

PRESIDENTIAL COMMISSION
TO INVESTIGATE THE ASSASSINATION
OF PRESIDENT KENNEDY

6 December 1963
National Archives
Washington, D. C.

Reported and Transcribed by
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Reporter
Office of the United States Attorney
Washington, D. C.

PRESENT:

Chief Justice Earl Warren - Chairman

Senator Richard B. Russell

Senator John Sherman Cooper

Representative Hale Boggs

Representative Gerald R. Ford

Mr. Allen W. Dulles

Mr. John J. McCloy

PLACE:

Conference Room
National Archives
Washington, D.C.

TIME:

Approximately 3:00 PM to 4:15 PM, 6 Dec 1963

CHAIRMAN: The meeting is open.

REP. BOGGS: I think we should discuss this resolution on subpoena powers. He spent the day working on it and he drafted a resolution. I told him at the outset what I thought would be the position of the Commission, and so when I met with him late on yesterday afternoon he had included in the draft of the resolution, which I have here, immunity powers, and I told him that we would have to agree on that.

CHAIRMAN: On what powers?

REP. BOGGS: Immunity powers. It was therefore suggested that I come back to the Commission and say to all of you that this power was included in the Pearl Harbor resolution. It was his feeling, after studying the Presidential Proclamation very closely, that it was almost essential that we have those powers at this time. He put it this way. He said if we provide for the subpoena power and the power to administer oaths and not provide for the power of immunity and if, in the course of our work, we discovered that maybe one, two or three men might conceivably be the key to this whole thing and immunity became an issue, we would, therefore, be required to return to the Congress and ask specifically for immunity, and that this request might stand out most conspicuously and might even be the subject of debate in Congress. So it was his thought that while we were asking for the powers we should ask for that one.

CHAIRMAN: Any observations concerning that? Senator, what do you think?

SEN. RUSSELL: I don't think it is too important one way or another, Mr. Chief Justice. I rather think that taking every

precaution it might be well to put it in there. I simply feel that we would not be compelled to ever have any witnesses come before the Commission, but if we are going as far as the subpoena power and the administration of oaths I don't know any reason why we should not also include that power.

CHAIRMAN: Senator Cooper, do you feel that way?

SEN. COOPER: I hope we never have to use any of those but I think like Congressman Boggs. In the conversation he suggested that you perhaps have to arm yourself with that power so that we have the ability to do whatever is required to do. It might help, in a way, but you might never have to use it, and you have the power.

SEN. RUSSELL: If you have to go back to ask for it, questions could be raised that would cause you to open up what we hope to get, and all of that, and I think it is perhaps better just to take time and get it all now, although it is not going to make one bit of difference.

CHAIRMAN: Do you agree?

MR. MC CLOY: Yes.

CHAIRMAN: Congressman Ford?

REP. FORD: Yes.

CHAIRMAN: Mr. Dulles?

MR. DULLES: Yes.

CHAIRMAN: Congressman, would you go through with that with our approval?

REP. BOGGS: Yes.

MR. DULLES: Could I say something?

CHAIRMAN: You may.

MR. DULLES: I'll have to leave in about ten minutes.

You mentioned the other day that we would probably want to receive from the State Department and the FBI, at some time appropriate, their reports in regard to the effect of the sad incident abroad, the attitude taken in various countries. I was in touch with the CIA, which runs what you may call the Foreign Broadcasting Information Service, which means we intercept on a world-wide basis all the radio messages that are sent out, which include, in the case of the Soviet Union, a great deal that is published. They have collected on their own, before I spoke to them, quite a little on this, which is summarized in this pamphlet. Now, while some of these are marked Confidential and some are For Official Use Only, there is very little that is confidential, really. The only confidential thing is that we pick these messages up and do intercept them personally, but it is not advertised that this is a CIA operation. I have copies of the summary, which I can distribute to each member.

CHAIRMAN: That's very good.

MR. DULLES: If you don't want to keep them you can destroy them.

CHAIRMAN: You might leave them for staff, they'll need them.

MR. DULLES: And destroy them when you are through, or keep them, whatever you want to do with it.

CHAIRMAN: Yes. Before Allen goes away, I think we ought to discuss the question of the counsel because we had our meeting at eight-thirty this morning and we discussed Mr. [] Mr. McCloy and Mr. Dulles and Congressman Ford all had some reservations about whether he was the great ability to do this job. I'm sure that discretion is used here, but I told them I would not want to have anyone here that would not have the full confidence

of the Commission. So as far as I'm concerned the question of Mr. [] for counsel before the Commission is closed. Now, we got to talking about others. Suppose Jack, you and Allen carry it on from there.

MR. MC CLOY: The primary efforts that I made was to check up on this [], which I won't say anything more about. But in the course of that I had the opportunity to check up on some other people as substitutes. Though a long number of names did crop up in the discussion the inadequacies were there, so that we can't come forth to you this afternoon and say, here's the man we think you ought to take. We thought we ought to report to you the status of our thinking on it as a subcommittee.

A number of so-called big-name lawyers have been in our minds, not only in New York but around the country, the South, and Midwest, and far west. We have not centered on any one person but there are some who seem to measure up.

One of the things I ought to say was the general sort of feeling that some of us had, that perhaps rather than seeking some so-called big-name lawyer we might try to look for somebody in his forties, who was vigorous, strong, brilliant, energetic, who perhaps had not at this point made a great name for himself as a leader at the bar but who would have been enough of a name to be a competent man, because this would take a good deal of effort and considerable strain. In the course of our investigation in regard to Mr. [] we several times ran up against that idea and also the name of an older man, but still a man in full vigor, and that was Lee Rankin.

They were all rather casual reports that we got but Lee Rankin seems to be a man of high character, high integrity. He's been Solicitor General for the United States. He's practicing law in New York but it is not one of the so-called names of New York,

one of the big firms in New York. I don't think that it is any particular impediment. And we thought we would take a look at him and I think we ought to run checks on him as well, but I think the Chief Justice has the feeling that he was a man well within the scope of our general demands for persons who would do the arduous work of this Commission. This doesn't mean that we're recommending him above all others, but we have felt that probably it would be well to take this view in regard to Lee Rankin, as well as perhaps some others, but realizing the importance of getting started we have the thought that we ought to concentrate on him.

Another man that was mentioned, I don't know whether any of you gentlemen know, some of you do, I know, who practices here in Washington, a youngish man, his name is [redacted]. I don't happen to know him although I know something about his background, as his name was cropping up as a young, forty year old type of lawyer who seems to be very brilliant and who has had a very fine legal education. He was for a while in New York practice but came down here to Washington and is well thought of in the legal areas.

This doesn't, I say, exclude the possibility of your looking at some other people, but we are not, in short, able to present to you this afternoon a definitive, well-documented recommendation for the lawyer because most of our time was spent, between the last meeting and this meeting, in checking up. I doubt if there are any further questions in regard to Mr. [redacted]. If anybody has any I guess I could give you some of the details that we have gotten in this connection. But I do want to accent what the Chief Justice has said, that there wasn't the slightest suggestion this man was not of the highest character and discretion, there were no other elements in there that we felt wouldn't fit to comport

too well with the particular type of investigation we're facing.
Is that about it?

CHAIRMAN: That was about the discussion. I want to say about Lee Rankin, he was in the Government throughout the Eisenhower administration. For four years, I think, he was the counsel who advises the White House. I have forgotten what the title of the job is. And then the last four years he was Solicitor General and we saw a great deal of him over in the Supreme Court because he argued all the top ones himself, the communist cases, he argued the segregation cases, the Dixon-Yates case, and anything that was hotter than the others he would take it on as his responsibility. He is a splendid man in every respect. I don't know of anyone who is better thought of around here than Lee Rankin. I think he's a man about fifty I would judge, fifty-two or maybe fifty-three, no more than that. Comes from Nebraska.

REP. BOGGS: Born on 3 July 1907.

CHAIRMAN: Fifty-six years old.

MR. MC CLOY: Do you know him?

SEN. RUSSELL: I just know him. When he was Solicitor General I came to meet him. I know very little about him. I understand he is a very competent man.

CHAIRMAN: He's a sound lawyer. He's a human being. He would cooperate, I am sure, with every man on the Commission. Of all the names that I have I would think that he would be the best of all of them.

MR. DULLES: I have to run. Do you mind if I run? Excuse me, I have to catch my plane, Mr. Chief Justice. I have checked very carefully on Mr. Rankin and I give you my proxy to go ahead, to go with him before we have another meeting. There are one or two other names, if Mr. Rankin's name does not come to the top

among all of you. I would like to have another look at [REDACTED]

[REDACTED] a little older than the age limit that has been suggested.

CHAIRMAN: Little older than forty, he's seventy-four about.

MR. DULLES: He's about that exactly, but he's a vigorous seventy-four. I just checked on him recently as far as his health was concerned. [REDACTED] I have had very, very well described to me. I don't know him personally. There is a man in the younger bracket named [REDACTED], who came down with [REDACTED] and made a great impression here, who is a lawyer. Whether he's available or not I don't know. He's in Government now and is working with the AID.

MR. MC CLOY: He's in the War Department. [REDACTED]

MR. DULLES: He's been highly recommended. I'm very apologetic, Mr. Chairman. I won't do this again. It just happens I have this commitment.

CHAIRMAN: But Allen, you say if they want to go ahead with Rankin --

MR. DULLES: -- I give you my full power of attorney to act.

CHAIRMAN: Thank you, Allen, sorry we delayed you.

MR. DULLES: If I go out I hope you would allow me to say that I have been dismissed from the Committee.

CHAIRMAN: Yes. Thank you.

SEN. RUSSELL: Have a safe trip.

(At this point, approximately 3:30 PM, Mr. Dulles left the conference room.)

REP. BOGGS: I would like to mention a name for General Counsel, who is one of the most brilliant men I have known. His name is [REDACTED]. His background, of course, is in the tax field, but from the standpoint of thoroughness he's the most

thorough man I have met in my life in the realm of the complex area of taxes. He is a thoroughly analytical man. He has never had a fear in twenty years.

REP. FORD: I don't know him that intimately but I know him as a fine person.

REP. BOGGS: Another fine man that I know, but because of politics it may not be good, and that is [redacted] brother, his name is [redacted]. He's a New York boy. Now, of course, [redacted] is so active in the political arena that I would not think it would be wise for us to consider it. I throw that name out. Mr. [redacted] has no idea that I'm doing this but he does fit into that category.

MR. MC CLOY: The youngish category?

REP. BOGGS: About forty-eight, forty-nine, fifty.

CHAIRMAN: He's with the Government now, [redacted]?

REP. BOGGS: [redacted] was a Government man, not [redacted], yes.

MR. MC CLOY: Do you know this fellow [redacted]?

REP. BOGGS: Yes. I think a great deal of him.

MR. MC CLOY: Do you know him, John?

SEN. COOPER: No.

MR. MC CLOY: He's with a fellow named [redacted].

[redacted] and [redacted] I think it's called. I know [redacted] very well but I don't know this man. Do you know him, Judge?

CHAIRMAN: No, I don't. Never heard of him.

REP. BOGGS: In the case of each one of these people though you should do a little checking.

MR. MC CLOY: I think this is right and I think everyone knows Lee Rankin. There is no question about that. I wonder. This question occurs to me, Mr. Chief Justice. Do you think we ought to have any contact with the Department of Justice in connection with this choice. The thing that makes me want to get their slant

✓ on it is because of my experience with Mr. [REDACTED]. I wouldn't say that they have the ultimate checks in any sense, but I'd like to sort of see what they feel about the association with the Department and the FBI. It's clear that we're going to have a lot to do with the FBI.

REP. BOGGS: In that connection, I don't mean to interrupt you, here's another story, the most outrageous leak I have ever seen. I don't know if you've read that, Mr. Chief Justice. It gets right in the same category of that story we talked about before.

MR. MC CLOY: Where is that coming from?

SEN. RUSSELL: The FBI.

REP. BOGGS: It almost has to come from the FBI.

MR. MC CLOY: It's outrageous.

CHAIRMAN: I think it would be a great mistake for us to either feel ourselves, or to give the impression to the public, that we sought the assistance of the FBI or the Department of Justice in picking our counsel.

SEN. RUSSELL: I subscribe wholeheartedly with that. We have to have a man who can deal on an equal with them.

REP. BOGGS: I subscribe to that totally.

SEN. COOPER: We're going to look into the names that have been suggested but offhand it seems to me that everything about Mr. Rankin sounds all right with me. He's a man that has already achieved distinction and prestige and that's something, for the way we look at it and the public looks at it we don't have to prove anything. I'm sure there will be other places where we'll be using other lawyers, younger men, who can come in and do this kind of work.

CHAIRMAN: Oh, yes.

SEN. COOPER: But I don't know him. I've never met him.

CHAIRMAN: Well, we're not going to get, I suppose, perfection any place, and if we get a maximum amount of integrity and a large measure of ability and a thorough amount of discretion I think we'll be doing about as well as we can do, and I would say, with regard to Lee Rankin, that he would combine every one of those, and furthermore he knows his way around here.

Now, I would be very much afraid to take a young fellow who had never been connected with the Government, give him the problem, not only of organizing this thing but of finding his way around in the Government establishment. I'd be very much afraid to do it unless it was a job where he's going to be for some years. You don't learn it that quickly, and the fellow who does know the workings of the Government, but who is independent of it, would be so much more useful than some other person.

I, myself, think Rankin would be an excellent man, and I know that it would be easy for him to find young lawyers, find energetic older lawyers, who would work with him, and he's the kind of fellow who would work with them.

MR. MC CLOY: I understand he's a very personable fellow.

CHAIRMAN: Yes, he is. He is a very personable fellow and he's not political in any sense. I doubt if he ever was in politics before he went in as a lawyer in the administration. He might have had a little background in Nebraska. If he did I never heard of it.

SEN. RUSSELL: He would not be attempting in any way to accept it for a while.

CHAIRMAN: On the contrary.

SEN. RUSSELL: You have to watch for it.

CHAIRMAN: On the contrary, he's a self-effacing a man as you would be able to find for that job and in no sense would he be out in front of the public. I would vouch for that.

MR. MC CLOY: Now, I suppose that, what with our jobs on the subcommittee, we'll maybe run some checks on him, but the general thought is this is about where we're headed, and I'll communicate with you, if I can, over the week end.

CHAIRMAN: Yes.

MR. MC CLOY: I'm going to leave on Sunday for London for a day. It's a queer business but we know this happens. I have to go over to make a speech in London and come back the same day. It's crazy.

REP. BOGGS: That it is.

MR. MC CLOY: It's not of my will. They want me to go over and talk to them and I can't cancel out. But between now and the time I leave, if I can get your telephone number?

CHAIRMAN: Yes.

MR. MC CLOY: And, if I can get yours?

REP. FORD: Mine's in the phone book.

MR. MC CLOY: The other problem is, what are we going to tell these people out here?

CHAIRMAN: We'll just tell them organizational work.

MR. MC CLOY: Work on the staff meeting?

CHAIRMAN: Of course.

MR. MC CLOY: Do you figure on this coming up (indicating newspaper)?

SEN. RUSSELL: I don't think we should comment on that.

MR. MC CLOY: Do we have any other information about the report?

CHAIRMAN: No, except that the Deputy Attorney General told me he expected to get the report sometime today. (CD-11)

MR. MC CLOY: Let me ask this, Mr. Chief Justice, have you communicated with the CIA?

CHAIRMAN: No, I have not, for the simple reason that I have never been informed that the CIA had any knowledge about this.

MR. MC CLOY: They have.

CHAIRMAN: I'm sure they have, but I did not want to put the CIA into this thing unless they put themselves in.

MR. MC CLOY: Don't we have to ask them if we're on notice that they have?

CHAIRMAN: We have to do it with all of them.

SEN. RUSSELL: We have to do it.

CHAIRMAN: We have not done it with any of them yet because we have not been in that position. Of course we do. I think we have to ask them. We have to ask the Secret Service. We have to ask the FBI.

SEN. RUSSELL: State Department may have something.

CHAIRMAN: Yes, the State Department. And I think we ought to ask the White House direct if they have anything further that they might like to have us consider in connection with this.

SEN. RUSSELL: I raise one question: Would it be appropriate for us to seek to get such information as the Dallas police, Texas State Police, have or should we get that from the FBI?

CHAIRMAN: I have a letter here --

MR. MC CLOY: -- Did you bring my letter with you, Mr. Chief Justice? You said you had a special delivery letter for me.

CHAIRMAN: I've forgotten it. I'll send it to your hotel, John.

MR. MC CLOY: I'm going to leave on the five o'clock plane.

CHAIRMAN: I'll send my driver when I get back and have him get it to you. You asked about whether we should communicate with the Dallas police or the State authorities. As I told you yesterday, or as the Deputy Attorney General told you yesterday, he would see that a letter was forthcoming from the Attorney General of Texas concerning a modus vivendi for his Court of Inquiry and our own. I received yesterday afternoon a 4-page, single spaced letter from him stating the importance of this Inquiry and how it would develop the facts, and so forth, but this is the only part of it that is better than just building a case for themselves. It looked to me like this might be for publication, this first paragraph, and then I'll leave it with you to see. It's the only thing that really applies. And they say:

In view of the fact that the special Commission appointed by the President to report on all of the facts and circumstances relating to the assassination of the late President Kennedy is meeting today, it may be helpful to you and other members of the Commission to explain the nature of the Texas Court of Inquiry, to which the President's statement, the appointing of the Commission, specifically referred. While we feel a special responsibility to develop the facts, we are anxious to do everything in our power to facilitate the work of the Commission and give effect to the President's desire that it be the only body to report conclusions.

Now, that's the only thing that bears on that subject. Everything else shows the importance of their Court and what they're going

to do, and so forth, and it makes no offer to do anything else other than to have their Court of Inquiry.

So I called Katzenbach and told him that this was not exactly what we had expected. We had expected a little more than this from them. And he said, well, would you mind if I tried my hand at writing a letter that would bring this thing out into the open? And I said, no, that's all right, you go ahead and try it.

He did prepare such a letter and he came to my house last night and gave it to me. At the same time he said, now, this letter will not be as clear-cut as you might like it but I have the definite word from these people that if you'll hold out the olive branch to them that they'll not have their Court of Inquiry. So I said, we'll be glad to cooperate with them as long as they feel that way. So this is the letter that he prepared. He says:

Dear General Carr: The President's Commission has asked me - this is supposed to be signed by me - to respond to your full and courteous letter of December 5th - in which he described the proposed workings of the Texas Court of Inquiry.

The Commission greatly appreciates your desire to facilitate this work and to help to insure that an accurate and responsible report, with respect to all of the relevant facts, be made to the President. All of the members of the Commission are aware of the deep interest in Texas of the tragic event which occurred there, and with respect to which all of us are exercising the responsibilities laid upon us.

We share your view that it is desirable to have State officials do everything possible to uncover all of the facts and are appreciative of the availability of their facts to the Commission. As you know, at this time the Commission is organizing its procedures and we do not yet have available

the confidential report of the FBI and of other investigative agencies, both Federal and State. While we expect to receive this material soon, it will take time to analyze it thoroughly, and I am sure you will agree that there may remain matters which will require further investigation before we feel that we're in possession of all the relative data upon which to make evaluation and judgment.

We are most anxious, and I am sure you are too, to take no steps which would impede investigation or which could lead the public to restate conclusions based upon partial factual information. In addition, as you point out in your letter, the Commission, as well as the Texas Court of Inquiry, must be extremely careful not to prejudice in any way the trial in Texas of Jack Ruby.

The President's Commission would not wish to interfere in any way with you, or other State authorities, in the conduct of the matters which are your responsibilities and in which, as you point out, the State of Texas has a proper and important interest. At the same time, it is the view of the Commission, for the reasons stated above, that a public inquiry in Texas at this time might be more harmful than helpful in our search for the truth. Recognizing for the time being that this Inquiry is your responsibility and your decision, we cannot refrain from the suggestion that you consider the wisdom of postponement of this Court.

It would be the Commission's desire that you and your Special Counsel, or either of you, participate in the Commission's work and to counsel with it, it being the Commission's wish that as the representative of the State of Texas you be fully advised of the progress that is made in

the course of the Commission's investigation and to advance such suggestions as you consider helpful with the accomplishment of the Commission's assignment.

It may develop that the Commission would deem it advisable the testimony of certain witnesses residing in Texas should be taken before a Texas Court of Inquiry, and in that event we would expect to call on you to render this additional assistance.

Let me assure you it is the desire of the Commission to work most closely with you and it is our conviction that with a spirit of close cooperation we can responsibly meet our individual obligations. The Commission would be glad to discuss further with you, as our Inquiry proceeds, the ways in which we can best work together for this goal. Sincerely yours.

Now, he said that if that kind of a letter is written to them he has their solemn word that they'll not hold this Court of Inquiry while we're engaged in our work.

REP. FORD: That was a good letter, but there are one or two sentences there, where he says something about working with us.

CHAIRMAN: I know the sentence.

REP. FORD: That's a little strong.

CHAIRMAN: He had a little more in it than that that I had him take out. It originally came this way: It would be the Commission's desire that you and your Special Counsel, or either of you, participate in the Commission's work and its sessions and to assist it in counsel with it. So I said, now, we just couldn't do that. So I said, would you take out the words, and its sessions, and the words, to assist, and he said that he would do that. He thought that wouldn't affect the outcome of the situation, but

that's the sentence that bothered me as soon as I saw it, and I knew it would, too.

MR. MC CLOY: He would probably say, give them the FBI report.

CHAIRMAN: I've told him all along that they'll be entitled to the FBI report when we finish with it because it will be made public anyway. But not before. I think that we have to show a spirit of cooperation with these people and still, at the same time, not reveal everything we have got or anything about our innermost secrets. We don't have to do that to cooperate with these people.

REP. BOGGS: I should say not.

CHAIRMAN: I've cooperated with the Federal Government in a thousand things when I was in State government and we didn't tell everything. Neither of us did tell all we knew and we cooperated, too, in good fashion.

MR. MC CLOY: I think, generally speaking, it's a good letter.

SEN. RUSSELL: I don't know how he would construe that one sentence but I think we have a right to construe it too. I think we have a right to place our construction on it too.

REP. BOGGS: I think it's an excellent letter.

SEN. COOPER: We surely wouldn't commit ourselves. They'll be sitting in here all the time and getting all the evidence we have.

REP. BOGGS: I have to catch a plane.

CHAIRMAN: Well, now, gentlemen, do you think this is all right? Congressman?

REP. BOGGS: Yes, sir.

SEN. COOPER: Do you think we ought to add another line, suggesting that they should postpone, the effect of this is to get them to postpone their Inquiry? In there we are saying to them they should not have an Inquiry right now.

SEN. RUSSELL: I don't think we're too clear about that.

MR. MC CLOY: I think they have to volunteer. It's a little backward for us to ask them to postpone it.

SEN. COOPER: I was wondering if this isn't, in effect, a request on them to postpone.

REP. BOGGS: I suppose it is.

SEN. RUSSELL: That's what it is.

SEN. COOPER: I know that was the purpose of the letter, but the language there, we understand that's the purpose of the letter.

REP. FORD: I would move that the Commission approve sending them the letter, sir.

REP. BOGGS: I second the motion.

CHAIRMAN: Any further discussion?

SEN. RUSSELL: I think not.

CHAIRMAN: All in favor say "Aye"?

(Chorus of "Ayes".)

CHAIRMAN: Contrary minded?

(No response.)

CHAIRMAN: The "Ayes" have it. We've got to get organized here one of these days. How do you feel about Rankin? You know I did not propose him. His name came up with these others but he's a man that I know I can deal with, and I have no idea whether he'll take it, but I think we can waste a week or two on it and find he can't do it, and if he's going to do it I would like to ask him.

REP. BOGGS: I assume you're going to make an inquiry?

MR. MC CLOY: Yes.

REP. BOGGS: As far as I'm concerned I have no reason that it would not be a wise selection, but I would like to check it out.

CHAIRMAN: No objection to that.

REP. BOGGS: Can I call you tomorrow?

SEN. RUSSELL: I think that's fine if Mr. McCloy makes his investigation there and communicates with the Chief Justice about it, and the Chief Justice can invite him down here. I would like to talk with the gentleman a few minutes myself, but I certainly have no objection to him, and from what you say he must be a good man.

CHAIRMAN: Well, some of these people might not want to come down as a candidate for a job.

SEN. RUSSELL: That's true.

CHAIRMAN: That might be a little difficult, Senator.

MR. MC CLOY: My phone number is Rhinelander 4-1515 in New York.

REP. BOGGS: That's RH 4-1515.

MR. MC CLOY: The other one is DA 2-4945, in Stamford.

REP. BOGGS: That's your home?

MR. MC CLOY: That's my home, Stamford, Connecticut. Give me a chance to buzz around in the morning. Area Code is 203.

REP. FORD: I would say, unless you plan something, your opinion would be to check?

MR. MC CLOY: It's only been casual in this. We ought to penetrate.

REP. BOGGS: I'll call you tomorrow.

CHAIRMAN: Well, could we have an understanding such as this, that if Jack checks up on him and he checks out all right, that he's agreeable to the Commission, then we can go ahead and sound him out?

SEN. RUSSELL: I move that if you and Mr. McCloy agree as to this man's qualifications after investigation in New York, that you be authorized to discuss the matter with him formally.

REP. FORD: I'll support it.

CHAIRMAN: All in favor of the motion say "Aye"?

(Chorus of "Ayes".)

CHAIRMAN: Contrary minded?

(No response.)

CHAIRMAN: The "Ayes" have it. Now, if we can accomplish that then we can get busy right away. I would like to get some quarters started.

SEN. RUSSELL: I thought that was taken care of yesterday by that motion.

CHAIRMAN: It was, but I'm not much of a bird dog these days myself.

SEN. RUSSELL: You mean get some records assistant?

CHAIRMAN: Yes.

SEN. RUSSELL: Not legal, but more in the way of an office manager, or something of that kind. How about the man you were going to get from the Bureau of the Budget, couldn't he do that?

CHAIRMAN: Well, I don't know whether they'll undertake to do all that. Let me ask Jack. Jack, what would you think? I know, in the first place, as counsel you did not think that [redacted] was the man. Suppose under Rankin, if Rankin came, I know the two

men know each other very well having worked together in the Department of Justice, do you think he would be all right about that?

MR. MC CLOY:

I don't say we should not do it, I think we ought to see if we can get Rankin, let Rankin have a choice.

SEN. RUSSELL: The Chief Justice is concerned about getting space, getting furniture, and things of that kind. Mr. Chief Justice, if you would just call the General Services Administration and tell them what you want I think it would work itself out. I realize that is putting a burden on the Chief Justice of the United States.

CHAIRMAN: Until we have a counsel who can organize this thing in some way and find out what we need we can't do much.

MR. MC CLOY: I have organized a few departments and if you get them thinking about it, if you can get the Budget people to thinking, or to start thinking about it, they can move a lot faster.

REP. BOGGS: Is there any thought when we may meet again?

CHAIRMAN: Well, that's up to you. Now, if we have a counsel we can meet pretty soon. If we don't maybe we'll have to meet sooner until we do get a counsel.

SEN. COOPER: I think it should be soon.

MR. MC CLOY: Sunday I leave for London.

REP. BOGGS: When will you be back?

MR. MC CLOY: Tuesday.

REP. BOGGS: Maybe we ought to meet Tuesday morning.

MR. MC CLOY: Oh, I won't be back Tuesday morning.

REP. BOGGS: Subject then to the call of the Chair. I have to leave.

(At this point, approximately 4-PM, Rep. Boggs left the conference room.)

SEN RUSSELL: If you give the Budget people your demands I'm sure they can arrange quarters.

SEN. COOPER: GAO is sometimes helpful.

SEN. RUSSELL: He would have to go to GSA, they're in charge of all of these buildings, but at this time I think the Bureau of the Budget is the one to see.

MR. MC CLOY: Would this be a follow up of the meeting we had yesterday?

SEN. RUSSELL: We have to have a staff of people. We haven't got anything to do except organizational matters.

SEN. COOPER: Should we ask the agencies to submit their reports?

REP. FORD: That puts the burden on the Chief Justice.

CHAIRMAN: We have not got a secretary, we have not got anything. I'm afraid until we get somebody to help run this show I just don't think it's the job of anyone of us to start out on a housekeeping job here. You can think it's easy but there are a lot of things to be done in such a situation. I have court all next week until two-thirty in the afternoon. I have to be there or leave a shorthanded court. So I'm going to be pretty busy myself.

SEN. RUSSELL: You undoubtedly had some communication with the Budget people, or some information of some sort, that they

would furnish a man.

CHAIRMAN: Yes.

SEN. COOPER: If Mr. Rankin would accept he could call the Budget people.

CHAIRMAN: The minute he does he will.

SEN. RUSSELL: If he comes here to Washington he can get the offices all set up.

CHAIRMAN: If we can get a fellow like Rankin in the job we'd be in business right away, no question about that.

SEN. COOPER: This can be solved in the next day or two.

SEN. RUSSELL: I think he should be consulted with respect to these reports too.

CHAIRMAN: I do, too.

SEN. RUSSELL: He's the man that's going to handle the reports.

SEN. COOPER: I think that's a matter that can be settled quickly, the matter of counsel and getting the thing going.

CHAIRMAN: I don't want to put any burden on any one other than necessary.

SEN. RUSSELL: Once you get the staff it will all work out.

CHAIRMAN: I have no doubt of that. Do you think we should tell these fellows when they come in that we have approved --

SEN. RUSSELL: -- I think we can tell them that we have tentatively agreed on the counsel.

CHAIRMAN: I meant this resolution.

SEN. RUSSELL: Yes, sir.

CHAIRMAN: That's all I would say.

REP. FORD: It will be introduced tomorrow.

SEN. RUSSELL: It will be introduced in the House tomorrow and the Senate on Monday.

CHAIRMAN: Is there anything else before we let these people come in?

SEN. RUSSELL: No.

MR. MC CLOY: Can I leave to catch my plane?

CHAIRMAN: You may.

(At this point, approximately 4:10 PM, Mr. McCloy left the Conference Room.)

CHAIRMAN: Let the members of the press enter.

(At this point the members of the press entered the conference room and the following ensued.)

CHAIRMAN: Ladies and gentlemen, this is rather an imposition to ask you to come in for the brief statement that I'll make to you. It is not a press conference but I'll give you a brief statement as to what we've been doing.

We have been busy with organizational matters, discussing a prospective staff for the Commission. We have been studying our procedures and we have acted on but one thing this afternoon, and that was to approve a joint resolution to the Congress which would enable us to compel attendance and testimony of witnesses. The joint resolution is to be introduced by the legislative members of the Commission.

PRESS: Would you repeat that?

CHAIRMAN: To compel attendance and testimony of witnesses and the production of records. We have not been able to undertake any work for the Committee as yet because we have not yet settled on our permanent quarters and we have not yet received any of the reports from the agencies that have been active in this matter, and that is where we ended today.

PRESS: I'd like just to understand one thing. You approved a joint resolution of the Congress to be submitted --

CHAIRMAN: -- The wording is, a joint resolution which is to be introduced at the earliest possible date, and I understand it's to be introduced by the legislative members of our Commission.

SEN. RUSSELL: (Nods head.)

CHAIRMAN: You may see it if you wish. I imagine it is just a normal resolution of that kind that various committees and commissions have. We have not been able to as yet arrive at any conclusions that are newsworthy.

PRESS: Mr. Chief Justice, there's a considerable amount of confusion about when you're to get the FBI report, whether you have requested it, whether the President is to have it first, whether it will be released after you get it, or whether you have insisted on holding it until you have read it. Can you straighten that out?

CHAIRMAN: Martin Agronsky, all I can say to you is that we have no such report. The Department of Justice has stated to us that as soon as it is available it will, in accordance with the President's executive order, be transmitted to us. Beyond that we have made no decisions or procedures with relation to it.

PRESS: Mr. Chief Justice, have you discussed, in addition to the quarters that you've mentioned, what kind of staff, the size of staff, whether you have a counsel, or that sort of thing?

CHAIRMAN: We have had discussions on that but we have not arrived at any conclusions because, in the first place, we have no idea of the magnitude of our work until we know what the reports are, and that's as far as we have gone.

PRESS: When is your next meeting?

CHAIRMAN: We have not fixed a meeting. It will meet at the call of the Chair.

PRESS: You probably will not take action on any of these matters, such as the staff, until you've had an opportunity to look over the reports?

CHAIRMAN: There will be no official action until then.

PRESS: Can we arrive at the fair conclusion that since you have asked for the subpoena power is that an indication that you might hold hearings?

CHAIRMAN: There has been no implication about it at all, but any Commission that is set up to do the job that we're set up to do must have the tools to work with. All right, gentlemen, thank you.

(Whereupon, at approximately 4:15 PM, the Commission adjourned, to meet again at the call of the Chair.)

