

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.

Mr. Chairman, if I might, I have a very short opening statement which I would appreciate the opportunity to read, then I will be glad to respond to whatever the questions may be of Mr. Cornwell.

Chairman STOKES. Mr. President, we would be glad to receive your statement at this time.

President FORD. Chairman Stokes, members of the committee, it is nice to be home and it is a great honor and great privilege to testify before this committee, and I thank you for the opportunity to appear along with my distinguished former colleagues on the Warren Commission, Senator John Sherman Cooper and the Honorable John McCloy. Each of us who were appointed by President Lyndon B. Johnson to the Warren Commission and who signed the final report of that Commission are prepared to respond to questions as submitted by you or the members of the committee or the staff.

I trust the committee understands my particular situation. I am most willing to respond to any and all questions relating to my service on the Warren Commission and related matters, but I must respectfully refuse to answer questions under the principle of Executive privilege that relate to the period from August 9, 1974, to January 20, 1977, the time that I served as President of the United States.

The Warren Commission was given by President Lyndon B. Johnson the tragic responsibility to investigate the assassination of President John F. Kennedy. No member of the Commission sought the assignment, but each member believed it was a public duty to respond to the request of the President. It was not an easy or pleasant duty because each of us had known President John F. Kennedy. The Commission, under the chairmanship of the Chief Justice, Earl Warren, conducted, in my opinion, a thorough, objective analysis and investigation, with the assistance of an outstanding staff and the help of many, many others within and without the Federal establishment.

The conclusions and recommendations of the Commission were unanimous. We believe the Commission report, despite questions that have been raised over the past 14 years, was an authoritative document covering one of the most tragic episodes in the history of the United States. In my own case, the staff of the committee has submitted a set of questions and requested responses in specific areas of inquiry. I will be glad to respond to the questions as propounded by Mr. Cornwell or members of the committee and I thank you for the opportunity to make my opening statement.

Chairman STOKES. Thank you, Mr. President, and we appreciate your appearance here this morning, and at this time the Chair will recognize Mr. Gary Cornwell for preliminary questions.

Mr. CORNWELL. Thank you, Mr. Chairman.

Mr. President, I would like to initially direct your attention to the fact that in response to the assassination there were a number of basic decisions made, first, of course, to create the Warren Commission, as opposed to relying, hypothetically, for instance, upon such other bodies as the Department of Justice, for the purpose of supervising the investigation.

Second, I would like to focus your attention upon the decision to rely upon the investigative agencies as opposed to perhaps attempt-

ing to create an investigative staff of the Warren Commission; the question of time constraints that may have been imposed upon the members and their staff because, of course, they were influential and busy men and they did have outside interests which coincided with the operation of the Commission; and such things as the relationship between the Commission and the investigative agencies. I would like to ask you to comment upon that, namely, the effectiveness of the organization and the procedures which were adopted in response to the assassination.

President FORD. In my judgment, Mr. Cornwell, the Warren Commission made a basic decision, which was a proper one. We decided that it was inadvisable for the Commission to recruit a totally new investigating staff, and we felt that it was far better to pursue the procedure which we did, which was to employ a limited group of very outstanding and prestigious lawyers, as I recall 14 in number, who came onto the staff and headed the staff organization. Then that staff under the close supervision and control of the Commission worked with the various investigative agencies of the Federal Government such as the FBI, the CIA, Secret Service, and others.

I must emphasize one point. Although the staff and the Commission utilized the investigative personnel and capabilities of organizations within the Federal establishment, we as a Commission and the staff were never satisfied with what information we got from these Federal organizations. What we did was to use them as a base, and then the staff and the Commission took off from there and handled individually the inquiries, the questions, and any leads that came to the Commission or to the staff.

Mr. CORNWELL. The Senate Select Committee to Study Governmental Operations looked into some of these same areas and in book V of their final report they commented upon them.

It is my understanding that your opinion was not consulted, in fact I don't believe the opinions of the other Warren Commission members were consulted, prior to the publication of that report, so I would like to direct your attention to a limited portion of it and ask you to comment upon its accuracy from your point of view.

At page 6 of the report, the Senate committee concluded that facts which might have substantially affected the course of the investigation were not provided the Warren Commission or those individuals within the FBI or CIA, as well as other agencies of the Government who were charged with investigating the assassination. The FBI was ordered by Director Hoover and pressured by higher Government officials to conclude its investigation quickly. The FBI conducted its investigation in an atmosphere of concern among senior Bureau officials that it would be criticized and its reputation tarnished.

On page 46 the report goes on to note that with only minor isolated exceptions, the entire body of factual material from which the Commission derived its findings was supplied by the intelligence community, primarily the FBI, and on page 47 the report concludes that although the Commission had to rely on the FBI to conduct the primary investigation of the President's death, their relationship was at times almost adversarial, such relationship was not conducive to the cooperation necessary for a thorough and exhaustive investigation.

Would you agree with that, and to what extent, if any, would you think that such factors might have substantially affected the effectiveness of the investigation?

President FORD. Mr. Chairman and Mr. Cornwell, the committee did send to me this question, among others, and the material from the Church committee report. Because I want to be very accurate, since it involves a committee of the U.S. Senate, I would like, if I might, Mr. Chairman, to read a response to the question that Mr. Cornwell has asked, and with your approval I will do so.

Chairman STOKES. You certainly may do so.

President FORD. I concur with the conclusions of the Church committee's final report, book V, page 6, which states, and I quote: "The Committee emphasizes that it has not uncovered any evidence sufficient to justify a conclusion that there was a conspiracy to assassinate President Kennedy."

I categorically deny that the investigation of the assassination was deficient. The Church committee concedes directly or by implication that the Commission's conclusions based on available evidence were correct. To date, I have seen no new evidence that would change my views as a former member of the Commission. The Church committee states that the FBI was pressured by Director Hoover and higher Government officials to conclude its investigation quickly. The committee does not differentiate between the Commission's investigation and the investigations by the FBI and other Federal agencies. The FBI may have hurried its internal investigation, but the Warren Commission sets its own schedule for completion of its work, based on its best estimate of the time required to carry out the mandate of President Johnson.

When the Commission found that July 1964 was insufficient, the time was extended so we could properly conclude. The Church committee erroneously assumed that the main investigation was done by the FBI, when in fact it was undertaken by the Commission and the 14 independent lawyers assembled by the Commission and the rest of the Commission staff. I do find in reading pages 6 and 7 of the Church committee's report, that questions of policy procedures, decisions and so forth are raised but then in many instances the committee report did not come to firm conclusions or make categorical recommendations based on their sources of information.

My response to pages 46 and 47 of the Church committee report are as follows:

1. The Warren Commission did use the intelligence agencies of the Federal Government for the initial factual information and their preliminary analysis. However, the Commission and the staff never accepted this material at face value. From the information supplied from all sources, an independent followup investigation was conducted by the Commission staff, including interviews, interrogations and cross checking. Conclusions by the Commission were based on this independent process and not on Federal agency determinations.

The Commission had an obligation to follow a dual policy, on the one hand, to get maximum voluntary cooperation from all Federal agencies including the FBI, and on the other hand, to be insistent that the agencies respond in cooperation in however the Commis-

sion demanded. The latter requirement may have led some agencies to believe that there was an adversarial relationship. For the Commission to have adopted any other posture would have led the Commission critics to charge that the Commission was not carrying out its Presidential mandate.

Mr. CORNWELL. I would next, Mr. President, ask you if you would direct your attention to the possibility of some outside pressure or concern upon the Commission, and for that purpose I would like to show you two exhibits marked for identification, JFK F-457 and JFK F-443.

The first exhibit, Mr. Chairman, is a memorandum prepared by Presidential Assistant Walter Jenkins, dated November 24, 1963, and containing a resume of comments by FBI Director Hoover made on that date, and the second one is a memorandum reflecting—well, a memorandum from Mr. Evans and the FBI to Mr. Belmont and attaching a memorandum of Deputy Attorney General Katzenbach dated November 25. May we have those admitted into evidence, Mr. Chairman.

Chairman STOKES. Without objection, they may be entered into the record at this point.

[The above-referred-to exhibits, JFK F-457 and JFK F-443, follow:]

[JFK exhibit F-457 was entered previously.]

UNITED STATES GOVERNMENT

Memorandum

TO : MR. BELMONT

DATE: 11/25/63

FROM : C. A. Evans

cc Mr. Belmont
Mr. Evans
Mr. Mohr
Mr. DeLoach
Mr. Rosen
Mr. SullivanSUBJECT: ASSASSINATION OF
PRESIDENT KENNEDY

Deputy AG Katzenbach handed to me this morning the attached memorandum which he has sent to Bill Moyers, who will be the principal assistant to President Johnson in the White House. Katzenbach said that this memorandum was prepared by him after his discussions with the Director yesterday.

It is Katzenbach's feeling that this matter can best be handled by making public the results of the FBI's investigation. He thought time was of the essence, but that the report, of course, had to be accurate. He said he was thinking in terms of its release by the end of the week if at all possible.

Katzenbach further pointed out that he is having no success in selling the White House on the idea that this report should be released there. He understands that President Johnson has expressed himself as feeling this should be handled on a Department of Justice level. It is Katzenbach's belief that it would be most inappropriate for Robert Kennedy to issue this report. Katzenbach asked that the Director be informed of his feeling that, if the report is not released by the White House, then it should be made available publicly by the Director, pursuant to Presidential instructions.

ENCLOSURE

Enclosure

CAE:CSH (7)

ENCLOSURE

105-82555-UNREC
NOT RECORDED
129 DEC 9 1963

23 DEC 9 1963

JFK Exhibit F-443

November 25, 1963

MEMORANDUM FOR MR. MOYERS

It is important that all of the facts surrounding President Kennedy's Assassination be made public in a way which will satisfy people in the United States and abroad that all the facts have been told and that a statement to this effect be made now.

1. The public must be satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such that he would have been convicted at trial.

2. Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting thought that this was a Communist conspiracy or (as the Iron Curtain press is saying) a right-wing conspiracy to blame it on the Communists. Unfortunately the facts on Oswald seem about too pat--too obvious (Marxist, Cuba, Russian wife, etc.). The Dallas police have put out statements on the Communist conspiracy theory, and it was they who were in charge when he was shot and thus silenced.

3. The matter has been handled thus far with neither dignity nor conviction. Facts have been mixed with rumour and speculation. We can scarcely let the world see us totally in the image of the Dallas police when our President is murdered.

I think this objective may be satisfied by making public as soon as possible a complete and thorough FBI report on Oswald and the assassination. This may run into the difficulty of pointing to inconsistencies between this report and statements by Dallas police officials. But the reputation of the Bureau is such that it may do the whole job.

105-82555
ENCLOSURE

The only other step would be the appointment of a Presidential Commission of unimpeachable personnel to review and examine the evidence and announce its conclusions. This has both advantages and disadvantages. I think it can await publication of the FBI report and public reaction to it here and abroad.

I think, however, that a statement that all the facts will be made public properly in an orderly and responsible way should be made now. We need something to head off public speculation or Congressional hearings of the wrong sort.

Nicholas deS. Katzenbach
Deputy Attorney General

Mr. CORNWELL. In particular, Mr. President, I would like for you to respond to these portions of those memorandum. With respect to Exhibit 457, the Walter Jenkins memorandum, according to the memorandum, Mr. Hoover stated on page 2, bottom paragraph, "The thing I am concerned about, and so is Mr. Katzenbach, is having something issued so we can convince the public that Oswald is the real assassin," and thanks to the cooperation of the Justice Department, although it is not in your copy right there, Mr. President, today we have received authority to declassify one additional sentence in that paragraph.

That additional sentence reads:

I felt this [not creating a presidential commission] was better because there are several aspects which would complicate our foreign relations.

In the second exhibit, F-443, Mr. Evans writes:

Deputy Attorney General Katzenbach handed to me this morning the attached memorandum which he has sent to Bill Moyers, who will be the principal assistant to President Johnson in the White House. Katzenbach said this memorandum was prepared by him after his discussions with the Director yesterday.

And the attached memorandum at paragraph one and then paragraph numbered two states:

It is important that all of the facts surrounding President Kennedy's Assassination be made public in a way which will satisfy people in the United States and abroad that all the facts have been told and that a statement to this effect be made now.

In paragraph two, it reads:

Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting thought that this was a Communist conspiracy or 'as the Iron Curtain press is saying' a right-wing conspiracy to blame it on the Communists.

And finally, in the materials which we previously provided to you, Mr. President, again the Senate report, at page 41, there is a quotation from a memorandum by Richard Helms, a cable to the CIA's Mexico station chief. Helms states:

For your private information, their distinct feeling here in all three agencies, CIA, FBI, State, that Ambassador is pushing this case too hard and that we could well create flap with Cubans which could have seriously repercussions.

What I would like to ask you is, were you aware of any such pressures at the time, and if so, to what extent, if any, do you think they might have distorted the investigative process?

President FORD. To the best of my recollection, and I remind the committee that the commission did its job 14 years ago, there was no pressure as a consequence of a memo or a statement by Walter Jenkins.

There was no pressure from any actions taken by Mr. Katzenbach. I fully would understand, however, the concern of the White House staff at that time for some early resolution of whatever the Warren Commission would decide. I can understand why the Department of Justice, and other Federal agencies, may have wanted some statement from the Commission at the earliest possible date. But to my best recollection, there was nothing that came from President Johnson or any of his associates in the White House, there was nothing that came to the Commission from the Department of Justice or other Federal agencies to hurry, in an incomplete way, a decision by the Warren Commission.

Now, again, to be very precise, I would like to read from a prepared response I have in reference to the Mexican question that has been raised.

I was not informed at the time of the Helms cable to the CIA Mexican station chief, but to my best recollection, the members of the Commission were familiar with the strong personal feelings of the then-U.S. Ambassador to Mexico. The Ambassador did believe that Castro was somehow involved in a plot to assassinate President Kennedy, and he was forceful in setting forth those views.

This view of the Ambassador obligated the Commission to make a thorough investigation of the Ambassador's charges and the attitude of the CIA, FBI, and State. Although the Helms cable, to my best recollection, was not seen by me, I was familiar with the general views of the three departments as reflected in the Helms cable.

I believe the Commission was carried out to investigate any divergent views between the Ambassador, on the one hand, and the three departments on the other.

Mr. CORNWELL. Mr. President, the committee has received evidence about such things as the destruction of a note within the FBI that caused internal dissension at the time, a note which may have been from Oswald and was delivered to Special Agent Hosty. We have received evidence of such things as the existence of CIA assassination plots, an association between CIA officers and some members of the underworld.

Was the Warren Commission familiar with those type of things and, if not, using the benefit of hindsight, could their existence have distorted the investigation?

President FORD. It is my best recollection that we were not familiar with the alleged destruction of the Oswald note to Hosty. From what I have read of the content, or the alleged content of that note, I don't think the course of the investigation would have been changed by either the note itself or the destruction of that note.

The other question that was raised, the allegation that the CIA considered the possibility of using Oswald as a source of informa-

tion, I am not able to recollect whether we were familiar with that possibility, but, in my opinion, if we had known about it, I do not believe it would have significantly changed the course of or the conclusions of the Warren Commission.

There was a question raised about Mr. Hoover's theory of 1959 that Oswald may have been an imposter.

I personally was not familiar with that attitude of Mr. Hoover, in all honesty, I don't think that attitude on his part would have significantly changed the course of our investigation or the conclusions of the Commission.

You also raised the question as to the connection or possible involvement of the underworld in any assassination plot. I would like to state this for the record: I do not believe that if there was any association between some CIA officers and members of the underworld that that would have changed the conclusion of the Warren Commission.

However, had the Warren Commission known of any assassination plots directed against Castro, this might have affected the extent of the Commission inquiry. In other words, if we had known of these assassination plots or attempts by an agency of the Federal Government, it certainly would have required that the Commission extend its inquiry into those kinds of operations by an agency of the Federal Government.

But from what I have known of those plots, what I have read or heard, I don't think they, in and of themselves, would have changed the conclusions of the Commission.

Mr. CORNWELL. Finally, I would like to show you two exhibits marked for identification as JFK F-464 and JFK F-467, each of which respectively relate to the fact the CIA may have considered, at one point, the possibility of using Oswald as a source of information, and the second one relating to a theory or speculation that Mr. Hoover had at one point, that there may have been an Oswald imposter. May we have those admitted into the record, Mr. Chairman?

Chairman STOKES. Without objection, they may be entered into the record.

[The above referred to exhibits, JFK F-464 and JFK F-467, follow:]

JFK EXHIBIT F-464

- JFK Exhibit F-464

Chief,

Chief,

Chief of Station,

- Lee Harvey OSWALD

For information

For the record we forward herewith a memorandum by ⁰ *Staff employee*
 in which he gives his recollections of interest in Subject following *OSWALD*
 Subject's return to the United States from the USSR. *OSWALD*

45

Encl.

Distribution

4-
3-

Document Number

435-173A

for FOIA Review on

MAY 1976

12 Dec 1963 DEC 13 1963

25 November 1963

SUBJECT: Mr. Lee Harvey Oswald

TO :

1. It makes little difference now, but I had at one time an interest in Oswald. As soon as I had heard Oswald's name, I recalled that as I had discussed -- sometime in Summer 1960 -- with [redacted] the laying on of interview(s) through [redacted] or other suitable channels. At the moment I don't recall if this was discussed while Oswald and his family were en route to our country or if it was after their arrival.

2. I remember that Oswald's unusual behavior in the USSR had struck me from the moment I had read the first ~~STATE~~ dispatch on him, and I told my subordinates something amounting to "Don't push too hard to get the information we need, because this individual looks odd." We were particularly interested in the info Oswald might provide on the Minsk factory in which he had been employed, on certain sections of the city itself, and of course we sought the usual [redacted] that might help develop foreign personality dossiers. BIOGRAPHIC INFORMATION

3. I was phasing into my next cover assignment [redacted] at the time. Thus, I would have left our country shortly after Oswald's arrival. I do not know what action developed thereafter.

T

Addendum

4. As an afterthought, I recall also that at the time I was becoming increasingly interested in watching develop a pattern that we had discovered in the course of our bio and research work/ [redacted] : the number of Soviet women marrying foreigners, being permitted to leave the USSR, then eventually divorcing their spouses and settling down abroad without returning "home". The [redacted] case was among the first of these, and we eventually turned up something like two dozen similar cases. [redacted] became interested in the developing trend we had come across. It was partly out of curiosity to learn if Oswald's wife would actually accompany him to our country, partly out of interest in Oswald's own experiences in the U SSR, that we showed intelligence interest in the Harvey story.

JFK EXHIBIT F-467

-JFK Exhibit F-467-



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 105-82555

WASHINGTON 25, D. C.

Date: June 3, 1960
To: Office of Security
Department of State
From: John Edgar Hoover, Director
Subject: LEE HARVEY OSWALD
INTERNAL SECURITY - R

FBI - 2nd A

Reference is made to Foreign Service Despatch Number 234 dated November 2, 1959, concerning subject's renunciation of his American citizenship at the United States Embassy, Moscow, Russia, on October 31, 1959.

It is noted that among other items, subject surrendered his United States Passport Number 1733242 to an American Embassy official. His last known residence as indicated in your despatch was The Metropole Hotel, Moscow, where he was residing in a non-tourist status.

Your attention is directed to the report of Special Agent John W. Fuin, Dallas, Texas, dated May 12, 1960, entitled "Funds Transmitted to Residents of Russia; Internal Security - R," a copy of which was furnished to the Department of State on May 24, 1960.

In that report you will note that subject's mother, Mrs. Marguerite C. Oswald, Fort Worth, Texas, advised that she recently received a letter addressed to her son from the Albert Schweitzer College in Switzerland indicating that Lee Oswald was expected at the college on April 20, 1960. She stated subject had taken his birth certificate with him when he left home. She was apprehensive about his safety because three letters she had written him since January 22, 1960, have been returned to her undelivered.

Since there is a possibility that an impostor is using Oswald's birth certificate, any current information the Department of State may have concerning subject will be appreciated.

Office Memorandum • UNITED STATES GOVERNMENT

TO : SGV

DATE: June 10, 1960

FROM : Emery J. Adams, For the
Director, Office of Security *Ea*

SUBJECT: G. ALD, Lee Harvey

Ref : SY memorandum June 6

There are transmitted for your consideration the attached documents and/or reports relating to the subject. Should additional data be required, the basic document, when not attached, or the SY file, can be made available upon request.

The information transmitted herewith is for your confidential use only and not for dissemination outside the Department.

Please handle the attached material as indicated:

 A. RETURN TO SY.

 X B. RETAIN OR DESTROY.

Since the final paragraph of the attached FBI memorandum indicates the possibility of an imposter using the subject's birth certificate, please furnish this office with any current information available on him for transmittal to the FBI.

cc: PIT
SCS
SCA - Mr. Dorsz

Attachment:

FBI memo dated 6/3/60 at Washington.

SY file

OPTIONAL FORM NO. 10
5010-104~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

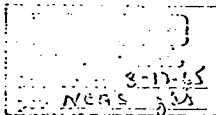
TO : PT/F - Mr. John T. White

DATE: March 31, 1961

FROM : PT/U - Edward J. Hickey

SUBJECT: Lee Harvey Oswald, Your Memorandum dated March 31.

In view of the fact that this file contains information first, which indicates that mail from the mother of this boy is not being delivered to him and second, that it has been stated that there is an imposter using Oswald's identification data and that no doubt the Soviets would love to get hold of his valid passport, it is my opinion that the passport should be delivered to him only on a personal basis and after the Embassy is assured, to its complete satisfaction, that he is returning to the United States.



Mr. CORNWELL. Was the Warren Commission told about either such matter, to your knowledge, Mr. President?

President FORD. Not to my best recollection.

Mr. CORNWELL. Finally, the committee has received some evidence there may have been an employee in the Cuban consulate in Mexico City which may have had foreknowledge of the assassination, and the employee may have been a member of Cuban intelligence.

Did you ever receive any such information, to your memory, during the course of the Warren Commission's deliberations?

President FORD. It is my best recollection we were not so informed.

Mr. CORNWELL. Thank you. I have no further questions.

Chairman STOKES. Thank you, Counsel. At this point, the Chair will recognize the gentleman from Ohio, Mr. Devine, for such time as he may consume, after which the committee will operate under the 5-minute rule. The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman.

Mr. President, we welcome you here this morning and we appreciate it must be a bit difficult after 14-plus years to recall everything that occurred on this Commission, particularly due to the vast responsibilities that were put upon you, as both Vice President and President of the United States, during the intervening time.

With all due deference to the other members of the Warren Commission that are present, you did attain, probably, the reputation of being the most conscientious member of the Commission,

having attended more meetings and interviewed more witnesses than anyone else on the Commission at that time.

In that conclusion, Mr. Chairman, would Ms. Berning make available to the President JFK exhibits F-441 and F-442.

Mr. President, I think you have had an opportunity to, on a previous occasion, review these two memorandums, one of which is dated December 12, 1963; the other December 17, 1963, both memorandums being authored by the Assistant Director of the Federal Bureau of Investigation, Mr. Cartha DeLoach.

And I would like to ask you if these memorandums, you had a chance to review them, are accurate with respect to the conversations with you and what, if any, relationship you had with the FBI during the operation of the Warren Commission.

President FORD. Congressman Devine, I appreciate the opportunity to respond to the two memorandums from Mr. DeLoach, one of December 12, 1963, and one of December 17, 1963. And if the committee will permit, I will read a prepared statement because I wish to be very accurate in this regard.

During my service in the Congress from January 3, 1949, until appointed to the Warren Commission, I had had an excellent relationship with the FBI. It was not on a frequent basis. I barely knew J. Edgar Hoover, but like most Americans, had great respect for him and the Bureau.

Over that period, I became reasonably well acquainted with Lou Nichols, who was Mr. DeLoach's predecessor. Mr. Nichols had a longstanding relationship with eight or nine editors of Booth newspapers in Michigan, including the Grand Rapids Press, which was the Booth paper in my hometown.

I met with Mr. DeLoach through Mr. Nichols, and when Mr. Nichols retired and whenever I had a congressional matter involving the FBI, I would contact Mr. DeLoach. These were contacts well before my appointment to the Warren Commission.

After my appointment to the Commission, and following several of the Commission's organizational meetings, I was disturbed that the Chairman, in selecting a general counsel for the staff, appeared to be moving in the direction of a one-man Commission. My views were shared by several other members of the Commission.

The problem was resolved by an agreement that all top staff appointments would be approved by the Commission as a whole.

In my December 12, 1963 discussion with Mr. DeLoach in my office, I told him of this temporary internal conflict with the Commission—within the Commission, I should say. In that same meeting with Mr. DeLoach, we discussed several other matters, including involving possible decisions of the Commission, and I related the visit to my office by Mr. John McCone, who was then director of the Central Intelligence Agency.

Mr. DeLoach gave me additional information on the matter discussed by Mr. McCone. On December 17, 1963, I again met with Mr. DeLoach in my office and the subjects discussed are set forth in the copy of the memo from Mr. DeLoach to Mr. Moore.

In reference to these meetings with Mr. DeLoach, and my questions relating to my relationship as a Commission member with the FBI, I will state the following:

One, I do not have any memoranda which shows that after December 19, 1963, I had any contact with Mr. DeLoach, and I know of no other memoranda from any source.

Two, the two contacts with Mr. DeLoach, which were prior to December 20, were made during the organizational period of the Commission and before any investigations or hearings were undertaken by the Commission.

Three, to my best recollection, the DeLoach memos appear to be accurate, but the relationship mentioned by Mr. DeLoach did not continue during the investigation period of the Commission.

Mr. DEVINE. On Sunday, June 7, 1964, Mr. President, you and I, I think, Chief Justice Warren went to Dallas and had an interview with Jack Ruby. Do you recall that situation?

President FORD. I recall it vividly, Mr. Devine.

Mr. DEVINE. You may further recall that during this conversation, Mr. Ruby said as follows, and this appears on page 194 of the transcript:

Gentlemen, if you want to hear any further testimony, you will have to get me to Washington soon, because it has something to do with you, Chief Warren. Do I sound sober enough to tell you this?

Chief Justice WARREN. Yes; go right ahead.

Mr. RUBY. I want to tell the truth, and I can't tell it here. I can't tell it here. Does that make sense to you?

I would ask you, Mr. President, why was Ruby not taken to Washington for further questioning as he requested?

President FORD. First, the Chief Justice, the Chairman of our Commission, and myself, along with several staff members, thoroughly interrogated Jack Ruby in Dallas on that Sunday afternoon; the interrogation went 3 or 4 hours.

We believe that we had fully probed from him all of the information that he had available, and the Chief Justice, the Chairman and I reported back to the other members of the Commission the interrogation that we had of Jack Ruby. The other members of the Commission had full access, of course, to the transcript.

It is my best recollection that the other members of the Commission agreed with the Chief Justice and myself that it was not necessary to bring Jack Ruby from Dallas to Washington and to go through another interrogation of him in the Nation's capital.

Second, as the transcript indicates, Jack Ruby did request a polygraph examination. At his request, that was given, and the Commission and the staff of the Commission had the benefit of that polygraph and that interrogation. So, when you brought it all together, the interrogation by the chairman and myself and the staff, plus the polygraph, it did not seem necessary to bring Jack Ruby down to Washington for further investigation or interrogation.

Mr. DEVINE. In other words, it was the feeling of the Commission, or at least a majority of them, that no meaningful purpose would be served by transporting him from Dallas to Washington, is that right?

President FORD. That is correct, sir.

Mr. DEVINE. In another vein, Mr. President, if you know, why did Earl Warren agree to accept the position as head of the Warren Commission?

President FORD. I assume that the responsibilities of the Chief Justice—

Mr. DEVINE. Would you hold a minute, I think we have lost our sound.

Thank you Mr. President. Let me repeat the question, if you know, why did Chief Justice Warren accept the assignment as head of the Warren Commission?

President FORD. I believe that Chief Justice Warren accepted the assignment from President Johnson for precisely the same reason that the other six of us did. We were asked by the President to undertake this responsibility, as a public duty and service, and despite the reluctance of all of us to add to our then burden or operations, we accepted. I am sure that was the personal reaction and feeling of the Chief Justice.

Mr. DEVINE. I know that you were personally reluctant to accept it because you did not seek the assignment and I doubt if any of the other members did. What was Allen Dulles' role on the Commission?

President FORD. Allen Dulles had an identical relationship and role on the Commission with the rest of us. He was unique, however, in that he had served for a considerable period of time as the Director of the CIA, so that as a member of the Commission he could draw on that experience and expertise in any matters that involved the foreign intelligence problems.

It is my best judgment, Mr. Congressman, that we were fortunate to have had a person like Allen Dulles on the Commission because of his background.

Mr. DEVINE. Would you know, Mr. President, what his informal relations were with the CIA, since he was the retired Director? Did he have an opportunity to obtain more information for the Commission because of that unique position?

President FORD. To my best knowledge, he had no unusual relationship with the Central Intelligence Agency other than the fact that he had been a former Director. As I said a moment ago, I believe that background and experience was beneficial to the Commission and not harmful or detrimental to our investigation and our recommendations and conclusions.

Mr. DEVINE. To put it another way, Mr. President, you then don't feel that his former relationship with the CIA in any way hindered the operations of the Warren Commission?

President FORD. Not at all, sir.

Mr. DEVINE. If you know, why has the public acceptance of the findings of the Warren Commission diminished to reasonably low proportions over the years? This is speculation, but we would like to have the benefit of your thinking.

President FORD. Because I would like to be very precise I have a written statement which I would like to read in this regard.

Public acceptance of the Warren Commission findings has diminished for several reasons. No. one, the critics who have obtained the widest publicity have either deliberately or negligently mislead the American people by misstating facts and by omitting crucial facts in their discussions.

Second, there is general public cynicism about any report of an assassination of a President. The record shows questions after

many years are still being raised as to the assassination of other Presidents.

Third, the overwhelming majority of the American people have not read the entire Warren Commission report.

Now, under point one, let me make this specific matter a matter of the record.

The coverup of the underlying facts, in my opinion, of the Tippit murder has been a hallmark of critics of the Warren Commission. For instance, in the introduction to one of the best selling books professing Oswald's innocence, one reads, and I quote:

The plain fact is there is no evidence at all to explain how or why the Dallas police instantly pounced on Oswald and until some adequate explanation is given no one can be blamed for entertaining the most likely hypothesis, viz, that the Dallas police had undisclosed reasons for arresting Oswald even before they had valuable evidence pointing towards him.

Once that hypothesis is admitted almost all of the evidence accepted by the Commission can be reinterpreted in a different way.

In my opinion, no investigation of the tragic assassination of the President can be complete without including an investigation of the murder of Dallas police officer J. D. Tippit. Almost all who have claimed that Lee Harvey Oswald was innocent of the murder of President Kennedy have also claimed that Oswald was innocent of the murder of Tippit. This is despite the fact that at least six eye witnesses, who either saw the murder or saw the Tippit gunman leaving the murder scene with a gun in hand, identified that gunman as Lee Harvey Oswald.

Moreover, Oswald was arrested with the Tippit murder weapon in his possession. The arrest of Oswald was an outgrowth of the acts of an alert citizen in Dallas, J. Calvin Brewer, who managed a shoe store in the neighborhood of the Tippit shooting. Shortly after Brewer learned from radio newscasts about the shooting of Tippit in his neighborhood, he became suspicious of the way a man first ducked into the entryway of his shoestore, where police sirens were heard coming down the street, and then left the front of the store soon after the police sirens subsided.

Brewer followed the man down the street into the Texas Theater and then had the cashier call the police. When the police arrived at the theater, Brewer pointed out the man who was Lee Harvey Oswald. As the policeman approached Oswald pulled out a revolver. Carrying a concealed gun is a crime. The fact that Oswald had such a weapon in his possession, and drew it, is highly suspicious. Subsequent evidence provided that this very revolver had been purchased through the mail by Oswald under the same alias he used to acquire the rifle used in the assassination of President Kennedy.

Both Oswald's revolver and Oswald's rifle were mailed to the same post office box in Dallas. Witnesses at the Tippit murder scene saw the gunman throw cartridge cases into the bushes as he reloaded his revolver; an irrefutable ballistic evidence proved that those cartridge cases came from Oswald's revolver, to the exclusion of all other weapons in the world. This exactly corresponds with the ballistic evidence that proved that the bullet found off Governor Connally's stretcher in Parkland Hospital in Dallas, and the two large bullet fragments in the President's limousine which came

from the bullet which struck President Kennedy's head, came from Oswald's rifle, to the exclusion of all other weapons in the world.

Now, the point I wish to make is that in too many cases some of the critics of the Warren Commission have either misstated or omitted facts that were developed by the Commission and in the process of either an omission or misstatement have led the public to have less than full support for the commission's recommendations and conclusions.

Mr. DEVINE. Thank you. I have one question in a completely different vein.

As you know, one of the mandates that the Congress has placed on this select committee is to ultimately make recommendations. You as President were the subject of a number of attacks, and fortunately escaped with your hide.

President FORD. I am pretty healthy now.

Mr. DEVINE. You certainly look so.

President FORD. I am glad she missed.

Mr. DEVINE. Not wanting to be distasteful, and God forbid that another situation would occur like occurred during the Kennedy years, I hope we never have another assassination or assassination attempt, but it is my understanding that if such a thing would occur they would go through the same autopsy procedures as they did back in 1963; whoever is President would be taken to Bethesda Hospital, and he would be looked at probably by clinical pathologists rather than forensic pathologists. It is my understanding also, Mr. President, that the Metropolitan Police Department here has anticipated that type of need for any so-called VIP and that they have put together what they call an executive autopsy procedure where they have everything available, they have videotapes available, they have forensic pathologists available. That leads up to this question, Mr. President, do you in your capacity as former President, as a former Member of the Congress that has been deeply involved in the Warren Commission and the assassination problems, do you have any recommendations that you would like to make to this committee either legislatively or procedurally as it may relate to an assassination like this occurring in the future?

President FORD. Well, No. 1, I am glad that some plans have been laid to maybe make the procedure in the case of another tragedy in better, more professional hands. I am talking about the autopsy. From what I read, this committee has determined that the autopsy procedure in Bethesda was not conducted by the experts or professionals in that area. That was of course unfortunate, and I trust that what is now laid out would eliminate whatever the difficulties were at the time of President Kennedy's assassination.

If such an assassination were to take place again, I am certain that there would be a public demand for some organization to undertake and investigate the full facts. I don't think the public would be satisfied with anyone or all of the Federal agencies themselves investigating and coming to conclusions. So you come down at the bottom line, I would recommend that in such a tragedy that what President Johnson did would be repeated. I see no better alternative. I just hope it doesn't happen again, but if it did I think that is the best option.

Mr. DEVINE. Do you feel there is any need for further legislation in this area? As you know at the time of the occurrence of the Kennedy assassinaion, it was not within the jurisdiction of the Federal Bureau of Investigation to investigate nor have jurisdiction in matters of this nature. That has been changed during the interim period.

President FORD. As I recall, that was a recommendation of the Commission and Congress responded to it, so at least legislatively we probably have a better circumstance today than we did in 1963. And other things have improved after as you have indicated. I would like to make a comment so the record is clear.

Even though there may have been some inadequacies, at the time the autopsy was undertaken in Bethesda, as I understand it, the individuals who investigated and actually reviewed the material on the autopsy, a very prestigious group from what I read, they have come to the conclusion which is the same as those who did it before, Kennedy was shot from behind.

Mr. DEVINE. Fine. Thank you, Mr. President.

Chairman STOKES. The time of the gentlemen has expired. Committee will now operate under the 5-minute rule.

Mr. President, in the commission arriving at the conclusion that Lee Harvey Oswald was the lone assassin, to what degree did the Commission struggle with the question of motive and what was the final conclusion relative to his motive?

President FORD. My best recollection, and I repeat it is 14 years later, is that we were not able to precisely pin down a motive for the assassination by Lee Harvey Oswald of President Kennedy.

There was no way of really being definitive as to that motive and so we could only speculate.

Chairman STOKES. Did it come to the attention of the Commission that the CIA had in their possession a Soviet defector by the name of Yuri Nosenko, who claimed to have information about Lee Harvey Oswald while he was living in Soviet Russia.

President FORD. It is my best recollection the commission was cognizant of the existence of Mr. Nosenko. It is also my best recollection that there was no certainty within the intelligence community of the Federal Government as to whether he was a plant, on the one hand, or a bona fide, on the other. There was that difference of opinion. And so the commission had to make its own decision as to the validity of whatever information he had.

Chairman STOKES. I would take it from that then that in terms of the Agency, that is the CIA, they were unable to give you some definitive information relative to his bona fides, so you might then come to a conclusion relative to any information regarding Oswald in the Soviet Union.

President FORD. I think that is generally correct, Mr. Chairman. Yes, sir.

Chairman STOKES. Now, yesterday we had a former agent from the FBI who testified before our committee, and the way he explained the investigative procedure was that the Commission conducted its own investigation, that the FBI conducted their own investigation, and I think the term he used "they did their own thing, we did our own thing; if they requested anything from us we gave them whatever they asked for."

Would it be your recollection that that was the way that the Commission operated investigatively and FBI operated?

President FORD. Let me put it my way.

Chairman STOKES. Sure.

President FORD. The FBI, and I use that as an example, undertook a very extensive investigation. I don't recall how many agents, but they had a massive operation to investigate everything. The Commission with this group of 14 lawyers and some additional staff people then drew upon all of this information which was available, and we, if my memory serves me accurately, insisted that the FBI give us everything they had. Now that is a comprehensive order from the Commission to the Director of the FBI. I assume, and I think the Commission assumed, that that order was so broad that if they had anything it was their obligation to submit it. Now if they didn't, that is a failure on the part of the agencies, not on the part of the Commission.

Chairman STOKES. Mr. President, was the Commission made aware of the fact that as a result of an investigation or inspection which was directed by J. Edgar Hoover, that 17 agents were found to be deficient in the preassassination investigation relative to Oswald?

President FORD. To my best recollection, at least I was not familiar with any reprimand or corrective action taken by the Director.

Chairman STOKES. Thank you, Mr. President. My time has expired.

The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. Thank you, Mr. Chairman.

It is good to have you here, Mr. President, and Senator Cooper and Mr. McCloy, as the three members of the Warren Commission that can testify today. I think one of the problems the Warren Commission has had is that you went out of existence immediately upon the filing of the report, and you haven't had the opportunity to answer your critics. There has been no official Warren Commission. And so I think it is very appropriate that you have this chance to answer for the historical record today.

Following up on the question Mr. Devine asked, one of the mandates of this committee is how should we deal with the eventuality of a high-level assassination in the future. The Warren Commission was the first citizens' commission, as I understand it, which investigated an assassination. In the past we have left it up to the normal course of the judicial system.

You have had experience with citizens' commissions. You appointed the Rockefeller Commission I believe. And you served on this commission. In view of your experience, do you feel that a high-level political assassination should be dealt with by a citizens' committee, or should we leave it up to the normal workings of the judicial system?

President FORD. I would strongly advocate a high-level citizens' commission as was done by President Johnson. To leave it up to the agencies of the Federal Government, in my opinion, would multiply cynicism and skepticism as to the conclusions. We certainly have had our problems with all the critiques that have been floating around in recent years but I think if the in-house agencies of the Federal Government had done the job and come to the same

conclusion we did, the critiques would have been far, far greater. So I recommend what President Johnson did as a possibility for the future.

Mr. PREYER. One further question on that score. The Warren Commission did not employ its own investigative staff and used agencies in place to develop the basic information—FBI, CIA, Secret Service. You have indicated that Warren Commission decisionmaking was independent of any conclusions of those agencies and that you crosschecked their information.

But in the future, if a citizens' commission is set up, would it be your judgment that they should employ its own investigative staff as well as forming its independent conclusions with a limited staff, or do you feel that using agencies in place and forming your judgment on that as the Warren Commission did is the best way to go?

President FORD. It is my best judgment that the procedure and the policy the Warren Commission followed was the correct one, and I would advocate any subsequent commission to follow the same.

For the Warren Commission to have gathered together an experienced staff, to get them qualified to handle classified information, to establish the organization that would be necessary for a sizable number of investigators, would have been time consuming and in my opinion would not have answered what we were mandated to do in a timely and responsive manner.

It is my, it is my strong feelings that what we did was the right way. We were not captives of but we utilized the information from the in-house agencies of the Federal Government.

After getting the benefit of their experience and reports, we undertook by a wide variety of procedures to verify or to undercut what they had given us.

Mr. PREYER. Thank you, Mr. President.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Connecticut, Mr. McKinney.

Mr. MCKINNEY. Mr. President, it is a pleasure to have you here. Basically, to follow up on Judge Preyer's line of questioning, the then Assistant Attorney General, Mr. Katzenbach, in a deposition to this committee, and I quote from page 19, stated:

Perhaps naively but I thought that the appointment of Allen Dulles to the Commission would ensure that the Commission had access to anything that the CIA had. I am astounded to this day that Mr. Dulles did not at least make that information available to the other Commissioners. He might have been skeptical about how far it was to go to the staff or how it might be further investigated because there was somewhat more of an aura of secrecy surrounding the CIA in 1964 than there is in 1978.

We have found out that there were CIA files and information, of course, that were not given to the Warren Commission.

So following through on the judge's questions, did you at the time feel information was being withheld, and how would you handle this if another commission were to be formed to make sure the Commission knew it was getting all information?

President FORD. I had the feeling then, as a member of the Commission, that we were getting all of the information from any one or all of the Federal agencies, including the Central Intelli-

gence Agency. Obviously, there was some information as to assassination plots that, to my best recollection, was not given to us. I can't give you a 100-percent guarantee how you can get that information. It depends on individuals, it depends on the system.

Why we weren't given it, quite frankly, I don't understand.

Mr. McKINNEY. Continuing on in that same deposition, on page 20, Mr. Katzenbach says:

It never would have occurred to me that the FBI would cover up anything. If you ask me the question if the FBI failed to do something it should have done, would they have covered that up? My answer to you is, even then, would have been yes, they probably would not cover up information that somebody else was guilty of something of the kind, but if the Bureau had made any mistake or anything for which the public might criticize the Bureau, the Bureau would do its best to conceal that information from anybody, including the Commission.

Of course, we find out now that this was true in the case of the action brought against the agents for a supposed failure before the assassination in handling the case of Lee Harvey Oswald.

Again, it seems to be a fact that the Bureau was withholding information from the commission, despite a Presidential mandate. Is there any way that you could suggest that we, as a committee, could—again, I keep hoping this will never have to happen—give a legislative or governmental standing to this type of commission, should it ever have to be formed again, which would override this type of bureaucratic decision within agencies such as the CIA or the FBI?

President FORD. I don't believe it is necessary to have a legislative charter for a commission of this kind. If my recollection is correct, we did get, as a commission, legislative authority to put witnesses under oath and to interrogate them under those circumstances.

As I recall, we had to get special legislation for that purpose, which we did. I think that's enough, or I think that's sufficient to insure that we have the power to pursue any and all angles.

Mr. McKINNEY. I want to thank you very much for taking time out of your schedule, and it is a pleasure to have you here. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Connecticut, Mr. Dodd.

Mr. DODD. Thank you very much, Mr. Chairman.

Mr. President, to reiterate the remarks of my colleagues, it is a pleasure to have you here with us on Capitol Hill, particularly in the Cannon Building. You were telling us earlier it was your place of residence as a Member of Congress for some years.

President FORD. I had an office down on the third floor down the hall for 16 years.

Mr. DODD. Welcome back. I would like to, if I could, Mr. President, direct your attention to the two memos I think you have in front of you, exhibits 441 and 442. Those are the DeLoach memos. And I would like to, if I could, ask you to respond to some questions with regard to the December 12, 1963, memo first, particularly two paragraphs, the very first paragraph of the memorandum and the next to the last paragraph of the memorandum.

The first paragraph, for purposes of the record, reads, and I am quoting from it:

I had a long talk this morning with Congressman Gerald R. 'Jerry Ford' R-Michigan in his office. He asked that I come up to see him. Upon arriving, he told me he wanted to talk in the strictest of confidence. This was agreed to.

Referring to the next to the last paragraph of the same memo, again I am quoting Mr. DeLoach here:

Ford indicated he would keep me thoroughly advised as to the activities of the Commission. He stated this would have to be on a confidential basis, however, he thought it should be done. He also asked if he could call me from time to time and straighten out questions in his mind concerning our investigation. I told him by all means he should do this. He reiterated that our relationship would, of course, remain confidential.

Mr. President, I would like to ask you some questions about this, if I could. First of all, the December 5 and December 16 meetings of the commission, is it my understanding those meetings were closed to the public and press; these were executive sessions?

President FORD. I don't recall those precise meetings, Mr. Congressman, but it is my best recollection that all meetings of the Commission were in executive session; not only those, but all that followed.

Mr. DODD. And as I understand it, Mr. DeLoach would not necessarily have had access directly to the meetings. There was liaison with the FBI, but he was not the liaison.

President FORD. He was not the liaison person, but there was an FBI liaison officer there, as I recall, at all hearings.

Mr. DODD. If I understood your testimony accurately this morning, you stated that you felt that the information that was contained in these two memorandums, two documents, was basically accurate, and yet you said that you had terminated your relationship with Mr. DeLoach in terms of these kinds of meetings after this December 17 meeting you had with him.

Can I, therefore, conclude that Mr. DeLoach's statements with regard to the next to the last paragraph on the second page of the December 12 memorandum is wrong?

President FORD. As I said in a prepared statement which I read in reference to both memorandums, it is my best recollection that we no longer had contacts, as indicated in these two memos, and to my best information, there are no other memorandums that would indicate a continuing relationship.

There are these two, all of which meetings took place in the organizational phase of the commission's operations. To my best knowledge, and I asked the staff of the committee to check most carefully, there are no other memorandums indicating contacts with Mr. DeLoach.

Mr. DODD. Mr. President, in that second sentence of that next to the last paragraph, quoting it again, he stated, referring to you, I believe, "This would have to be on a confidential basis. However, he thought it should be done." Do you recall what your motivation was, if that is a correct statement, that the time you thought it should have been done and then having changed the relationship, at that particular time, why you felt that it might be important to have this kind of a confidential relationship with Mr. DeLoach?

President FORD. First, as I said in the prepared response earlier, I, like most Americans, at that time had great respect for the Director, Mr. J. Edgar Hoover, and for the achievements and the

accomplishments of the Federal Bureau of Investigation. I had developed a personal relationship, on a very off-and-on basis, with Mr. DeLoach. If I had a question as a Member of Congress that involved the FBI, such as you would have today, there is somebody over at the FBI you can call, and he will come and see you.

That's the kind of relationship I had with Mr. DeLoach. If I had a problem that involved the FBI, my contact at that time was Mr. DeLoach. I don't know who your contact would be at the present time, but there is a person at the FBI who will respond to your inquiries, and that was my relationship with Mr. DeLoach.

At the outset, during the organizational phase of the commission, we had some problems. We were concerned about what appeared to be the attitude of the chairman. Second, several others on the commission thought he wanted a one-man commission. Most of the members of the commission didn't agree with that. There were other organizational matters that I thought I could get a better feel for if I talked to Mr. DeLoach and had the benefit of his or the FBI investigations. That's why I had those two meetings, and, to my best recollection, that relationship terminated at the conclusion of the December 17 meeting.

Mr. DODD. Mr. President, you anticipated my next question. I wanted to know, if I could, from you, why you felt it was important that you share this information specifically with the FBI, particularly when it seems to have been, at least, on a couple of internal matters—who should be chief counsel, for instance, whether or not there should be a press release issued on the FBI report.

Granted, it was on the FBI report, but that again, sounds more like an internal matter to the commission—what they should be doing, when the Chief Justice wanted to finalize the report. I am curious about why the FBI, why not someone else?

President FORD. Well, in the course of a conversation, maybe 15 minutes, you cover a lot of subjects. Some of it may be related to or pertinent to the organizational—organization of the commission, some of it may have been just general information. I can't help but indicate here that in one of these memos, it does state that John McCone, then head of the CIA, came to see me, and it is also indicated in here that Mr. McCone went to see other members of the commission. Was that improper? Mr. McCone was the head of an organization which was in the process of being investigated by the Commission. I don't think you turn a person away, a person of that responsibility, and I didn't, and I think it was perfectly proper. I don't know what other members of the commission did, but you have to remember, we were a unique group that was trying to get all the information we could. It was our obligation. It was mandated by President Johnson. In the organizational phase, we had a lot of questions, and, frankly, I think it was very proper to do what I did.

Chairman STOKES. The time of the gentleman has expired.

Mr. DODD. Could I ask unanimous consent to proceed for a couple of additional minutes, Mr. Chairman?

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. DODD. Thank you, Mr. Chairman. You mentioned in the memo, as well, that you thought these meetings ought to be confi-

dential. Was it your understanding, given the personal relationship of Mr. DeLoach, that there would only be information you should share with him as an individual, or did you fully expect him to report to supervisors or superiors of his within the Bureau as to any common suggestions and statements that you might have made to him in those meetings?

President FORD. I didn't pursue what the process would be after he left my office. Frankly, it didn't occur to me I should check it out. I only know what our two relationships were on those two occasions, December 12 and December 17, 1963.

Mr. DODD. Did you, Mr. President, by any chance, you mentioned that Mr. McCone sought out various other commission members. In fact, he sought out you to talk to you about something. Did you seek out anyone else in any other agency to talk to at that time, other than Mr. DeLoach?

President FORD. Not to my best recollection.

Mr. DODD. I gather from what you had mentioned just a minute ago that there were other personnel from various investigatory agencies that did contact other members of the commission from time to time. Is that an accurate statement of your testimony?

President FORD. I can't verify it one way or another. I have no way of knowing who might have contacted other members of the commission, and certainly my memory at this point would not be sufficiently accurate to make such a charge.

Mr. DODD. Am I to understand that because of the confidentiality or the nature of these two meetings with Mr. DeLoach, that the other members of the Warren Commission, at the time, were not aware of the fact you had met with Mr. DeLoach?

President FORD. To my best recollection, I didn't indicate to him that I had those meetings; no.

Mr. DODD. Did Mr. DeLoach—granted this is going back a long time—but do you recall whether or not he shared any information with you as to their feelings that you brought back to the commission? Was it comments, statements, suggestions, or anything that he might have said to you that you then brought to the commission as a member of that commission?

President FORD. I don't recall that any advice or suggestions he made were conveyed by me back to the commission; no. At least that's my best recollection.

Mr. DODD. Mr. Chairman, I thank you. I have no further questions. Again, Mr. President, I appreciate your being here today.

President FORD. Thank you.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman. Mr. President, I would like to first join with my colleague in thanking you for appearing here this morning. I only have one question for you, Mr. President. Do you feel that the Warren Commission received full and honest information from the FBI and the CIA in regards to Oswald's alleged connection with foreign governments?

President FORD. To the best of my recollection, I think we got from any and all of the Federal agencies all of the information they had as to Oswald's connection with any foreign government.

Mr. FORD. One additional question. What about the Secret Service, did the Warren Commission ever have dialog or communication with the Secret Service?

President FORD. Oh, yes, we had testimony, as I recollect, from the Director, who was Mr. Rowley at the time. We interrogated, as a commission staff, made a thorough investigation of the advanced procedures of the Secret Service, the actual operations of the Secret Service while President Kennedy was in Dallas. The commission and the staff, in my opinion, made a very thorough investigation of all the responsibilities and activities of the Secret Service; yes, sir.

Mr. FORD. Thank you very much, Mr. President, and, again, I thank you for coming. Mr. Chairman, I yield back my time.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. Mr. President, I join with the others in saying what a pleasure it is to have you here. You have been really my only claim to distinction as a freshman Congressman here. You would be amazed how many times when I am introduced to somebody, they say, this is the fellow who occupies Gerald Ford's seat and the seat you held with such distinction for 25 years.

President FORD. Thank you.

Mr. SAWYER. Going back to this Tippit situation, one thing that has bothered me consistently, and I have to confess up until now I haven't had any substantial enlightenment on it, I just wonder if you have formed an opinion, not with respect to whether Oswald shot Tippit, I am totally satisfied on that and I think the evidence is overwhelming on that, but why Tippit stopped Oswald is a perplexing question in that at that point in time, as you may recall, Oswald had gone to an entirely different area of the city, far removed, he was only walking up the street. The description that had been issued was a general description that would be just kind of an average guy in size and general appearance. Did you form any opinion on that?

President FORD. Unfortunately, because of his murder, we never got any testimony from Officer Tippit, but I assume that he was a good officer and he had been alerted that there had been an assassination. I suspect that any well-qualified, alert officer was anxious to pursue anything that was suspicious.

I think we ought to compliment and congratulate Tippit for undertaking this effort that he did. Unfortunately, it resulted in his death. But why he did, other than carrying out his responsibilities, I wouldn't know.

Mr. SAWYER. Do you think that there would be any advantage in a criminal law applying to such a commission, let's say, as the Warren Commission, making it a Federal crime for any Agency personnel to withhold or not provide all pertinent information that they are requested to provide?

President FORD. I haven't studied this but are there not present laws on the statute books that would permit such a charge?

Mr. SAWYER. I can't answer you.

President FORD. If not, I think that ought to be investigated.

Mr. SAWYER. Fine. Thank you very much, Mr. President.

That is all I have, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman, and I want to join with the others in expressing my appreciation for your coming this morning.

I have just two areas I would like to explore briefly with you. I would like to return for just a minute to your earlier statement concerning bullet fragments found in the Presidential limousine. In reviewing the Warren Commission, I find that the FBI tests of the fragments, both through spectography and neutron activation analysis, could not in fact determine the origin of the fragments.

I just want to read briefly from the Commission report:

Each of the two bullet fragments had sufficient unutilized area to provide the basis for an identification. However, it was not possible to determine whether the two bullet fragments were from the same bullet or from two different bullets. With regard to the other bullet fragments discovered in the limousine and in the course of treating President Kennedy and Governor Connally, however, expert examination could demonstrate only that the fragments were "similar in metallic composition" to each other, to the two larger fragments and to the nearly whole bullet.

Is it your recollection that other evidence or other tests were run on the bullet fragment other than what I have had access to?

President FORD. I am not able to recollect that detail as to what other tests, if any, were conducted at that time.

Mr. FITHIAN. Thank you.

I would like to ask you about something that has been troubling me throughout our investigation and some reports that there was unusual pressure to either arrive at an early conclusion that it was Oswald alone, or to arrive at unanimity that Oswald was the lone assassin, et cetera.

There was a report in 1975 pertaining to a June 4 meeting of the commission, and the report in the Washington Star indicated that Ford provoked "a near uproar in the panel when on June 4, 1964 he charged that outside forces were trying to pressure the commission to decide in advance that Oswald was a solitary assassin."

I wonder if you would help the committee out by commenting on that report?

President FORD. I have no recollection of that particular June 4 meeting or any pressure that the commission received for any definitive conclusion. As other members of the commission, I think, will testify, we had a unanimous vote as to the fact that Lee Harvey Oswald committed the assassination and all other decisions of the commission were also unanimous.

There was no pressure. We operated as a unit of seven members who fortunately all agreed.

Mr. FITHIAN. I want to return briefly to the unanimous question in just a moment. But is it then your testimony that in your judgment the FBI had not decided prematurely, that there was no evidence that you had that the FBI withheld information from the commission or gave information to the commission that would make the Bureau look better instead of "everything that you asked for"?

President FORD. I suspect that the FBI, after its investigation, came to the conclusion that Oswald was the assassin. I suspect there is evidence, reports, around the Bureau, or maybe over in our

files, that that was their conclusion, but I emphasize their conclusion did not determine the conclusion of the commission. What they came to as a conclusion was helpful to the commission, but it didn't decide for the commission what our conclusion was.

Chairman STOKES. Time of the gentleman has expired.

Mr. FITHIAN. I ask unanimous consent to ask one additional question.

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. FITHIAN. Mr. President, it has been reported many places that there was some difficulty in arriving at unanimity of the conclusiveness of the evidence for the final report and that in order to get the unanimity, which is the historical record now, certain very carefully drafted language, such as no evidence to the contrary, or according to the evidence presented to us, and then the conclusion. Would you care to comment on the effort at drafting the report in such a way, did you have any problem arriving at the unanimity short of drafting some very careful, artful language?

President FORD. There was a recommendation, as I recall, from the staff that could be summarized this way. No. 1, Lee Harvey Oswald was the assassin. Two, there was no conspiracy, foreign or domestic.

The commission, after looking at this suggested language from the staff, decided unanimously that the wording should be much like this, and I am not quoting precisely from the Commission staff, but I am quoting the substance.

No. 1, that Lee Harvey Oswald was the assassin.

No. 2, the Commission has found no evidence of a conspiracy, foreign or domestic.

The second point is quite different from the language which was recommended by the staff. I think the Commission was right to make that revision and I stand by it today.

Mr. FITHIAN. Well, thank you, Mr. President.

Thank you, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Nebraska, Mr. Thone.

Mr. THONE. Welcome back, Mr. President. The hour is late. Just one question. There was no question but that the Federal Bureau of Investigation has a lot of background material on Lee Harvey Oswald that should have alerted them, I am sure did alert them, to the fact that he could very well have been a security problem. They also knew, as I understand it, as least one agent knew, that he was working in the Texas Book Depository.

It is my understanding that that information was not then transmitted to the Secret Service.

Do you have any thoughts or suggestions regarding this obvious breakdown in communication?

President FORD. At one time I knew that whole story, but I must say I can't recall all of the details.

I think the conclusion of the Commission was that there had to be a better liaison between the FBI and the Secret Service and/or any other agencies involved in intelligence, et cetera, and I trust and hope that that interrelationship has been improved. It wasn't the best at that time, as my memory serves me.

Mr. THONE. Thank you, Mr. Chairman. I yield back the balance of my time.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

I, too, want to welcome you to the committee today and thank you for your answers to our questions.

Mr. President, was there a sitdown meeting of the Warren Commission with the FBI, the CIA, and the Secret Service at the very beginning of the Warren Commission's investigation to outline an investigative plan for the commission?

President FORD. I do not recall any meeting of the full commission with the Director of the FBI, the Director of CIA, and the Director of the Secret Service. I am not sure such a meeting was necessary or essential.

Our first responsibility was to appoint a staff, which we did, and to layout a procedure by which we would investigate, et cetera. Mr. Rankin and the Chief Justice, if my memory is accurate, had the basic man to man relationship with the head of the FBI, the Secret Service and the CIA, and it is my feeling that that interrelationship was sufficient from the point of view of myself as a member of the commission.

Mr. EDGAR. Did the commission itself have an investigative plan?

President FORD. Well, we have a plan that was under the direction of the commission and implemented by the staff, and that was a very specific investigation method, procedure, and I think it worked.

Mr. EDGAR. The reason for my question is that we have uncovered some information that the Secret Service and the FBI and the CIA didn't talk together very well and did not share information with each other prior to the assassination, and that there is some evidence that even after the assassination each of them worked separately and apart from each other. Wouldn't it have been a proper role of the Warren Commission to act as a coordinating function between these agencies to get them to share information about Lee Harvey Oswald or about the investigation?

President FORD. If you will return or look at, Congressman Edgar, the report of the commission, page 24, under subparagraph small (c), the report says, and I will read it for you:

The Commission has concluded that there was insufficient liaison and coordination of information between the Secret Service and other Federal agencies necessarily concerned with Presidential protection.

It goes on, but that is a summary of the rest of the paragraph.

Yes, I think we found there was insufficient liaison, coordination, before the assassination. I don't think it was necessarily required that they have liaison afterwards in the course of the investigation. To do their respective responsibilities effectively, cooperation was essential before the assassination.

Mr. EDGAR. Thank you.

Moving to another area. In reference to the disciplinary action of the 17 agents of the FBI, to the best of your recollection, when did you first come to know about the disciplinary action?

President FORD. To be honest with you, I did not know of that disciplinary action at any time while I was a member of the commission.

Mr. EDGAR. Do you think that knowledge of that information would have been helpful to the commission in light of the fact that J. Edgar Hoover indicated that part of the reason for the disciplinary action was that the agents should have been aware of Lee Harvey Oswald's background and placed him on the security index?

President FORD. It might have been helpful to the commission but I don't think it would have altered in any way the final recommendations or conclusions. I think we might have been helped by that information, but I don't think it would have varied other commission conclusions.

Chairman STOKES. Time of the gentleman has expired.

Mr. EDGAR. Mr. Chairman, I would like to ask unanimous consent for 2 additional minutes.

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. EDGAR. Mr. President, you mentioned the importance of Officer Tippit. I wonder if you could speculate for us where Lee Harvey Oswald was going at the time of the shooting of Officer Tippit?

President FORD. I have no immediate recollection of where he was going at that time. I would have to refresh my memory before I could give you any firm answer.

Mr. EDGAR. Did you have an opportunity as part of the commission to retrace Lee Harvey Oswald's steps from his rooming house to the shooting of Mr. Tippit and then to the——

President FORD. Yes; I went to Dallas with the Chief Justice and we spent a full day not only interrogating Jack Ruby but going over precisely Oswald's movements as we understood them, during that whole period. We went, again I can't recall the number, by the house where the woman was on the porch, et cetera.

Mr. EDGAR. In that journey, did you also travel to Jack Ruby's apartment?

President FORD. I don't recall that.

Mr. EDGAR. Let me just ask one final question, then.

Mr. President, what would you do to improve the protection of the President of the United States?

President FORD. Well, having experienced 30 months of their protection and their continuing protection at the present time, I think they do a very professional job. They are an outstanding group of people. They are well organized and have fine leadership.

I only know firsthand that in two instances they did a very, very superb job in responding to an assassination attempt. In the case of Fromm in Sacramento, an agent, Larry Boondorf, really moved in effectively and quickly.

In San Francisco, again, what was done I thought was very professional. I am very grateful as to how they handled themselves, what they have done, and the way they are organized. I know of no way you can improve it from my personal experience.

Mr. EDGAR. Thank you, Mr. President.

No further questions.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Connecticut, Mr. Dodd, is seeking additional recognition.

Mr. DODD. Just one question, if I may, and this will be the last one. I know you are running behind.

Today you stated that there were a number of alleged incidents or facts that were relevant to one degree or another to the assassination which you and the other members of the commission, or many of them, were not aware of at the time you served on the commission.

You refer specifically to the existence of the Hosty letter and its contents, or its alleged contents; the allegations that Lee Harvey Oswald might have been an FBI informer; J. Edgar Hoover's so-called second Oswald theory in 1959 when he was overseas; assassination plots against Fidel Castro; and just recently here, in questioning from Congressman Edgar, the disciplinary action that was taken against the agents in the FBI; things that you were not privy to at the time you were serving on the commission. I raise those points to ask you this question.

Without—and I understand your answer with regard to the conclusions in light of these additional revelations—but putting that aspect of it aside, the conclusions, in terms of an investigation, would you agree that the investigation of the Warren Commission, I mean that, for example, the witnesses interrogated, in light of these four or five facts or allegations that I have just mentioned, in light of that, do you feel that the investigation of the Warren Commission would have called upon additional witnesses, that the investigatory process would have changed as a result of those additional facts and information?

President FORD. To a degree, but I do not believe that there would have been any significant change in the process or the methods. Obviously we wanted to have all information, including the information that you have related. Unfortunately, for various reasons, it was not made available to the commission.

But I refer again to what I said earlier. I do not think our lack of information in those instances had any adverse impact on our conclusions or would have changed the conclusions.

Mr. DODD. Thank you, Mr. President.

Thank you, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Ohio, Mr. Devine, is seeking additional recognition.

Mr. DEVINE. Thank you, Mr. President, again for your total cooperation and appearance here.

I ask unanimous consent that JFK exhibits F-441 and F-442 be admitted in evidence at this point in the record.

Chairman STOKES. Without objection, they may be admitted to the record at this point.

[The above referred to JFK exhibits F-441 and F-442 were admitted into evidence and follow:]

JFK EXHIBIT F-441

Memorandum

TO : Mr. Mohr

DATE: December 12, 1963

FROM : C. D. DeLoach

SUBJECT: ASSASSINATION OF THE PRESIDENT

I had a long talk this morning with Congressman Gerald R. (Gerry) Ford (R. - Michigan) in his office. He asked that I come up to see him. Upon arriving he told me he wanted to talk in the strictest of confidence. This was agreed to.

Earl Ford told me he was somewhat disturbed about the manner in which Chief Justice Warren was carrying on his Chairmanship of the Presidential Commission. He explained that the first mistake that Warren made was his attempt to establish a "one man commission" by appointing a Chief Counsel, Warren Olney, that was his own protege. Ford stated that after the mention of Olney's name by the Chief Justice, at their first meeting, Allen Dulles, former Director of CIA, protested quite violently. Because of Dulles' protest, the other members told Warren that they would like to know more about Olney prior to giving their consent.

On the occasion of their second meeting, Ford and Hale Boggs joined with Dulles. Hale Boggs told Warren flatly that Olney would not be acceptable and that (Boggs) would not work on the Commission with Olney. Warren put up a stiff argument but a compromise was made when the name of Lee Rankin was mentioned. Warren stated he knew Rankin and could work with him.

Ford told me that he was currently having problems inasmuch as the majority of the members of the Commission desired to go along with the recommendation made in Deputy Attorney General Katzenbach's letter to the Commission dated 12-9-63. In this letter, Katzenbach recommended that the Commission make an immediate press release pointing out that the FBI report clearly showed there was no international conspiracy or collusion and that Oswald was a loner. Ford stated he was a minority of one that did not want to give out any press release until the Commission had had a thorough opportunity to review and discuss the FBI report. (I noted that the report was on his desk at the time of our meeting.)

- Mr. Belmont
- Mr. Rosen
- Mr. Evans
- Mr. Sullivan
- Mr. Jones

DD:saj

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CONTINUED NEXT PAGE

DEC 27 1963

-JFK Exhibits F-441-

DeLoach to Mohr 12-12-63
Re: Assassination of the President

I told Ford in strict confidence that the Director concurred with his viewpoint. I mentioned that our investigation thus far had conclusively shown that Oswald operated by himself and that Ruby additionally was a loner. However, FBI investigation was still pending on a large number of rumors, speculation and gossip and it, therefore, would be quite unfair for the Commission to take a stand prior to all the evidence being turned in. Ford stated this was his point entirely and that although he was a minority of one he intended to stick to his point.

Ford told me that John McCone, Director of CIA, had, approximately one week ago, gone up to his office and told him that CIA had uncovered some "startling information" in the Oswald case. McCone proceeded to tell Ford that a source of CIA's in Mexico had seen money exchange hands between Oswald and an unknown Cuban Negro. Ford stated this excited him greatly inasmuch as it definitely tended to show there was an international connection involved in the assassination of the President. *This shows how glib McCone is. H*

I told Ford that apparently McCone had failed to follow up on this matter. I mentioned that CIA's source had recanted his story and had indicated that it was a figment of his imagination. However, to prove the unstable tendencies of this source, the source had later claimed that he was actually telling the truth. I pointed out that we were still checking some angles of this, however, the CIA source was obviously either unstable or somewhat of a psychopathic liar. Ford stated he could certainly see this. *When will we finish? H**

Ford indicated he would keep me thoroughly advised as to the activities of the Commission. He stated this would have to be on a confidential basis, however, he thought it should be done. He also asked if he could call me from time to time and straighten out questions in his mind concerning our investigation. I told him by all means he should do this. He reiterated that our relationship would, of course, remain confidential.

We have had excellent relations with Congressman Ford for many years. He has been given an autographed copy of the Director's book "A Study of Communism" and has been in touch with my office on numerous occasions in the past.

ACTION:

Contact will be maintained with Congressman Ford.

* SEE MEMO
12-13-63
SJS: HRT

*Well handled
H*

JFK EXHIBIT F-442

UNITED STATES GOVERNMENT

Memorandum

Mr. Mohr

DATE: December 17, 1963

C. D. DeLoach

FROM :

SUBJECT:

LEE HARVEY OSWALD
INTERNAL SECURITY - R
THE PRESIDENTIAL COMMISSION

I talked with Congressman Gerald Ford (R-Michigan) at his office at 1:45 PM this afternoon. The facts concerning the allegations of [redacted] that he saw Oswald receive \$6,500 in the Cuban Consulate, Mexico City, on September 18, 1963, and the recanting of such false facts were made very clear to Congressman Ford. He told me he was glad to get the further facts concerning the matter, particularly the view of the story that John McCone of CIA had told him originally. 11/17/63

With respect to the meeting of the Presidential Commission on December 16, 1963, Congressman Ford told me that the members of the Commission, including the Chief Justice, agreed unanimously that no preliminary release should be made to the press regarding the facts as outlined in the FBI report.

Chief Justice Warren told the Commission that they should strive to have all hearings completed and the findings made public prior to July, 1964, when the presidential campaigns will begin to get hot. He stated it would be unfair to present the findings after July, 1964.

Several members of the Commission indicated that Oswald's handwritten statements in the exhibits section of the report should be typed out for clearer presentation. Malley is being given typed copies today - 8/17/63

There was no criticism of the FBI at yesterday's meeting. There were allegations made by any one, including the Chief Justice, that the FBI had leaked portions of this report. I again went over very carefully with Congressman Ford the fact the FBI had not had any "leaks" whatsoever. I told him we were well aware that the Department had done considerable talking; furthermore, it now appeared somewhat obvious that members of the Commission were beginning to leak the report. I referred to this week's issue of "Newsweek" magazine which contains a rather clear analysis of the report. I told Congressman Ford that "Newsweek" was owned by the "Washington Post" and that apparently some one was trying to curry favor. I told him we, of course, did not get along very well with either the "Washington Post" or "Newsweek." He replied that he was in the same boat, that he liked neither one of these publications.

Mr. Belmont

Mr. Rosen

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SOVIET SECTION

JFK Exhibit F-442

12/17/63

John DeLoach to Mohr
 Lee Harvey Oswald
 IS-R
 The Presidential Commission

Congressman Ford in strict confidence that apparently Chief Justice Warren was close to Drew Pearson and obviously used Pearson from time to time to get thoughts across to the general public. I mentioned Pearson's articles of December 14-16, 1963. I told Congressman Ford as he well knew 98% of the facts in these articles were absolutely false.

Congressman Ford told me that several members had been somewhat surprised, however, pleased that the FBI's report had been in narrative form rather than written in a straightforward factual manner. I told him this, of course, was for the convenience of the Commission. He then mentioned Chief Justice Warren expressed the desirability of seeing the actual reports which back up those in narrative form. I told him the Director had issued very specific instructions that these reports be made ready for the Commission. I told him they were quite lengthy and would be considerable material to wade through.

Two members of the Commission brought up the fact that they still were not convinced that the President had been shot from the sixth floor window of the Texas Book Depository. These members failed to understand the trajectory of the slugs that killed the President. He stated he felt this point would be discussed further but, of course, would represent no problem.

Three members of the Commission expressed disappointment that E. J. Baughman, former Chief of Secret Service, had seen fit to make a number of ill-considered remarks concerning the operations of the Secret Service in the press. The Commission does not agree with Baughman and criticized him quite thoroughly. They nevertheless plan to call him before the Commission and take testimony.

At the Commission meeting yesterday, Lee Rankin, the Chief Counsel, was authorized to hire two so-called "technicians" who will assist him in research and development of the Commission's findings. The Commission was told by Rankin that these men were skilled attorneys. One of these individuals is named Adams, former Police Commissioner in New York. Another individual is a person by the name of Jenner, an attorney from Chicago. The Commission was advised that both of these men are available for immediate employment. Congressman Ford stated he raised the question as to checking the backgrounds of these individuals. He was told by Rankin that both of them had very satisfactory backgrounds and belonged to no organizations inimical to the best interest of the U. S. Government.

Upon leaving Congressman Ford advised me that he will be in Michigan on a skiing vacation with his wife and children between December 22, 1963 and January 1, 1964. He stated I should call him at any time his assistance was needed.

emo DeLoach to Mohr
 re Lee Harvey Oswald
 IS-R
 The Presidential Commission

12/17/63

stated he had one problem. He wanted to take the FBI report with him yet he had no way of transporting it in complete safety. I told him I felt the Director could wait him to borrow from us one of our Agent briefcases that contains a lock. He stated this would be ideal and he would appreciate loan of a briefcase very much.

ACTION:

This matter will be followed very closely. If there are no objections, will deliver an Agent briefcase containing a lock to Congressman Ford tomorrow, December 18, 1963.

Chairman STOKES. Mr. President, at the conclusion of a witness' testimony before this committee, he is entitled under our rules to 5 minutes. He may take that 5 minutes for the purpose of commenting upon his testimony or explaining it or expanding upon it in any way, and I would extend to you at this time 5 minutes for that purpose.

President FORD. Well, thank you, Mr. Chairman.

I will not take that time. I do wish to express my appreciation to you, the committee members, and the staff for their consideration. It has been a pleasure to be here. I will give my time to my former associates on the commission, John Sherman Cooper and John McCloy, who I am sure will be very helpful in expanding or improving on my observations here this morning.

I thank you very, very much.

Chairman STOKES. Thank you, Mr. President, for not only the time you have expended with our staff and Mr. Cornwell prior to your appearance here today, but taking time out of what we know is a very busy schedule to appear here and to offer the testimony we have received this morning.

As one of your former colleagues here in the House, it has been an honor to have had you here.

President FORD. Give my best to everybody.

Chairman STOKES. Thank you, we certainly will.

All persons are requested to remain in their seats for security reasons until President Ford has left the room.

Professor Blakey.

Mr. BLAKEY. Our next two witnesses this morning, Senator Cooper and Mr. McCloy, will be called as a panel.

Mr. Cooper received an A.B. degree from Yale University in 1923, and an LL.B. from Harvard Law School in 1925. He served the State of Kentucky as U.S. Senator from 1947 through 1949, 1953 through 1955, and 1957 through 1973. Currently he is in private practice in Washington, D.C. as counsel of Covington & Burling.