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HOUSE OF REPRESENTATIVES

EXECUTIVE SESSION

Alden

300 Seventh Street, E.
EXECUTIVE SESSION - CONFIDENTIAL

PENDING BUSINESS

TUESDAY, DECEMBER 6, 1977

The committee met at 10:20 a.m., pursuant to notice, in room H-140, the Capitol, Hon. Louis Stokes (chairman of the committee) presiding.

Present: Representatives Stokes, Preyer, Pauntray, Dodd, Edgar and Thone.


Chairman Stokes. A quorum being present at this time, we will call the full committee to order.

I guess we don't need a motion because the matter to be taken up at this time will be the budget and, under the Rules of the House, this matter has to be conducted in closed session. So all members of the public are at this point excluded from this meeting.

Mr. Thone. Mr. Chairman.

Chairman Stokes. Yes, Mr. Thone.
Mr. Thone. I have a broken record on this. I guess. You say it has to be conducted in closed session?

Chairman Stokes. Under the rules. What is the citation?

Mr. Thone. It does not have to be, does it?

Mr. Blakey. It does not have to be, technically, but it does not have to be voted closed.

Mr. Thone. Mr. Chairman, something that is as important as the budget, in my opinion, should be conducted in public.

I don't want to extend my argument on it but just let the record show that I would vote to have this an open meeting when we are considering expending public funds on sensitive matters such as this investigation is covering.

Mr. Edgar. Mr. Chairman.

Chairman Stokes. Yes, Mr. Edgar.

Mr. Edgar. If the gentleman will yield, it will be helpful to get a comment or two on the reasons why it should be in closed session.

Mr. Blakey. The broad outline of the budget is such that it probably wouldn't make any difference whether it is open or closed, and a great deal of the information in here — salaries, number of people on the staff are matters that are of public record anyway.

The most difficult issue and, I suspect, this one is a question of degree in judgment is that there are estimates in here on the expenditures for consultants and witnesses.
Both of those matters touch somewhat on the investigation.

It struck me that it might be better if our estimate as to our expenditures on consultants and on our witnesses -- for example, in here we estimated a maximum number of 250 witnesses -- it might just be better if that kind of telegraphing of the general investigative nature not be included in a public session.

I might indicate that some or indeed all of it will probably become public during the course of the discussion before the House Administration and on the House floor.

Chairman Stokes. I suppose maybe the question will be if there is any real necessity for its being conducted in closed session at this time in light of the fact that it will be before both the House Administration and the floor and will be a matter of public scrutiny.

Mr. Blakey. I can't tell you that I feel deeply about it either way.

Mr. Howarth. When we present the budget to the House Administration we can change some of the information so that we will not disclose any of the witnesses. We can have an agreement with them ahead of time that part will not be brought up in public session. We have to it here so you gentlemen can pass judgment on it.

Mr. Thorne. Mr. Chairman, I don't see whether it makes any difference whether we have 100 witnesses, 500 witnesses
Mr. Blakey. What is in the back of my mind, Mr. Thone perhaps I am being unduly cautious and, if so, I plead guilty as charged - if we get into the business of calling into executive session a substantial number of Cuban expatriates and organized-crime-type figures and it becomes very clear exactly what we intend to do, to the point that we have actually asked for enough money to finance it, it may well be that some of those people who have now determined that they might be a likely target of our investigation may decide to take an extended vacation to Acapulco. It would not take an extended vacation substantially to disrupt our proceedings.

The experience of the Kefauver Committee in the early fifties was precisely that. A number of major organized-crime figures never appeared before the Select Committee to Investigate Organized Crime in Interstate Commerce simply because they fled the country.

Mr. Thone. As I understand this organized-crime situation, you get about three or four or five or six of those fellows in here in closed session and word is going to get out so fast it will make your head swim. They are not going to get it from the fact that you published in a budget report that you expect to call 250 witnesses. Am I wrong?

Mr. Blakey. No, you are not wrong. Again I do not want
to press this point beyond which it should be pressed. I thought that, balancing benefit and advantage against burden and disadvantage, if we ran the risk, however minimal, underlining the seriousness of our intent in those areas by publishing the fact that we are asking for money to finance it, this might be a little difficult if a person decides to winter in Acapulco rather than Miami.

Mr. Thone. There is no question for a while here we had a real cops-and-robbers situation going, a Keystone Cops situation, and it was ridiculous. I am inquiring whether we are not going too far the other way now and pretty soon you are going to get some unnecessarily bad press on the secrecy, of the committee unnecessarily, as I indicate.

It would seem to me that we should be open and above-board certainly about our budget or, as you indicate, when you get to the House Administration, they will be there picking away at you and they are going to say this was all worked out in secret sessions of the committee, things like that, which, I think, we could avoid.

Mr. Blakey. Frankly I don't feel that deeply about it and would not press it on the committee if the committee were of the mind not to do it. I think there are disadvantages in doing it. The advantages, on balance, do not outweigh the disadvantages.

I think, in fact, there will have to be some more
detailed public accounting in time to the House Administration. Frankly I would prefer to have that accounting at that time, when we can give, with the proposed budget, the status report of the character of the investigation and the estimation for future work.

If what is published in the paper tomorrow is our budget without that status report, I think that might lend itself to more uninformed public criticism than there would be if it were all released at the same time, although I can't be deeply upset about the nature of the public criticism one way or the other. You can't do a lot about it no matter what you do.

Mr. Freyer. Is the status report you mentioned the year-end report which we will be obligated to make?

Mr. Blakey. Yes. We are preparing now a complete review of the outlines of the investigation -- not the substance -- the number of days of hearings, the number of days in the field, the nature of the files that we are looking at, things of this sort, the kind of projects we have in process, with scheduled completion dates in it.

So that the budget should really be evaluated in the House Administration in light of the other statistical data which, in general terms, of course, the committee is aware of; the House Administration should have it before them in one document. We will clearly by January have that document
Frankly the decision to ask for a meeting today on the budget grew out of my own thought that the chairman should be present when this is discussed. He will be out of the country the first part of January. So the option was either to have the budget meeting now or have it there was no option really because we could not have it in January if he were to be present. So we felt we would go with the now, and then it would not be necessary for him to fly back sometime in January.

Mr. Preyer. The only thing that would concern me about the open session of the budget right now would be that we will get a story in the paper about all this money and be open to the charge that there is nothing to show for it. It would be a lot better if we had the status report to go along with it.

But I will have to concede that that is not a very good theoretical legal reason to justify a closed session from a practical public relations standpoint.

Mr. Blakey. There might be a question of who has the burden of proof. If we had a vote to close it, that might not be a good reason, but I think you would have to vote to open it.

Mr. Preyer. I can't beat these law professors.

Mr. Edgar. If the gentleman will yield, I feel compelled to support the motion to keep the meeting open.
Chairman Stokes. There is no motion to keep the meeting open.

Mr. Edgar. I am suggesting I am going to support the effort. The meeting is still open, I think; we are not in closed session.

Mr. Blakay. It starts out in closed session on the budget question unless the motion is made to open it.

Mr. Thone. I move that the meeting be opened, and then we will meet the issue and get rid of it.

Chairman Stokes. Let me ask this question before we entertain the motion: The last time, the House resolution provided that we provide the House with a report and indication of our budget. Now we are not required to do that this time, are we?

Mr. Blakay. No.

Chairman Stokes. Just report. Of course, there is no real statement in the resolution that says we have to do it by December 31 but we think it is better that we do so. The problem I see -- and I am really basically opposed to a closed meeting on the budget except that, realizing that we are at the mercy of the press in terms of setting forth this type of budget in the absence of a report, it leaves us nothing except
to say that we are asking for this type of money without any evidence that we have done anything because there is nothing before them to indicate what we have done.

I think we really open ourselves up to the only story-making opportunity they have, that we are asking for almost $3 million for 1978 and we have not given any indication that we have done anything in 1977.

Mr. Edgar. Mr. Chairman, if you will yield.

Chairman Stokes. Surely, I will yield to the gentleman.

Mr. Edgard. If that is a fear, I am afraid that fear is one that is going to be shared when, in fact, we go to the House Administration Committee and when, in fact, we share it with Congress for a vote.

Mr. Blakey. Except then we will have a status report with all of the statistics of what we have done, the projects in process. Now, the committee itself is fully aware of the number of hearings we have had, the kind of witnesses that have appeared before it, of opinion projects on such things as autopsies for both King and Kennedy, the effort on the Kennedy side, for example, to work out the issue of ballistics.

It is not a question of hiding the thing but it is a question of when you make it public. It would be better to make it public in context. That is when the committee goes before the House Administration. To make it public now, you
don't inform you only partially inform. The person who is
partially informed is a person misinformed. It seems to me
the committee ought not to misinform the public. Therefore
at this time it ought to be in executive session.

Frankly, but for the chairman's going out of the country
the budget would not have been brought before the committee
until the status report was finished, which would have been in
January. It would have been done at the same time.

Chairman Stokes. At which time there would be no real
reason to have it in closed session.

Mr. Blakey. No; it would not be in closed session.

Mr. Preyer. Mr. Chairman, it seems to me that his posi-
tion does give a little theoretical backing to what I thought
was only a public relations question, that this is a sort of
gratuitous meeting here, more for your convenience, and were
it not for that, normally the revealing of the budget would
occur with the status report, which, it seems to me, would
give a lot fairer impression.

I am afraid Mr. Lardner could take us and chew us up
pretty good, especially if we were not able to develop in open
meeting what witnesses we talked with and so forth at this
time.

Mr. Edgar. Would the gentleman yield?

Mr. Preyer. Sure.

Mr. Edgar. Is it my understanding we are going to have
to come back at 2:30 o'clock for the second item on the agenda?

Mr. Blakey. We are going to try but if we can't get a quorum we will bust it.

Mr. Edgar. It is my understanding it might be easier to get the eight members necessary this afternoon, when, in fact, the House is in session and people are debating legislation on the House floor.

Mr. Blakey. I yield to the clerk.

Miss Berning. Some of the problem is weather and people missing flights because of bad weather, not being able to get in until this afternoon, if they can get in this afternoon. We have only eight that we can possibly call on.

So much of that depends on the weather.

Mr. Edgar. I am wondering whether this motion which is pending could be the subject of the first agenda item when we meet at 2:30 o'clock and give us some time to think about the ramifications of the decision. I will let the chairman decide.

Chairman Stokes. That will depend on the gentleman, if he will be willing to or would want to withhold his motion or withdraw his motion. The Chair would have no objection to entertaining it at a later session if you would prefer.

Mr. Thone. Certainly I will cooperate with the chairman and the committee on it. I have no strong feelings.
Mr. Blakey. Mr. Chairman, we have nothing else to do:

the only other item to bring before the committee is immunity,

and that takes eight members' being present.

Mr. Preyer. I don't know about the integrity of this

process but if we could perhaps discuss the budget right now

and, in particular, whether there are any things in it that

would be appropriate at a public session and then, if we are

able to get more people, if it is the desire to, in effect,

release it to the public at that time, I would vote to do it.

I will have to ask Mr. Thone if that would violate the spirit

of his motion.

Mr. Thone. I am afraid that would very much violate it.

As a matter of practicality, can't we go ahead and vote on my

motion -- it is obvious that it is going to fail -- and go

ahead then? Yes, Judge Preyer, that would bother me

considerably.

Mr. Edgar. I don't think it is as obvious as the gentle-

man thinks that it will fail. It may be a tie with no one to

break it.

Mr. Thone. Then it fails.

Mr. Edgar. Let us vote on the motion.

Chairman Stokes. The clerk will call the roll.

Miss Berning. Mr. Stokes.

Chairman Stokes. No.

Miss Berning. Mr. Devine.
Miss Berning. Mr. Preyer.
Mr. Preyer. No.
Miss Berning. Mr. McKinney.
(No response.)
Miss Berning. Mr. Fauntroy.
(No response.)
Miss Berning. Mr. Thone.
Mr. Thone. Aye.
Miss Berning. Mrs. Burke.
(No response.)
Miss Berning. Mr. Sawyer.
(No response.)
Miss Berning. Mr. Dodd.
(No response.)
Miss Berning. Mr. Ford.
(No response.)
Miss Berning. Mr. Fithian.
(No response.)
Miss Berning. Mr. Edgar.
Mr. Edgar. Aye.
Miss Berning. Two ayes and two nays, Mr. Chairman.
Chairman Stokes. The motion fails. Mr. Blakey.
Mr. Blakey. Mr. Chairman, each member of the committee
has received a memorandum from me dated December 6, attached
to which are the basic figures on the budget. They can be summarized quickly. In essence, the committee originally asked for a two-year life and gave an estimation of a $5 million budget. The committee will return to the House contingency fund approximately $425,000 this year. That is related to the early period, the late start-up.

The committee is now working at the level that it had anticipated it would be working some time ago.

Basically what the new budget does is suggest that the money not used in the first year be used in the second year, so that the combined two-year period remains within the original $5 million figure. The only substantial difference that I would draw your attention to on the first summary page is the consultants figure at Roman III indicates the recommended '78 budget at $100,000. That is probably a little misleading if you compare it to only the 1977 estimate.

The $36,600, which is the estimated expenditure for 1977, is actually expenditure carried over two years. The existing consultants will be carried over in the second year. The $100,000 figure for consultants is in there primarily in expectation of the substantial expenditures that may be made in connection with the scientific projects in process. This is the computer enhancement of many of the photographs taken at the Dealey Plaza, photographic interpretation, replication of the Itak study, things of this nature.
The second major figure that you ought to have your attention drawn to is Roman IV. The estimated figure for witnesses in 1977 is $15,000; for 1978 it is $75,000. The bulk of the witnesses that will be heard before the committee or from whom testimony will be taken under the designated counsel procedure will, in fact, be done in 1978, and this is the reason for the $75,000 figure. It is based on an estimate of approximately 250 witnesses and an average expenditure for each witness of $300, which is travel.

There is no way of knowing for sure whether all of that will be used. It will depend on the pace of the investigation. Unfortunately for budget purposes, an investigation is not like building a bridge, where you know the cost and the need for steel, brick and mortar.

The best I can say to you is that I share with the chairman the attitude that public funds be spent circumspectly, indeed begrudgingly. I am not embarrassed at the end of 1973 to return money to the Congress because I figure I am returning my own money and it should not be spent if it cannot be wisely spent.

Chairman Stokes. How do you arrive at the figure of 250 witnesses here?
Mr. Blakey. That was based on an estimate of the maximum probable number of hearing days that we could handle coupled with an estimate of the approximate number of designated counsel. It is indeed only an estimate, Mr. Chairman.

If the Committee sits at maximum force approximately three days a week through the basic hearing schedule and then it contemplates a partial repeat of those executive hearings in at least forty days of public session in September and October or August-September for the public hearings.

A number of the witnesses obviously have to be brought across country.

The budget also estimates, and I would show you on the third sheet which is computation of salaries, it contemplates a wind down of the investigation and a probability of reduction of employees in October, November and December of 1973, a non-expenditure of approximately $290,000.

Mr. Thone. Mr. Blakey, is it your thought, then, that the Committee's work would be completed about that time?

Mr. Blakey. Yes.

Mr. Thone. And a final report will be ready about when?

Mr. Blakey. My assumption is that our life runs out in December of 1973 and that there would be no legal way for us to extend it without incurring substantial personnel risk, that is work without pay. I don't know now
I don't like the idea, but my family insists that if I wish to be paid, so I have to quit in December. That means that we will complete the investigative phase of what we are doing sometime in June or July. This is the field investigation.

Beginning shortly thereafter the investigators will not be needed, the researchers will progressively not be needed. We will end up with a hard core of lawyers and some clerical people who will finish the public hearing in September-October or August-September, depending on the wishes of the Committee.

Following the election in November, some time in the latter part of November, early part of December, we will have for the Committee's consideration the final report. We will terminate on December 31, 1973.

Chairman Stokes. Would you not need some investigators for the hearings?

Mr. Blakey. We will need some, but certainly not all. That is why the attrition contemplates beginning in October and accelerating through November and December. I would hope it is not too precipitous, but I would expect that some of the researchers may decide to find other employment the nearer we get to December.

Chairman Stokes. Are there questions in this area?

Mr. Throne. Mr. Blakey, on the Deputy Chief Counsel
you have three listed, one at $45,000. Who is that?

Mr. Blakey. That is the highest paid Deputy Chief Counsel, Robert Lehner. That represents a salary of forty-two-five plus a seven percent increase.

Mr. Thome. Who are the other two?

Mr. Blakey. There is one other, Gary Cornwell. There is contemplated in this budget an additional deputy chief counsel that has not yet been filled and I am not clear it will be necessary to fill it. Stephen Fallis previously was the third deputy chief counsel. When he left the Committee he was not replaced.

I have not yet seen the need to replace him. But I thought if that need should arise, for example, in connection with the preparation of the final report, it may be a whole area of additional responsibility, it may be necessary at that time to bring in someone at that level with that degree of responsibility.

If that occurs the decision to do it has to be made now in such a way that the decision to act in that fashion can be possible at a later point in time.

Presently I do not contemplate that that will be filled.

Mr. Thome. The item of special counsel, what does that involve?

Mr. Blakey. The special counsel is Charley Matthews.

He is in fact an alter ego to myself, hopefully the chief
CHAIRMAN OF COMMUNICATION BETWEEN THE COMMITTEE AND THE COMMITTEE STAFF. SINCE I CAN'T BE EVERYWHERE AT ONCE, THARLEY TAKES ME BE A FEW MORE PLACES SOME OF THE TIME.

CHAIRMAN STOKES. ARE WE SHOWING THE TOTAL NUMBER OF EMPLOYEES SOMEWHERE?

MR. BLAKEY. THE NUMBER OF EMPLOYEES HERE WILL BE 114.

CHAIRMAN STOKES. 115 WITH THE THIRD DEPUTY.

MR. BLAKEY. OUR BUDGET AUTHORIZED 115. WE ARE NOW UP TO 114.

CHAIRMAN STOKES. IN LIGHT OF SOME CONCERN IN THE MEDIA ABOUT WHO WE HAVE AS CONSULTANTS -- I AM SURE YOU ARE AWARE THAT MR. LARDNER HAS BEEN QUITE CONCERNED ABOUT THAT -- WHAT IN EFFECT ARE THESE CONSULTANTS DOING AND WHAT DO YOU ANTICIPATE THEIR DOING IN 1978.

MR. BLAKEY. THE CONSULTANTS HAVE PERFORMED A RANGE OF SERVICES. CHIEFLY THEY HAVE BEEN IN THE AREA OF SCIENTIFIC PROJECTS, FOR EXAMPLE, WE HAVE HAD A NUMBER OF CONSULTANTS IN THE AREA OF BALLISTICS, EVALUATING THE RIFLE AND BULLETS, BOTH ON THE KENNEDY AND KING SIDES. WE HAVE HAD A NUMBER OF CONSULTANTS IN THE AREA OF THE PHOTOGRAPHS, INITIALLY IDENTIFYING THE PHOTOGRAPHS THAT ARE OUTSTANDING.

THE FIRST PHASE HAS BEEN PRIMARILY ONE OR IDENTIFYING PHOTOGRAPHS. THE SECOND PHASE WILL INVOLVE A NUMBER OF PEOPLE ASSOCIATED WITH THE UNIVERSITY OF CALIFORNIA, ROCHESTER INSTITUTE OF TECHNOLOGY ON COMPUTER ENHANCEMENT.
of photography, of clearing up blurred images. We are identifying people now who performed sound tests. There apparently is a tape of what happened at Dealey Plaza.

I am told it is possible for them to scrub up the background of that and distinguishing between backfires and rifle fire. Once they learn the rifle fire, to tell you the caliber and the number of bullets that were fired. It was used at Kent State.

The same people we are talking to are the ones who did the Kent State work, and also were involved in evaluating the Nixon tapes, the so-called eighteen-minute gap. That is basically the kind of consulting work that is being done for us, Mr. Chairman.

Chairman Stokes. Just one further question on that then. Is there some basic reason why those types of people cannot be named?

Mr. Blakey. The general House rules require standing committees to make the consultants public. It does not require the select committees to make them public.

Again, since these things touch on the character of the investigation we thought it best that they not be named. Again some of the people that we have dealt with, the scientific people in the scientific community, have really come in part on a promise that they would not then be harassed by the press. If we identify who they are and what
they are doing for us, you can be assured that there will be calls all hours of the day and night, not only by the press but also by citizens who have fears and information in this regard.

Now they have all been clearly told that who they are, how much they receive from us, and the nature of their work will become public in the public hearings and they understand that and they accept it.

But to subject them to harassment between now and the public hearing seems to me to be probably the price of securing their cooperation.

I might say that we have lost apparently two people who we had hoped would participate with us on precisely those grounds.

Kodak, who in initial discussions with their staff were enthusiastic about participating with the Committee in resolving some of the very difficult issues; well, it turns out when we got to the management level, management decided that there was more hassle involved than they wanted to put up with and they backed out.

Jet Propulsion Laboratory, who we had high hopes would review some of our photographic interpretation for us at the staff level, was enthusiastic about it. Now that the issue has reached the management level they are backing out.
The reason that I think we have lost both jet propulsion Laboratory and Kodak is precisely that. The work we are about is controversial and there is a great deal of press concern with it and there is more than the usual association of people who are paranoid or emotionally upset and inquire about it.

I think these people just decided they did not want to incur that.

Mr. Thone. Mr. Blakey, there is no reason, and I checked this before the Committee meeting, why you could not list so many handwriting experts for so many .

Mr. Blakey. That will appear in the status report.

The kinds of projects we have under way, the number of people we have in the various areas and the kinds of academic and other credentials associated with them will come out.

But to do more than that now, frankly, Mr. Thone, I think would injure the investigation.

Mr. Thone. Don't lean over backwards again and not disclose the information we just discussed because I went through the list with your chief accountant and there is nothing here that one should not read.

Mr. Blakey. The plan in drafting the status report is to let everything out, of that character, all the statistics, all the employment, when we hired people, the rate at which we hired them, the basic organization of
the staff, the amount of money we are spending, the nature
and kind of projects that we are engaged in, the estimated
completion dates of the projects, the timetable for the
final hearings, everything but the substance of what we are
doing, that is, the investigative theories that we are pursu-
ing on the witnesses that we have talked to. That should
be reserved until we are prepared to present the whole truth
at the end and not half truth as we go along.

"Chairman Stokes, Mr. Preyer.

Mr. Preyer. I was going to ask about personnel. 115
will be our maximum. Do you recall when we had our first
budget, what the number of personnel was that was proposed?

Mr. Haworth. About a year ago, sir, when we

it was 170.

Mr. Preyer. So we will stay pretty well under that
first large figure that upset the House so much?

Mr. Haworth. In other words, when we presented our
report to the House Administration last year we reconciled
from 170 down to 115. That has been our limit and we have
stayed under it.

Mr. Preyer. One other question. On the 250 witnesses
that will be called, you don't anticipate all of those will
be heard in either executive session or open session, do you?

Mr. Blakey. No. Some will be designated counsel.

Mr. Preyer. I suspect there are an awful lot of
Mr. Blakey. The Warren Commission had access to something like 500-plus witnesses.

Chairman Stokes. Mr. Fauntroy.

Mr. Fauntroy. I have no questions, Mr. Chairman, at this point.

Chairman Stokes. Mr. Edgar.

Mr. Edgar. No questions.

Chairman Stokes. Mr. Thorne, do you have anything further?

Mr. Thorne. No, Mr. Chairman.

Chairman Stokes. Is there anything further, Mr. Blakey?

Mr. Blakey. No, sir.

Mr. Haworth. Mr. Chairman, before the Committee concludes, I would like to make one suggestion: If the Committee would give us flexibility between consultants, Item No. III, and reproductions, printing and graphics, which is Item No. IX.

As you know, in our funding resolution the House Administration comes up with one figure, whatever it might be, but they do have one statutory limit in and that is the amount of money we can on consultants. We are not sure of the total amount this time. We have budgeted an extra in reproductions, because we think type of service, will be a straight vendor which will not require
Mr. Hayworth. If we put the money in consultants we

Mr. Blakey. In effect Item No. III and Item No. IX

Mr. Hayworth. If we put the money in consultants we

We do not yet know the exact category that it will fall

It will be a switch of funds which the House Administra-

It is either expertise service or expertise

If that is done on a consultative basis that

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Mr. Thone. Mr. Blakey, just to reaffirm what I think you have clearly said, we currently have 114 employees on board as listed on your third page here. The only vacancy is this possible additional deputy chief counsel.

Mr. Blakey. That is correct.

Mr. Thone. You will start winding down the investigation, as you put it, in June or July. The public hearings will be in August-September or possibly November, whatever the Chairman decides, and there will be a final report to follow thereafter, and with this $2,595,500, you have all the resources that you need to do a thorough job?

Mr. Blakey. That last one bothers me. I think that what we have here is a reasonable shot at it. I think what we are dealing with here is a client who came to the lawyer and said "I have about $__ million for two years. Can you give me a professional work product in that time to answer the questions that I think appropriate in these two areas?" My answer to you is that I can give you a professional work product in two years with these number of people and this amount of time and this budget. If you ask me is that all I will ever need to do an absolutely thorough and comprehensive job on both of these two things, I will have to tell you no.

Mr. Thone. You would?
Mr. Blakey. Yes, sir. Let me put it to you in blunt and candid terms.

The Federal Bureau of Investigation put into Dallas the day after the assassination forty FBI agents. The Dallas PD had available to it 150 detectives at least the day after the assassination. We have a total detective force of approximately 32. They are working out of Washington and they are divided over two investigations. I think that you can get a thoroughly professional and respectable product examining these two cases, one 14 years and one approximately 8 years following the assassinations.

If you ask me to say that I can give you a thoroughly comprehensive running out of every possible lead, resolving every single question in this amount of time, the answer is no.

Mr. Thone. Is the question then time or resources?

Mr. Blakey. On some of the issues it would not make any difference how much more resources or money are involved. All that can be done is probably what has been done in some areas. You know the nature of the allegations, particularly on the Kennedy side. We are laboring under time pressures. That is a fact.

Given the nature of the House investigation, it must go over a two-year period. That is a fact I think we just have to live with.
What I am saying to you is all investigations have limitations of time, limitations of personnel, limitations of money, limitations of talent. This is a human staff, not an ideal staff. There are some very, very able and very, very dedicated people here. There are some, as in all groups, who are average, both in their talents and in their motivations. Even among those of us who consider themselves superior, we have our off days. I don't want to promise you more than I can deliver. Indeed I won't promise you more than I can deliver.

At the end of the 2 years I will give you a professional work product, you will get your money's worth.

Mr. Thone. I am a little troubled with your answer. Not totally, and it does not come as a monumental surprise.

Mr. Blakey. You will recall, Mr. Thone, what I told you when you talked to me last June.

Mr. Thone. Let me phrase my last question this way. Is there anything else at this time that this Committee can give you that will more assure this thorough, totally comprehensive investigation and final report.

Mr. Blakey. I am satisfied this Committee has supported me on every occasion within the limits of its ability.

Mr. Thone. Thank you.

Mr. Blakey. I have no complaints with the Committee. I think the Committee was extraordinary in its effort to fight
for this investigation and has secured for us more resources that I think could be secured by any other group of people. That is a different issue than whether more resources and more time might produce more material. I think we are doing far more in this than the Congress has any right to expect and that the American people ultimately have any right to expect. The Congress and the nation are getting their money's worth. All those associated with this investigation can be and will be at the end proud of that association. But don't ask me to promise you more than I can honestly deliver.

Chairman Stokes. Is there anything further, Mr. Thome?

Mr. Thome. No, Mr. Chairman.

Chairman Stokes. Mr. Dodd.

Mr. Dodd. Yes, Mr. Chairman. I apologize for arriving late. The question may have already been covered by one of my colleagues on the Committee, but I would like to ask you, Bob, whether or not these figures, particularly getting down into the reproduction, printing, periodicals, so forth, whether or not you have adequately calculated into these figures the cost of producing the final product.

Mr. Blakey. We tried to. This is not like a bridge when we know the cost of the brick and mortar and steel. This is an investigation.

Mr. Dodd. I understand that.
Mr. Blakey. The best we can do is give you an outside estimate within the context of what the House has apparently been willing to spend, $4 million. We will work within that budget.

Mr. Dodd. I am talking specifically about our ability to conduct public hearings and also to go through whatever steps may be necessary to produce a report.

Mr. Blakey. Yes. The executive hearings, the final hearings and insofar as the cost of the final report on the final hearings is attributed to the Committee, that has been calculated.

Mr. Dodd. Again my apologies for asking this. I am sure it has already been asked.

The salary increase in the approved budget and the recommended budget, would you mind running that by me again?

Mr. Blakey. It is basically attributed to the seven percent.

Mr. Dodd. It is not an increase in numbers?

Mr. Blakey. No. The number of people remains the same. The basic salary structure remains the same. The difference in cost is attributed really to two things: the seven percent and some people who, for example, had a change in job category within the Committee. A simple secretary was moved to administrative section. Therefore a different in-job resulted in a different in-cost.
Mr. Haworth. Were you asking between the 1977 approved budget and the recommended 1978?

Mr. Dodd. That is right.

Mr. Haworth. 1.8 against 2.4?

Mr. Dodd. Right.

Mr. Haworth. The big difference is last year we had 73 people in January and February. We went down to 64, down to 59 built up again.

Mr. Dodd. I was under the impression that figure was one calculated on a full complement of people in 1977.

Mr. Dodd. We calculated the salaries on a full complement, then corrected the amount owed on the decrease, computation is giving you here as computed.

In 1973 we do have the full complement. That is the main difference.

Mr. Blakey. It also contemplates at the end, Mr. Dodd, as you will see on the attachment, page 2, dealing with computation of salaries, it contemplates the anticipated attrition at the end of the investigation.

Mr. Dodd. What we are talking about here is a net increase of some $300,000 based on what you are returning and what your increased request is for, 425 and 453.

Mr. Blakey. We are spending a little less than 8 million dollars the first year and spending a little over 8 million dollars the second. The combined figure for the
Mr. Dodd. I was getting at this net figure.

Mr. Haworth. I have last year's budget here. They are practically the same for salaries. Last year we computed on a full twelve months basis that salaries would go to $2,78,500. This year we are asking for $2,400,000. We are really asking for the same amount of money salarywise if we had had a full twelve months last year.

Mr. Dodd. On the issue of witnesses I will apologize all across the board and then ---

Mr. Blakey. The witnesses are the estimate of the maximum possible number assuming the Committee sits the maximum possible available time, including both witnesses who appeared in executive session, beginning in January through June, and the witnesses who will then be called back for the public hearing at the end of the investigation.

It also includes an estimate of the number of designated counsel situations since it is obvious we will not be able to have all the witnesses appear before the Committee. This figure of 250 witnesses should be compared against a total figure of approximately 500-plus that appeared before the Warren Commission.

Mr. Dodd. I think there was some confusion here. When you mentioned the figure in your memo to Chairman Stokes dated today, you talked about returning some $425,000 to
the House, and yet this 1973 recommended budget is about
four-sixty-three more than 1977.

Mr. Blakey. What we are returning one year, we are
picking up the next.

Mr. Dodd. You are talking about a net increase of
twenty-five or thirty thousand, that is really what we are
asking for.

Mr. Blakey. That is right.

Mr. Dodd. The total figure we anticipated.

Mr. Blakey. I think the total figure was only about
five million dollars. We are still within that figure.

Mr. Haworth. You are correct, we are asking for
about $25,000 more.

Mr. Dodd. Thank you, Mr. Chairman.

Chairman Stokes. Mr. Blakey, I was wondering, in light
of the final work product which always includes legislative
recommendations to the House and in conjunction with the
winding down of the total operation, do you anticipate that
we will have enough staff to work on that, or whether that
falls within the category of consultants?

Mr. Blakey. We anticipate that the staff will be
adequate to finish answering what I see on both investigations
is the four central questions: Who shot Dr. King and
President Kennedy? Did they have help? How well did the
agencies perform? And the fourth, and I think in the
content of our mandate, the most central for the Committee is what recommendations should be made? All of those projects are going forward now.

The Committee will have an opportunity to evaluate the kind of recommendations that are coming out of the investigation. There are a number of areas where we have identified problems already and are in the process of formulating possible strategies for some and it would be appropriate at the winding down of the investigation to bring to the attention of the Committee for its judgment.

Chairman Stokes. In that latter category, under our mandate do you see us making recommendations or actually legislative—

Mr. Blakey. There is no money in here for drafting legislation. I have drafted legislation before. It is not something you do on a weekend. I think we will be able to outline recommendations for legislation. It is doubtful that we will have the opportunity or staff in that last pressed period of time to draft the kind of product that will meet the same test of professionalism that the rest of the work does. I believe we can recommend. We won't be able to draft.

Chairman Stokes. Any further questions? If not, the Chair will entertain a motion with respect to the budget.

Mr. Preyer. Mr. Chairman, I move that the recommended
Chairman Stokes. It has been properly moved, the clerk will call the roll.

Miss Berning. Mr. Stokes.
Mr. Stokes. Aye.
Miss Berning. Mr. Devine.
(No response.)
Miss Berning. Mr. Preyer.
Mr. Preyer. Aye.
Miss Berning. Mr. McKinney.
(No response.)
Miss Berning. Mr. Fauntroy.
Mr. Fauntroy. Aye.
Miss Berning. Mr. Thone.
Mr. Thone. Aye.
Miss Berning. Mrs. Burke.
(No response.)
Miss Berning. Mr. Sawyer.
(No response.)
Miss Berning. Mr. Dodd.
Mr. Dodd. Aye.
Miss Berning. Mr. Ford.
(No response.)
Miss Berning. Mr. Fithian.
(No response.)
Miss Berning. Mr. Edgar.

Mr. Edgar. Aye.

Miss Berning. Six ayes, Mr. Chairman.

Chairman Stokes. Six members having voted affirmatively, the budget is approved.

Mr. Blakey, we do not have enough members here to act on your other matter, do we?

Mr. Blakey. No. If we could perhaps recess until 2:30.

Mr. Dodd. What are we going to do?

Chairman Stokes. We have to recess until 2:30 to try to get our eight members together to get action with reference to immunity matters.

Mr. Dodd. There are two immunity matters we would like to bring up before the committee so that we can act in the interim, between now and the latter part of January. Both of them deal with issues that we might be able to resolve or situations we might be able to set in process. It will be terribly helpful if we could get eight people together this afternoon for the ten or fifteen minutes that it should take to get the approval. We need two-thirds. We need eight members to agree.

Mr. Thone. Mr. Devine is available around the corner. Is there anyone else we can round up?

Chairman Stokes. They have a problem on the other.
Mrs. Line will not be available until 2:00. Mr. Ford is in Tennessee. Mr. Fithian is snowed in in Indiana. Mr. McKinney is ill at home. Mr. Sawyer is in Japan.

So if we could ask for your cooperation at 2:00 p.m., I think we can do it fairly quickly.

Miss Berning. Mr. Chairman, we do not have this room this afternoon. We will be meeting in House Administration H-323.

Chairman Stokes. Will everyone here be able to make that?

Thank you very much. I will see all of you again at 2:00.

(Whereupon, at 11:20 a.m., the hearing was recessed to 2:00 p.m., the same day.)