

This Inquiry Set

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By WENDELL RAWLS JR.

WASHINGTON — IN 1792, the first investigative committee of the House of Representatives sat across a table from Maj. Gen. Arthur St. Clair and inquired why troops under his command had been handed one of the worst defeats inflicted on white men by Indians.

For the next 186 years, House committees, ever resistant to change, conducted their hearings and investigations in much the same way — Congressmen on one side of a figurative table listening to witnesses on the other side.

That has been changed by the much-maligned House Select Committee on Assassinations, which last week ended the investigative phase of its public hearings on the killings of President John F. Kennedy and the Rev. Dr. Martin Luther King Jr. Whatever else the committee has or hasn't done, it has clearly charted new avenues for Congressional inquiries by making innovative use of investigative tools and presentation techniques.

At the same time, the committee's approach pointed up shortcomings in other investigative hearings and provided, in retrospect, a partial explanation why the Warren Commission's report has been picked at for 14 years.

No investigation can answer all the questions about the murders of President Kennedy and Dr. King, and, in that sense, the committee was doomed to failure. But the committee has in fact answered more questions than most observers dared to hope 18 months ago, and in the process it has both improved the ability of Congress to obtain accurate information and furthered the public's right to know about that information.

For example:

- The committee found ways to take testimony from the Presidents of three nations, the United States, Cuba and Mexico.
- It publicly examined a high organized crime figure who was a key participant in plots to murder Fidel Castro.

New Ground Rules



Associated Press
Reps. Walter Fauntroy (left), Louis Stokes and Stewart B. McKinney inspect King assassination rifle.

- It got a former director of the Central Intelligence Agency to testify publicly about his knowledge of the murder plots.
- The hearings put on the public record the fact that a Central Intelligence Agency station existed in Mexico City and conducted photographic and electronic surveillance of Cuban and Soviet Union embassies there. Although the presence of the station was fairly common knowledge, it had remained classified information. Before these hearings, it

had been discussed by other committees only in executive sessions.

Thus the committee showed a way around the old Congressional dilemma of how to handle classified material. Other committees debate whether to take all the classified information in secret session or not at all. The assassinations committee took the information in executive session; then it simply got the information declassified and presented it in public hearings.

With a little imagination, said the committee's chief counsel, G. Robert Blakey, "You really don't have to choose between all or nothing."

Leon Jaworski, the former Watergate special prosecutor and chief counsel to the House committee investigating Korean influence-peddling, agreed that the assassinations panel had found "long overdue" alternatives to the "out-moded, antiquated and oxcart-style" practices of investigative committees.

"I was glad to see that a committee chairman [Louis Stokes, Democrat of Ohio] was willing to allow such innovation," Mr. Jaworski said last week.

To get as much information as possible into the public record, the committee abolished the traditional five-minute time limit allowed a member to question a witness. Instead, each member specialized in an aspect of each assassination and examined a witness until that aspect had been covered. This largely prevented scattergun questioning, one of the things that eat up time at committee hearings.

With the exception of James Earl Ray, who killed Dr. King, the committee did not allow witnesses to read written statements into the hearing record, but subjected them to trial-like cross-examination. And, in a departure from the loose format of most Congressional hearings, the assassinations committee began each session with a "neutral narrator" presenting a general background of the issues to be examined that day. Then witnesses were called to address those issues. Staff attorneys opened the questioning to make sure that basic, requisite information was solicited from a witness, then committee members took over.

The assassination committee investigations are the most expensive in the history of the country, costing \$5 million in 18 months (although if one applied present-day value to the money the Warren Commission spent in 1964, it would come to about \$10 million).

In spending its money, the commission also broke some new ground. Since it couldn't very well use the facilities of the Federal Bureau of Investigation, a target of the inquiry, the committee bought scientific and technological expertise that some observers considered superior to that of Federal agencies.

It is widely felt that the Warren Commission failed to convince the public because it operated like a Congressional committee that met in secret, then published a report without public hearings. It was like a grand jury report without a trial. The public likewise felt deprived of the full truth when James Earl Ray pleaded guilty to killing Dr. King and a trial was avoided.

The task of the assassinations committee was to conduct two murder investigations, present the case to a public "jury" in a responsible trial atmosphere and, the next step, to recommend changes for avoiding confusion in reaction to any future assassination attempts.

Whether or not it fulfilled the assignment to everyone's satisfaction, it has succeeded in showing Congress that it does not have to do things as they were done 186 years ago. General St. Clair, by the way, was found not to blame for the massacre of his troops — but was allowed to resign from the Army.

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