

(DEC. 6, 1963)

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. Olney. 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. Olney 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 Olney, 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 of 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. Olney 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 . . . 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. Olney. 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 8 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
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. I have had very, very well described to me.
I don't know him personally. There is a man in the younger bracket
who came down with 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.

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 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, brother, his name is, He's a New York boy. Now, of course, 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. 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,

REP. BOGGS: was a Government man, not, yes.

MR. MC CLOY: Do you know this fellow

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

and I think it's called. I know 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. Olney. 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: 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 Olney 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?

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in what he's done. I think we might go with these people very shortly, within the next few days. I was supposed to sit down with them and talk this thing through. We could have a pretty good understanding of what we wanted done and they'd be in a position to help us.

SEN. RUSSELL: Did you say you had an office manager?

CHAIRMAN: Yes. He was sent to us by GSA at our request. What is his name?

MR. RANKIN: Kilb. I don't know his first name.

REP. BOGGS: Mr. Chief Justice, in connection with staff, I guess all of us have had a lot of letters from various people, but you have received a letter from Mr.

CHAIRMAN: Yes, I did.

REP. BOGGS: He's a very able young man. I just pass that. He's of the Post Office Department.

CHAIRMAN: If the Post Office Department wanted to assign him to us, if they thought they needed liaison with us, that would be one thing, but for our staff we had it in mind of going outside of the Government.

REP. BOGGS: Well, that's fine, that suits me.

MR. MC CLOY: I wonder if you shouldn't get somebody from the South, not from Texas, but somewhere in the South, so you don't get too much Chicago or New York in it. This report has to be accepted and if somebody is real known down there it would be helpful to us.

CHAIRMAN: I think we can find someone and I think you're right, we should do that.

REP. FORD: Mr. Chairman, what size of a legal staff are you thinking about? This may be premature but what magnitude do you have in mind?