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PRESIDENT'S COMMISSION
ON THE
ASSASSINATION OF PRESIDENT KENNEDY

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Washington, D. C.

Thursday, April 30, 1964

The President's Commission met, pursuant to recess, at 3:30 p.m., in The Hearing Room, Fourth Floor, 200 Maryland Avenue, Northeast, Washington, D. C., Chief Justice Earl Warren, presiding.

PRESENT:

Chief Justice Earl Warren, Chairman

Senator John Sherman Cooper, Member

John J. McCloy, Member

Allen W. Dulles, Member

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J. Lee Rankin, General Counsel

STATEMENTS CHANGED

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Date *2/13/68*





The Chairman. The meeting will come to order.

As I understand it, Congressman Ford has gone up to Michigan this afternoon.

Congressman Boggs is in Louisiana. He will not be here.

Senator Russell is, as you know, busy over in the Senate.

So the rest of us are here, and it is a quorum for the conference, so the meeting will come to order.

Now, inasmuch as you have to leave, Senator Cooper, I wonder if before we get to our agenda if we might ask everyone to bring up anything they want to discuss before we get into the agenda.

Sen. Cooper. Because I have to return to the Senate in a half hour, I wanted to present my views on additional evidence that I believe the Commission should hear before we complete our hearing.

I may say in looking over the agenda, I find that several of the matters that I wanted to raise are already noted in the agenda.

The Chairman. Go right ahead.

Sen. Cooper. One, I would think that because certain articles, newspaper articles and others, have made the claims that Oswald was an employee or agent of some of our intelligence agencies, the F.B.I., CIA, that I believe it would be proper to call the heads of these agencies to testify upon this claim.

Second, I think it would be proper to call the Secretary of State or the person immediately in charge, with jurisdiction

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over the USSR, and any officers who were in Russia at the time of Oswald's stay there, to testify to all the facts they have about his stay, conversations with him, the circumstances surrounding the issuance of passports or visas to him or to his wife.

Third, some newspaper articles have claimed -- the writers of newspaper articles have claimed they have talked to witnesses or have information about facts which in some of our hearings have been contradicted. I think in view of the fact they have made these statements, they should be called to see if they have any testimony other than that we have received of any substance or credibility.

Then one other --

Mr. Dulles. Buchanan is the major man there, I think.

Sen. Cooper. After thinking about it, I concur with the position taken by Mr. McCloy, that the delegation from the Commission should go to Dallas to inspect the physical situation there, the place of assassination, the building, for this reason: We have had evidence submitted to us involving the physical characteristics. It has been very clear. But I think it would be helpful, and it would close that part of it, for members of the Commission to test with their own observation the facts which have been adduced regarding the physical situation.

I know we have all discussed these matters, and so what I am saying is not new. But because this is a subject on our agenda

4 today, I wanted to make these suggestions before I have to leave -- at least state my position.

The Chairman. That is fine.

Anybody else have anything?

Mr. Dulles. I have quite a number here, but a good many of them are covered.

Two points that Senator Cooper has raised.

With regard to the State Department, I think we also ought to have some testimony from them as to the normal practice re American defectors to Russia, get some little background information, which they must have in a good deal of volume.

I was interested in this case reported just yesterday about this Soviet couple -- the Soviets would not let them leave. I think there are different circumstances in the Oswald case. But still I think we ought to get a little of that testimony.

We had a little question the other day, when the Secret Service were here, about the information with regard to the protection of the President. Certain of that is undoubtedly classified, and we don't want to put on the record, I don't think, questions of procedure, where the disclosure of it would endanger the President. But it seems to me that maybe the Commission should hear that testimony -- because it is very difficult for us to judge and pass upon whether the protection is adequate or not without knowing what measures are being taken.

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Now, that is a delicate matter to handle, but I think it ought to be handled some time before we close our hearings.

I don't know what plans you have, Lee, with regard to the summaries of the staff interrogations that have been taken that we haven't yet had before us, but I think some time fairly soon if we can have a meeting to have those interrogations summarized for us, it would be very helpful and keep us up to date.

I realize they are being written up. There are probably a great volume of them, are there not?

Mr. Rankin. Yes, there are about 300. I might answer that by telling you that on Monday I discussed that problem, and also the question of some of our senior men that were planning to leave -- Mr. Jenner, on May 10, and Mr. Hubert having to go by June 1, and going to the Pentagon for his military reserve on May 18th. And Mr. Hubert said he would work on the weekends. But he had to return to his firm. Mr. Jenner said he would come back on weekends and work when he could.

And the Chief Justice said to me -- "Well, in light of that, let's be sure we get them to do their work on the report, and not have them working on the summaries, and leave us with the problem of getting the report written."

And I told him that is very practical advice, because it is going to take them maybe 15 days yet, a couple of weeks, to get those summaries, and then they will be wanting to leave without having gotten their work on the report done.

And so in light of that, I had each one of the different area staffs come in and talk to them about getting busy on the report.

When I was telling Mr. McCloy about that just a short time ago, when he was asking me when we were going to get these summaries for you, he said could there be some time that we could get them so we can fill in what the Commission needs.

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I said there is the possibility as soon as we get the draft of their report from the various areas, we will have to do the revision, and then we could try to get the summaries to you with the staff that was not working on the revision of the report to do that work for you. It is a little backward as far as that is concerned, but it is much better than having to face the possibility of not having the report drafted by the men who worked in the area.

Now, we can make up a listing of all these depositions, and we have just gotten some of them in the last few days -- to even do that. We could say on that in summary, maybe a couple of sentences, what it covers, so as to give you an idea, and particularly if you make a trip to Dallas.

But to try to do the summary and the report both, as the Chief Justice observed, there is no choice, it seems to me, as far as the Commission is concerned, between having the summary and no report drafted, or having the report and wait for the summary until we can get it done for you.

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Mr. Dulles. How many copies of these interrogations are there? Are there two or three copies?

If you have them before you, you can go over them awfully fast, and decide what you want to read and what is not so important. I think you can read a great deal of material. Of course if there are 300, I suppose each one would average three or four pages.

Mr. Rankin. Yes, we tried to save money for the Commission by not having as many copies as we did of the transcript, which was enough for each member of the Commission and General Counsel, and we just had the working copies. I think there are two we got of each one, so the two men working in the area would know about this particular material.

And we had the idea that then we would get it back here, because the facilities down there were not able to meet the demands, and they have been three or four weeks now getting them to us.

And, therefore, that we would try to have Ward and Paul do any duplicating with the multigraph or mimeograph machine. And then when we ran into all that would cost for 300, and multiply that by 10 copies, it runs into substantial sums of money.

So I think that we will make available to you, so you will know, in the report itself, what we consider the areas in the depositions that are important, and cite them to you. And then

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8 I think we could help to supplement that by either waiting for summaries, or furnishing to you any parts of the depositions that you want to look at, to see whether it supported what it was cited for.

The Chairman. Or I would suggest if when you get that list you want to read the deposition of any particular witness, you could have the whole deposition available to you.

Mr. McCloy. I think that list you spoke of would be helpful at this stage. I do think it is important to get started on breaking the ground on the report.

Mr. Dulles. I agree with that.

But we would be in a terrible situation if we found there was evidence in these reports.

Will you have read them all?

Mr. Rankin. Before we submit a report to you, I am going to read them all.

Mr. Dulles. So we don't say anything in the report inconsistent with the depositions.

The Chairman. Of course, that will all have to be checked over. But the thing that makes it so important to have the reports now is that the men who are to make the report are the ones who took the depositions, and they know what was in there, and they can more likely draft the report on their own section better than any other person could. And it would be a shame if we would lose those men to their firms again before we got that

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 Mr. McCloy. I notice a good many typos in them.

Mr. Rankin. Yes, that is being done.

Mr. Dulles. Next I had the Marine period of Oswald. We are going into that today?

Mr. Rankin. Yes. We have asked for additional proof in connection with that, in order to try to clear that question up.

Mr. Dulles. Next -- Have we ever examined the investigation of the attack on General Walker? Do we have that?

Mr. Rankin. We have the Police Department's report of the attack, which is not nearly as complete as the investigation that was made later in connection with pictures and everything that the F.B.I. took. But, of course, the F.B.I. never had anything they could work with from a ballistics standpoint.

Mr. McCloy. We have had testimony in regard to that. We have had the testimony with regard to the caliber. We have had Marina's testimony.

Mr. Dulles. I was thinking of the earlier report -- what was done at the time of the attack on General Walker, what was the contemporaneous police investigation of that.

Mr. Rankin. Generally, they made an investigation to determine, and determined that the shot was -- occurred, and that it hit the wall, and they could not find the missile. They had no clues as to the identity of the assailant. That is about the extent of it.

Mr. McCloy. Didn't they find the bullet at one point?

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By Mr. McCloy
 Date 2/14/58

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Mr. Rankin. They found a mashed bullet.

The Chairman. It did show the approximate caliber, which one of the ballistics experts said could have been from this rifle.

Mr. McCloy. It could have been from this rifle, and was a 6.5 caliber.

Mr. Dulles. Is there anything more we need on that? Do you think we have done what we should as far as that is concerned?

Mr. Rankin. Well, I don't know of anything else, unless you want to get into trying to question before the Commission General Walker. And he told at the time that he didn't know who the assailant was.

Mr. Dulles. He gave his testimony -- I would be satisfied if we have seen that testimony.

Mr. McCloy. We would have the police reports of their interviewing him.

Mr. Rankin. That is right.

Mr. Dulles. We have those?

The Chairman. Yes.

Mr. Dulles. Buchanan you have mentioned on your sheet here, and I do want to speak about that.

Do you know whether there is anybody on either of the vessels that Oswald traveled on to or from the Soviet Union who could be available to us?

3 a letter to the State Department, merely pressing them to get an answer, if they can, from the Soviet. I think that would be important for the record. The Soviet may not answer in time, anyway. But they always delay, and you never get an answer out of them if you don't keep pressing them.

The Chairman. I have spoken twice within the last 10 days to the Secretary of State, and he has told me he is pressing them, and was going to speak to them personally on it several days ago.

Mr. Dulles. Good. That covers that point.

The other matters are covered, as far as I can see, that I had, Mr. Chief Justice, by the agenda you have before you.

The Chairman. Mr. McCloy?

Mr. McCloy. I think most of the points I had are listed on this agenda which counsel has prepared.

I do feel that, to come back on the Secret Service report -- that that part of our charge which relates to the protection of the President -- I think that there we ought to go into this -- and I was led to this belief more firmly after hearing from several of the Secret Service people that were testifying -- even though there may be elements in that, Mr. Chief Justice, that I think we clearly never want to publish, because it might affect the security, future security of the President or people next in line -- but that we ought to go into that, and I expect we will with Mr. Rowley and others.

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And then we can make up our mind whether -- what part of it ought to be -- could securely be put on the record, and what could be eliminated.

There is one Secret Service man that I think we probably should have testify, and that is Mr. Hill, Clinton Hill, who I understand is the man who endeavored to get on the car just after the shots. He was the closest next to Mrs. Kennedy. He was the closest one to the scene, as the pictures show. He could give us some information that might be of pertinence. And I think it would be improvident of us not to hear his testimony at first hand.

You have referred to the Buchanan episode. There may be some other writer that has made the same sort of statements that we ought to at least have them stand and deliver if they have any information that they feel is significant.

Mr. Dulles. In that connection, I think we ought to get Buchanan's record from the F.B.I., if they have one of him.

Mr. Rankin. We do have that.

Mr. McCloy. And the further investigation of this story of the Weissman incident. You have already done something on that?

Mr. Rankin. Yes. We just received today a report on that.

The Chairman. Good.

Mr. McCloy. Then you don't have down here, as I see it, any suggestion that we interview the President. I am not so sure

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it is necessary for us to inquire of the President, but I am inclined to think that maybe you or somebody -- you, Mr. Chief Justice, could speak to him about it and see what he has to say. Maybe we don't have to put anything on the record -- but maybe just to close that particular incident, with that particular piece of testimony.

Then I am also conscious that you, Mr. Rankin, were anxious to get a little more information about Oswald's Mexican trip. There was a period there where there were some gaps.

Mr. Rankin. We got that. We sent a team down there. We have made a complete exploration of it. We are getting some additional material to follow up. But that will be very complete, everything that we could possibly get, and I think that the CIA and the F.B.I. did a remarkably good job down there for us.

The Chairman. As I understand it, they had the cooperation of the Mexican authorities, too.

Mr. Rankin. That is right.

Mr. McCloy. I think that all the rest of the items that had in mind are included on your agenda.

Mr. Dulles. Could I add one other point?

I am not entirely clear in my mind as to the scope of our responsibilities in a matter such as recommendations, as to whether any change should be made with regard to respective functions of the F.B.I. and Secret Service in protecting the President. How far do we go in that field?

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I think there are a few questions of that kind that we might at a fairly early stage go over and see what your view and the rest of the Commission is as to what our responsibilities are there.

The Chairman. Yes, we must talk that over.

Mr. Dulles. The question of transmitting guns in interstate commerce, and boxes at post offices in false names and things of that kind. Are those all matters within our general jurisdiction, to what extent, and should we just point them up, or are we supposed to make recommendations?

I am not quite clear in my mind from the mandate we have.

The Chairman. Well, I think we ought to do that, too. There is nothing set about us making any recommendations in this area. But I have an idea that there is something implicit in the establishment of the Commission that we ought to not let this chance go by without at least trying to do what we can to better protect the lives of our presidents.

Mr. McCloy. And I think there is something there that has already turned up that we could point out -- better equipment, both personnel and mechanical.

Mr. Dulles. Yes. We were somewhat surprised, I think, to have the Secret Service testify that when they went down to Dallas, from their own files and records, they were not given a single name that should be investigated or watched or taken care of.

Isn't that correct?

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17 Mr. McCloy. I think they had a few. But they didn't have the category of defectors.

Mr. Dulles. I don't think they had one.

Mr. Rarkin. Not in Dallas.

Mr. McCloy. No, it was in Houston. I think that is right. There seemed to be a gap there. I think we could perhaps make some comments that would be helpful.

By A. M. J.
Date 2/14/58

The Chairman. Well, gentlemen, I had one matter that I thought I would like to discuss with you -- because of these rumors and articles, such as Buchanan and Lane and some more that have been written, that it might be a good thing if we were to ask to come down here the president of the Associated Press, and the president of United Press International, and tell them that we would like to have them examine their reports and files on the assassination, to confer with their people who are familiar with it, and then perhaps assign one of their top people who could come down here to see us and discuss on a confidential basis -- not for publication -- anything that may be in their minds as to what should be investigated.

I think that by doing that we could establish to them that we had investigated everything that they might have in their minds. And if there are any areas that are unexplored, we could explore them, and then at the end, perhaps, we could take the testimony of those two gentlemen and ask them -- "Now, on the basis of all you have heard from your reporters and from your files and from

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everything that has been said and done, do you believe there is any area here that is unexplored, do you believe that there is any real conflict that should call for further investigation?" And so forth. And I am just of the opinion that we could get a statement from them that would be of a confirmatory nature so far as our report is concerned. And overseas I would think that if those men with the means they have at hand to get these rumors, and to look into them, that if they were satisfied, it would have a lot to do with allaying some of these rumors.

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Mr. McCloy. I think this is an important suggestion, because the extent and the variety and the quantity of this type of article which has appeared throughout Europe makes our report all the more important in order to clarify this situation, because, generally speaking, from the reports that come to me all Europe, what with Mr. Lane's visits over there -- there is a deep-seated feeling that there is a deep conspiracy here, there are elements of suppression involved in it all.

Let's to the best of our ability search these out and attack them.

Mr. Dulles. I think we may want to call a man like Buchanan. I suggest if you approve, Mr. Chief Justice, that I arrange to get as promptly as possible, his book. I think we ought to have this book -- unless you have it already.

Mr. Rankin. No.

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19 Mr. Dulles. I think I can get it through London -- ask my former associates to arrange through the British services there to get us a copy of this book immediately.

The Chairman. Yes.

Mr. McCloy. There is another aspect of this.

In the State Department there are a lot of reports coming in from our diplomats, I hear, that are reporting on what the state of opinion is abroad, and what kind of articles there are. And I think that somebody from the State Department to whom these things are referred should come down and testify as to that, so that we have a better concept of what the charges are and what our responsibilities are in connection with that.

Mr. Dulles. I was just given today, for example -- this is UPI -- "The Assassination. Europe suspects a conspiracy, by Dan Gilmore, United Press International."

And here it is, page after page after page, sent for release on the 19th of April -- this is quite recent.

"Millions of Europeans refuse to believe the assassination of John F. Kennedy was not part of a larger conspiracy that has still not been exposed."

And here is the whole business.

The Chairman. That is the thing that prompted me to get these men.

(Discussion off the record.)

Sen. Cooper. I think where our investigation is weak is

what happened to this man after he left the United States, went to Russia, came back -- I think we ought to get in the record what the State Department knows about him.

What about De Mohrenschildt?

The Chairman. He has had a full deposition.

Off the record.

(Discussion off the record.)

The Chairman. Back on the record.

Mr. Rankin. I think at this time we ought to take action on declassifying our transcript so the printers can handle it, from Top Secret to Confidential.

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The Chairman. Did I hear a motion?

Mr. McCloy. I move it.

Mr. Dulles. Seconded.

The Chairman. All in favor say aye.

(Chorus of aye)

The Chairman. Off the record.

(Discussion off the record.)

The Chairman. Back on the record.

The first item here is a report on printing of final report.

Mr. Rankin. We have been talking to the Budget people and GSA, and the printer, about the form of the report. And here is a draft that they have made up, first of the summary of the report, a form that they suggest that will be in a form that they can get out most reasonably and present it. And then the second

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one is a copy of the way the transcript of the testimony before the Commission and the depositions and the affidavits would be presented -- which would be in a smaller type.

The Chairman. Is this the size that they would use -- the size of page?

Mr. Rankin. They would like to use that size page, because they can do it to reduce the price, and do it to the greatest advantage pricewise.

The Chairman. This just comes to my mind. I haven't thought it through. But it would seem to me if we were going to want people to read this, and want this to be circulated, that this would be a very cumbersome size to be circulated to the public. It doesn't fit any particular category of books that you see in publication. It is a great big thing. You wouldn't find it on book shelves, you would not find it any place -- it would not fit most places.

I would think that it would have a tendency to --

Mr. Rankin. Be less acceptable?

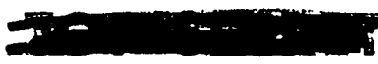
The Chairman. Yes, I would think so.

I would be inclined to think it ought to be the same size as the committee reports of the Congress and other reports.

This is awfully big.

Mr. Rankin. Now, do you think that the report, the summary report, needs to be the same size as the transcript of the proceedings? The great bulk of the material will be in the

By Mr. [unclear]
Date 2/14/55



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 transcript of the proceedings. And that is where they are trying to save this kind of shape and size.

The Chairman. I would think, myself, this would be all right for the transcript of the proceedings. But the report itself should be in more handy form.

Mr. Rankin. They have no great problem with the report, because we were talking about the Chief Justice's suggestion that it should be 300 pages and it may run to 500.

The Chairman. That is just a shot at the moon.

Mr. Rankin. He is trying to keep it down, which is proper. But I am afraid it might get to 500. And so I asked them to look both ways.

Mr. McCloy. I think we could have appendices to the transcript in this form.

Mr. Dulles. That you had the appendices and the testimony one size and the report the other size, it would be kind of awkward, wouldn't it?

Mr. McCloy. Well, if we could save some money on that, I would not be so worked up over it.

Mr. Dulles. The ordinary size of the Congressional reports gotten out all the time, the reports of the committees of Congress, they are not this big size.

Mr. Rankin. No. But they figure this will run, with our testimony, and with the depositions and affidavits and everything - it will run 10 volumes, over 500 pages, of just the appendices,

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By Mr. G
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this size.

Mr. McCloy. I wouldn't have any problem with that.

Mr. Dulles. Has anybody looked at the Pearl Harbor testimony, or the MacArthur testimony?

Mr. Rankin. Yes, we looked at those. Of course they had large appropriations from Congress on that. It will run \$50,000 more if we use that kind of form, they say.

Mr. Dulles. Libraries are going to keep these things. You cannot have it like this, because you cannot put it on the same bookshelves and the same places together. I never have seen testimony in things as big as that.

Mr. Rankin. They say they have done it. I have not checked about that. First I told them that I thought the Commission would be interested in trying to get their summary report in a form that could be circulated as reasonable as possible to the people of the country. So they ought to have in mind keeping the cost down on that, and being able to reproduce it at low cost.

And then I had a problem of how much the President could contribute out of his budget to do the rest of it.

The Chairman. My thought is this, on that subject. I wonder if we are under any obligation to print this transcript. I think we have to print our report. But to print this appendix is going to cost, as I see there, for 2,000 copies -- if we have 10 volumes, it will cost \$259,000. And 2,000 copies would not be anything. Every Congressman, every Senator would want a number

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Archivist of United States

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of copies for his libraries and so forth, as they do with the Congressional Record. And it would amount to a vast sum of money.

And why shouldn't we just file our report in printed form, and then file with the transcript. And then if Congress or someone else wants to have it printed later, let them print it.

But I don't know that we ought to involve ourselves in so much expense, unless it is necessary.

Mr. Dulles. I think there might be, together with the report, a second volume of annexes. I think there would be certain of those Oswald letters, and there are quite a number of things you would not want to put in the record in full, but I think ought to be published.

And then you would have two volumes, -- the report, and a volume of appendices. But I quite agree with the Chief Justice. Make this available so nobody can say you have not tried to make the whole thing secret. But to print all the testimony you have taken -- some of it has been terribly detailed. If historians later want to read it over and work on it, well and good, but I don't think anybody would pay any attention to it to begin with.

Mr. Rankin. I put that up to the budget people and GSA and the rest of them, and they said that all the other commissions always print their transcript. And they said that they thought the Commission would get a lot of complaint from the public, and

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that the President would, too, if there wasn't the supporting materials back of the report printed.

Mr. Dulles. Well, as the Chief Justice says, if Congress wants to appropriate the money to print it, let them do it.

The Chairman. Sure. We would not conceal it. We would make it available to them. If they wanted to print it, they could do it.

But I have no doubt that 2,000 of those things would be just a drop in the bucket. And that is a quarter of a million dollars right there.

Mr. Dulles. But they buy these things, so you can get your money back. It goes into the General Appropriation. The Government gets it back. I buy these things all the time. They charge you .25 cents to \$1.50. If I want to get the Defense budget hearings, I pay \$1.50 for them.

Mr. Rankin. Well, I put it up both ways to them. I told them that the Commission I was sure would be glad to just deposit its materials over at the Archives, and print its report, and let it go at that. And they didn't think that was desirable, and they thought you would get a lot of reaction.

The Chairman. Who is "they"?

Mr. Rankin. That is the Budget people and the GSA people -- the Budget people are going to have to ask for this money from the President. They were not anxious to do it, I am sure, because of the effect on his Emergency Fund. But they just thought the reaction would be very bad.

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Mr. Dulles. Well, then, let the Congress appropriate the money. We have no congressional representatives here today.

Mr. McCloy. Maybe the congressional representatives' viewpoint on this is important.

The Chairman. I think we ought to talk it over with them when they are here. We don't have a one here today.

Mr. McCloy. My inclination would be to print our report in the regular report form, a volume of appendices to the stuff we really refer to here as being important -- and when you get Marina's particular testimony there it is -- a little bit of it there -- the actual handwriting identifications of the major documents, you can put that in there, and that might be a pretty fat volume.

But there are two volumes there. And the rest of it is available.

The Chairman. We would put it in form where it could be printed immediately, and if Congress wants it printed that is very fine -- we would not object to it.

Mr. McCloy. But it is really something more than we would feel the responsibility of incurring in view of the general adequacy that we think our report represents.

The Chairman. That would be my attitude. I think you are right, Jack, we ought to talk it over with the Congressional Members.

All right. If there is nothing more on that, we will go

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to Number Two -- Report on Investigation into the Slan
Incident during Oswald's Military Service.

Mr. Rankin. We are trying to clear that up. We have asked the Navy Department for some assistance in regard to it, and they are going to produce two additional witnesses. One of them was involved in the inquiry that they had, and another one is an ordinance man who will deal with the question about whether or not this gun could have gone off that way if it had the safety off. They had testimony during the inquiry as to whether the gun could have gone off with the safety on, but they never covered the other element

Mr. Dulles. That is involved in the Slan Case?

Mr. Rankin. That is right. The weapon was brought down and hit the deck of the ship and went off, and that is the way he was killed -- in the investigation. They are investigating that. And then there are two men that were the source of the rumor that Oswald might have been involved, and they are checking that out.

Mr. McCloy. I think the thing to do on that is see if there is anything worthy of any further investigation.

Isn't that right?

Mr. Rankin. Yes, sir. And, also, to get that material and see whether that clears it up, so that we can report to the Commission, or whether you want any further testimony.

The Chairman. All right.

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If there is nothing further on that item, the next one is recent developments involving Ruby.

Mr. Rankin. The last thing that has happened on that, I think you probably all read in the papers, is the question of his present competency to stand trial, and that issue, according to Texas law, is to be submitted to a jury. Judge Brown yesterday had said he was going to pick an early date for a hearing. And the date that all this was developing. I called Wade, Prosecuting Counsel, and talked to him about trying to arrange a time for us to go down and take his testimony. I talked to Mr. McCloy about possible dates. And he said that this development had come up, and that they had been served with the papers that morning, and we probably would not want to be taking any testimony until that question was resolved.

And I would recommend to you that we don't get involved in anything like that until that question is decided, because he might just use the Commission for an exhibit A as to his condition.

Mr. McCloy. I don't see how we can examine anybody whose competency to be examined is in question. Do you?

The Chairman. No, I don't.

Mr. Dulles. Do you know how long that will take?

Mr. Rankin. I wouldn't think it would take long to determine it, although I would assume the State would want an examination of him, as well as his own analyst, Dr. West, the man that they

presented on the preliminary.

Mr. Dulles. Am I correct there is no appeal from this -- this is final as far as that one point of issue?

Mr. Rankin. I have not examined that question.

Mr. McCloy. I have not examined it, but I heard somebody talking about this, a group of lawyers in New York, the other day, and somebody who purported to know something about it says it is something like a sheriff's jury impaneled for this particular purpose, and this is provided for in the Texas criminal law -- that subsequent to the trial if incompetency develops, they can immediately call a jury, impanel a jury to have a hearing on that, and that is it.

Mr. Dulles. You think that would normally come before a trial.

Mr. McCloy. You see, they have had the trial. There has been that determination. Now it is just this question -- I suppose the allegation has frequently occurred -- since the time of the trial, under sentence, this fellow has lost his competency, and you don't execute somebody who is incompetent.

The Chairman. This, Allen, has absolutely no application legally to his sanity at the time of the commission of the crime. This has to do with his present sanity, and whether you can execute him in his present mental condition.

And if they find him insane, all it will do will be suspend the power of the State to execute him until such time as they find

30 he is no longer insane.

Mr. Dulles. Does he go to prison?

Mr. McCloy. He goes to a mental institution.

It is perfectly clear we cannot examine him at this stage.

The Chairman. That is right.

But just so we might be thinking it over in the meantime, I would think whether they find him sane or insane, if he is willing to talk to us, we should talk to him. Maybe we would not want to take his testimony. But if he is willing to talk to us, I think we ought to talk to him and take his story, and use it for the purpose of checking it out, if we can, and putting it into the record anyway.

But we don't have to face that now, because we cannot do it at the present time.

Mr. McCloy. Your idea is we could just go down and interview him?

The Chairman. Sure.

But I would not do it at this stage.

Mr. McCloy. Whether he was sane or insane?

The Chairman. Yes.

The next one is proposed visit to Dallas by members of the Commission.

Mr. Rankin. Well, we have had several members that felt that there should be a visit by members of the Commission to Dallas before a report was made. I have had a number of the staff felt

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that there probably would be criticism by the public if we didn't have someone from the Commission, maybe one member would be enough, to go down there and see the scene and come back and report to the rest of the members.

The Chairman. Well, haven't two or three of the members of the Commission indicated they would like to go?

Mr. Rankin. Yes.

The Chairman. Then the question is if two or three go, should we all go?

Mr. Rankin. Well, that is another problem.

The Chairman. I think we ought to decide at this meeting that before the report is made we probably ought to go to Dallas in order to view the premises and to see whatever may be considered of significance to those members who go down there-- either as a committee of the Commission, or as a body.

Mr. McCloy. I agree with that.

Mr. Dulles. I agree with that. I would rather like to go. But if one of the congressional members want to go, and you think three is too many, I would drop out.

The Chairman. Suppose we say that Mr. McCloy and Mr. Dulles will go down there, and if any other member of the Commission wants to go, he will be quite welcome to go.

All right.

Five, Autopsy Pictures of President Kennedy.

Mr. Rankin. The staff feels that we should have some member

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of the Commission examine those pictures. We have a very serious problem in the record now that Dr. Humes testified, as you recall, that the bullet in his opinion probably passed through the President and then through Governor Connally. And we now have the testimony of Governor Connally that that couldn't have happened. He is certain it didn't happen. And that the bullet that struck him is one that did not hit the President.

We also have some drawings of President Kennedy which are reconstructions by the men that participated in the autopsy. And these men have not seen those pictures of the autopsy, but they had those drawings made, and we don't know whether those drawings conform to the pictures of the autopsy or not.

Now, I thought we could avoid having those pictures, possibly avoid those pictures being a part of our record, because the family has a strong feeling about them, and I think we should respect it insofar as can possibly be done, and carry out the work of the Commission -- because they don't want the President to be remembered in connection with those pictures. That is their basic thought.

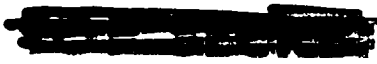
I know that the Commission would like to respect that and not have them in any way become a part of the records which the public would get to see.

But I do feel that a doctor and some member of the Commission should examine them sufficiently so that they could report to the Commission that there is nothing inconsistent with the

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33 other findings in connection with the matter in those pictures. In that way we can avoid any question that we have passed anything up that the Commission should know or that we haven't tried to take advantage of information that should be available to us.

Mr. Dulles. Would the people who have made the pictures have access to these photographs, also -- because they would be the best ones to tell, as to whether the pictures were consistent with the drawings they made.

Mr. Rankin. Well, they were made, as I understand it, under the supervision of the doctors conducting the autopsy. And so they just have never been developed because of the family's wishes. And I think that the Attorney General would make them available now -- although they were denied to us before because he said that he didn't think there was a sufficient showing of our need. But upon a showing now, I think that he would recognize the need and permit that limited examination.

And then I feel that in dealing with the Attorney General, however, we should make it plain to him that if the member of the Commission who examines them, with the doctor, feels the whole Commission should see them, that there would be that reservation -- because I don't know what might appear to some member of the Commission or the doctor in connection with them.

Mr. McCloy. There is this element. In the record there is an indication by the doctor that there was a certain -- he would

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prefer to have the pictures -- see the view of the pictures in connection with the charts that he was representing to us.

There was a certain little note of minor inadequacy in connection with the chart which we had, without the pictures.

Mr. Dulles. Which doctor was that?

Mr. Rankin. Humes -- you remember it was the doctor that made the autopsy.

Mr. Dulles. Out at Bethesda?

Mr. Rankin. Yes.

Mr. Dulles. Yes, I remember that.

As I recall the testimony, I think it was the doctor from Dallas --

Mr. Rankin. Dr. Gregory.

Mr. Dulles. The one who said that the bullet -- I understood he said might have passed through the President's throat and then through Connally. But I didn't think he said that he thought it did. I think he said he thought it might have.

Is that correct?

Mr. Rankin. That is right.

Mr. Dulles. Could have.

Mr. McCloy. I thought the chief testimony on that came from the Bethesda doctor. I remember he said, 'I think I could show you this better on the photographs than I could through these charts.'

Mr. Rankin. That is right.

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The Chairman. Well, I think you can work that out, Lee, to do that, but without putting those pictures in our record. We don't want those in our record.

Mr. McCloy. Certainly not.

The Chairman. It would make it a morbid thing for all time to come.

Mr. Rankin. Is that effort to proceed in that manner, without having them in the record, and having an examination by the doctor and one of the members of the Commission satisfactory then?

The Chairman. Only for verification purposes. Yes, I think that would be all.

Mr. Dulles. By the doctor and a member of the Commission.

Mr. McCloy. Oh, yes, you would need a doctor present to interpret it to you.

The Chairman. All right.

If there is nothing further on that item, the next is Interview of Mrs. Kennedy.

Mr. Rankin. We are proceeding with that. The Chief Justice is going to go with me at a time agreeable to Mrs. Kennedy and the Attorney General and we will get that done some time this next week, when it is convenient.

The Chairman. Seven -- Additional Witnesses to be Called before the Commission.

A. Federal Bureau of Investigation Agents Hosty, Fain and

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36 Quigley, who will be here on next Tuesday morning at 9 o'clock.
And a question mark as to Buchanan.

Mr. Dulles. That we have discussed. I don't think we need to go into that any further.

The Chairman. At the moment, yes.

And other witnesses.

Mr. McCloy. Clinton Hill, I would want to add to that. I think he is important.

Mr. Dulles. And Mrs. Marina Oswald.

Mr. Rankin. Yes.

Mr. Dulles. Did you plan to have her up here?

Mr. Rankin. Yes.

You raised a question about Mr. McCone and Mr. Hoover. Now, we have the affidavit from Mr. Hoover, and we have asked for the affidavit from Mr. McCone. We understand that is going to be furnished to us.

Do you want the personal testimony of those two men?

Mr. McCloy. Senator Cooper, who is not here, spoke to me about that earlier in the afternoon, and said he thought we ought to have it. He said this is a very serious charge that has been made, and you ought to have not only just the written statement -- people would be disposed to discount the mere statement of the heads of these agencies, and that we better have it surrounded by the testimony they would give to indicate the plausibility of denial.

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I am simply quoting Senator Cooper.

Mr. Dulles. Depending as of the time we are talking about, I might have a little problem on that -- having been director until November 1961, it would depend upon as of what time he was supposed to have been an agent of the CIA. The only problem -- there is no problem so far as I am concerned in making an affidavit to the period up to November 26, 1961, if you want me to. I don't know what you would feel about that.

Of course, McCone has all the records. I do not have the records and files. All the records are there.

McCone, of course, could testify as to the records for any period, as far as that is concerned.

Mr. Rankin. Well, we could ask Mr. McCone to try to satisfy himself before he testified as to whether or not it was true for any period, and then let him testify on that basis.

Mr. McCloy. What do you think about that, Mr. Chief Justice?

The Chairman. Well, I am inclined to think that we ought to take their testimony. And there is another reason I would like to take their testimony -- because of this statement, statements both from the right and the left, that there has been a conspiracy. I would like to ask Edgar Hoover whether he has, as a result of the investigation of his Bureau, any evidence indicating that there has been a conspiracy with anybody, governmental, individual, or otherwise. And I think we also ought to ask John McCone the same thing.

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Mr. McCloy. Maybe the State Department.

The Chairman. The State Department -- and another one, by all means, I think we should try to -- we should examine in that regard, and that is the Attorney General -- because if the brother of the President --

Mr. McCloy. Examine him as a brother, rather than as Attorney General.

The Chairman. Yes, as brother. And if he was to testify that he had no information, I would think with any reasonable person it would have tremendous force.

So I would be inclined to call those witnesses for that purpose anyway, and if we do, I think that it would naturally follow that we had to ask them the other questions, too.

So I would be in favor of -- I think I would be in favor of doing that.

What do you think, Lee?

Mr. Rankin. I do. And I think that what you say about the Attorney General is very important, too, because I notice that the foreign press is sort of picking that up and saying -- those that are not going the Echanan way are saying, let's wait for the Warren Commission, and also saying it is hardly believable that the brother of the President would stand by if there was some conspiracy in the United States to dispose of his brother. So I think that might be the most impressive thing we had, was the testimony of those three men.

BY *MAG*
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Mr. Dulles. I concur wholly.

The Chairman. You see, we have Connally's testimony very clear on that. And I don't know -- we might consider, also, the possibility of having Sargent Shriver testify -- he is the brother-in-law of the President, he is here in government, he is familiar with what is going on. It might be. I just throw that out.

Mr. McCloy. I have doubts about that.

Mr. Dulles. He had no government position which would bring him in touch with the records and file and information on the subject.

Mr. McCloy. That would raise a question should you bring his sister, and so on.

The Chairman. Yes. Well, I just toss it out.

Mr. McCloy. But I think the one on the Attorney General is very potent.

The Chairman. All right.

Lee, did you have anything else on other witnesses?

Mr. Rankin. No.

The Chairman. I do want to get that Weissman thing cleaned up -- as soon as we can.

Mr. Rankin. I have the material right here, if you care to look at it, that the F.B.I. gave to us.

Mr. Dulles. Is that testimony with regard to the Carousel meeting?

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Mr. Rankin. No. This is in regard to the publication of the advertisement in the paper, and who contributed to it.

The Chairman. Well, I think this is for examination of members of the Commission rather than to put it in this record.

Mr. McCloy. One other piece of material evidence -- I think the Commission ought to look at the windshield.

Mr. Rankin. We have that here for you today -- whenever you want it. As soon as we get through, we will have it brought in.

The Chairman. Anything else, Jack?

Mr. McCloy. No, that is all.

You have Marina down?

Mr. Rankin. Yes.

Mr. McCloy. And Hill.

The Chairman. Now, let's see, you talked to those F.B. I. agents down there, didn't you -- no, Hosty --

Mr. Rankin. They are going to be here.

The Chairman. You did talk to Sorrells, didn't you?

Mr. Rankin. Yes, Sorrells has testified, and Lawson --
Secret Service.

Mr. McCloy. Off the record.

(Discussion off the record.)

The Chairman. Back on the record.

We have taken care of the next item, Declassification of Transcript from Top Secret to Confidential.

And the last of future work of the Commission in the area of Presidential protection.

We discussed that somewhat.

Is there anything further on it now?

Mr. Rankin. That is the area that Congressman Ford said he wanted to participate in, you remember.

The Chairman. Oh, yes. And we told him we would continue that until the next time.

But if any of you have anything to say now, there is no reason why it shouldn't be said.

Mr. Dulles. Off the record.

(Discussion off the record.)

The Chairman. Well, gentlemen, I guess that is our agenda.

Is there anything further?

Mr. Dulles. Could I raise one other question?

I have had a chance to review the very interesting outline that Lee circulated some days ago of the proposed outline of report. And I think some time -- it is fairly late today -- but some time we ought to get together our ideas and get them to you, or get them to the Chief Justice. It is a very good report. I am afraid I feel that a good many of these points that you have here on this last page, I would feel probably ought to be covered in the report.

Mr. Rankin. In the supplement?

Mr. Dulles. Or in the supplement.

By *Amey*
Date *2/14/58*

Mr. Rankin. That is all contemplated to be there, but in the supplements rather than in the main body.

Mr. Dulles. Detailed biography of Lee Harvey Oswald -- I think that ought to be somewhere.

Mr. Rankin. We thought it would be too voluminous to be in the body of the report. We thought it would be helpful as supplementary material at the end.

Mr. Dulles. Well, I don't feel strongly as to where it should be. This would be -- I think some of the biography of Lee Harvey Oswald, though, ought to be in the main report.

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Mr. Rankin. Some of it will be necessary to tell the story and to show why it is reasonable to assume that he did what the Commission concludes that he did do.

Mr. Dulles. If we left out, for example, his stay in Russia and things of that kind from the main report, somebody might say we were burying that. I think that part ought to be in the main report, probably.

But otherwise this, I think, is a very good section as a supplement.

There are one or two other points I have on the rest of it, but I can give those to you later.

Mr. Rankin. Fine.

The Chairman. All right, gentlemen.

Is there anything further to come before the meeting?

Mr. McCloy. Mr. Chief Justice, I suggest that this might be

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a good opportunity for the members of the Commission that are present to examine the windshield.

I understand, Mr. Rankin, that we have that in the office today

Mr. Rankin. That is right.

(At this point, the windshield was brought in and examined by the members of the Commission, and by Mr. Rankin)

Mr. McCloy. It seems to me to be apparent, Mr. Chief Justice, that there is no perforations in the windshield, that there is a crack in the approximate center of the windshield.

The Chairman. I agree.

Mr. McCloy. Perhaps we ought to have some expert testimony to supplement this, to show, if we can get it, whether the shattering occurred from the rear or from the front -- even though it is perfectly clear there is no perforation in the windshield.

Do you agree with that, Mr. Chairman?

The Chairman. I do indeed.

Mr. Rankin. We might also observe that each member of the Commission felt the windshield with their fingers to see how it felt, and could feel no perforations and observed that there was none, also.

Mr. Dulles. I agree with that entirely. I felt it on both sides, and could see there was no perforations of the windshield.

The Chairman. The meeting is now adjourned.

(Whereupon, at 5:45 p.m., the Commission recessed.)

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By: M/S
Date: 2/17/68