

Mr. PREYER. The committee will come to order. We will resume our hearings. Our witness this afternoon is Dean Norman Redlich. We welcome you to the committee, Dean Redlich. We appreciate your being here in this bad weather today. If you will first be sworn.

Do you solemnly swear that the testimony you now are about to give will be the truth, the whole truth and nothing but the truth, so help you God.

Mr. REDLICH. I do.

TESTIMONY OF DEAN NORMAN REDLICH

Mr. PREYER. We appreciate your being here with us. Mr. Redlich. We will ask Mr. Klein if he will begin the questioning.

Mr. KLEIN. Thank you, Mr. Chairman.

Mr. PREYER. Excuse me. In accordance with our results the committee will ask Ms. Berning, our clerk, if she will deliver a copy of the rules of the committee to Dean Redlich.

Mr. KLEIN. Sir, what was your position prior to taking your job with the Warren Commission?

Mr. REDLICH. I was a professor of law in the New York University School of Law.

Mr. KLEIN. What investigative and/or prosecutorial experience did you have prior to taking that position with the Warren Commission?

Mr. REDLICH. I had no investigative experience and no prosecutorial experience.

Mr. KLEIN. Prior to being hired by the Warren Commission what was said to you about the goals of that Commission and about your function as a staff member?

Mr. REDLICH. Prior to the time I was hired?

Mr. KLEIN. When whoever spoke to you about coming to work for the Warren Commission.

Mr. REDLICH. When Mr. Rankin first spoke to me about working for the Commission he indicated that he wanted me to assist him, to work in certain special areas, and I believe he indicated that he wanted me to concentrate primarily on the factual aspects of the assassination, itself.

Mr. KLEIN. In your opinion what were the real objectives of the Warren Commission?

Mr. REDLICH. Perhaps I can best answer that by repeating what Mr. Rankin said when he convened the staff of the Warren Commission for the very first meeting of us as a complete staff which, as I recall, occurred toward the middle or the end of January 1964. He said, "Gentlemen, your only client is the truth." Those were his opening words of that talk. I think our objective was to find all of the facts which we could relating to the assassination of President Kennedy and the subsequent murder of Lee Harvey Oswald.

Mr. KLEIN. Was it an objective of the Warren Commission to allay public fears?

Mr. REDLICH. I never considered that as an objective. That was not put to me other than in the context of the fact that there were a great many doubts about what had happened, there was great concern about what happened, and of course to the extent that we could find all of the truth about the assassination, we would be allaying public fears. I

always felt that that was a byproduct of the principal objective which was to discover all the facts.

Mr. KLEIN. Was it an objective of the Warren Commission to prevent international crisis?

Mr. REDLICH. I don't believe so. I believe it was the objective of the Warren Commission to learn all of the facts about the assassination, including any questions with regard to possible conspiracy. If the learning of all the facts resulted in the allaying of public fears and easing of international strains, that, as I indicated, would be a byproduct of what our central mission was. Our central mission was not to prevent a crisis or to allay fears.

Mr. KLEIN. Was it an objective of the Warren Commission to allow a smooth transition in national leadership?

Mr. REDLICH. I don't recall that ever being mentioned as an objective.

Mr. KLEIN. In your opinion were the operating procedures and organizational structure of the Warren Commission conducive to achieving the objectives of the Commission as you saw them?

Mr. REDLICH. I think they were, yes.

Mr. KLEIN. How were they conducive to achieving the objectives of the Commission?

Mr. REDLICH. We were all committed to the pursuit of all lines of inquiry. There were no restrictions that I can ever recall placed upon me in terms of questions which I could ask or lines of inquiry that I personally could pursue. The Commission, as you know, was organized into certain areas of inquiry. I was not part of any of those specific areas of inquiry. In each of those areas of inquiry there was a senior counsel and a younger counsel. The Commission used as its principal investigatory arm the Federal Bureau of Investigation, to some extent the Secret Service.

I believed then, and I believe now, that the method of inquiry that we conducted was an objective one. We came with no preconceived notion. Our only objective was to find all of the truth. At the conclusion of that inquiry I was of the opinion that we had had the full cooperation of the agencies of the U.S. Government.

Mr. KLEIN. You stated that the investigation was divided up into a number of areas of investigation. Were the particular areas that were chosen conducive to achieving the objective of solving this case and finding the truth?

Mr. REDLICH. I believe that they were. I believe that those seemed to be at the time a natural way to divide the work. Obviously there might be some overlap. One might possibly look at the subject by retrospect and conceive of different ways or organization. I don't believe that there is any single one method of organization that is the best one. That seemed to us at the time as a logical division and I believe that it worked reasonably well.

Mr. KLEIN. Was the type and mix of the personnel hired conducive to achieving the objective of the Warren Commission?

Mr. REDLICH. I think it was. I think the staff was an excellent one. I was proud to be a part of it. I remain that way today.

Mr. KLEIN. Certain senior lawyers were not able to denote a good deal of time to this investigation. Is that correct?

Mr. REDLICH. That is right.

Mr. KLEIN. Do you think that affected the investigation?

Mr. REDLICH. Any time someone is not able to spend full time it had that effect. It means that that work which might have been done during the course of that full-time work gets picked up by others. In that sense even the fact that during the first several months I was teaching at New York University School of Law and was commuting back and forth, and it wasn't until May that my semester ended, that fact of course would have an effect. I don't think on balance any of that had a permanent harmful effect because I believe that that entire staff, taken as a whole, managed to conduct what I consider to be a thorough inquiry. Obviously as anyone who has conducted an investigation knows, you always would like to have everyone there all the time.

That was not possible during a substantial portion of the Warren investigation.

Mr. KLEIN. Despite the fact that some of these personnel did not play the part in the investigation that had been planned for them, do you think that the Warren Commission had a sufficient number of experienced lawyers to conduct the investigation?

Mr. REDLICH. Yes; I do.

Mr. KLEIN. Did the Warren Commission in your opinion have any initial factual assumptions in the following areas: first, as to the identity of the assassin?

Mr. REDLICH. We had no preconceived belief that Lee Harvey Oswald was guilty. We started out, of course, with a person, Lee Harvey Oswald, who had worked in the Texas School Book Depository and had been killed by Jack Ruby, and with regard to him there had already been a considerable amount of investigation. But this was not the case where one started and looked at the entire world and said let us find out from the entire world population who is the assassin. Lee Harvey Oswald was a suspect, a dead suspect but a suspect. I think that we had no prior commitment at all to the concept that, one, he fired shots; two, that he fired all the shots; or three, that there was any lack of or presence of a conspiracy.

Mr. KLEIN. Were there any initial assumptions regarding the existence of a conspiracy, and as far as there were, what particular groups might have been involved?

Mr. REDLICH. There were no preconceived notions, preconceived conclusions, about conspiracy. Early in the investigation several possibilities emerged as possible sources of conspiracy. It was obvious that one had to look at the possibility of a foreign conspiracy. Lee Harvey Oswald had been to the Soviet Union. He had made an effort to go to Mexico. He apparently had tried to go to Cuba. So, one had to look at the possibility of a foreign conspiracy. One had to look at the possibility of a domestic conspiracy.

There was a great deal of talk at the time about a conspiracy from the left, a conspiracy from the right. But there was no preconception about whether there was a conspiracy or if there were one, which one.

Mr. KLEIN. You referred to preconceived conclusions. I am more interested in whether there were any assumptions that might not have reached the stage of being a conclusion but which were regarded as prime areas for the Warren Commission to follow in answering the question of whether there was a conspiracy?

Mr. REDLICH. I don't think those assumptions were any more specific than the ones I just outlined. Lee Harvey Oswald was a person who had been to the Soviet Union. One thing that one had to look at was the question of a conspiracy from that source. He was a person who was making an effort to go to Cuba and he had been involved in the Fair Play for Cuba Committee in New Orleans. So one had to look at that possible source.

There was a great deal of talk in the press at that time about a right-wing conspiracy, allegations about oil people, the so-called feeling of hate in Dallas. Then there was the fact that Oswald was killed in the basement of the Dallas jail by Jack Ruby. So, one had to look at the question of whether Ruby was somehow involved in this. I think all of that was at the threshold level of inquiry.

We did not have any fixed assumptions about which of these was more likely or not likely. I don't mean by my answer to limit the possible assumptions. There may have been others that I have left out in my answer.

Mr. KLEIN. Do you think that the organization of the Warren Commission into five investigative areas gave sufficient leeway for adequate investigation of all of these possible areas of conspiracy, some of which you mentioned?

Mr. REDLICH. I believe that it did; yes.

Mr. KLEIN. Did the Warren Commission in your opinion have any initial factual assumptions regarding the reliability, trustworthiness, and competency of the investigative agencies which were working for you?

Mr. REDLICH. As nearly as I can tell, I and my colleagues came with a professional lawyer's degree of skepticism. We made a decision early that in regard to any expert testimony, fingerprints, handwriting, ballistics, a whole separate set of experts were to be consulted. I think that we did not have any preconceived notion of either believing everything to disbelieving everything. I believe that we felt a responsibility to conduct our own inquiry which we were conducting in the manner I have described to you.

But I would not characterize our position as being one of extreme belief or extreme disbelief. I would call it one of healthy skepticism.

Mr. KLEIN. Dean Redlich, you were speaking about using different sets of experts. To your knowledge, were any experts in the ballistics or autopsy field or any field used other than experts employed by Federal agencies?

Mr. REDLICH. My recollection is that in ballistics I believe we used someone from the government of Illinois, either handwriting or fingerprinting. I am not sure it was not someone from the New York Police Department. I believe that in all cases we used experts from other governments.

I am now going back 13½ years on recollection. I think perhaps we may have used the Post Office Department in connection with handwriting?

Mr. KLEIN. Were there any initial factual assumptions that the Warren Commission had regarding the possible repercussions of the various conclusions that might have been reached?

Mr. REDLICH. By repercussion, could you clarify that, please?

Mr. KLEIN. If a particular conclusion was reached, for example, that some foreign government had a part in the assassination, then there would be certain repercussions which might follow from that. Were there any assumptions that the Warren Commission had regarding that kind of repercussion?

Mr. REDLICH. I would have to say at any level of the Commission activity that I am familiar with the answer is no. I think for the record I should indicate that you have been using the term "Warren Commission." I assume you are talking about that which I knew as a staff member. I never was present at any meeting of the Commission, itself. All relationships between the staff and the Commission itself were through Mr. Rankin.

Mr. KLEIN. Did the organizational procedures used have an effect on the end result, in your opinion?

Mr. REDLICH. The procedures and the organization were an important part in introducing the end result, which I thought was a professional and thorough investigation of the assassination.

Mr. KLEIN. Did you feel any restriction on the investigation or writeup due to the organizational or procedural setup?

Mr. REDLICH. I recall no such restrictions.

Mr. KLEIN. What exactly were your responsibilities, sir?

Mr. REDLICH. I was probably the second staff person hired. When I came to the Warren Commission, which was some time in mid-December, the only other staff person who was there as I recall was Mr. Willens. Initially, Mr. Rankin wanted me to work on special projects. One of the first things I did, for example, was to draft a rule of procedures for the Commission. Then I was given an assignment which tended to dominate the first 6 or 7 weeks of my work with the Commission. The Commission made a decision that the first witness to be questioned would be Marina Oswald.

I was given the assignment of helping to prepare Mr. Rankin for the examination of Marina Oswald which was going to have to be very extensive. In the course of that I started to read all of the investigatory reports that had come to us from the FBI and the Secret Service with a view toward seeing how anything in those reports could bear upon any questions that we might ask Marina Oswald. Since she knew so much about Lee Harvey Oswald's background, not only in terms of what she herself was witness to but what he may have told her about his background, and since a great deal of that was in the investigatory reports, I had to go through all of those investigatory reports with a view toward working with Mr. Rankin and helping to prepare him for that questioning.

When that was done—I may be exaggerating the kind of compartmentalization of my work but I will give it to you the best I can recall—when that was done I tended to spend a great deal of my time working with those lawyers who were working in the area of the investigation of the assassination, itself. That was Arlen Specter, David Belin, and Joseph Ball. Because Mr. Rankin was anxious for me to work with the lawyers in that area, see what approaches they were taking, the witnesses they were questioning, I tended to concentrate, not exclusively but I tended to concentrate, in those areas although the actual work of the investigation in the sense of questioning witnesses

was done primarily by Mr. Ball, Mr. Belin, Mr. Specter, or Mr. Eisenberg.

Another assignment I had was that Mr. Rankin was most anxious for me to be present at as many Commission hearings as possible so that there would be someone working with him who had the opportunity to have as broad a range as possible of the testimony that was at least being presented in formal hearings before the Commission.

Then as the work of drafting took place, as drafts were prepared which went to Mr. Rankin and then to the Commission, I was involved in the normal staff work of reviewing drafts, suggesting changes, editing work on the report. I stayed with the Commission right up until the Friday that the report was submitted to the President. I left at 1 a.m. that Friday to go teach a class at 9 a.m. in the morning.

Mr. KLEIN. In your opinion what was the relationship of the staff counsel to the Warren Commission?

Mr. REDLICH. That would vary from Commissioner to Commissioner. The staff counsel were there and available at all times if any member of the Commission wanted to ask questions. Some of them availed themselves of that. Former President Ford was present at a great many hearings. He would talk to the staff members before or after. The Chief Justice was an ever present person at the Commission, and I can't emphasize that too much. His role was heroic in my judgment. He was there at 8 a.m. We held hearings early in the morning so that he could go back and preside over court. He would come back when the Court recessed for the day. Those of us who were there had an opportunity to discuss matters with the Chief Justice. However, in terms of informal relationship between the staff and the Commission in the sense of the staff being present at the Commission meetings in a formal way, that did not exist. I was not present at any meeting of the Commission. I was not privy to any formal meetings of the Commission. Mr. Rankin was the official line of communication between the Commission and the staff.

We learned of Commission decisions particularly as they reworked various drafts of chapters toward the end but we did not sit down with the Commission in a formal way.

Mr. KLEIN. Was there ample opportunity for individual staff members to communicate ideas to the Commissioners as a group or as individuals?

Mr. REDLICH. I think perhaps individual staff members may have had different views on that. I felt from my point of view that any position I may have had was being communicated through Mr. Rankin to the Commission in such manner as he saw fit. I believe that perhaps some members of the staff would have preferred to have had a more direct ongoing formal relationship with the Commission. We did see the Commissioners as they would come and preside or be present at hearings, but I think some members of the staff would have preferred a closer working relationship.

Mr. KLEIN. In your opinion were the Commissioners well informed on the facts of this case?

Mr. REDLICH. That was a very complex case. I think some of them were tremendously well informed. The Chief Justice was extremely well informed. I believe that former President Ford was extremely well informed. Mr. Dulles attended a great many hearings.

Senator Russell had very extensive Senate commitments, as you know. I believe that on the broad areas of the Commission's inquiry the Commission was informed. They were obviously not as informed of some of the specific enormous factual data in connection with this assassination as was the staff. I have never known a staff that thought that the group that it worked for was as well informed as the staff was, and the Warren Commission was no exception.

Mr. KLEIN. How long did you work for the Warren Commission?

Mr. REDLICH. I came in mid-December, somewhere between December, somewhere between the 19th and 20th of December, I believe, and I left about 1 a.m. on a Friday, I am not sure whether it was September 22, somewhere in there, of the Friday that the Commission went to the White House and presented the report to the President. I then, as I recall, made one trip back to Washington where I had an appointment to meet an archivist to go over the papers in my office. He walked into the office and I said to the archivist, "I will make a simple deal with you. If you can get it arranged you can have all of it." With that I turned my back and left with the same fountain pen that I came with.

Mr. KLEIN. Did you consider it a full-time job during the time you worked with the Warren Commission?

Mr. REDLICH. No. As I indicated earlier, from December until the end of January I was working as full-time as one could possibly, as I recall. I did not have classes at the time. That gave me an opportunity to get familiarized with the investigation. Then once classes began—it was a 14-week semester—I would shuttle back and forth. I did work on weekends in New York but I was in this pattern of shuttling back and forth. When classes ended, which was early in May, I went back to spending the predominant portion of my time in Washington and considered that certainly a full-time job up until the time I left.

Mr. KLEIN. Mr. Chairman, I have no further questions on the objectives or organizational procedure.

Mr. PREYER. I might have a couple of questions. I am sure the other Members may have a few questions also.

You mentioned that the Chief Justice was ever present and that he was very active and that you would hold meetings at 8 o'clock in the morning. Were these staff meetings or Commission meetings?

Mr. REDLICH. Commission meetings, sir. As I recall the court convened at 10. I believe that we started, I know that we had hearings prior to the time the court convened and my best recollection is that they started at 8.

Mr. PREYER. How often would these meetings be held? Let me put it this way. Were these formal Commission meetings or meetings to hear the testimony of a witness?

Mr. REDLICH. They were meetings to hear the testimony of witnesses.

Mr. PREYER. These were not full formal Commission executive sessions?

Mr. REDLICH. No, sir. If I conveyed that impression, that is wrong.

Mr. PREYER. I believe I have made a note that you said he was there every day. I assume you mean every day that there was a meeting that he was likely to be there, not that you met him.

Mr. REDLICH. Certainly the impression I have, as I look back over that period with the perspective of 13 years, is that the Chief Justice was a constant presence. By every day I certainly did not include Saturdays and Sundays but I think in terms of working days he was a constant presence at the Commission. I would not say it was every single working day. I would just say he was a constant presence.

Mr. PREYER. Would there usually be two Commission members to hear testimony of witnesses? Did you have any rule about that?

Mr. REDLICH. Mr. Preyer, I don't recall the precise rule. There were generally one or two other Commissioners present at the time testimony was taken. In addition to the staff attorney who conducted the inquiry, in the beginning it was Mr. Rankin and then it moved to other staff attorneys, and then I tried to be present when I could.

Mr. PREYER. As Mr. Rankin's special assistant were you personally acquainted with him before this?

Mr. REDLICH. Yes, sir. I had met Mr. Rankin in the summer of 1961 when he had left the Solicitor General's office. He had been Solicitor General under President Eisenhower. He had left the Solicitor General's office in 1961 and had come to New York City. In the summer of 1961 a workshop for professors of constitutional law was held at New York University Law School and Mr. Rankin, former Solicitor General, was invited to participate in that workshop. That is where I met Mr. Rankin. I had previously met Chief Justice Warren on the occasion of his coming to our law school.

Mr. PREYER. I was going to ask if you had known the Chief Justice. Did you know President Johnson by any chance?

Mr. REDLICH. No; I had never met President Johnson. I never met him during the entire investigation.

Mr. PREYER. You mentioned that you attended the first staff meeting and that Mr. Rankin stressed very strongly the truth was the only client that you had, that you should not form any conclusion before you heard the evidence. I believe that meeting was on January 20, 1964. I understand that the Chief Justice attended that meeting or came in a little later on in the meeting. Do you recall anything that he may have said to the staff at that time?

Mr. REDLICH. As I recall, he used the "turning of every stone" inference. He said that he wanted to leave no stone unturned in pursuing this inquiry. While those are the only specific words I recall, the tenor of his remarks was completely supported by Mr. Rankin. I very vividly recall the phraseology of Mr. Rankin.

Mr. PREYER. This was a period that I think you brought out in which there were conspiracy theories floating around in the air. You mentioned the rightwing conspiracy theory. Did he say anything about one objective being to preclude further speculation or quenching rumors?

Mr. REDLICH. I cannot say for sure whether he specifically mentioned that. I think that he indicated that we hoped that a full, complete, and thorough investigation by bringing all the facts before the American people would have the effect of putting to rest some of these fears and speculations many of which were completely self-contradictory, and I know that I had hoped that this national tragedy was one which hopefully would not poison the life of this country if the facts were such as to indicate that there were no conspiracy.

But it was solely in the context that the great service we could perform would be to bring out all the facts. If those facts were that of

a conspiracy and that conspiracy had international implications or domestic implications, that would be the price of learning the truth. The aim was to produce all the facts. That is my recollection of the Chief Justice's remarks.

May I add by way of completeness, sir, it was either at that meeting or perhaps some other meeting in which the Chief Justice related President Johnson's urging him to take the chairmanship of the Commission. The Chief Justice was very reluctant to do it. Then I remember another quotation, the Chief Justice said he was confronted with a fact and not a theory and when confronted with that fact he had to say yes. I believe he quoted the President—it may have been at that meeting or another occasion, he quoted the President as saying "Your country requires you to put back on your uniform," and anyone who knows Earl Warren knows that he was an intensely patriotic man.

He said he ended up accepting an assignment which he initially had been disinclined to accept.

Mr. PREYER. Thank you.

Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman.

Dean, without meaning to put words in your mouth do you think the Congress has assigned this select committee a kind of dead end task in that I take it from your remarks you feel that the Commission under which you served did a very complete, thorough, and honest job and the conclusions they reached were accurate and that will be the ultimate conclusion that this committee is going to have to reach? Or do you have other thoughts?

Mr. REDLICH. I have thought a lot about that, sir. I think that while I may have had reservations about the necessity of this committee, since I believe that the facts remain in my judgment, at least on the basis of everything I know, incontrovertible that Lee Harvey Oswald fired all the shots that killed President Kennedy and wounded Governor Connally, and since I have not learned of anything as a private citizen that would cause me to question the Commission's conclusion that there was no credible evidence in support of a conspiracy, I would have had reservations about the necessity of this committee.

However, I think this committee has been formed and I would not regard its work as a dead end cause, for whatever reason, doubts exist among the American people concerning the facts of the assassination. I may have my own judgment as to how those doubts arose but I think that is really irrelevant. The fact is that those doubts are there. With those doubts there I think that perhaps this committee has a useful, very useful, constructive role to play in terms of perhaps dealing with those doubts. Now I do not want to convey the impression to you that I am saying that you have only one conclusion that you can reach. Your conducting an investigation under your responsibility. My opinion is that you will reach the same conclusion that we reached. But if you do I do not think that that would mean that this committee did not perform an enormously important public function and I hope the committee would not feel that way.

Mr. DEVINE. To put it another way then, assuming but not deciding, assuming that we did reach a conclusion that Lee Harvey Oswald was the sole assassin without a conspiracy, the committee could indeed perform a useful service by perhaps explaining away or coming to

some conclusion on the rumors and unanswered questions that seem to exist in the public mind?

Mr. REDLICH. I think that would be one very significant contribution. I think also that facts have apparently come to the surface concerning the response of different investigatory agencies to the Warren Commission, itself. I believe that this committee is looking into that, and should. I think the question of how the various agencies of the Government, including the Warren Commission, itself, performed the very important job that it had is clearly within the purview of this committee.

So that while I guess I would have preferred, as someone who spent 9 months of his life working on this Commission, that we did not find ourselves engaged in an activity which was perceived by the country to be a complete reinvestigation of the assassination, putting that view aside, I think the committee has a very important role to play for the reasons you have indicated.

Thank you very much.

Mr. PREYER. Mr. Stokes.

Mr. STOKES. I have no questions, Mr. Chairman. Thank you.

Mr. PREYER. Mr. Sawyer.

Mr. SAWYER. Thank you, Mr. Chairman.

Dean, when you were serving on the staff of the Warren Commission did there at any time come to your attention, directly or indirectly, that there had been this alleged CIA involvement in an attempt to assassinate Castro?

Mr. REDLICH. I have no recollection of that, sir. To the best of my recollection the answer to your request is no. I just do not recall any discussion about any CIA attempts to assassinate Fidel Castro.

Mr. SAWYER. Was there any suggestion that the so-called anti-Castro wing of the Cuban group here might have had any involvement in connection with the assassination? Was that ever explored?

Mr. REDLICH. That part of the inquiry was really handled more by Mr. Jenner and Liebeler. I do recall a great many discussions about Oswald's possible Cuban connection. There were witnesses, as I recall, who claimed that Oswald was linked to anti-Castro Cuba. There was also the possibility that Oswald could have been linked to pro-Castro Cuba. While I was not involved in that aspect of the investigation, I believe the Commission and its staff attempted to track down everything that it could about Oswald's relationship with anybody that related either to the pro-Castro side or the anti-Castro side.

But we did not, to the best of my recollection, look specifically at the question of any link between a threat to assassinate or a plot to assassinate Premier Castro and the assassination of President Kennedy.

Mr. SAWYER. Was there any investigation made or did any information come to your attention with respect to Ruby's possible connection with organized crime?

Mr. REDLICH. I recall that there was some discussion about—I was not personally involved in the Ruby investigation. There were a great many allegations about Jack Ruby. He had a rather unusual background. Included among those, as I recall, were some allegations linking him to organized crime. But I have not clear recollection of the nature of that investigation.

Mr. SAWYER. Was there information coming to the Commission about the alleged combination of the CIA and some of the Mafia in connection with some of these raids on Cuba?

Mr. REDLICH. I have no knowledge of that.

Mr. SAWYER. You have no recollection?

Mr. REDLICH. No; I do not. I am not saying it didn't happen.

Mr. SAWYER. The Commission as far as you know didn't get into that?

Mr. REDLICH. As far as I can recollect, no. But I was really not in that particular area of the investigation in a direct way.

Mr. SAWYER. Did the Commission as far as you know get into the question of how Officer Tippit identified Lee Harvey Oswald when he was allegedly killed by Lee Harvey Oswald. Did you get into that at all?

Mr. REDLICH. No one really knows what happened when Officer Tippit drove up to Lee Harvey Oswald on that street in Dallas. We did look at the police report that went out on the radio to see whether someone listening to those reports in a police car would have had reason to pull over and stop a man looking like Lee Harvey Oswald. The report goes into that in considerable detail. The descriptions that went out on the police radio describing a man of Oswald's build, although they were not incidentally at that time describing Oswald themselves, the reports that went out on the radio were based upon eyewitness description at the assassination. Oswald himself was arrested not for the assassination of President Kennedy, he was arrested because of the killing of police officer Tippit and was found in the theater.

So we don't really know whether there was any identification of Oswald by Tippit other than the fact that Tippit apparently moved up to Oswald in the car and then Oswald shot him.

Mr. SAWYER. Did you have any information with respect to the alleged destruction or concealment of information by the FBI that was your investigative arm, as I understand?

Mr. REDLICH. The only incident of that kind that I can recall coming to my attention related to an address book. In the course of sending us all of Lee Harvey Oswald's possessions the FBI sent to us the address book which was found either in Oswald's room or on his physical body at the time he was arrested, and they also sent over a written transcript of everything that was in that address book. Although I have not had prosecutorial experience, I am a lawyer and I sat down and decided to go through the address book page by page and compare it with the transcript of what was in it. In the course of doing that I found that there had been left out of the transcript certain data, and here I cannot be completely precise as to what was left out, but as I recall it was the name of Agent Hosty and possibly his license number or possibly phone number. It had something to do with Agent Hosty. That had been left out. Agent Hosty had been an FBI agent who had some contact with Oswald after he had come back to Dallas.

I was disturbed over that. I immediately reported it to Mr. Rankin. I am sure that Mr. Rankin immediately reported it to the Chief Justice because I believe the three of us talked about it. We then waited several days, it may have been a longer period but we waited to see

whether the FBI would furnish this additional data, and it didn't come. Then we wrote to the FBI a rather strong letter expressing our dismay about the fact that the transcript was not complete and asking an explanation for it. I believe, and I have no way of checking the specific dates, but my best recollection is that on the same day we sent the letter to the FBI there then came to us an explanation saying that the reason they had not sent it was that they were sending us only the material that would be addressed to leads and their own agent would not be a lead. I believe that would be the explanation although I am not sure.

In any event the explanation still left me annoyed over the fact that it had been left out and I remain annoyed to this day.

Mr. SAWYER. Was it pursued further when you got a reply that they were only excerpting that that they felt would be a lead?

Mr. REDLICH. I think the decision was made at the time that, while we were really not very happy with the reply, we couldn't really disprove it. That was not, as I recall, pursued beyond that point.

Mr. SAWYER. Is it fair to say that the matter was then dropped?

Mr. REDLICH. To the best of my recollection, yes, sir.

Mr. SAWYER. Can you tell me why the decision was made that the people primarily concerned on the staff were not allowed to see the X-rays or the photos of the autopsy and who made the decision?

Mr. REDLICH. To the best of my recollection, sir, that decision was made by the Chief Justice, himself. I was not present at any meeting of the Commission, so I don't know that it was brought up at any Commission meeting. I believe the Chief Justice himself felt that the publication of the autopsy film and the X-rays would be a great disservice to Mrs. Kennedy, the Kennedy family.

Mr. SAWYER. I am not talking about publication. I am talking about a member of the staff that had primary responsibility and, or the Chief Justice himself to look at these, not the public.

Mr. REDLICH. I can only surmise but I think the Chief Justice believed, based on all of the evidence that we had, including the testimony of the autopsy doctors, all of the physical evidence concerning the ballistics, the President's clothing, the nature of the flashings on the President's jacket, based upon all the physical evidence I think the Chief Justice, rightly or wrongly, concluded that he preferred for those films not to be viewed.

Now I would say that I know, because I have been shown today a memorandum from Mr. Specter, Mr. Specter I know had strongly felt, that that was a wrong decision. I think that there may have been another factor, sir, although I don't recall discussing it with the Chief Justice. I think the Chief Justice really wanted everything that was going to be viewed by the Commission to be part of the record. I think the Chief Justice felt rather strongly that he did not want the American people to say that a fact should be assumed as true just because Chief Justice Warren or anyone else saw it.

I think that he did not want those films to be viewed and form a basis for the conclusion of the Commission unless that could be part of the record. Now the Chief Justice is not here so I am just giving you my best recollection. Certainly, sir, by retrospect in light of all of the discussions about those films it might have been a wiser course of ac-

tion to have allowed those films to have been viewed. But those films are of course there now. I think by retrospect it would have been the wiser course of action to have permitted those films to be viewed.

I remember Mr. Specter's memorandum, and I would say it is a persuasive memorandum. I happen to agree that the films themselves, while they were important sources of evidence, I think that the evidence that the Commission did have before it amply supported the conclusion. But by retrospect I think that some arrangement should have been worked out for those films to be seen.

Mr. SAWYER. Perhaps the most controversial aspects of this or one of the most controversial is the single bullet theory. Here was positive evidence or potential positive evidence tending to go to that part of the inquiry that you refused to look at it even in camera. That I don't understand. I don't understand what was the nucleus of that decision.

Mr. REDLICH. I can only respond to that by saying that what appears to you in retrospect, by the perspective of 1977, as being a crucial bit of evidence, did not appear that crucial at that time. While I agree with Mr. Specter that the film should have been viewed, I believe quite strongly that if one looks at all of the evidence that was there at the time, and there was a great deal of that —

Mr. SAWYER. Why not look at all the evidence? That is what you are saying?

Mr. REDLICH. I think the reasons for that were the reasons that the Chief Justice gave and I think they are linked. One was the question of publicity; and secondly, it was his feeling that what the Commission was going to look at should be in the record. Now we may disagree with that. I am not saying that it was necessarily the correct decision.

I don't think those films are crucial to the single-bullet theory.

Mr. SAWYER. The single-bullet theory is not a newly cropped up argument. That was an argument that was raised within the staff. According to Mr. Specter, there was some debate and philosophical argument on how this could happen. If you have the evidence that can either make it or break it, let us say, to refuse to look at it—you know, no one would try a jury case without introducing the facts that are available. That is what I don't understand.

Mr. REDLICH. Mr. Sawyer, I don't believe those films would make or break the single-bullet theory.

Mr. SAWYER. You don't know because you didn't look.

Mr. REDLICH. I think that the Commission would have been criticized for not looking at them, but I believe that looking at those films which would either confirm or not confirm what the doctors themselves said, who conducted the autopsy; I think we are forgetting the fact that we had the testimony of the three doctors who conducted the autopsy and who had themselves seen the film.

Now, the single-bullet theory was a very complex formulation. If you have heard from Mr. Specter, you have heard it from a person who knows a great deal about it. I am not disagreeing with you that the films were an important bit of evidence. You have asked me why and I can only say to you, one, I did not make the decision; and secondly, I am giving you my best recollection why the decision was made.

Mr. SAWYER. My recollection is that there is a dispute between the testimony of the autopsy diagrams and the diagrams of the location of the bullet that entered the President's neck or back, and they seem to be disagreeing with their own diagram made at the time, as I recollect.

Mr. REDLICH. There is no doubt about their testimony that the bullet entered the President's back and another bullet entered the base of the head. They testified in detail about the track of the bullet. The pictorial diagram which they prepared I think was not consistent with their testimony.

Mr. SAWYER. Thank you, Mr. Chairman. I am sorry to have taken so much time.

Mr. PREYER. Mr. Fauntroy.

Mr. FAUNTROY. Thank you, Mr. Chairman.

The question that I have may not bear directly on procedures and the structure of the staff and the Commission to undertake the investigation. Inasmuch as we are into investigation, I would simply like to ask if at any time you were able to read a transcript or hear a tape recording of the interviews held with Mr. Oswald after his arrest?

Mr. REDLICH. I do not recall any tape recordings. We had as a witness before the Commission the Dallas police officer who questioned Lee Harvey Oswald. I believe that he did not use a tape recorder. That is my best recollection. He himself did not. So, we had his report of the interview with Oswald. We then had the FBI agents' and possibly Secret Service, I am not sure, reports of their interviews with Oswald. We then had the agents who had interviewed Oswald and they testified before the Commission.

I also believe that the Dallas police officer who questioned Oswald also was interviewed by an FBI agent, and we had the results of that interview.

Mr. FAUNTROY. But you recall at no time a verified account of what Mr. Oswald in fact said?

Mr. REDLICH. If you mean an actual transcript, sir—

Mr. FAUNTROY. A transcript of some sort.

Mr. REDLICH. I do not have any recollection of that.

Mr. FAUNTROY. You were comfortable with the procedural fact that you had FBI agents and police officers who outlined to you what they recalled from their interrogation of Mr. Oswald?

Mr. REDLICH. Yes. To the best of my recollection, everyone who questioned Oswald was questioned by the Commission or the staff, as I recall.

Mr. FAUNTROY. Thank you, Mr. Chairman.

Mr. DEVINE. May I ask one question, Mr. Chairman?

Mr. PREYER. Mr. Devine.

Mr. DEVINE. In connection with what Mr. Sawyer brought up, on the Hosty omission from the transcript, was that the only omission you found in your comparison analysis of the notebook and the transcript?

Mr. REDLICH. That is my recollection, sir.

Mr. DEVINE. That is the only one?

Mr. REDLICH. Yes. I would have to actually look at the letter that we wrote to the Bureau because that contains whatever else there was, but that is my recollection now.

Mr. DEVINE. The only deletion so far as you know?

Mr. REDLICH. As far as I can remember it. If the letter to the Bureau goes beyond that, my recollection is faulty.

Mr. DEVINE. The Hosty thing stands out in your mind?

Mr. REDLICH. The Hosty thing clearly stands out in my mind. I am reluctant to say categorically that is all there was. I was asked the question about what was concealed at the time I was there. I have read in the papers about a letter that was given to agent Hosty that was supposed to have been destroyed, but we knew nothing about that at the time.

Mr. DEVINE. Thank you. Thank you, Mr. Chairman.

Mr. PREYER. Thank you.

Mr. Klein, we have covered your next area for you.

Mr. KLEIN. Yes; I think so, Mr. Chairman, but I will try to go around the area.

Mr. FAUNTROY. Go right through them. Just go straight on through if you don't mind.

Mr. KLEIN. Dean Redlich, in the areas in which you participated in the investigation and you have told us what those areas were, do you believe that you were reasonably able to explore and resolve all the viable issues?

Mr. REDLICH. Yes, sir.

Mr. KLEIN. Did you have enough time to fully investigate those areas?

Mr. REDLICH. I believe we did.

Mr. KLEIN. Did you experience any political pressures applied in any of those areas which prevented you from thoroughly considering all the issues?

Mr. REDLICH. No, sir.

Mr. KLEIN. In your opinion in each of the areas that you participated in the investigation, did you have adequate support with respect to research needs and investigators?

Mr. REDLICH. Yes. Once the decision was made that the investigatory arms of the Federal Government were going to be used by the Commission my overall judgment of the way that those investigatory arms performed was extremely favorable.

I believe that they were completely responsive to the requests of the Commission for investigative work.

Mr. KLEIN. Is it fair to say that in your opinion you had the time and the support, the facilities, to complete the full investigation in each of the areas in which you worked?

Mr. REDLICH. Yes, sir. When I left on that Friday morning, I was satisfied in my mind that we had done a complete and thorough job and that we were not under political pressure and that if I felt that we had not done a thorough job I would have been arguing vigorously to keep the investigation going. I did not so argue. I thought that we had done what we had set out to do the preceding December.

Mr. KLEIN. One area you testified you worked in was the facts of the assassination. Can you tell us how the single-bullet theory evolved?

Mr. REDLICH. I can't recall any specific moment in which someone said that this is the way it was. We were studying the film very carefully. By we I mean Mr. Specter, Mr. Belin, Mr. Eisenberg, myself, Special Agent Shaneyfett, who was a photography expert for the

Bureau. We were studying the films carefully to see the positions of President Kennedy and Governor Connally. We had the ballistic testimony which was that the bullet that was found on the stretcher and the fragments that were found in the car had been fired from the rifle on the sixth floor of the Texas School Book Depository to the exclusion of all other weapons. We had the autopsy document. There was examination of clothing. There was no hard evidence at all that any bullet had come from any other source. Now a question that was troublesome was that as one looked at Governor Connally's position in the car and realizing the time within which it took to fire bullets from the rifle, if Governor Connally was hit at a certain frame, and I forget the number, but at a certain frame based upon his body position, and if President Kennedy was hit at a certain frame based upon our observation of the film, and if those frames were so close together that one person physically could not have squeezed off the two bullets, we would have had a situation where all of the known facts that we had—remember, there were no facts that we had that the bullets had come from any place other than the sixth floor window—we would have had a situation where the facts simply would have presented an irreconcilable conflict.

Now since Governor Connally was in front of President Kennedy one hypothesis which started to emerge, and I repeat I can't tell you when it emerged, but one hypothesis that started to emerge, and it would have been logical to have emerged with Arlen Specter, one hypothesis was that the same bullet struck both men.

Then the question became one of testing that hypothesis—that was done in several ways—the question of whether one bullet could have gone through President Kennedy's neck and emerged, going at such a speed as to have done the damage that it did. There was testimony from witnesses answering that question in the affirmative.

A critical question of course was whether the two men were so aligned at the time that President Kennedy was shot in the neck that the bullet could have hit Governor Connally. That was one reason that the reenactment in Dallas was staged. The car was placed at the point where, based on the films and what we could see in the background, the car was at the time that we believed the President had been hit with the first bullet. I was in the School Book Depository at the time of reenactment.

Then we had a camera set up on the rifle, itself, through the sights to see whether at that particular moment the two bodies were in alinement. They were in alinement.

The single-bullet theory has somehow emerged in discussion as if it were unrelated to all the other facts. The point I am simply making is the fact that the bullet which went through President Kennedy's neck also was the same bullet that entered Governor Connally's back was completely consistent with all of the evidence that we had at that time.

Mr. KLEIN. You spoke about the time required to fire the alleged murder weapon twice and you spoke about the point at which it appears the President was hit and the point at which it appears the Governor was hit. With that in mind, in your opinion, if the single-bullet theory is not valid, that is if there were two separate bullets

which hit the Governor and the President, could there still have been only on shooter?

Mr. REDLICH. The only way I can answer that question is to say to you that if the single-bullet theory is not valid we would had to have gone back and reevaluated all our other facts. I am not prepared to say that that means that there necessarily had to be two assassins. I can only say that all of the facts that we have were consistent with the single-bullet theory. If that turned out to be wrong, if somebody said that didn't happen that way, it was conclusive that it didn't happen, I cannot tell you what the results of a complete reevaluation of all the facts would have been.

Mr. KLEIN. Are you familiar with Commission exhibit No. 399, the so-called "pristine bullet"? Do you recall that? Again we are speaking about the single-bullet theory. My question is are you completely satisfied as you sit here that Commission exhibit No. 399 is the bullet that went through both Kennedy and Connally?

Mr. REDLICH. Assuming 399 is the bullet that was found on the stretcher at Parkland Hospital, the answer is yes.

Mr. KLEIN. I believe that the conclusion of the Warren Commission was that 399 was found on a particular stretcher. Are you in a agreement with that conclusion?

Mr. REDLICH. I am. I was simply being cautious, not having the report in front of me and not knowing what 399 was.

Mr. KLEIN. If I tell you that 399 was the bullet that the Warren Commission concluded was found on Connally's stretcher, then you are completely satisfied that that bullet went through both Kennedy and Connally?

Mr. REDLICH. Yes, sir, I am.

Mr. KLEIN. Based on your knowledge of the single-bullet theory, I will pose a hypothetical. That is, if Commission exhibit No. 399 was not on Connally's stretcher but if it were on Kennedy's stretcher, in your opinion would the single-bullet theory have any validity? That is, if the Warren Commission was incorrect when they concluded that exhibit 399 had been on Connally's stretcher?

Mr. REDLICH. I am trying to understand the point. As you know from the testimony of nurses, there was some question of where the bullet—as to the question of the stretcher, I can only reiterate I am completely persuaded that a bullet went through President Kennedy, the base of his neck, went through his body with a downward trajectory, emerged at the base of his tie. Then proceeded with a slight yaw and entered the right side of Governor Connally, hit his ribs, as I recall, emerged through his body, did the damage to his wrist and then was lodged in his thigh and that one bullet did those things.

I am also convinced that a second bullet entered the back of President Kennedy's head and blew out the right side of his head, killing him. Now the question of the bullet ending up on particular stretchers is something that I am not quite sure I understand the thrust of. I can tell you what my conclusion is as precisely as I just did. If somebody found that bullet on President Kennedy's stretcher I would have to start to look to see where it came from, what happened.

Obviously if that "pristine bullet" only went through President Kennedy, then it would be at variance with the conclusion that I

just described to you. But that is because I believe that the two men were alined and based upon what that bullet had to go through, hit President Kennedy's back, the absence of bone tissue, the fact that it was probably emerging at almost the speed as when it entered, leads me to the conclusion that it had nowhere else to go other than to hit Governor Connally.

Mr. KLEIN. Moving on, the second area that you testified you were involved in was the investigation of Marina Oswald—is that correct?

Mr. REDLICH. Yes, sir.

Mr. KLEIN. Mr. Chairman, at this time I would ask that these two documents be marked as exhibits.

Mr. PREYER. The documents will be marked as JFK exhibit No. 13. Without objection it will be entered into the record at this time.

[JFK exhibition No. 13 was received; entered in the record, and follows:]

JFK EXHIBITION No. 13

FEBRUARY 28, 1964.

[Memorandum]

To: J. Lee Rankin.

From: Norman Redlich.

Subject: Questioning of James H. Martin and others concerning Marina Oswald's character.

During the course of yesterday's questioning of James H. Martin many questions were asked relating to the character and personal life of Marina Oswald. Since some members of the Commission may doubt the relevancy of these questions, and since the issue may arise again when other witnesses are called before the Commission, I am herewith setting forth my reasons for pursuing this line of inquiry.

James H. Martin stated that he had consciously attempted to create a public image of Marina Oswald as a simple, devoted housewife who had suffered at the hands of her husband and who was now filled with remorse for her husband's actions and deeply grateful for the generosity and understanding of the American people. As Martin's testimony indicates, there is a strong probability that Marina Oswald is in fact a very different person—cold, calculating, avaricious, scornful of generosity, and capable of an extreme lack of sympathy in personal relationships.

This Commission has undertaken not only to determine who fired the shots that killed President Kennedy but to study all evidence which might lead to an explanation for why the crime was committed. If Lee Oswald was the assassin, the character and personality of his wife must be considered relevant in our determination of motive. There are many possible explanations for the assassination—a foreign or domestic plot, Oswald's insanity or Oswald's political motivation. Another possible explanation is that Oswald was a mentally disturbed person with delusions of grandeur who was driven on to commit this act by a wife who married him for selfish motives, degraded him in public, taunted him about his inadequacies, and drove him to prove to her that he was the "big man" he aspired to be. To the extent that we ignore any one possible explanation for the crime we are focusing the attention of the Commission and history on other motives which may not be as sound as the one we ignore. This would be a disservice to the cause of truth which, in your words, is our only client.

Neither you nor I have any desire to smear the reputation of any individual. We cannot ignore, however, that Marina Oswald has repeatedly lied to the Service, the FBI, and this Commission on matters which are of vital concern to the people of this country and the world. As you know, I was not in favor of placing on the record the story of her actions in Washington because we already have statements which provide us with all that we need to know on this matter and formal testimony could have added very little. But if a witness who has had close association with Marina Oswald is prepared to offer certain insights into her character, including those of a derogatory nature, I feel that the mandate of the Commission's inquiry compels us to consider this testimony.

In the near future we will be questioning Ruth and Michael Paine, and possibly re-examining Marina Oswald. I feel that the issues raised in this memorandum should be carefully considered by the Commission prior to the calling of these witnesses.

Mr. KLEIN. [Handing this document, which is a memorandum dated February 28, 1964, to Dean Redlich.] Do you recognize that memorandum?

Mr. REDLICH. I do recall it; yes, sir.

Mr. KLEIN. Have you had an opportunity to review that memorandum earlier today in my office?

Mr. REDLICH. Yes, sir.

Mr. KLEIN. Do you recall writing that memorandum?

Mr. REDLICH. I believe I wrote that. I am not denying that I wrote it.

Mr. KLEIN. I would direct your attention to page 2 of the memorandum, the second paragraph, the second sentence. I quote:

We cannot ignore, however, that Marina Oswald has repeatedly lied to the Secret Service, the FBI, and this Commission on matters which are of vital concern to the people of this country and the world.

Will you explain what you were referring to in that sentence please?

Mr. REDLICH. I have been thinking about that, Mr. Klein. This memorandum was written in February 1964, shortly after Mr. Martin testified. As the committee will notice, the purpose of this memorandum was to explain to the Commission why I had pursued a line of inquiry with regard to Mr. Martin, a line of inquiry which presented Mrs. Oswald in a less than favorable light. My explanation was that we had an obligation to pursue all possible motives. One of the motives could have been that Mrs. Oswald, through the kind of person that she was, drove Lee Harvey Oswald to the assassination. I am not saying that was the motive. I am saying that was a possibility. Therefore, I took the position in this memorandum that Mrs. Oswald, that the nature of her character, the kind of person that she was, was relevant to the scope of the inquiry.

In the course of that, I wrote this sentence.

Now I have tried to recollect any specific matter that I may have had in mind, and I have to say that I do not recollect anything specific. It may have been, and one would have to go back into the investigatory report, it may have been at first she may not have told the truth in connection with the attempted killing of General Walker. It may have been. I am really just surmising she may have been asked if Oswald had ever engaged in violence, and she may have at first said "No" and then brought out the fact about the General Walker shooting.

I can only recall that I prepared a lengthy memorandum, and I hope it is in the files because if I had that I could answer your questions, that it was a lengthy memorandum that I prepared which was the basis for her questioning. As I say, I worked for about 5 or 6 weeks to develop a series of questions. Now I gave to Mr. Rankin a lengthy document which had a proposed series of questions, and to each one of those questions I indicated the testimony that she had given at various times, because she had been interviewed many times.

I indicated the testimony that she had given, the instances where it was in conflict, and indicated the kind of questions that I thought should be asked when she came before the Commission. This, of course,

refers to the Secret Service and to the FBI. I believe that most of what I was referring to in this sentence would have related to the answers that she would have given to those agencies.

If you can find that document, I will be happy, if you called it to my attention, to try to be specific on the answer. As of now I have no clear recollection of any particular event other than the possibility of the Walker one, and there was also the possibility that she may have originally denied that there was any other act of violence or any threat of violence whereas he had in fact at one point told her that he was going to kill Mr. Nixon, which came out later.

Mr. KLEIN. Unfortunately, we have not been able to locate many documents which should be in the Archives. I do not have and have not read the document to which you are referring, but let me ask you this. As you sit here today, is it your recollection of your investigation of Marina Oswald that this sentence is basically correct, or was there any kind of change in your attitude toward her credibility?

Mr. REDLICH. I would say that at the time I wrote this letter on February 28, this statement is correct. I would not have written it if I did not think it was correct. Now I also say that at the time our investigation was over, I was satisfied that whatever light she could throw on the assassination that was relevant to our inquiry she had given us, and that there was no need to pursue any further questioning of her. She was questioned again, I believe; I believe in Dallas. It is possible that some of the areas might have been cleared up at that point or cleared up in subsequent interviews that we may have asked the FBI to conduct with her. So that this statement at the time I wrote it I must have believed was correct, and if I could find that document, it would give you the details of it.

At the time we concluded our investigation, I did not feel that Marina Oswald could have cast any additional light on the critical questions that were before the Commission.

Can I just amend that answer slightly, Mr. Klein? Let me say that I felt that any additional questioning of Marina Oswald was not going to cast additional light. No one can really be sure whether someone possesses information. I think the only thing I felt reasonably sure of, and still do, was that any further questioning of her was not going to produce anything more than we knew.

Mr. KLEIN. I am just trying to understand your last statement. Is it your belief that with proper time and investigative resources that Marina Oswald could shed further light on the investigation?

Mr. REDLICH. I have no way of judging that. Fortunately, we live in a society where there are limits on the extent to which one tries to pry information from the mind of a human being. There may have been aspects about Mrs. Oswald's life, of what she perceived to be of a personal nature, which she would not have wanted to have discussed. Whether those could cast light on his motives one can only speculate.

As you know, the Warren Commission reached the conclusion that there was no evidence of a conspiracy. We tried to indicate several possible motives. Proving negatives is always a very difficult thing to do. Whether Mrs. Oswald has information in her mind that might be useful to this Commission I would doubt, but I would not cate-

gorically say that any person does not have information in one's mind except what I say about myself. I do not.

Mr. FAUNTROY. Will counsel yield, Mr. Chairman?

Mr. PREYER. Mr. Fauntroy.

Mr. FAUNTROY. I earlier indicated the fact that Mr. Oswald was dead dictated what structures and procedures you had to follow, and that, while the absence of any verbatim account of what he had to say did not disturb you unduly, obviously, from your statement here, you did have some specific things in mind which, of course, you obviously, after 13 years, can't recall specifically, and counsel has advised us that we don't have access to the memorandum or writing that might have refreshed your memory on those, I just wondered, inasmuch as Mrs. Oswald is still available to us, if it would jog your memory to think a minute about what we might ask her, that you might have asked her had you had the affirmative response to your memo?

Mr. REDLICH. The reason I find it difficult to answer that is that you must understand that that sentence would have been completely consistent with Mrs. Oswald's having told certain things to the FBI on one occasion, and then saying, "I didn't tell you the truth that time, this is the truth." It would have been consistent with her having told the FBI something on one occasion and then coming before the Warren Commission, saying, "This is now the truth, that was not." So, at the time I wrote this sentence it should not be interpreted as meaning that I thought there were then a great many unanswered questions about her.

I did think there were some because I did state later in the memorandum that "We will be questioning Ruth and Michael Paine and possibly be reexamining Marina Oswald." To my best recollection I did feel that we should reexamine Marina Oswald and that happened I believe in July of the investigation. What I am not sure of at this moment is whether after her testimony before the Commission and whether after her subsequent questioning by the Commission staff and whether after subsequent questioning by agents of the FBI, if in fact we asked them to do it and I am not sure about it, whether after all of that, I still feel that I have doubts about what she told us. That is why I find it hard to answer your question in the affirmative.

She is obviously a very important person in understanding Lee Harvey Oswald and possibly his motives. She was with him a great deal of the time. Her testimony is very relevant as to whom he knew, whom he spoke to. I simply am unable to tell you now whether I felt that we had anything less than the truth from her at the time we finished in December 1964.

I must have felt that we did at the time I wrote this memorandum in February 1964.

Mr. FAUNTROY. But it is accurate to say that at the conclusion of the Commission's work you were satisfied that your questions about the possible motives for Oswald having their origin in the character of Marina Oswald, his wife, were satisfied?

Mr. REDLICH. The Commission reached no conclusion on motive. My own personal opinion is that I could not reach a conclusion on motives.

I think it is possible that the personal, and this is my own personal judgment on this, sir, that the personal relationship between the two of them could have been a factor. I am a lawyer and not a psychiatrist and I don't know whether someone with psychiatric training would have a different view of this. The most I would say is that that could have been a factor. But there could have been other factors. It could have been a man who wanted to demonstrate that he was really an important person, quite apart from his wife. He could have been a man who had an intense dislike of authority.

He could have been a man who, based on his Marxist writings, had an intense dislike of anything in the capitalistic system. It could have been any one of a multiplicity of motives. I think that is something that people will speculate about for a long time to come.

Mr. PREYER. Mr. Klein.

Mr. KLEIN. Dean Redlich, in the area of autopsy you have given extensive testimony already; are you aware that the FBI report issued on December 9, 1963, and the supplementary FBI report issued on January 13, 1964, both stated that the first bullet to hit the President did not exit from his body? Are you aware of that?

Mr. REDLICH. Yes, sir, I do recall that.

Mr. KLEIN. During the course of the investigation were you able to account for the discrepancy between the FBI report and the autopsy report, considering that the autopsy report was written before the FBI report was written?

Mr. REDLICH. I believe that we satisfied ourselves that what happened was that the FBI agents who were present at the autopsy were recalling their recollection of what was being said and the doctors were examining various hypotheses during the time of the autopsy, and that accounted for the FBI report saying one thing and the doctors saying another.

I thought the FBI report was a grossly inadequate document. In fairness to the Bureau they apparently decided to produce something very quickly, but based upon what I feel I know and remember about the facts of the assassination, I think it was a grossly inadequate document.

Mr. KLEIN. When you say it was a grossly inadequate document is that in all respects or are you just talking about the autopsy?

Mr. REDLICH. I think the way it handled the autopsy, I believe—let me put it to you this way, Mr. Klein. If all we had before us was the FBI report about the assassination, the unanswered questions about the assassination would have been legion and they would have come from very responsible sources, because the thing that we were talking about earlier, the single-bullet theory, the explanation of the totality of the facts of what happened, was simply not in the FBI report.

It took us a long time to work it up. I don't want to be critical in terms of the time they had available to them but I think that this Government owed much more to the American people than the FBI report that was presented to the Commission, and we certainly did not use that as any type of basis for our investigation.

Mr. DEVINE. If the gentleman will yield at that point, was not that FBI report a preliminary report? Had it been a complete report there would have been no need for an examination?

Mr. REDLICH. What I was suggesting was that if that had been the final word, that FBI report had been the final word, I think perhaps long before 1977 there would have been a need for this committee, sir, because a great many questions that I believe we answered were left unanswered by the Bureau's report. That may have simply been a matter of—

Mr. DEVINE. Is it your understanding that was a final report from the FBI or a preliminary report?

Mr. REDLICH. I am not sure of that. That was a report that I believe may have been done for the President at the time and then given to us. Then I would have to look at the report. I think you have raised a very good question. I would have liked to look at the report again to see what they said about it. I would say that report, just standing on its four corners, was in my opinion not an adequate explanation of the assassination. In fairness to the Bureau, it may well never have been intended to be a definitive report of the assassination and if that is true, then my comments have to be judged in that light.

Mr. DEVINE. Then it was less than a month following the assassination, was it not?

Mr. REDLICH. I think so.

Mr. DEVINE. Thank you.

Mr. KLEIN. Mr. Redlich, what present predispositions did you have toward the intelligence agencies, such as the FBI and the CIA, prior to working for the Warren Commission?

Mr. REDLICH. As a professor of constitutional law I regarded myself as a civil libertarian. I had regarded the FBI and its activities during the 1950's in the cold war period as being one which had been repressive of free speech. So I did not come to Washington with the view that the Federal Bureau of Investigation was a model that I should choose to follow. I had had no direct experience with it. I had felt that the Bureau had been part of what I perceived to be a most unfortunate period in the history of civil liberties in the United States.

I had no particular feeling about the CIA or the Secret Service.

Mr. KLEIN. Will you describe the relationship of the Warren Commission to each of the intelligence agencies. How in your opinion did the Warren Commission view the agencies and how did the agencies view the Warren Commission?

Mr. REDLICH. I can say very little about the CIA because I had virtually no contact with it, perhaps no contact with it. That was handled by Mr. William Coleman and David Slawson, to some extent Willens. Now as far as the FBI is concerned, I thought that we had a good relationship notwithstanding my extreme annoyance over the Hosty matter. As I look at the totality of the work they did over this 9 or 10 month period there is nothing that we asked them to do that they didn't do and do promptly.

While there were certain instances where I thought they made mistakes, that was our problem to evaluate their work. But as far as cooperation was concerned, while, as you know, the Bureau had fairly rigid rules about who wrote letters to whom, and the letter that came from the Bureau was signed by Mr. Hoover, the Bureau I found to be a very cooperative agency.

The Secret Service we did not ask to do that much. Whatever we asked them to do, mainly in connection with some work in connection

with the reconstruction of the assassination in Dallas, I found them to be cooperative. I would say that notwithstanding my predisposition, which I already mentioned to you, before I came to Washington, I left Washington with the feeling which I incorporated in letters that I wrote to Mr. Hoover, with the feeling of respect for the FBI.

I came with a feeling that maybe there were two FBI's. Maybe there is the FBI that works as a professional law enforcement level; that was the group I dealt with, that was the group for which I came away with a very healthy respect. Maybe there was another FBI which dealt with political matters, which I had nothing to do with, and which undoubtedly accounted for my prior negative feelings about their work.

Time after time as I worked with their experts I found they were fair, cautious, and did not try to overstate the case. They were not trying to convict Lee Harvey Oswald ex post facto, they were a very professional organization.

Mr. KLEIN. You testified as to the Hosty notebook. Other than that to your knowledge did any of the intelligence agencies ever intentionally withhold any information from the Warren Commission?

Mr. REDLICH. To my knowledge as of September 1964 or my knowledge now?

Mr. KLEIN. As of September 1964.

Mr. REDLICH. As of September 1964 my best recollection is that it was only the Hosty matter.

Mr. KLEIN. As you sit here today do you know of any such information?

Mr. REDLICH. As I sit here today I have read reports that Lee Harvey Oswald delivered a letter to Agent Hosty in Dallas which Agent Hosty destroyed. I think that is inexcusable. Now the question of what blame one attributes to the Bureau depends on what your committee discovers about who else in the Bureau knew what Agent Hosty did. Whoever in the Bureau was responsible for that, that was inexcusable. If it were to turn out that people in high positions of authority in the Bureau knew about that and didn't tell us, then I would be very chagrined about that and it would certainly lead me to qualify my statement that they had cooperated in every way.

If it was only Agent Hosty or some immediate superior I think that is a subject of condemnation but I would not condemn the entire Bureau.

Now the other aspect that I have read in the press is that the CIA and the FBI and Mr. Dulles are supposed to have known of a plot to assassinate Premier Castro. I think that should have been brought to the attention of the Commission.

Mr. KLEIN. The information that you just testified to relating to the note that was not received and the attempt to assassinate Premier Castro, in your opinion had this information been given to the Warren Commission would it have affected the investigation?

Mr. REDLICH. Let us take them one at a time.

The note to Hosty. How it would have affected the investigation would have depended—perhaps I don't understand your question. Do you mean the existence of the note or the fact that Hosty destroyed it?

Mr. KLEIN. I mean if you had known that the note existed would the investigation have proceeded along different avenues than it ultimately went?

Mr. REDLICH. That one I think would not have had too great affect on the inquiry for this reason. As I recall, at some point in the investigation, perhaps in the questioning of Ruth Paine, it was brought out that Lee Harvey Oswald had gone down to the Dallas Police Department [sic] and had threatened to blow the headquarters up or words to that effect. At least that is my recollection. To the extent that the letter would have confirmed that fact it would have been additional evidence.

But the revelant fact that Lee Harvey Oswald was capable of violence is something that the Bureau, if my recollection is correct about the Ruth Paine testimony, would have known about, because she testified that Oswald had gone to the FBI headquarters in Dallas and threatened to blow it up. So that that would have only been relevant in evaluating the performance of the FBI in not turning over Oswald's name to the Secret Service.

If I am right that the Bureau had that information, then I think the fact that they would have had the information in the form of a letter would not have materially affected the investigation.

Mr. KLEIN. On that point your answer is based on the testimony that you read in the newspapers that was given by agent Hosty saying that the letter was a threat by Oswald to blow up the FBI building. Is it fair to say that your answer is predicated on accepting agent Hosty's explanation of what was in the letter and that the Warren Commission might have been able to further investigate the letter and affirm whether or not that was in fact what the letter said? Was that an avenue of investigation that might have been open to the Warren Commission?

Mr. REDLICH. Yes; we would have had the letter. We would have been able to compare the letter with what I recall was Mrs. Paine's testimony. That would have been relevant to the question of Oswald's propensity to violence which would have been relevant in terms of the FBI failure to report it to the Secret Service because we had a lot of other evidence of Oswald's propensity to violence at the time the investigation was made.

Mr. KLEIN. When you say that the letter that was destroyed—would not have affected your investigation you are accepting Agent Hosty's 1976 testimony as to what the letter said. I am saying that had you known at the time of the investigation that a letter existed then do you think that that might have led to an investigation and who knows what would have been found as to what the letter actually said?

Mr. REDLICH. I am sorry, Mr. Klein. I did not understand your question. You are quite right. Not having the letter we don't know what the letter said. If the letter had said something different from what Agent Hosty said in 1977, then we might have had a different investigation.

Mr. KLEIN. Further along that line, had you known the letter existed in 1964 when you investigated this case, then there would have been a lot of avenues that you might have gone to, to try to find out what this relationship was. Again, not necessarily accepting what Agent Hosty said the letter said.

Mr. REDLICH. That would depend entirely on what the letter said. I can only speculate on that.

Mr. KLEIN. To your knowledge, did any of the intelligence agencies ever intentionally delay providing the Warren Commission with any information?

Mr. REDLICH. If they did it was not something that I recall.

Mr. KLEIN. To your knowledge did any of the intelligence agencies ever intentionally provide the Warren Commission with false or misleading information?

Mr. REDLICH. Again I would say that as of September 1964 I would answer to my knowledge no. If the alleged facts are true that there was a plot to assassinate Premier Castro, and Mr. Hoover and Mr. McCone said that they had given us all the information that was relevant to this assassination, then sitting here today I would say that those statements were not accurate.

Mr. KLEIN. As you sit here today do you have an opinion as to what might have motivated the intelligence agencies to either withhold information or provide false information?

Mr. REDLICH. You are asking a general question. The only information that I have any knowledge about, which is what I learned through the press, relates to the Hosty letter and the assassination plot in regard to Castro. I can only speculate about that.

Mr. KLEIN. What would your speculation be?

Mr. REDLICH. Do you want my speculation?

Mr. KLEIN. Yes.

Mr. REDLICH. My speculation might be that the FBI could conceivably have been—not the FBI but Agent Hosty or someone in the Bureau might have felt that a letter in their possession threatening to blow up the Dallas headquarters of the Bureau would have been construed as, and put the Bureau on notice that Lee Harvey Oswald was a person who was dangerous and therefore they should have reported him to the Secret Service. In fact you will recall that the Warren Commission did criticize the FBI in its report for not reporting Oswald to the Secret Service.

Now I think that a possible reason is that they may have felt that this would put the Bureau in a bad light. On the question of the assassination one can only speculate that they may have had reasons that they perceived to be national security in mind. They may have felt that if this were brought to the Commission it might have led to certain areas of investigation which they perceived to be matters of great national security. I can only guess about that and I really have no knowledge.

Mr. KLEIN. In your opinion did the fact that prior to the formation of the Warren Commission the FBI had issued its December 9 report and January 13 report which concluded that Lee Harvey Oswald was the lone assassin, did that fact in any way affect the investigation of the Warren Commission?

Mr. REDLICH. No. We did not accept that conclusion. We started with a completely clean slate.

Mr. KLEIN. In your opinion while working for the Warren Commission, were the FBI agents who worked for you adverse to, or were they open to, the proposition that the Bureau might have been wrong when it concluded that Lee Harvey Oswald was the lone assassin.

Mr. REDLICH. I can't really analyze what was in the minds of the individual agents. It is rare for people in or out of Government to be

happy with the thought that something they worked on was wrong. I think that the Bureau personnel was probably no exception to that. On the other hand I found that in my working with them on questions of film analysis, I didn't have a sense of working with a group of people who were resisting what the Commission was doing. I had a sense of a group of people who were trying to help us with what we were doing.

Mr. KLEIN. Is it possible that the FBI, having already conducted its own investigation and reached a conclusion, wanted to tailor the Warren Commission investigation to conform to that conclusion?

Mr. REDLICH. I don't believe that is possible.

Mr. KLEIN. To your knowledge was any consideration given to hiring independent investigators?

Mr. REDLICH. I have clear recollection of that. Certainly during the time of the investigation from time to time staff members talked to Mr. Rankin about what it might have been like if we had had a completely independent staff. I think that we reached the conclusion then, with which I still agree, that while using the existing investigatory arms of the United States had certain disadvantages, that on balance it was still the right decision to make. There were certain tradeoffs.

We got the benefit of what I still believe to be a highly efficient, cooperative, vast investigative apparatus which cooperated. The trade-off was that it could be said that we were using the very agencies of the United States who might have some stake in a preordained result. I don't think there was any happy, completely happy, solution to that dilemma.

I am satisfied that it was the right decision.

Mr. KLEIN. As you sit here today, if you had to make that decision at this time you would make the same decision? I am saying if this were 1963, knowing what you know, would you make the same decision to use FBI agents as investigators?

Mr. REDLICH. I still think I would make the same decision. The only qualification I would give to that would involve information that this committee may know that I don't know and that is what one has learned about the extent to which the FBI may have withheld information. Now based upon what I now know, which is limited to the Hosty matter, I am not prepared to conclude that that decision was erroneous.

Mr. KLEIN. Just one other question in this area which I had asked before but we did not actually get to it. If the Warren Commission had known about the CIA plot to assassinate Premier Castro would that have affected the investigation and, if so, how?

Mr. REDLICH. I think it would have affected it, Mr. Klein. How I am not completely sure. I think that an important fact like that might perhaps have led to additional inquiry as to whether the Cuban Government might have known about it, whether in some way the Cuban Government might have tried to retaliate. Although I am cognizant of the fact that the Warren Commission, at least to the best of my recollection, did look into every Cuban connection that Oswald had, it is possible that this additional fact might have led to further inquiry. I also think that it might have affected Oswald's motive or at least affected our conclusion with regard to Oswald's motive quite apart from conspiracy. For example, if it could be shown that Oswald knew about

the proposed plot to assassinate Castro, then the Commission could have concluded that this was an additional motive that Oswald might have had. I would doubt that the Commission would have concluded this was the sole motive, but this could have been an additional motive. From my investigatory experience with the Warren Commission, I think that we would have started an investigation.

Where that would have led I couldn't tell you.

Mr. KLEIN. Mr. Chairman, I have only a few more questions which are of a conclusory type, so I would now yield if anybody else has any questions in the areas we have covered.

Mr. PREYER. I think Mr. Blakey has a few questions.

Mr. BLAKEY. Dean Redlich, I would like to see if I could pin down for the record a couple of matters or at least one general matter that has been raised here by a number of questions. I wonder if you will bear with me if I ask you a couple of related questions.

Let me direct your attention to the period of time during which you worked on the Warren Commission and ask you to your knowledge did the Chief Justice have any information while he was serving with the Warren Commission concerning any involvement of any of the U.S. intelligence agencies in alleged plots or attempts against Cuba or to assassinate Fidel Castro?

Mr. REDLICH. To my knowledge, the Chief Justice had no such knowledge. I knew of no such knowledge that the Chief Justice may have possessed.

Mr. BLAKEY. To your knowledge, did any other Commissioner have any such information while he was serving on the Warren Commission?

Mr. REDLICH. To my direct knowledge, Mr. Blakey, no. I, of course, have read about Mr. Dulles, but I have no direct knowledge.

Mr. BLAKEY. At the time you were serving on the Commission?

Mr. REDLICH. While I was serving I had no such knowledge.

Mr. BLAKEY. To your knowledge, did any staff members have any such information while he was serving with the Warren Commission?

Mr. REDLICH. To my knowledge; no, sir.

Mr. BLAKEY. In retrospect was there any conduct on the part of the Chief Justice from which you could have or which you in fact did infer that he did have such knowledge?

Mr. REDLICH. No, sir.

Mr. BLAKEY. In retrospect was there any conduct on the part of any other Commissioner from which you could have or you did infer that he had such knowledge?

Mr. REDLICH. No, sir.

Mr. BLAKEY. In retrospect, was there any conduct on the part of the staff members from which you could have or did infer that he had such knowledge?

Mr. REDLICH. To the best of my knowledge, no, sir.

Mr. BLAKEY. Did you see any document while you were serving on the Commission from which you could have or did infer that the Chief Justice, any other Commissioner, or any staff member had such knowledge?

Mr. REDLICH. I recall no such document.

Mr. BLAKEY. Were you ever present at any discussions from which you could have or did infer that the Chief Justice, any Commissioner, or any staff member had such knowledge?

Mr. REDLICH. I recall no such conversation.

Mr. BLAKEY. Were you ever instructed by anyone while you were serving on the Warren Commission not to pursue any line of inquiry?

Mr. REDLICH. No; except I think that the Chief Justice was unhappy about the questions I was asking Mr. Martin which led to that document which had nothing to do with Cuba.

Mr. BLAKEY. Is that the only instance where either the Chief Justice or a Commissioner or a staff member superior to you directed you or expressed disapproval of a line of inquiry that you were pursuing?

Mr. REDLICH. To the best of my recollection; yes, sir.

Mr. BLAKEY. Were you ever instructed by anyone, the Chief Justice, a Commissioner, or superior staff members or anyone else, not to pursue any line of inquiry because the inquiry might endanger national security?

Mr. REDLICH. No, sir.

Mr. BLAKEY. Did anyone ever suggest to you while you were serving with the Commission that such matters should not be explored?

Mr. REDLICH. No, sir, just to be completely on the record, and I know this is irrelevant but I assume in answering all your questions we are making an exception to my questioning of Mr. Martin. That related to some incident that occurred between Marina Oswald and somebody in Moscow before she met Lee Harvey Oswald, which, as I recall, involved a diplomat, but it was a purely personal encounter. That was really a matter of taste and a feeling that this might cause embarrassment between the United States and that government relating to this personal encounter. But it was a purely private matter and quite unrelated.

The only reason I was pursuing the line of inquiry was for the reason I stated; namely, to find out what we could about Marina Oswald as a person.

Mr. BLAKEY. You have no knowledge that anyone associated with the Commission knew or had reason to know of the assassination plot?

Mr. REDLICH. That is correct. That is my testimony.

Mr. BLAKEY. To your knowledge the existence of those assassination plots was never used by any member associated or any person associated with the Commission to limit your investigation in any way?

Mr. REDLICH. Not to my knowledge.

Mr. BLAKEY. Thank you. I appreciate your testimony.

Mr. PREYER. Mr. Stokes.

Mr. STOKES. Thank you, Mr. Chairman.

Dean Redlich, I am quite concerned about the memorandum that you wrote to Mr. Rankin. It was obviously written to him as a result of some very strong feelings you had regarding the matters contained in the memorandum. Is that true?

Mr. REDLICH. With regard to that memorandum, I felt that it was important to examine everything that we could about the kind of person Marina Oswald was. I did feel strongly that we should do that. That is why I wrote the memorandum in February of 1964, which was shortly after she testified.

Mr. STOKES. Let me for a moment refer to this specific language in the memorandum. You say, "This Commission has undertaken not only to determine who fired the shots that killed President Kennedy but to study all evidence which might lead to an explanation for why the crime was committed." Now, to the best of your recollection when the final report was prepared, did you then feel that the report that was prepared and issued as a Warren Commission report had complied with that part of the mandate as you understood it?

Mr. REDLICH. Yes, sir, I do, understanding my answer does not mean that I ever felt in this memorandum that the mandate of the Commission report was to reach a single conclusion with regard to plot.

It was always possible to reach an alternative conclusion once we had negatized the evidence of conspiracy.

Mr. STOKES. As to that aspect of it in which you referred to studying all evidence and that which had prompted you to write this memorandum, did you feel that the final report then contained all evidence so that you could feel with sureness that the report did reflect those concerns you had?

Mr. REDLICH. Yes, sir.

Mr. STOKES. Has anything occurred or transpired in this interim period which would now make you feel any differently?

Mr. REDLICH. I would like to answer that question with a little bit of elaboration. There is nothing that I know of, sir, which leads me to question the Warren Commission's conclusion that Lee Harvey Oswald fired all the shots that killed President Kennedy and wounded Governor Connally. Based upon anything I have read, and I am not privy to anything other than that, it is still my best opinion that the conclusion of the Commission that there is no evidence Lee Harvey Oswald conspired with any group, either foreign or domestic, in the performance of those acts is still a valid conclusion. Based upon anything else that I know I believe that the conclusion of the Warren Commission that it could not ascribe a particular motive to the assassination is still one which I support.

Mr. STOKES. Obviously, Marina Oswald was your area, you spent a great deal of time preparing for her examination, and on this particular occasion it was your concern about the Commission having full and complete and incisive data relative to her so that they might come to a proper conclusion relative to her testimony. I am concerned then about that part of your memorandum where you say, "We cannot ignore, however, that Marina Oswald has repeatedly lied to the Secret Service, the FBI and this Commission on matters that are of vital concern to the people of this country." You told us earlier today that she testified before the Commission on many occasions.

You refer in here to some further reexamination of her. Is that correct and did I quote you correctly?

Mr. REDLICH. She testified for I believe 4 or 5 days in February of 1964. Then she was questioned again by a staff member, I believe Mr. Liebeler. She was questioned both before February and after by FBI agents. This memorandum was written basically at the conclusion of her Commission testimony in February.

Mr. STOKES. Did she ever reappear before the Commission for further reexamination?

Mr. REDLICH. I don't believe that she did. I have no recollection of her appearing before the Commission. I do recall that Mr. Liebeler, I think it was, questioned her in Dallas. I believe that on other occasions we may have asked the FBI to interview her on specific matters as further leads came to light.

Mr. STOKES. In terms of the Commission's final report how would you characterize their reliance upon Marina Oswald's testimony? Would you say that they relied upon it not at all or slightly or they relied upon it heavily?

Mr. REDLICH. I think on balance when all of the evidence is—the testimony of Marina Oswald by itself was in my judgment not strongly submitted to the Commission's basic conclusions, because with regard to all of the physical evidence, the ownership of the rifle, the ownership of the revolver, that was developed quite apart from Marina Oswald's testimony. Marina Oswald knew of no contacts that Oswald might have had with other people.

She told us, for example, that the Fair Play For Cuba Committee was one person. We have no evidence at all that it was anything other than one person. Everything that one looked into, the event in New Orleans, confirms that. A great deal of Marina Oswald's life with Lee Harvey Oswald in Dallas was confirmed by Ruth Hyde Paine with whom she lived. So that I think that on balance Marina Oswald's testimony was less significant by the time we were through than might have appeared at the time we started our investigation when she was of course a very important factor.

Now once one gets into the question of negatives, it is always possible that Oswald could have met someone and Marina might have known about it and Marina did not tell us. That is possible. But there has been no other evidence of any such contact.

I don't believe that the Commission really relied on Marina Oswald for its conclusion or for its two basic conclusions, the identity of the assassin and the nonexistence of evidence of a conspiracy. I do not believe that Marina Oswald was the basis for those conclusions.

Mr. STOKES. But you did feel, and you did feel very strongly, that knowledge of the real character of Marina Oswald was important to the Commission if they were to be able to properly understand and to construe the motives that possibly lay behind Lee Harvey Oswald's assassinating the President, did you not?

Mr. REDLICH. Yes, sir, and I still believe that.

Mr. STOKES. Let me ask you this. Knowing all that you know about Marina Oswald, from all that you studied and prepared and from all the testimony that she gave all the agencies and to the Commission, would you believe her oath?

Mr. REDLICH. I would regard Marina Oswald, based upon everything that I knew at the time we were finished with our investigation, I would find her a credible witness. Now whether I would believe everything she would testify about the intimacies of her personal relationship with her husband, I don't know how to answer that. I think that it is very hard for me to form my judgment about that, ask a woman about the relationship with her husband of a purely personal nature.

I think that any commission, and this committee also, that relied entirely on the testimony of a person without corroborating testimony of other witnesses or other facts is running the risk that that person might not have been a credible witness. But I am not prepared to say on balance that Mrs. Oswald is not a credible witness.

Mr. STOKES. Thank you.

Mr. PREYER. Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman.

I have one question that follows what our staff director and chief counsel asked you. Do you have any knowledge that the Kennedy family requested the Chief Justice not to go into the X-ray and photographic and other related medical evidence, that that was the reason that was not pursued avidly by the staff and by the Commission?

Mr. REDLICH. Mr. Devine, at this point it is hard for me to differentiate what effect that might have had or a variety of things that one has read in the past 14 years. I also notice that there is reference to the Kennedy family in the Specter memorandum which has been placed in the record. My impression, and I cannot be more precise than that, my impression was that the Kennedy family was concerned about the publicity, about a public display of the President's skull in those pictures.

The Chief Justice was very sensitive to that. He felt that that family had undergone just tremendous trauma, and he was very sensitive to that, perhaps by retrospect overly sensitive. But he was very sensitive to it. Now, I don't believe that it would be fair to the Kennedys, at least on the basis of anything I know of, to conclude that it was because of their directly saying to the Chief Justice that we wanted it this way, that it was done this way. I have no information of that kind.

I believed that the Chief Justice shouldered the responsibility for it. I think one reason that he made the decision, perhaps a main reason, was his concern about their sensitivity. I believe it would not be fair to the Kennedy family to conclude that they were in any way directing him, telling him that this was the course of action.

Mr. DEVINE. You have no personal knowledge that such a request was made by the family to him, is that correct?

Mr. REDLICH. I have no personal knowledge of it.

Mr. DEVINE. I want to thank you for your very candid testimony. It must be strange for a dean of a law school to be in such a position. I notice also from your biography we should wish you a happy birthday next Saturday.

Mr. REDLICH. Thank you very much. You must be good investigators.

Mr. PREYER. Mr. Sawyer.

Mr. SAWYER. I just have one question. It seems more from your curiosity than the search for relevant information, but in your memorandum you allude to the actions of Marina Oswald in Washington. I am not aware of what that was. Can you enlighten me at all?

Mr. REDLICH. Do you wish to be enlightened on the record? I will be pleased to answer.

Mr. SAWYER. I have the disability of not knowing that about which I am asking. I am not aware of it. Maybe counsel will enlighten me.

Mr. REDLICH. I would like the record to show that I am prepared to answer the question.

[Counsel consults with Mr. Sawyer.]

Mr. SAWYER. I find out that it is nothing biologically unusual. I withdraw the question.

That is all I have, Mr. Chairman.

Mr. REDLICH. With regard to the transcript, do I understand that I will be given an opportunity to look at my testimony to see whether, with all due respect to the expert transcriber, he has recorded accurately what I have said?

Mr. PREYER. You may have that privilege.

May I ask you two unrelated questions, one following up Mr. Stokes. Have you read Marina Oswald's new book or the book about her?

Mr. REDLICH. No. I have managed to go on to do a lot of interesting things in my life since 1964 by avoiding those things.

Mr. PREYER. So you would not know whether it is consistent with what she might have testified before you.

Were you or any member of the staff that you know of aware of the letter which Deputy Attorney Katzenbach wrote to all the members of the Commission on December 9, I believe it was, urging them to issue a press release to the effect that Oswald was the lone assassin and showing that there was no international conspiracy involved? Did you know anything about that?

Mr. REDLICH. This is the first I have heard about that.

Mr. PREYER. You did not send a copy of that letter to any member of the staff?

Mr. REDLICH. No. At that time I don't think there was a staff.

Mr. PREYER. I guess that is right, December 9.

Mr. REDLICH. I think Mr. Rankin was just appointed that day.

Mr. DEVINE. You were not on board that day?

Mr. REDLICH. I was not on board. I was called by Mr. Rankin a day or two after his appointment was mentioned.

Mr. PREYER. On January 20, was Mr. Katzenbach present at that meeting?

Mr. REDLICH. No, sir.

Mr. PREYER. Thank you.

Do you have a few conclusory questions?

Mr. KLEIN. Yes; I do, Mr. Chairman.

Dean Redlich, can you describe what pressures, if any, existed to complete this investigation before the election?

Mr. REDLICH. We didn't want to be there forever. I think there were the normal pressures to try to finish the job. But we did not sense any pressure in terms of the elections other than I do recall discussions to the effect that if the Warren report was not done, the whole assassination could have become an election issue. I do want to be firm on one point, as I come to the end of my testimony, and I feel strongly that the committee should understand this.

It is my firm judgment that if at any time the members of the staff had come to Mr. Rankin or to the Chief Justice and said, "We regard this investigation as incomplete. We need more time," I am firmly of the opinion that regardless of the elections, regardless of any other factors, we would have had more time. I think the Chief Justice was not interested in winding up this investigation without all the facts being disclosed.

I think that you will undoubtedly find as you complete your work that there comes a point at which some of you reach the conclusion that you ought to get the job done and publish a report. In that sense there is an internal pressure that builds up to finish it.

It was not something that was imposed externally.

Mr. KLEIN. One final question. Why has the Warren Commission in your opinion received so much criticism?

Mr. REDLICH. I think there are simply a great many people who cannot accept what I believe to be the simple truth, that one rather insignificant person was able to assassinate the President of the United States. I think there are others who for reasons that are less pure have consciously tried to deceive. I think that since there is a residue of public sentiment that finds it very hard to accept the conclusion, that becomes a further feeling, for those who have found it in their interest, to pursue the attacks on the Commission.

I do not mean to imply that all of the critics of the Commission have bad motives. I think that there is in this country, fortunately, a healthy skepticism about Government.

I believe that that was certainly true during the Watergate period. The assassination is a complex fact, as you will see when you investigate it. It was not an easy thing to investigate. Jack Ruby and Lee Harvey Oswald were two people with most unusual backgrounds. They did a variety of things.

That they should meet in the basement of the Dallas police station and one shoot the other is something that does strain the imagination.

I think it is very unfortunate that the Warren Commission has been subject to the kinds of attack that it has. We did what we felt was a completely honest professional and thorough task.

I have done a lot of things in my public service in my life. I regard my service on the Warren Commission as an extremely important, perhaps the most important, thing that I have done, because I believe I was instrumental in putting before the American people all of the facts about the assassination of President Kennedy.

That significant numbers of Americans don't believe it remains to me a source of great disappointment. I hope that this committee can cure that.

Mr. KLEIN. Thank you.

Mr. PREYER. Thank you very much, Dean Redlich. Actually pursuant to our rules, rule 3.6, we have to offer the witness 5 minutes for free-flying discussion or any statement he wishes to make at the end of his testimony. If you wish to take an additional 5 minutes we are delighted to offer it to you at this time.

Mr. REDLICH. I respectfully decline the offer.

Mr. PREYER. If you do wish to amplify your testimony or submit any further statement or evidence after you read over your testimony the committee of course will be happy to have you.

We appreciate very much your being down here. I hope you have better luck on the Metroliner going back to New York tonight.

Mr. REDLICH. Thank you, sir.

Mr. PREYER. The committee stands adjourned until tomorrow morning at 10 o'clock.

[Whereupon, at 4:55 p.m. the committee adjourned, to reconvene at 10 a.m., Wednesday, November 9, 1977.]