

BLAKEY NARRATION: THE WARREN COMMISSION

Thursday, September 21, 1978

---

(REMO)

( President John F. Kennedy was the fourth American President to be assassinated, but his death was the first that led to the formation of a special commission for the purpose of making a full investigation of its circumstances.)

In the earlier assassinations, the investigations were left to existing judicial bodies:

In the case of Abraham Lincoln in 1865, a military commission determined that John Wilkes Booth was part of a conspiracy, and the Office of the Judge Advocate General of the U.S. Army saw to the prosecution of six defendants, four of whom were hanged.

The assassins of James A. Garfield in 1881 and William McKinley in 1901 were promptly tried in courts of law and executed.

( In the aftermath of the Kennedy assassination, it was decided by President Lyndon B. Johnson and his advisors that a panel of distinguished citizens should be given the responsibility for finding the full facts of the case and reporting them, along with appropriate recommendations, to the American people.)

The Commission was authorized by Executive Order 11130 to set its own procedures and to employ whatever assistance it

Narration: Warren Commission - 2

deemed necessary from federal agencies, all of which were ordered to cooperate to the maximum with the Commission, which had, under an act of Congress, subpoena power and the authority to grant immunity to witnesses who invoked the Fifth Amendment.

( Chief Justice Earl Warren was selected by President Johnson to head the Commission. Two senior members of the Senate, Richard B. Russell, Democrat of Georgia, and John Sherman Cooper, Republican of Kentucky, were chosen to serve on the Commission, as were two from the House of Representatives, Hale Boggs, Democrat of Louisiana, and Gerald Ford, Republican of Michigan. Two attorneys who had long been active in government service, Allen W. Dulles, former director of the Central Intelligence Agency, and John J. McCloy, former president of the World Bank, were also named. J. Lee Rankin, former solicitor general of the United States, was sworn in as general counsel on December 16, 1963) and 14 attorneys were appointed within a few weeks to serve as assistant counsel.

The Commission did not employ its own investigative staff. Instead, it relied on agencies in place -- the FBI and Secret Service for domestic aspects, the CIA when activities involving foreign countries required probing.

In September 1964, following a nine-month effort, the Warren Commission published a report that not only included its findings and conclusions, but also a detailed analysis of the

Narration: Warren Commission - 3

case as the Commission perceived it. In addition, in its report, the Commission wrote its own description of the challenge it undertook to meet ". . .to uncover all the facts concerning the assassination of President Kennedy and to determine if it was in any way directed or encouraged by unknown persons at home or abroad."

In the years since the Warren Commission completed its work, there has been both praise and criticism of the product. The praise came first, and it was based on the obvious enormity of the effort. After all, the Commission had combed through so much evidence that only a part of it could be contained in 26 supplemental volumes, with the rest of it stored at the National Archives. And it had taken testimony, either in person or through deposition, from a total of 552 witnesses.

A Pulitzer Prize-winning journalist, in an introduction to one edition of the Warren Report, wrote: "The Warren Commission spent the better part of a year in an exhaustive investigation of every particle of evidence it could discover. . .No material question now remains unresolved so far as the death of President Kennedy is concerned. Evidence of Oswald's single-handed guilt is overwhelming."

It was the determination of Oswald acting alone that opened the Commission to attack from critics. For the most part, they were authors and independent investigators who rounded

Narration: Warren Commission - 4

up numerous clues, some sounder than others, of a conspiracy. Some suggested that the federal government, the Warren Commission itself included, was covering up the conspiracy by suppressing evidence.

A result of the criticism was a growing doubt among the American people that the Warren Commission was right, that Oswald had indeed been the lone assassin. Then, in 1976, it was revealed in hearings before the Senate Intelligence Committee that certain federal agencies had not been as candid with the Commission as had been thought. The Warren Commission was not accused of being a party to the failure to find the truth but its victim. The culpable agencies? The FBI and the CIA, both of which, the Senate Committee concluded, had withheld significant information from the Commission.

(The mandate of the Select Committee on Assassinations calls for an investigation of the performance of federal agencies assigned to any aspect of the Kennedy case. With the Warren Commission itself, the issue to be considered is whether its procedures, techniques and organization were sufficient to carry out its mandate. In other words, the Committee must consider the quality of the conduct of the Commission to judge the reliability of its conclusions.

Mr. Chairman, the three members of the Warren Commission still living have agreed to appear today. They are: Gerald R.

Narration: Warren Commission - 5

Ford, John Sherman Cooper and John J. McCloy.)

(President Ford received an A.B. from the University of Michigan in 1935 and an LL.B. from Yale Law School in 1941. President Ford practiced law in Grand Rapids from the time of his admission to the Michigan state bar in 1941 until he was elected to Congress as a Republican of Michigan in 1949. President Ford was a member of the 81st to the 93rd Congresses; he was elected minority leader in 1965 and <sup>BECAME</sup> Vice-President of the United States in 1973. He served as President of the United States from 1974 to 1977.

It would be appropriate now, Mr. Chairman, to call President Ford.

Mr. Cooper received an A.B. from Yale University in 1923 and an LL.B. from Harvard Law School in 1925. He has received numerous honorary degrees and is admitted to practice in Kentucky and the District of Columbia. Mr. Cooper has been a member of the Kentucky House of Representatives, a county and circuit court judge in Kentucky and he served the state of Kentucky as United States Senator from 1947-49, 1953-55, 1957-1973. Currently, he is in private practice in Washington, D.C., Of Counsel to Covington & Burling.

It would be appropriate at this time, Mr. Chairman, to call Mr. Cooper.

Narration: Warren Commission - 6

Mr. McCloy received an A.B. from Amherst College in 1916 and an LL.B. from Harvard Law School in 1921. He is admitted to practice in New York and the District of Columbia.

Mr. McCloy served as Assistant Secretary of War from 1941 to 1945, and he was in private practice in New York until his appointment as president of the World Bank in 1947. From 1949 until 1952, he was the U.S. High Commissioner for Germany. Mr. McCloy was an adviser to President Kennedy on disarmament in 1961, and from 1962 to the present time he has been Chairman of the General Advisory Committee on Disarmament. Currently, he is in private practice in New York with the firm Milbank, Tweed, Hadley and McCloy.

At this time it would be appropriate, Mr. Chairman, to call Mr. McCloy.

The next witness to appear today is J. Lee Rankin. Mr. Rankin served as General Counsel to the Warren Commission. He received an A.B. in 1928 and an LL.B. in 1930 from the University of Nebraska. He is admitted to practice in New York, Nebraska and the District of Columbia.

Mr. Rankin served from 1953 to 1956 as Assistant Attorney General of the United States in charge of the Office of Legal Counsel, U.S. Department of Justice and from 1956 to 1961 as Solicitor General of the United States. After serving as General

Narration: Warren Commission - 7

Counsel to the Warren Commission, he became the Corporation Counsel for the City of New York from 1966 to 1972. Currently, he is in private practice in New York with the firm Rankin & Rankin.

It would be appropriate at this time, Mr. Chairman, to call Mr. Rankin.

It is time now to consider the role of the Department of Justice in the investigation of the assassination of President Kennedy.

Senior officials at Justice were, of course, active in supervising the investigation, though the responsibility for carrying it out was in the hands of the FBI. In the de facto absence of Attorney General Robert F. Kennedy in the days following his brother's <sup>BRUTAL</sup> murder, the job of coordinating the department's activities was up to Deputy Attorney General Nicholas deB Katzenbach.

Soon after the assassination, Katzenbach became a proponent of an independent presidential commission to investigate it. The proposal he made to President Johnson called for the creation of a blue-ribbon body that was to become the Warren Commission. It would, he recommended, be composed of present and former government officials of eminent stature, such as the former Commission members who have testified here today.

When the Commission was created on November 29, 1963,

Narration: Warren Commission - 8

the Department of Justice no longer was involved in the investigation in any way, although it continued to perform liaison functions for the commission.

Here today, Mr. Chairman, is the Honorable Nicholas Katzenbach, former Attorney General of the United States.

Mr. Katzenbach became Attorney General in 1964, when Robert Kennedy ran successfully for the Senate from New York. Mr. Katzenbach was later named by President Johnson to serve as undersecretary of state.

Presently, he is <sup>ME</sup> general counsel and vice president of the IBM Corporation.

It would be appropriate at this time, Mr. Chairman, to call Mr. Katzenbach.