatever testimony may be pertinent from those people.

The Chairman. What motion would you make concerning Governor Connally and his wife?

Rep. Boggs. They would be included, I would think, under the same terms.

The Chairman. How about Senator Yarborough and whoever else was there in the front seat with President Johnson?

Mr. Boggs. What I was thinking of was of the top people that you as Chairman could handle it. The rest of them I wouldn't have any hesitancy about calling Ralph Yarborough in here and ask him what happened.

The Chairman. I understand. Is that the sense of the meeting, gentlemen? If it is, that will be done.

*stand below this
line only is classified.
Material above line
has been made
available to
the public.
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The next one is Item G under 2, Conference with CIA, decision as to disclosure of materials to CIA for purposes discussed at meeting of January 14, 1964.

Now, I will just state generally what it is, and then Lee can go on farther. But Lee has been having some discussions with

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*Charles G. Brown, Chief of the Service per
staff. CIA. Policy and procedure declassified*

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the CIA concerning any possible connections that Oswald might have had with the Soviets, and they would like to have us give to them certain of our records so they can show them to some of their people, namely a couple of persons who have defected from Soviet Russia, and I raised the question with Lee as to whether we should do that without taking some very careful precautions because if we should do that, and these people should turn out to be counter-intelligence agents, and then something would develop from Russia about this, about the thing as a result of what they saw, this Commission would look awfully bad before the world, and I myself question the advisability of showing those records to any defector.

I personally would be willing to bring the CIA here, let them see what we have in that regard, and then let the CIA do what it thinks should be done in order to verify or disprove it or amplify it in any way, shape or form. Now that is my own view.

Lee, would you like to express yourself further on it. You didn't agree with me exactly.

Mr. Rankin. Well, the Chief Justice also suggested that possibly we should have a meeting with the representatives of the CIA and the FBI and the Secret Service that gave us these materials and see what their suggestion was about handling them. These two defectors are men who were formerly in the service of the comparable unit of the Soviet Union.

Mr. Dulles. KGB.

Mr. Rankin. KGB, and the CIA people say they couldn't hardly

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defect back again without being in plenty of trouble and they don't believe there is any prospect and they say also when they have had anything like that they have had plenty of notice in advance that there was a consideration that they might go back but they do think they could be very helpful because they can interpret these materials and suggest inquiries that we should make to the Soviet, that the CIA personnel wouldn't know how to do in the same way because they don't know the detail of the operation like these defectors.

So they want to know if they couldn't see some basic material themselves and if they would be permitted to show them to these defectors, and that is our problem. They think that would be very helpful.

Now they suggest, and our conference, Allen went with us on this conference with the CIA, and they suggest that, they think the inquiry to the Soviet should be made government-to-government, if the State Department would approve that, and we would check it out with them, and that the questions to the Soviet should be very pointed, so that if they don't answer them, they can't just answer them in a very general manner and get away with it, but the questions would be in such pointed form, would be did you or didn't you, did Oswald do certain things or didn't he, as much as possible, I am talking about the CIA and the problem of furnishing them part of this information, and they would like to exhibit it to two defectors, who were a part of their intelligence system in

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the Soviet before they came over here and defected, and they have great confidence in them, the CIA, but the question --

Mr. Dulles. They were not before, after they defected in these two cases. They were part of the KGB when they defected.

Mr. Rankin. Yes.

Mr. Dulles. And since then have been working very closely with us, one has been working six or seven years and one about two years.

Mr. Dulles. Yes, but prior to defecting they were with the KGB, isn't that right?

Mr. Rankin. They were with the KGB, one was in Vienna and one was in Finland and fairly high up in the KGB. The material they have in mind is nothing that is really classified in one sense. It would be the material that Oswald himself wrote, Oswald diary, letters and things of that kind in Russia, and it would be that type of material. They wouldn't want to show them any material that was sort of generally classified. Some of this has not been disclosed to the President. Some of it has been partially disclosed but it is the form of the writing, and so forth, and things of that kind that are very -- mean a good deal to a man who is working on the inside of the Soviet Secret Service. As I say, it is nothing that normally would be classified. It is only that all of what was obtained from Oswald has not yet been disclosed to the American press.

Sen. Russell. Do you have anything from Oswald by the way of

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diaries or other writings other than what we have seen?

Mr. Dulles. You have seen it all.

Sen. Russell. And the FBI?

Mr. Dulles. There is one thing I have asked about today, that is referred to in the FBI report. We haven't any material at all.

Sen. Russell. They are not going to tell you anything. We would have to forward the questions to the State Department, it would have to be cleared through the Ambassador and cleared with the Foreign Minister and get to the equivalent of their Attorney General and say what are we going to tell these silly Americans.

Mr. Dulles. But they are in a bit of a box, Senator, because if they have any inkling of this and they may have some inkling of this, I don't know, for example, we know or we believe we know from Oswald that he got X amount of money at certain times. Now, I wouldn't tell that to the Soviet. But I would say that we have some information, we don't have to say how we got it, it would be from Mrs. Oswald or however it might be, some of it did come from her, that the Soviet had paid him certain money, would they kindly advise us how much and over what time.

Rep. Boggs. There is not over and beyond what the report shows.

Mr. Dulles. No. But I don't think you ought to tell. I mean, this is a question for this Commission to decide, if we are going to get anything, we have got probably to let the Soviet

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know that we have, or let them induce that we have a good deal.

Rep. Boggs. Where did we get the information from, what he got?

Mr. Dulles. From his letters.

Rep. Boggs. Not from the Soviets?

Mr. Dulles. No. We haven't anything from the Soviet. We know he was hospitalized. We know he tried to commit suicide over there. We know they extended his permission. Now, I think we ought to -- there ought to be questions put to them but don't give them all the answers because they can just take our questions and answers and say these are the answers. I think we ought to give them a clue that we know a good deal because otherwise what is the situation going to be later if we do publish, and I think the Commission probably will publish later all this material. And they will say here you deceived us. I don't mind deceiving the Soviet particularly because I think that might be very helpful.

We can say we gave you a chance to answer these questions, we told you we knew something about this but you never gave us an answer so that the drafting of these questions I think is going to be rather delicate a matter but I think it can be done and I think it ought to be done quickly.

Rep. Boggs. Is it proposed that this be carried out by the CIA?

Mr. Dulles. No.

Sen. Russell. As I understand it, the CIA wants to show this

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to two former secret service men to get suggestions so they can, knowing the background of operations here, they can help the CIA prepare questions to give to the Department of State.

Mr. Dulles. The Department of State will send them without reference but saying from.

Rep. Ford. It would be a request by the Commission through the Department of State.

The Chairman. Yes.

Mr. Dulles. The Commission would request the Department of State, in consonance with their foreign policy, to make an inquiry, further inquiry -- the Soviet has furnished information, some of it about the United States, not a word about what happened in Russia, two and a half years he was there not a word, and we know --

Rep. Ford. And it would have the authority of a request by us through proper channels to the Department.

Mr. Dulles. Yes. From some talks I had, incidentally, that is the way the State Department would like it but they would like to see and I think it would be wise, if the Chairman agrees, and the Commission agrees, to show the State Department our letter, so that we don't ask them anything or create a record, I would show them our letter, work it out with Davis or others over there so that they are in entire agreement with what is sent, and the CIA I think has sent you today some suggestions as to questions, I don't know whether they have reached you yet or not.

Mr. Rankin. They have.

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Rep. Ford. May I ask you this, in reference to your question, Mr. Chairman?

The Chairman. Yes.

Rep. Ford. Does it have to be a matter of record for anybody other than ourselves and CIA that these individuals within their agency have perused these documents?

Mr. Dulles. No, not unless they yell.

Mr. Rankin. He is afraid they might give it away.

Rep. Ford. I see.

The Chairman. I thought before we did it, if we were giving an FBI report to the CIA for that purpose, ordinarily, I would say yes, let them see everything, but to show to a Russian defector, before I did that, before I gave the CIA a report of the Secret Service or the FBI, I would want to get the CIA representative in the same room with the Secret Service and the FBI and tell them, "Now this is the situation we are presented with. Is there any objection to our doing it in this way"?

Rep. Ford. And have them as a matter of record approve it.

The Chairman. Yes, approve it.

Rep. Ford. I think that is fine.

The Chairman. I would be afraid to do it otherwise, we might get into trouble.

Rep. Ford. I think that is a good reservation, I agree.

The Chairman. Any objection to that, gentlemen?

Mr. Rankin. I would like to have the record show that we

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have talked to the State Department about designating a man we could talk to about the approach to make to the Soviet Union but we haven't yet gotten their approval to approach the government-to-government, and that is to be done yet.

The Chairman. Yes.

Mr. Rankin. So that is still ahead of us.

The Chairman. All right.

Sen. Cooper. We are not making a decision at this moment of showing these records to these defectors.

Sen. Russell. I understood if all these different agencies agreed to it, yes.

The Chairman. Yes.

Mr. Dulles. May I make just a slight amendment to that because if the FBI agrees to have its material, I don't think the Secret Service should be able to veto that or vice-versa. It seems to me one should, through this machinery, clear with the agencies whose report it is, and obviously these reports, I don't think, would ever be shown to the defectors in the form of an FBI report. They would be told it is a FBI report.

The Chairman. We don't know if we give it to them.

Mr. Dulles. I would just have that arrangement with them. I don't think they ought to be given it as an FBI report. The information in the report will be used in interrogating and questioning these fellows.

Sen. Cooper. Why then couldn't the CIA people read the

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report, get from it such information as they needed to interrogate these men without ever discussing to them any source?

Mr. Dulles. They don't need to disclose this comes from the FBI or Secret Service. But if they used, let's say Oswald's memorandum, then that is different. No matter how that had been obtained, whether it had been obtained by the Secret Service or the FBI, they would want to show them the text and maybe the handwriting and the Russian, some of these things are in Russian, to the defectors.

Mr. Rankin. Yes. They said they wanted to show the particular documents because they also think there may be a possibility of codes.

Sen. Cooper. I see.

Mr. Rankin. They would want to go into that, too.

The Chairman. If there are no objections then, gentlemen, that is what we will do.

Mr. Dulles. Would it be clear if the agency involved gives its approval then there is no difficulty, without asking a third party agency to concur, that is the only thing I was afraid of the way it was stated, Mr. Chairman.

The Chairman. Well, this whole thing is intermixed, the Secret Service found one thing in the home of Oswald, the FBI found another, and somebody else found another.

Now I think before we get into the thicket we probably ought to get them all together and if any one of them had a valid reason

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11 of automatic declassification if possible to determine, may why it shouldn't be done, I would want to respect it whether it

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was his record or not. It isn't just permission that we are looking for. We are looking for a measure of protection after this thing is all over so there won't be any come back on it from any organization that we disclosed something to the Soviets that were involved in this assassination.

I don't see any reason why we should fear any opposition from the other organization if --

Sen. Russell. They will all come out in the same place on that.

The Chairman. I think so. Do you have any reason to think otherwise, Allen?

Mr. Dulles. I don't know. I don't think anybody can say, Mr. Chairman. I have no reason.

Mr. McCloy. If they do that, they can come back to us.

Sen. Russell. The chap who vetoed it would be embarrassed.

Rep. Boggs. That disposes of that.

The Chairman. We will next go to Item H under Roman Number II, remains of Lee Harvey Oswald, letters received from Nicholas Katzenbach.

Now that situation is that this man is buried in a cemetery, and it takes officers around the clock to watch him, watch and see that they don't come in and exhume him and do something that would further injure the country, and so it has been suggested that to save expense they exhume him and then cremate him. But

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the mother has made some public statements about that, and said she doesn't care how much it costs or what it is, she just won't consent to his cremation.

His wife, since she has come over to this country, has been studying the Catholic religion, and while she hasn't yet accepted it, she does go to two Catholic churches, and the Catholic church, I think we all know, is opposed on religious ground to cremation, and I think if we gave any consent to any one cremating this man, we would be in trouble, and I would --

Sen. Russell. Do we have jurisdiction of that? It would seem to me it would be in the court down there in Texas. I don't see that we would have any right to pass on that.

The Chairman. I would think so. But the question might arise before this thing as to something on that body now. I don't know what it is. It might be the course of the bullet. It might be something else. But I don't think we would want that disposed of until our report had been made.

Rep. Boggs. Absolutely not.

Sen. Russell. Because then they would make a case on it. I thought we might do this. I thought we might get some mausoleum to take this body, and seal it up and put it in the mausoleum, unknown to anybody else, if they can do that, and no one would know where it was, the wife would consent to it, I think, and the mother hasn't got anything to say about it anyway if the wife consents to it, and I would have that done rather than to dig up

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or cremate that body. We might get into a great religious controversy.

Rep. Boggs. I am a little concerned about moving him. You remember when, it is funny how history repeats itself, but all the controversy about the body ultimately of Lincoln.

The Chairman. Lincoln?

Sen. Russell. Not only that, John Wilkes Booth, the people swore at the last that wasn't Booth they killed down here at that barn in Virginia. You remember the Navy put this body way down here in the Navy Yard and you have been having people claiming to be John Wilkes Booth since then all over the United States.

Mr. McCloy. When I was in the War Department they opened up and found these records, they opened up this record of the burial of John Wilkes Booth's body. It is the most dramatic thing you ever read. It told about how they took him with a lantern in some fort down here and dumped him in the water, I think it was.

Sen. Russell. Put round shot around him. That just happened here a few years ago, that came out.

Mr. McCloy. That saw the light of day a few years ago. Mr. Stimson and I looked at that when it was opened up.

Sen. Russell. I believe it is better to have somebody paying for watching that grave a little while longer. Is he buried in Dallas or Fort Worth?

Mr. McCloy. I don't think we ought to have on the record

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that we are moving in this thing. We are not saying anything about it.

Sen. Russell. If the wife is not willing to have him moved it is a question of watching, to prevent some body snatcher from removing him.

Rep. Boggs. I would like to move -- how do you move something without doing it? The point I am making is, I listened to what you just said, Mr. Chief Justice, if you move that body, I don't care if you move that body 20 foot over to somewhere else somebody is going to say that is not the body and you are going to have to have somebody go down there and pull it out of that mausoleum and have X-rays made and prove it is his body. It may cost a little money to have a cop or two around there but it is worth it.

The Chairman. I would much prefer that.

Sen. Russell. Leave it there until we complete our work.

Sen. Cooper. Here is what the man says, the lot is owned by his mother, Marguerite, and he doesn't know whether she would want anybody in there trying to strengthen the vault. Of course she wouldn't do anything about it, unless his wife agreed to it being moved, but it is being protected by the City Police and they don't know how long it is going to be protected.

Mr. Rankin. It is Fort Worth.

Sen. Cooper. It is not within our competence.

Rep. Boggs. It is our competence to tell the U. S. Department

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of Justice, through Nick Katzenbach, to tell somebody down there, to tell the Dallas authorities, to get that going.

The Chairman. That is the best way to do it but what I was thinking was if it had to be a choice between cremation and something else, I wouldn't take cremation by any stretch of the imagination.

Rep. Boggs. Cremation is out of the question.

The Chairman. But I think the suggestion that has been made is most sensible, and we should try to insist on it.

Rep. Boggs. Right.

The Chairman. If there is no objection, Lee, will you do that?

Mr. Rankin. Yes.

The Chairman. The next item is procedures to be followed by the Commission.

Now we have a resolution here which will authorize any Commissioner to issue subpoenas, take testimony, and so forth, and I think the Department of Justice and ourselves both believe that that should be done, accomplished by the adoption of a resolution so there won't be any question about it.

Mr. Rankin. That is on 7.

Mr. McCloy. Seven, eight and nine.

Sen. Cooper. Seven is general authority.

The Chairman. Is there a motion concerning seven?

Sen. Russell. I move the adoption of seven.

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Rep. Ford. Support.

The Chairman. Is there any discussion?

All in favor will say aye.

Contrary minded?

The ayes have it.

Now, under eight the resolution is to the effect that each member of the Commission is authorized individually to issue subpoenas, require the attendance and testimony of witnesses, and the production of any evidence that relates to any matter under investigation by the Commission. Each member of the Commission is authorized individually to administer oaths and affirmations, examine witnesses and receive evidence concerning any matter under investigation by the Commission.

The general counsel of the Commission, J. Lee Rankin, is authorized to administer oaths and affirmations, examine witnesses and receive evidence concerning any matter under investigation by the Commission.

Sen. Russell. That second paragraph, each member of the Commission is authorized individually to issue subpoenas, I think that ought to be related in some way to this resolution number, the preceding one, I think it should say "when designated by the Chairman", should be added there. If you don't, it is going to make it look as if each one of us has got a right to go out on a barnstorming mission of our own, to be calling up witnesses.

Would there be any objection, "each member of the Commission,

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when designated by the Chairman"?

Rep. Ford. I have the same reaction.

Sen. Russell. That ought to be tied up -- "authorized individually", I think I would strike out that "individually", I would say "each member of the Commission when authorized by the Chairman or the Commission".

Sen. Cooper. Or the Commission.

Sen Russell. "May issue subpoenas requiring the attendance and testify."

Mr. Dulles. If you put that in at the beginning of the first paragraph you won't have to repeat it, and specify "when so authorized by the Chairman".

Sen. Russell. That is a good suggestion.

Mr. Dulles. Right after "specified".

Sen. Russell. At the end of the first paragraph, "when designated by the Chairman."

Mr. McCloy. Then the Chairman could just write a letter that could be put into the record.

The Chairman. Gentlemen, I think that is all right, if you put it that way.

Any other corrections to make on it? Is there any discussion of it? If not, is there a motion?

Mr. McCloy. Move it.

The Chairman. Seconded.

All those in favor say aye, contrary minded.

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The ayes have it.

The next one is resolved that the following are hereby adopted as the rules of the Commission in connection with hearings conducted for the purpose of the taking of testimony or the production of evidence:

1. One or more members of the Commission shall be present at all hearings. If more than one Commissioner is present, the Chairman of the Commission shall designate one of these Commissioners as the presiding Commissioner.

2. The Commission or any member of the Commission or any agency designated by the Commission for such purpose may administer oaths and affirmations, examine witnesses and receive evidence.

3. Process and papers of the Commission issued under paragraph (d) of joint resolution, and so forth, shall be returnable no less than three days from the date on which such process or papers are issued and shall state the time, place and general subject matter of the hearing. In lieu of such process and papers the Commission may request the presence of witnesses and production of witness evidence by written notice mailed no less than three days prior to date of the hearing.

4. No notice or the period of notice received in paragraph 3 may be waived by a witness.

5. -- if any of you would like to stop any place along here -- because it is a rather long one.

Sen. Russell. I don't like to be nitpicking all the time,



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but if you had two men whowere here and one of them had been designated to be Chairman and the other -- and there is one designated as Chairman -- for some reason he had to leave the meeting, I think you would have to suspend it under this or the witness would have a perfect defense against any charging of contempt or otherwise.

Isn't there some way, Mr. Rankin, you could word that where one was to leave that he should have the authority to designate the remaining member?

Mr. Rankin. Or you could have the orderof presiding, which-ever you prefer.

Sen. Russell. It seems to me that should be done. If you don't the witness would raise in some case later on if he refused to testify and you wouldn't have a good contempt csse if he wasn't designated as a chairman, if the presiding examiner was not there.

Mr. Rankin. What if we put after "shall designate one of the Commissioners, "after the word one "theorder in which the Commissioners shall preside?

Sen. Russell. That would be perfectly all right.

Mr. Dulles. I wonder if the last paragraph of the resolution we just adopted is consistent with what we are now adopting be-cause I don't know whether technically unless we change the resolution we are now considering Mr. Rankin alone could take testimony.

I wonder if we shouldn't put in one or more members of the

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Sen. Russell. Ordinarily it is all right. But I have an engagement for a large group of people with the Secretary of Agriculture either Monday or Tuesday of next week and if that doesn't conflict Monday would really be the best day because that is usually the lightest day in the congress.

The Chairman. I will be available any day you want me. So we will work it.:

Well, gentlemen, now this office is available to you any time you want to come over here to work and you have got stenographic help, you have everything you want and if there are more than can work here comfortably you can work in another room, they have got the space. This is your room right here.

Rep. Boggs. I think these quarters are very fine.

Mr. Chairman, you and Mr. Rankin will handle the press release.

Sen. Cooper. I want to say I think this has been a very good meeting, very helpful.

The Chairman. There isn't much we want to tell them.

Rep. Boggs. I think this is a very, very fine document. I want to congratulate the staff for getting it up.

Rep. Ford. May I make just one suggestion, we have had two such files like this. Is there any way of having a looseleaf book for each of us which would have a little firmer, more permanent method of keeping these things?

Mr. Rankin. I think we could do that.

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The Chairman. Yes.

Mr. Dulles. Very useful.

Rep. Ford. This is a little flimsy.

Rep. Boggs. I am sure I don't have to suggest that somebody pick these up.

Mr. Rankin. These are for you to take along.

Mr. Dulles. There is no date.

The Chairman. Goodnight, gentlemen.

Sen. Russell. Goodnight.

Monday will be all right for me.

The Chairman. All right, Senator. We will see you later.

Mr. Dulles. Monday.

(Whereupon, at 5:50 p.m., the Commission recessed, to reconvene Monday, January 27, 1964.)

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Commission or its counsel shall be present at all hearings?

Mr. Rankin. I was trying to avoid not having a Commissioner present. I thought that there might always be questions raised and it looks bad for the counsel to be ruling on questions.

Sen. Russell. I couldn't agree with you more. If I understood it, you could swear them as a prosecuting officer swears a juror or impanels a jury when he impanels them before he starts a criminal case, but I don't think there should be a hearing without a Commissioner.

Mr. Dulles. You don't think it is inconsistent, and receive evidence on any matter within the Commission, then we say at every hearing he shall be present at all hearings.

Sen. Cooper. Do you consider that the last paragraph of 7 limits your --

The Chairman. We haven't gotten to that, John, we haven't gotten through John.

Rep. Boggs. I wonder if it wouldn't be a good idea for the general counsel to be present at all hearings, if he doesn't mind.

The Chairman. The general counsel might not be able to be there at all times. We might want to hold one here and one some other place by forced draft.

Sen. Russell. Something special, one of these other lawyers could be able to examine and ask questions.

Sen. Cooper. Unless there was a hearing at which the number was present.

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Mr. Rankin. I had thought that the following resolution took care of it but there could be a hearing without the Commission.

Rep. Ford. This simply gives you authority in the presence of a Commissioner, that is what it was.

Sen. Cooper. Maybe there would be some witness coming you would want to take testimony.

Mr. McCloy. Suppose you can't be present, Mr. Rankin. Can any of your staff administer an oath, your deputy administer an oath, if he is conducting?

Mr. Rankin. If he was specially designated, and I thought it was safer to do it this way and come back to you because we want to be sure to screen any proposals to take testimony and be sure the Commission knows what is being proposed in advance rather than have one who would want to go out and take some testimony and then we would get into trouble about it. So I thought that if there --

Mr. McCloy. You would have to have another meeting of this full Commission or a quorum before perhaps somebody other than you is authorized to administer oaths.

Mr. Rankin. But I contemplate there will be--

The Chairman. I doubt the wisdom of that.

Sen. Russell. I don't think it results from this because you have got Commissioners there, you have members of the Commission there and if you are not there they can administer oaths.

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Mr. Rankin. Oh, yes.

Sen. Russell. And any other attorney or lawyer who had made some special study or some aspect of this matter could proceed to examine the witness. This doesn't say only you can conduct the examination. It says you may do it.

Mr. McCloy. It says he is authorized to do this, examine witnesses. How about the deputy, is he authorized to examine witnesses?

Mr. Rankin. I think the right to examine witnesses is a right that you don't have to authorize.

Rep. Ford. It is inherent in the organization.

Mr. Rankin. In the office of attorney.

Sen. Russell. As Senator Cooper points out, it is in the second paragraph of No. 9 very clearly anyhow, because that reads "the Commission or any member of the Commission or any agent or agency designated by the attorney for such purpose may administer oaths and affirmations and examine witnesses and receive evidence, so that certainly would take care of it.

Mr. McCloy. I have no doubt it takes care of it. But it is just so you don't have any inconsistency in the earlier resolution.

The Chairman. Lee, you are satisfied under these, are you, if I should designate Congressman Boggs to take testimony of witnesses, and you are away some place taking testimony of Witness Y, that one of the other members of your staff could come in there

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and could take the testimony?

Mr. Rankin. Yes.

The Chairman. And answer the questions?

Mr. Rankin. Yes, or someone could even take my place if I was unable to continue.

The Chairman. Yes.

Rep. Ford. In answer to that, and I think you have got a real good point there, turn to the second paragraph in nine, I guess it is, the Commission or any member of the Commission or any agent or agency designated by the Commission or a presiding Commissioner. For such purpose, I think you have got to expand that a little bit right there.

Sen. Russell. You are getting a little redundant when you say the Commission or any member of the Commission presiding.

Rep. Boggs. Any member of the Commission.

Sen. Russell. That covers it.

Rep. Ford. Yes.

Sen. Russell. You are getting redundant.

Rep. Boggs. I think you already have it. The Commission or any member of the Commission.

Sen. Russell. That seems to be redundant.

Rep. Ford. You are right, excuse me.

The Chairman. All right.

Gentlemen, we will go over to page 2 now, No. 5, "At the opening of any hearing at which testimony is to be received a

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member of the Commission shall read into the record a statement setting forth the nature of the Commissioner's inquiry and the purpose for which the witness has been asked to testify or produce evidence. A copy of this statement shall be given to each witness prior to his testifying."

Any objection to that?

6. "A witness shall have the right to be accompanied by counsel of his own choosing who shall have the right to advise the witness of his rights under the laws and Constitution of the United States, and to make brief objections to questions. At the conclusion of the witness' testimony counsel shall have the right to clarify the testimony of the witness either by questioning the witness or by the submission of a statement on the witness' behalf."

Now, why do you put "or by the submission of a statement on the witness behalf" there? That would give some flamboyant fellow who wants to write a book or something on this the right to put in a whole carload of stuff in on us and I don't think I would let him do it.

Rep. Boggs. Make it part of the record.

The Chairman. Yes.

Mr. Rankin. We will just eliminate then, strike the word "either".

The Chairman. Just strike out "or by a submission of a statement in the witness' behalf".

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Mr. Rankin. We would need to take out the word "either" up ahead.

The Chairman. Yes. Do the rest of you see any reason why we should let them load the record with statements if they submit after they have had a chance to --

Mr. McCloy. No, I think it should be within the discretion of the presiding commissioner. There may be a situation that you would say --

Sen. Russell. I want to protect the rights of all the witnesses. Some of them -- I think No. 7 does it, doesn't it?

Rep. Boggs. That is correct.

Sen. Russell. It should be relevant to the subject of the hearing. That is what I was trying to get at if the Commission could rule it out, if he went too far afield, and he went all around Robin Hood's barn.

Rep. Boggs. No. 7 does it.

Sen. Russell. No. 7 does it.

The Chairman. No. 8. "rulings on objections or other procedural questions shall be made by the presiding member of the Commission."

9. "A stenographic verbatim transcript shall be made of all testimony taken by the Commission, copies of such transcripts shall be available for inspection or purchase by the witness or his counsel at regularly prescribed rates from the official reporter. The witness or his counsel shall be permitted to purchase

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or inspect only the transcript of his testimony before the Commission."

Did you get that from other commissions?

Mr. Rankin. That is right. They could sell that to the press possibly.

The Chairman. Beg pardon?

Mr. Rankin. They could sell that to the press if they want to do that but that is the usual provision for the commissions.

Rep. Boggs. A witness has the right to look at his own testimony. If the press wants to buy it, they can buy it.

Mr. Dulles. Can I ask one question, Mr. Chairman?

The Chairman. Yes.

Mr. Dulles. Does this wording imply that the Commission or the Commissioners sitting are bound by the legal rules of evidence?

The Chairman. No. There is no such implication. In no sense. No.

Mr. Dulles. Because of this language?

The Chairman. No.

Mr. Dulles. Because if so we would be pretty badly tied up.

The Chairman. No, but what we are thinking of was so that the public would know that we are not letting our counsel brow-beat someone in here, the Commissioners shall take care of the rights.

Mr. Dulles. I wanted to take care of that point. I am not enough of a trial lawyer to be able to answer that.

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By *A. H. G.*

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Mr. McCloy. Suppose the fellow says, "I would like to go off the record and tell you something here", it is not possible.

Mr. Dulles. That is a good point.

Mr. McCloy. I would have to go back to Deming testimony. That was pretty formal. Do we want to be as rigid as all this at the discretion of the Commissioner? I say Mrs. Oswald, Marina may want to say something she wouldn't want to have on the record.

The Chairman. I would say, "We will take a short recess", and I would go over and say, "Mrs. Oswald, what is it you want to say that you don't want to testify about"?

Mr. McCloy. "Please approach the bench".

The Chairman. Yes, have a sidebar conference with them.

Mr. McCloy. This means you have to have verbatim testimony.

Sen. Russell. Just the record of testimony such as you have in court rules.

Mr. Rankin. I think you have quite a problem if you don't because you are going to have only part of your Commissioner's present because if you don't have it you are going to have some oral statement or what it is.

Rep. Ford. You open the barn door.

Sen. Russell. You can't afford to have it all there, suppose you are trying to write a report, one Commissioner reads the one way and another reads it another. You have to have somewhere to go to determine the correctness of it. And we are taking a lot of testimony through various channels that are not in this formalized

way and you could take this testimony and make use of it. But having the agent talk to her on the same subject.

Mr. McCloy. Of course the Deming report was just one man.

The Chairman. Now we come to 10, and I wonder if we need this the way it is. "Prior to the state of a witness' testimony he shall be advised of his Constitutional privilege to refuse to give testimony which may tend to incriminate him or subject him to a penalty or forfeiture. He shall further be advised that after having claimed this privilege he may nevertheless be compelled by the presiding member of the Commission to give such testimony but he shall not thereafter be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled to testify except that he shall not be exempt from prosecution and punishment for perjury committed in so testifying."

Now you just scare hell out of some witnesses if you told them all of that. I wonder if we shouldn't --

Mr. Rankin. I don't think you need it if there is counsel present certainly because counsel can advise them what their rights are.

The Chairman. We could say, if a witness objects to testifying he may be -- he shall be advised of his rights, and told, and so forth, but to just walk up to a little woman like that Mrs. Oswald who is probably frightened anyway and tell her all these things, my goodness she would think she is going to jail right

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away.

Sen. Russell. We passed an Act here in the last year almost in that identical language. Did you get it from that, Mr. Rankin, or where did you get it?

Mr. Rankin. That is one of the things we looked at.

Sen. Russell. Congress passed an Act that you could in cases, certain type of cases, I have forgotten what it was, that a man could not plead the 5th Amendment but that he could not be prosecuted for the crime that was involved. I don't remember the details.

Rep. Boggs. One of the acts that the Justice Department asked for.

Sen. Russell. We passed it last year.

The Chairman. Yes. My only point is this, Senator --

Sen. Russell. I had some doubt about it but the people on the committee who had gone into it very carefully --

Mr. McCloy. We have the right don't we, it is in our statute.

Rep. Ford. It is in our resolution.

The Chairman. You are right. But what I am wondering is this. Should we give this to every witness? Suppose the Governor of Texas comes here to testify, should we give him that kind of an oath? I wouldn't think so.

Rep. Ford. Is it your suggestion we delete 10 then, sir?

The Chairman. Either that or I would say, if a witness

objects to testifying before the committee, he shall be advised of his constitutional rights to give, and so forth but, and let it go that way.

Rep. Ford. Instead of the prior notice?

The Chairman. Yes. I would give just the ordinary oath to any witness who comes in here unless he challenges our right or something of that thing and then do this.

Mr. Dulles. Say he just wants to say, "I want to go off the record at this point".

Mr. Rankin. I think it would be better to eliminate 10.

Sen. Russell. Whole of 10?

Mr. Rankin. Yes. To eliminate it and if you do have a special case then you can deal with it at the time.

Rep. Ford. When counsel is present.

Sen. Russell. That isn't my idea, if he is unaccompanied by counsel, a witness shall be advised of his constitutional privilege, if he shall refuse to give testimony, testimony which may incriminate him --

Mr. McCloy. Do you have the right? Say Marina comes up and happens to come without counsel, and you read this rather formal thing to them, she, if you get -- and there again I think a lot depends upon the discretion of the presiding Commissioner, if he thinks she is being overborne by Mr. Rankin's prosecution he can intervene and protect her and say, "You don't need to answer that if you don't want to, this is your constitutional

right but we have that right, and we are not going to let this thing get out of hand.

But to prescribe that in each case you must read this out to them, you don't do that in a court of law, Senator.

Sen. Cooper. You do it before military courts.

Sen. Russell. You do before military courts.

Mr. McCloy. You didn't do that in my day. I wouldn't recognize the courts-martial today.

Mr. Rankin. I think we could work all right without any 10, just leaving it out, and then have it the Commissioner whenever there is anybody who appears without counsel say something about it.

Rep. Ford. Mr. Rankin understands what is our general understanding and each of us does, why don't we delete it and I so move it.

The Chairman. Is there a second?

Mr. Dulles. Second.

The Chairman. All in favor say aye, contrary minded.

Rep. Boggs. I move the adoption of the rules as amended.

The Chairman. Is there a second?

Mr. McCloy. I second it.

The Chairman. All in favor say aye, contrary minded.

Mr. McCloy. It goes for granted we can amend it. It is not a charter.

Mr. Rankin. The Commission is a plenary power and can amend



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it at any time.

The Chairman. Well, gentlemen, we have a letter, the next one, we have a letter, Attachment 10, which is a letter from John M. Thorne re the testimony of Mrs. Oswald. We discussed this already, and I think we have an understanding with Mr. Thorne and as far as I can tell he is cooperating with us to take the testimony of Mrs. Oswald, and that they will withhold publishing anything that she might want to publish until that should be done. But he suggested the deadline should be February 15, and he would like to have it about February 3 if we can, which would certainly be all right, I think. We have had someone working for a week or so on her testimony, so that counsel will be able to, thoroughly able to, go over the pertinent facts with her.

Mr. Rankin. That is right.

The Chairman. Is there anything further on that one?

Mr. Rankin. We do have this question about the personal effects you know she wanted us to --

The Chairman. Is that this one?

Mr. Rankin. Yes.

Rep. Boggs. In connection with testimony generally or maybe we will come to it in a minute, I know all the members of the Commission keep getting questions from the press as to whether or not at any time we contemplate any open hearings.

The Chairman. Well, I would hope not, but who knows. Now we will get to that in one of these items here very soon, and that

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is when we are dealing with the mother of Oswald and this lawyer by the name of Lane in New York. He wants to come right into our councils here and sit with us, and attend all of our meetings and defend Oswald, and of course that can't be done. He wants to see everything we have got, and then in addition to that he wants, he offers to present her as a witness, and he says he has other witnesses, too.

Now the question is what are we going to do with him. He may insist that if she is going to testify she is going to testify in public or he won't let her testify, and I would hate to try to force anybody to testify in private, if he demanded to testify in public, and we may have to let her if she wanted to do that.

Sen. Russell. Certainly if a witness demanded the right to testify in public, I don't see how we could deny it.

The Chairman. I don't either, Senator. So we might get it from them for the purpose of getting publicity and stirring up some interest in her writing, don't you see. So it is only a circumstance like that that would impel me to do it.

Sen. Russell. That is the other Mrs. Oswald, that is the mother?

The Chairman. That is the mother.

Sen. Russell. How are we going to guarantee that we will turn over these personal effects to Mrs. Oswald?

The Chairman. I think we cannot do it.

Sen.. Russell. We haven't got them. They are not in our

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custody but in the custody of the FBI.

The Chairman. I think we should urge them not to do it, at least until this report has been made and then we have no jurisdiction.

We will adjourn and that will be all there is to it but while we are doing this, I think they should not turn over anything to her.

Sen. Russell. He doesn't ask for it until the termination of the investigation. But it would be my view that Mr. Rankin should answer him or you, whoever answers these letters, and just say this is a matter over which we have no control. This material is in the hands of the FBI.

Rep. Ford. Give it further consideration at the conclusion of the Commission's deliberations, on the return of the personal effects.

The Chairman. It may be, Senator, that there are some of these things that we would like to use as an exhibit for our report and would like to put in the Archives over here.

Sen. Russell. That is exactly what I had in mind. I think the more of these things that are kept in the public domain the better off we are.

The Chairman. Yes.

Sen. Russell. If they are in the public domain, there they are, there is the evidence you can see them, for example, denying this is the same gun, if you have that gun, the gun is in the
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35 public domain where any American citizen can see it why that answers itself.

The Chairman. I would never give them the gun.

Rep. Boggs. I would never think of giving it to them.

The Chairman. I will tell you what they might have in view.

How many articles are there, Lee?

Mr. Rankin. Four hundred.

The Chairman. It may be that they may want to go and start a little museum some place and charge people so much money to see them. If they had that gun that assassinated President Kennedy it would be something that would draw a certain type of mind to it, and I think we ought to be opposed to them turning anything over to them now.

Sen. Russell. I would just tell them that is a matter to be worked out at the termination of the investigation.

The Chairman. I think that is sound.

Rep. Boggs. I so move if you need a resolution.

Mr. Dulles. Isn't there a danger in this second paragraph of this. Can we accept anything confidentially. I don't believe this Commission should be receiving --

The Chairman. We will confidentially they mean so far as advising the public now.

Sen. Russell. This is her book she has written.

The Chairman. Yes.

Mr. Dulles. "All such writings, information, shall not at

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any time be released by the Commission for publication". I mean say we put that as an appendix to our report, something of that kind.

Rep. Boggs. This fellow writes a very tricky letter.

Mr. Dulles. It is a very tricky letter. Paragraph 2. "This writing is subject to examination of the Commission", etc., "that any additional matters arising out of this writing is equally confidential and that all such writings, information, shall not at any time be released by the Commission for publication".

Rep. Boggs. What were the handwritten works of Mrs. Oswald that were enclosed that he talks about?

Mr. Rankin. That is the only one.

Rep. Boggs. Handwritten works of Mrs. Oswald?

Mr. Rankin. That is her story in Russian.

Rep. Ford. We have received it.

The Chairman. We have received it. We have it already, and it is what she proposes to publish. But they gave it to us beforehand and are going to let us take her testimony before we publish it.

Sen. Russell. I think we could get all of it by evidence if we wanted to. It wouldn't be in the form of a narrative in the questioning of Mrs. Oswald but all the facts would be put on the record.

The Chairman. Lee, I am satisfied you can work that out with him.

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Rep. Boggs. As a matter of fact, he might be using this kind of device to make her writing seem more --

Mr. Rankin. Official.

Rep. Boggs. --official.

Sen. Russell. Of course, what he says here, we haven't released her testimony until after she sold her story.

In the first paragraph, "my further understanding with you that the testimony of Mrs. Oswald will not be released by the Commission until release of story or stories by whatever media purchases the same".

Rep. Ford. Could he use that as a means of preventing us releasing our report?

Sen. Russell. No, he says here, "may assure them a release of the story or stories by or on or before the 15th of February, 1964", on the preceding page. It is a very natural protection. He doesn't want us to release the story as a public document but she sells it.

Sen. Cooper. In the second paragraph on page first, we are all kind of kicking it around but he first talks about the writing which is given here.

Sen. Russell. First he is telling about her story she has written, her publication he hopes to have published. Then the other goes to her evidence. He doesn't want the evidence which will be predicated on her story to be released until after he sells the book and if he is willing to put February 15 as a deadline I

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see no objection to that and I can see the reason for it.

Sen. Cooper. I think it is obscure, there is another sentence in the second paragraph that is a little tricky. He first talks about the writing and then he says this writing is subject to examination by the Commission and clarification. If some points contained there are obscure and need to be enlarged upon, I suppose they could be by hearing.

Now the third one is that any additional matter arising out of this writing, which could be the testimony, is equally confidential, and all such writing and information shall not at any time be released by the Commission for publication.

Mr. Dulles. I don't think we ought to be bound to accept anything that we can't use in our report.

Rep. Boggs. Why should we make any agreement with this fellow at all?

Mr. McCloy. I don't see why we have to. He doesn't want to show us that story.

The Chairman. We have got it. We have had it for a week, they have been translating it.

Rep. Boggs. What does the story say?

Mr. Rankin. It is a pretty good story for a magazine. It doesn't add anything to what we know already.

Mr. McCloy. He said here --

Mr. Rankin. There is nothing new about it.

Mr. McCloy. "I have sent this to you and subject to the

conditions which have been agreed upon heretofore and which I now commit."

Rep. Boggs. What did you agree upon?

Mr. Rankin. We never agreed to that kind of business at all.

Mr. McCloy. We don't have anything in writing in repudiation of this. He is trying to make this --

Mr. Rankin. He wants to make the agreement now.

Mr. McCloy. So you have got to clear this up pretty clearly, I think. This is quite a dangerous letter.

The Chairman. Well, Lee, couldn't you write to him and thank him for the handwritten work of Mrs. Oswald and tell him that the Commission will hear her before the 15th on a date to be agreed upon, and that no release of any kind will be made by the Commission prior to that day.

Mr. McCloy. Prior to that date. These are the only conditions.

The Chairman. Period. Because there is nothing else that preceded this in writing.

Sen. Russell. Well, if I were representing her I would try to get an agreement that we wouldn't release that story until she gets a chance to sell it. I don't see anything improper about it.

The Chairman. However, suppose she could sell it before we got ready to write the report?

Sen. Russell. This doesn't purport to be her testimony.

This is her story. What is to keep her from selling it tomorrow.

The Chairman. Nothing.

Sen. Russell. If she is perfectly able to sell it, and can sell it, she can sell it tomorrow and we couldn't do anything about it. He is agreeing here to hold the thing after February 15.

The Chairman. I think he has done pretty decently by us.

Sen. Russell. I think he has. She has got the right to sell that story if she can.

The Chairman. If he brings her here and lets us examine her and he cooperates in that, I think he has treated us pretty good.

Sen. Cooper. But, of course, any information that we receive will appear in our regular evidence and report.

Sen. Russell. I had assumed that counsel would use this writing, whatever it is, in conjunction with all of the other examination of this woman to form the basis of his examination for the Commission so he would be informed as to what she knows and where she has apparently hidden something or has not made a full revelation. But this is a story that she has written and while I suppose we could issue a, have a subpoena duces tecum issued to bring it in here they have brought it in voluntarily and frankly it doesn't seem to me he is too unreasonable in his request as far as the story goes.

Now that other business there, I don't understand that. But

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not release the story prior to her having an opportunity to sell

it. There is nothing unreasonable about that.

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Rep. Boggs. Nothing at all.

Mr. McCloy. Suppose she has somethin in this that is very significant, if we keep this in its present posture we never can release it. It is agreed that the contents of this writing are given confidentially to the Commission and not in any way published or released by the Commission, that means you can't ever make it public.

Sen. Russell. That is right, but read the next sentence.

That this writing is subject to examination by the Commission and clarification if some points therein are obscure and need to be enlarged upon.

That is still all right. He means the story. He can't mean as to the evidence.

The Chairman. No.

Mr. McCloy. But he is talking about the contents of this writing.

The Chairman. Yes.

Mr. McCloy. We have those contents now, and when we take this thing no matter what is in there, no matter how relevant or significant this becomes, we can never publish it as any substantiation.

Mr. Dulles. Couldn't there be a general statement at the end of the letter state, that the Commission is not receiving any of this with the idea it cannot be used in connection with its final report and so forth and so on

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Mr. Rankin. I can say that. Now, let's look at his problem. If he has given it to us so we can publish, can he sell it to anybody else? I think that is what is bothering him.

The Chairman. Can he what?

Mr. Rankin. Could he sell this story to be published by anybody else.

Rep. Boggs. What he is trying to get us to agree that we won't publish this thing prior to the issuance of our report, I think that is probably a fair proposition.

The Chairman. I wouldn't object to that.

Rep. Boggs. But if he is trying to bring us into some other obtuse obligations then that is something else.

Sen. Russell. Who talked to this man, Mr. Rankin?

Mr. Rankin. I did.

Rep. Ford. Can't you call him and ask him what his true intent is and if he is doing the one thing which we all seem to agree is the proper one we won't have any trouble, and a sentence or two clarifying it would not be as objectionable so far as he is concerned but if he has got something else in mind I think you can detect it in the conversation you might have with him.

Mr. Rankin. The only thing I am bothered about is in the matter of law whether he has, once he has this property, which can be sold to a publisher, and he lets us have it with the right to publish at any time whether he still has the property to sell, I

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I think if we wrote him back and said that we would agree not to publish it until our -- the Commission's report was published that would give him plenty of leeway, and it still doesn't answer his question about whether he has already disposed of his property legally, but I don't think we can say that to him without cramping the Commission.

The Chairman. But, Lee, don't you think that this discussion is a little beside the point? Couldn't he copyright this material right away, and the fact that we use it in our report wouldn't give anybody else a right to publish it. You can't take a man's book that is copyrighted and take it into a lawsuit and introduce it as evidence and then put it in the record and now say it is in the public domain. Anybody can use it.

Mr. Rankin. Mr. Chief Justice, I think if he lets us have the document --

The Chairman. Yes.

Mr. Rankin. -- and there is any implication we have any right to publish at any time he may have gotten it in the public domain, that is what bothers me about the question.

Rep. Boggs. So far at least this is not copyrighted.

Mr. Rankin. No, it is not copyrighted and we have got it. So he is trying to protect himself as to whether he gets it into public domain by this kind of proviso and I thought we could say we won't do anything before our date of publication about publishing it. We won't say that we ever will publish it in such a

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communication, and we would still leave it open to him to say well, he hasn't done anything with it to release it into the public domain. But we don't give him what he asks for, which would close that door for him. Do you follow me?

The Chairman. I think you can work that out, don't you think he can?

Mr. Dulles. I think along these lines. You see if the time limit has already expired, can you extend it?

Mr. McCloy. We can't lock our hand about ever publishing this.

The Chairman. No, we can't.

Mr. McCloy. You can commit that you won't make your report before the 15th, the date that he is concerned about. I mean if he says, "You publish it tomorrow, I am out of luck," well, we don't contemplate publishing it within less than 30 days or within 30 days.

Mr. Rankin. Of course, I don't want to say when you are going to publish it. So, I think I would handle that by telephone. "I don't know when the Commission is going to publish but you don't need to worry about the immediate period."

Mr. McCloy. You can give him assurances on that.

Mr. Rankin. On that part.

Mr. McCloy. But you can't accept this thing with a complete prohibition against publishing ever.

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 to reserve that.

Mr. McCloy. Yes.

Mr. Rankin. This is in her own handwriting in Russian and I would think it would be a very important document for the Commission to have as a part of its basic papers.

Mr. McCloy. Yes. I suppose it has been photostated already?

Mr. Rankin. I am sure of that. The Secret Service is translating it.

Mr. McCloy. Because he may ask for it back again before it is translated.

Mr. Rankin. I am sure that is done.

Mr. McCloy. You had better check on it.

Mr. Rankin. I will.

Mr. McCloy. There are more ramifications in this case.

Mr. Chief Justice, I have to take a six o'clock plane because I have to escort Queen Frederika to a dinner tonight in New York and I haven't any Lese Majesty here.

(Discussion off the record.)

The Chairman. Would you mind skimming over any of these things that we will take up before you go?

Sen. Russell. Ruby's lawyers seem to have transcribed his jury argument right here.

(Laughter)

Mr. Dulles. What number are we on? M?

The Chairman. Jack was looking over it to see if it

anything he would like to discuss.

Mr. McCloy. We are perfectly clear.

Sen. Russell. He has done everything but submit a request to charge a jury.

Mr. McCloy. I don't see anything particularly there that I have anything. So, we will just go down and I will go when I feel I have to go.

The Chairman. Yes. Then we will go on to the next one.

The time of the hearing after February 1st, but before February 15, that is what he requests, and I think we ought to accommodate him on that and I think we ought to have her testimony as soon as we reasonably can.

I suggest if it is at all possible we have the hearing right in this room quietly, and as we speak of earlier in the meeting, have her brought here as quietly as possible.

I can be present at that time. Who else would like to be here at that time?

Rep. Boggs. What day would this be?

The Chairman. We haven't fixed a date.

Sen. Russell. Between the 1st and 15th of February.

Rep. Boggs. I would like to be present if possible.

Sen. Cooper. I would like to be, too.

The Chairman. All right.

Sen. Russell. I suggest, Mr. Chairman, that you notify all

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The Chairman. Oh, certainly, but just so we sort of know.

We will notify everybody.

Rep. Boggs. I can't be here either on the 5th or 6th.

Sen. Russell. I don't think I can be here either of those days.

The Chairman. All right. Staff members to conduct the interrogation. Which one would that be, would that be Adams? That would be Rankin.

Mr. Rankin. That would be me.

The Chairman. You are going to do that, yes, that is right.

Mr. McCloy. When do you think you will get the translation of that document?

Mr. Rankin. We have better than half of it already, and it is-- it doesn't add anything. It is just in a form that is really quite an interesting story but somebody has helped her, I am sure and it is more of a magazine article still than testimony, and I am sure --

Mr. McCloy. Nothing spectacular about it?

Mr. Rankin. No, nothing at all.

Mr. McCloy. I think this fellow Levine is trying to pep it up.

Mr. Rankin. I think they have a little more sec in and all those things in it.

Mr. Dulles. Is he in touch with her, closely in touch with her? Isaac Don Levine?

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Mr. McCloy. That is what I heard through Life Magazine and they were throwing in this note she was now saying, giving evidence she was going to put evidence in this thing that he was a Soviet agent.

Mr. Dulles. I can get him in and have a friendly talk. I have known him.

Senator Russell. That will blow the lid if she testifies to that.

The Chairman. All right.

Other matters regarding Mrs. Oswald, what response does the Commission wish to make regarding inquiries regarding access to Mrs. Oswald by ACLU and others?

The American Civil Liberties Union down at Dallas, did he write us a letter, Lee, or was that just a newspaper item?

Mr. Rankin. That was just a newspaper item.

The Chairman. In a newspaper item demanded to see Mrs. Oswald to see if she was being restrained unconstitutionally of her liberty and I thought -- her lawyers told the Union that she was not being restrained, but they wanted to see her personally, and I don't think we could have, afford to have, a great issue made of that, so when the time comes, I think we ought to try to make arrangements to let someone see her and talk to her and maybe we can do it at the time of her testimony here.

Mr. Dulles. Isn't Ernest Angell the head of ACLU?

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Mr. McCloy. Didn't the article say --

Sen. Russell. I don't think they have a right to invade her privacy if she doesn't want to talk to them. She has got her own lawyer.

The Chairman. She doesn't have to talk to them at all.

Sen. Russell. I don't know that we have her in our custody, why should we get into that, Mr. Chairman.

Mr. Rankin. We do have a little problem because the Secret Service came to us and said, "Shall we quit our surveillance over her?"

Sen. Russell. Oh, no, we can't do that.

Mr. Rankin. I said we can't do that because she would slip right across the border and be gone, and if it got down to that issue, I suppose they would say we told them to stay there, blame it on us.

Mr. McCloy. Is that something we have a responsibility to tell the ACLU about?

Mr. Rankin. No.

Mr. McCloy. She is represented by counsel, she is herself satisfied with this?

Mr. Rankin. Oh, yes.

Mr. McCloy. Katzenbach talked to her about it, told me he talked to her about it. She had no objection, she seemed to like the idea, as a matter of fact, because she was being protected.

Rep. Rogers. She knows they are at

Mr. McCloy. Oh, yes.

Mr. Rankin. I think her lawyers like the idea because it keeps the press away from her and she doesn't have to give a story out and she can sell it and that is quite clear.

The Chairman. Well, frankly, the only thing I had in mind was public relations. If it weren't for the Commission we wouldn't want them to get the story around we were sequestering this woman or preventing her from having her liberty, don't you know, and just so we can seat her here before the Commission because that is what fellows like Belli and like this fellow Lane, who is representing the mother, will do, and I just thought if we could wash it out some way it would be a simple thing to do, I am sure.

Rep. Boggs. Of course, the other side of the coin, as I see it, if this woman should slip out of the country, we would look like fools.

The Chairman. Wouldn't we, though.

Mr. Dulles. Couldn't we tell the Secret Service if they have a reputable fellow, ACLU, to go and see her, without going on record about it?

Mr. Rankin. It isn't quite so simple because the press is so unhappy about her being away from the press that she -- one of the Congressmen called me and asked me about his newspaper not being able to get a story from her.

So, they were using all kinds of devices.

By *Ray*
Archivist of the United States

Date *2/21/48*
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11 is the local Dallas branch down there and the papers are putting the heat on them.

Mr. Dulles. If we maintain the ban we are going to run into the trouble sooner or later.

The Chairman. If she comes up here with her lawyer and she says to us, "This man is my lawyer," who has the right to say she is being restrained. The more I think of it, Lee, the less I think we are under any obligation. If she shows any reticence when she comes here that is another thing.

Sen. Russell. I think it might be well whoever is accompanying here to tell her these people want to see her and ask her if she wants to see them and do it in the presence of her lawyer and he is going to tell her to say, "No" and he doesn't want anybody to talk to her until the story is sold and in the Commission you can say the question was asked on the recommendation of her lawyers if she wanted to see the Civil Liberties Union and she said she had no necessity at all.

The Chairman. I think that is right, Lee, we will let it ride until she comes here.

We have talked over already the problem the return of the personal property and have agreed that should not be done.

Next is Item L, disclosure of investigative material to District Attorney Wade and attorneys for Ruby.

Now, we have requests from both, the District Attorney requested and Ruby's lawyers demanded that we give them something

12 have. They want to come in here and see everything we have, make copies of everything that they are interested in, and so forth. And as the Senator just remarked they wrote a jury argument to support it. It is about ten pages long. I think we have to take a firm stand on the thing.

Sen. Russell. The FBI and Secret Service if they can litigate it out of them let them have it.

The Chairman. The trouble is we are in a little bind there, Senator, because the FBI has written to these people and has said, "Now, we are perfectly willing for you to have anything that the Commission says you might have."

I have got -- have you got those letters, Lee?

Mr. Rankin. That is on the bottom.

Sen. Russell. That is what you might expect, they are passing the buck.

Mr. Rankin. They are right ahead of 12 on your tab.

The Chairman. Right ahead of 12.

Mr. Rankin. Yes.

The Chairman. Oh, yes.

Well, we have quite a bit of correspondence preceding it but here is what I thought I would write to their lawyers. It is a suggested draft, "Dear Mr. So and So: I have your letter of January 9 requesting 'the report minutes and all evidence of the Commission created by executive order 11130, dated November 29,

By *M. J. G.*
Date *12/1/68*
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By *M. J. G.*
Archivist of the United States

assailant, Lee Oswald,' and stating your reasons for desiring the same.

"This is to advise you that the President's Commission is not a prosecuting agency, and up to the present time has before it for consideration the evaluation and eventually a report to the President. Only summaries and copies of working papers of Federal, State and local government agencies. These documents for lack of time have not been evaluated and no conclusions have been reached concerning them. The originals are in the agencies from which they were received and any relationship between them and the case of your client must be established with those agencies. The Commission in no way changes or limits the powers and responsibilities of any law enforcement agency in performing its duties incident to the prosecution or defense of criminal cases.

"After discussion of your request with the Commission I am authorized to advise you that it is not within the province of the Commission to respond favorably to your request."

Sen. Russell. I think that is a good letter and I move we approve it as well as the next one.

Rep. Ford. Support.

The Chairman. All in favor say aye.

The next one goes to Mr. Hoover, and he has put us in a bind on the thing, and I thought this would be the appropriate letter.

"Dear Mr. Hoover: I have your letters of January 10, 14, 1964."

By King
Date 7/21/68
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Archives of the House of Representatives

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15 concerning the request of District Attorney Wade of Dallas County, Texas, and Mr. John Tonahill and his associates in the defense of Jack L. Ruby for release to them for their respective uses of information concerning the assassination of President Kennedy and the subsequent killing of Lee H. Oswald, his alleged assassin.

"The same request has been made to the Commission through me by Mr. Tonahill. For your information, I am enclosing a copy of my letter to him. The Commission, of course, is not a prosecuting agency. It is not the custodian of any originals--"

Mr. McCloy. I agree with this.

The Chairman. All right, Jack, goodbye, have a good trip.

"-- the copies of documents in its possession have come to it through the cooperation of various Federal, State and local agencies as authorized by executive order 11130. It considers itself only as a trustee of this information for the specific purposes enumerated in that executive order by the President.

While the work of the Commission would be greatly handicapped if the information contained in the summaries of work reports submitted to it by the agencies should become common knowledge before its work is completed, it does not have the authority nor the desire to limit the normal powers or responsibilities of any agency of government, Federal, State or local, in relation to the prosecution or defense of any criminal case.

By *LAH*
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By order of
Archivist, Federal States

and the other Federal agencies that it will not respond favorably to such requests and that it will not urge you or them to make any deviation from your own judgment of what is required of your agency by law."

Rep. Ford. Very good letter.

Sen. Russell. I move that it be adopted.

The Chairman. I didn't want to argue with him, but just tell him.

Sen. Russell. He just got the buck back right on his desk.

Rep. Ford. Do you want a motion?

Sen. Russell. I already made a motion on both of them, I read both of them.

The Chairman. All in favor say aye.

All right.

Now, we have a similar request from Mark Lane, the lawyer in New York, who says he represents Mrs. Lee Harvey Oswald before the Commission, and I suggest that we give him the same kind of an answer.

Rep. Boggs. I so move.

Rep. Ford. Support.

Mr. Dulles. Do we have the draft here?

Mr. Rankin. Yes.

Sen. Russell. I just read it.

Sen. Cooper. I might suggest he says that Marina is being held

in the secret nature of law.

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to represent her?

Mr. Rankin. Marina has an affidavit.

Sen. Russell. He doesn't claim to represent the wife. He represents the mother. He has got an affidavit here signed by her. He is the one who went down there soliciting the business in Texas.

Sen. Cooper. Representing the interests of Lee Harvey Oswald. Where does he get the authority to represent him?

Mr. Rankin. Only by this affidavit.

Sen. Cooper. Only the wife.

Mr. Rankin. The wife.

Sen. Russell. If there were any right it would be in the wife and not the mother.

The Chairman. Lee, would you take up the next one, the study of security precautions? The first letter to Secret Service already sent requesting recommendations and copies of studies and so forth.

Mr. Rankin. They are in the process of revising their procedures in regard to protecting the President, and we have asked them for that material from the Secret Service.

Now, we were asking the Commission now whether we should ask for similar information from the other agencies because we have the problem that is involved in this whole thing of pooling information that comes to the attention of one intelligence agency.

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By Authority of
Archivist of United States
BY *PAK*
Date *2/1/68* Case

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communicated to the Secret Service so they could put it into their special place, their research place that they could have and which they check out when they go from one place to another.

Now, apparently there is the considerable problem about that information being brought to the attention of various agencies that would have an interest in it, and the question of where it can be pooled. There is on the other side of the coin the question of whether or not the other agency is entitled, has sufficient security or its people are safe enough to give this confidential information to, which some of the agencies say, "Well, we couldn't give any information of some of our activities because our people would be killed immediately if that agency got the information."

Of course, each one claims that it is the secure agency and the other one can't be trusted with anything.

Mr. Dulles. I heard that before.

Mr. Rankin. So we think for you to evaluate this whole thing first, you have the problem of what was done at the time in regard to protecting the President. We have the problem of what they are doing with relation, what they did with relation, to their own standards and so forth at the time, and there is a considerable problem in that area.

Then it is what they are trying to do now to improve their procedures, and what might be done by this Commission in suggesting action that could improve the whole set up. There isn't any ques-

18 government for accumulating all kinds of information. But whether it gets the place that it should for the most effective means is one of the things I think this Commission is going to desire to say something about. At least we want to present it to you for your attention and see what you want to do about it.

Rep. Ford. The immediate problem then is whether we are going to ask them to tell us, one, what they did prior to, and now what they are anticipating they will do in the future.

Mr. Rankin. That is right.

Rep. Boggs. Have we gotten a report from the Secret Service, the members of the Commission?

Mr. Rankin. Yes, we circulated that quite a while ago.

Rep. Boggs. I never did get one.

Mr. Dulles. I haven't seen anything from the Texas police, thought.

Sen. Russell. I saw the Secret Service.

Rep. Boggs. I didn't see it.

Sen. Russell. I don't see the Texas police.

Rep. Boggs. Somebody told me they came around when I was out of town and I had not seen it.

Rep. Ford. I got the additional FBI ones and the State Department, but I don't -- I am almost certain --

Mr. Dulles. Here, I will give you my copy if there is any problem about it.

By *R. M. J.*
Archival Release Office

Date *2/21/68* Case

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Rep. Boggs. I didn't get one of those.

The Chairman. You did not get a Secret Service one?

Rep. Ford. I don't have that.

Rep. Boggs. I am most anxious to read it.

The Chairman. You take yours. We will get you a copy.

Rep. Boggs. You keep yours.

Mr. Rankin. They are supposed to have gone out.

Rep. Boggs. Apparently it went to my home and they wouldn't leave it there.

Sen. Russell. It is hand delivered.

Rep. Boggs. So I would appreciate it if it were delivered to my Congressional office.

Mr. Rankin. I am surprised they didn't let us know they didn't deliver it?

The Chairman. All right.

Lee, the next item is --

Sen. Russell. I don't know whether formal action was taken on that. But I think it is all right.

Mr. Dulles. We can get a consensus anyway that it is all right and we will go ahead.

The Chairman. I think so.

Mr. Rankin. The only thing left is what you tell the press, I guess.

The Chairman. No, there is one thing before that. I skipped the question about...

meetings. Do we want regular meetings or do you want them called by the Chair.

Sen. Russell. I don't know as to how you are going to arrange a day that would be agreeable to everybody. It just so happens the Senate was not in session today so Senator Cooper and I had a field day except a great deal of work I had intended to do in my office will have to go over but I still think that the only way we can proceed is on the call of the Chairman, and those of us who can get there will be there, and I think you will always have a quorum. There will be times when some of us will not be able to attend but I see no other way to run it.

Rep. Boggs. I agree.

Mr. Dulles. There is no easy way of fixing the next meeting, is there, and not fixing a lot of meetings ahead.

Rep. Boggs. Didn't we pretty much determine on when Mrs. Oswald --

Sen. Russell. Yes, I understood she was going to come here the 4th or 5th of February.

Rep. Ford. The first week in February.

Sen. Cooper. I would like to ask if it was possible for us to come together to have an interim report from counsel and the staff about your judgment about the investigation and so forth.

Mr. Dulles. I think that would be useful in helping us out in our reading.

Sen. Russell. I would also like to meet these counsel, your assistants, as many of them as are here. I won't be able to do it right now because unfortunately I have people who have been sitting in my office since 4:30.

Mr. Dulles. Mr. Chairman, I would be happy to give a dinner for these people at the Alibi Club.

The Chairman. No, I think it would be better for us to do our work here.

Rep. Boggs. I wouldn't do it.

Mr. Dulles. I wasn't thinking of work.

The Chairman. For the present anyway to do it right here, to start it off on a business basis.

Mr. Rankin. The next meeting that we will try to have next week we will have the staff come in and meet you the first thing and then you can see the kind of people they are.

The Chairman. Lee, you work it out with the members here as to when you can, when they can have it. I will be available any day next week.

Sen. Cooper. And have a little report on the way the inquiry is directed would be helpful.

The Chairman. Is it all right for you to have them at two o'clock the way we have been having them?

Rep. Boggs. Well, as long as we don't have a heavy program on the floor it is all right with me. I happen to be the majority whip over there.