

# INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

THURSDAY, SEPTEMBER 21, 1978

HOUSE OF REPRESENTATIVES,  
SELECT COMMITTEE ON ASSASSINATIONS,  
*Washington, D.C.*

The committee met at 8:04 a.m. pursuant to recess, in room 345, Cannon House Office Building, Hon. Louis Stokes (chairman of the committee) presiding.

Present: Representatives Stokes, Preyer, Dodd, McKinney, Sawyer, Thone, Fithian, and Edgar.

Staff present: G. Robert Blakey, chief counsel and staff director; Gary T. Cornwell, deputy chief counsel; Elizabeth L. Berning, chief clerk; I. Charles Mathews, special counsel.

Chairman STOKES. A quorum being present the committee will come to order.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. Thank you, Mr. Chairman.

Mr. Chairman, I understand that one of our distinguished witnesses this morning is on somewhat of a tight time schedule. In the interest of time, therefore, I would summarize my normal narration, but I would ask that it be included in the record as if read in full.

Chairman STOKES. So ordered.

## NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL

Mr. BLAKEY. President John F. Kennedy was the fourth American President to be assassinated, but his death was the first that led to the formation of a special commission for the purpose of making a full investigation into its circumstances.

In the earlier assassinations, the investigations were left to existing judicial bodies:

In the case of Abraham Lincoln in 1865, a military commission determined that John Wilkes Booth was part of a conspiracy, and the Office of the Judge Advocate General of the U.S. Army saw to the prosecution of six defendants, four of whom were hanged.

The assassins of James A. Garfield in 1881 and William McKinley in 1901 were promptly tried in courts of law and executed.

In the aftermath of the Kennedy assassination, it was decided by President Lyndon B. Johnson that a panel of distinguished citizens should be given the responsibility for finding the full facts of the case and reporting them, along with appropriate recommendations, to the American people.

The Commission was authorized by Executive Order 11130 to set its own procedures and to employ whatever assistance it deemed necessary from Federal agencies, all of which were ordered to cooperate to the maximum with the Commission, which had, under an act of Congress, subpoena power and the authority to grant immunity to witnesses who invoked the fifth amendment.

The Chief Justice of the United States Earl Warren was selected by President Johnson to head the Commission. Two senior members of the Senate, Richard B. Russell, Democrat of Georgia, and John Sherman Cooper, Republican of Kentucky, were chosen to serve on the Commission, as were two distinguished members from the House of Representatives, Hale Boggs, Democrat of Louisiana, and Gerald Ford, Republican of Michigan. Two attorneys who had long been in active Government service, Allen W. Dulles, former Director of the Central Intelligence Agency, and John J. McCloy, former president of the World Bank, were also named to the Commission. J. Lee Rankin, former Solicitor General of the United States, was sworn in as general counsel on December 16, 1963, and 14 attorneys were appointed within a few weeks to serve as assistant counsels.

The Commission did not employ its own investigative staff. Instead, it relied on agencies in place—the FBI and Secret Service for domestic aspects, the CIA when activities involving foreign countries required probing.

In September 1964, following a 9-month effort, the Warren Commission published a report that not only included its findings and conclusions, but also a detailed analysis of the case as the Commission perceived it. In addition, in its report the Commission wrote its own description of the challenge it undertook to meet: “. . . to uncover all the facts concerning the assassination of President Kennedy and to determine if it was in any way directed or encouraged by unknown persons at home or abroad.”

In the years since the Warren Commission completed its work, there has been both praise and criticism of the product. The praise came first, and it was based on the obvious enormity of the effort. After all, the Commission had combed through so much evidence that only a part of it could be contained in 26 supplemental volumes, with the rest of it stored at the National Archives. And it had taken testimony, either in person or through deposition, from a total of 552 witnesses.

A Pulitzer Prize-winning journalist, in an introduction to one edition of the Warren Report, wrote:

The Warren Commission spent the better part of a year in an exhaustive investigation of every particle of evidence it could discover. . . . No material question now remains unresolved so far as the death of President Kennedy is concerned. Evidence of Oswald's singlehanded guilt is overwhelming.

It was the determination of Oswald acting alone that opened the Commission to attack from critics. For the most part, they were authors and independent investigators who rounded up numerous clues, some sounder than others, of a conspiracy. Some suggested that the Federal Government, the Warren Commission itself included, was covering up the conspiracy by suppressing evidence.

A result of the criticism was a growing doubt among the American people that the Warren Commission was right, that Oswald

had indeed been the lone assassin. Then, in 1976, it was revealed in hearings before the Senate Intelligence Committee that certain Federal agencies had not been as candid with the Commission as had been thought. The Warren Commission was not accused of being a party to the failure to find the truth, but its victim. The culpable agencies? The FBI and the CIA, both of which, the Senate committee concluded, had withheld significant information from the Commission.

The mandate of the Select Committee on Assassinations calls for an investigation of the performance of Federal agencies assigned to any aspect of the Kennedy case. With the Warren Commission itself, the issue to be considered is whether its procedures, techniques and organization were sufficient to carry out its mandate. In other words, the committee must consider the quality of the conduct of the Commission to judge the reliability of its conclusions.

Mr. Chairman, the three members of the Warren Commission still living have agreed to appear today and testify. They are: Gerald R. Ford, John Sherman Cooper and John J. McCloy.

President Ford received an A.B. from the University of Michigan in 1935 and an LL.B. from Yale Law School in 1941. President Ford practiced law in Grand Rapids from the time of his admission to the Michigan State bar in 1941 until he was elected to Congress as a Republican of Michigan in 1949. President Ford was a Member of the 81st to the 93rd Congresses; he was elected minority leader in 1965 and he became Vice President of the United States in 1973. He served as President of the United States from 1974 to 1977.

It would be appropriate now, Mr. Chairman, to call President Ford.

Chairman STOKES. The committee calls President Ford.

All persons in the room are requested to remain seated when the former President comes into the room. This is for security reasons. Good morning, Mr. President.

#### TESTIMONY OF FORMER PRESIDENT GERALD R. FORD

President FORD. Good morning.

Chairman STOKES. May I ask you to please stand and take the oath. Just raise your right hand. You solemnly swear the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God.

President FORD. I do.

Chairman STOKES. Thank you. You may be seated.

Welcome back to Capitol Hill, Mr. President.

President FORD. Thank you.

Chairman STOKES. Nice to see you here. For security purposes we asked that all persons remain in their seats when you came into the room.

At this time the Chair recognizes counsel for the committee, Mr. Gary Cornwell.

Mr. CORNWELL. Thank you, Mr. Chairman.

Good morning, Mr. President.

President FORD. Good morning.