

Mr. Tolson

On the morning of 12/4/63 I called Mr. Katzenbach and advised him that we see no real reason for us to have anyone at the meeting of the commission on Thursday morning; that there is nothing that we can contribute at this time. I pointed out that we were working on the investigation and the report, and will submit it to the Department as soon as possible, and until that time we are not saying anything.

Katzenbach said he felt this puts him in a rather peculiar position and at least he would like to have someone come down before the Thursday morning meeting and brief him as to what we are doing, so that he could be in a position to answer questions. I told him that this was undesirable; that if the question is raised as to what the FBI is doing, there is a very simple answer, namely that we are pressing the investigation and the writing of the report; that this is our major goal and until this is completed there is nothing we can contribute. I pointed out that there is no question of any reluctance on the part of the FBI, as we are bending every effort to produce the information the commission will need.

Relative to the second point, about the Texas board of inquiry, I told Mr. Katzenbach that the Director feels it would be very unwise for this board to conduct an inquiry now; that they would have to use our evidence, and this evidence is being made available first to the President's commission; therefore, the two inquiries would be at cross purposes. Katzenbach was in full agreement and said his problem is one of convincing the commission of this.

Katzenbach said that he had been talking to Chief Justice Warren, and Warren had indicated to him that the chief counsel for the President's commission will be Warren Olney. Katzenbach thought that this would be most undesirable. Katzenbach said that, as we probably know, Chief Justice Warren thinks that Olney can do no wrong, and he (the Chief Justice) had made the point that Olney is conversant with the FBI's procedures and thus would be operating in a familiar field. Katzenbach said if we have any ideas as to how Olney can be blocked as chief counsel, he would like to have them. I told him that, as far as I was concerned, Olney was an undesirable choice, and if we had any thoughts we would get them to him.