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COMMITTEE BUSINESS MEETING

Thursday, July 13, 1978

House of Representatives, Select Committee on Assassinations, Washington, D.C.

The Committee met, pursuant to notice, at 10:50 a.m. in Room 1310, Longworth House Office Building, the Honorable Louis Stokes (Chairman of the Committee) presiding.

Present: Representatives Stokes (presiding), Fauntroy, Dodd, Ford, Fithian, Edgar, McKinney and Sawyer.

Also present: G. Robert Blakey, T. Howarth, E. Berning and R. Morrison, Professional Staff Members.

The Chairman: The Committee will come to order.

The Chair will recognize Mr. Blakey for a statement.

Mr. Blakey. Mr. Chairman, the subject to be brought before the Committee this morning basically deals with the nature of the investigation. It would be appropriate to go into executive session.

The Chairman. The Chair will entertain a motion.

Mr. Fauntroy. So move.

The Chairman. It has been properly moved that the Committee
go into executive session at this time for the reasons stated.

The clerk will call the roll.

Ms. Berning, Mr. Stokes.

Mr. Stokes. Aye.

Ms. Berning. Mr. Devine.

[No response.]

Ms. Berning. Mr. Preyer.

[No response.]

Ms. Berning. Mr. McKinney.

[No response.]

Ms. Berning. Mr. Fauntroy.

Mr. Fauntroy. Aye.

Ms. Berning. Mr. Thome.

[No response.]

Ms. Berning. Mrs. Burke.

[No response.]

Ms. Berning. Mr. Sawyer.

Mr. Sawyer. Aye.

Ms. Berning. Mr. Dodd.

Mr. Dodd. Aye.

Ms. Berning. Mr. Ford.

Mr. Ford. Aye.

Ms. Berning. Mr. Fithian.

Mr. Fithian. Aye.

Ms. Berning. Mr. Edgar.
Mr. Edgar. Aye.

Ms. Berning. Seven ayes, Mr. Chairman.

Chairman. Seven members having voted in the affirmative, this meeting is now in executive session and all members of the public are asked to exclude themselves.

Whereupon, unauthorized persons left the hearing room, and the Committee proceeded in executive session.

Mr. Blakey. Mr. Chairman, the first issue that the Committee ought to address itself to is two immunities on the King side. The Committee has before it a resolution asking for staff permission to go to court to secure immunity for Clarence Hanes and Naomi Denny.

I note that it will be required that we have eight committee members present during this. Might I suggest the parliamentary procedure that the matter be considered and a slow vote be undertaken. I understand that a proxy from Mr. Preyer is on the way to the Committee at this time.

[Pause]

Mr. Blakey. My suggestion was that after the Committee has considered the suggestion for immunity for these two individuals, it might be appropriate to undertake a slow vote. I understand that Mr. Preyer's proxy is under way, and we need eight votes on the issue.

We have seven people present now.

I would be glad to answer any questions about either of the
two immunities.

Chairman: Any questions?

We may move on to something else and then come back to this?

Do we have a motion?

Mr. Fithian. I so move, Mr. Chairman.

The Chairman. It has been properly moved, then, that the Committee authorize the requested immunity order.

The clerk will call the roll.

Ms. Berning. Mr. Stokes.

The Chairman. Aye.

Ms. Berning. Mr. Devine. [No response.]

Ms. Berning. Mr. McKinney. [No response.]

Ms. Berning. Mr. Fauntroy.

Mr. Fauntroy. Aye.

Ms. Berning. Mr. Thone. [No response.]

Ms. Berning. Ms. Burke. [No response.]

Ms. Berning. Mr. Sawyer.

Mr. Sawyer. Aye.

Ms. Berning. Mr. Dodd.

Mr. Dodd. Aye.
Ms. Berning. Mr. Ford.

Mr. Ford. Aye.

Ms. Berning. Mr. Fithian.

Mr. Fithian. Aye.

Ms. Berning. Mr. Edgar.

Mr. Edgar. Aye.

Chairman Stokes—We will suspend the counting of the roll call until a subsequent time, and we will come back to the roll call.

Mr. Blakey. Mr. Chairman, the next and probably most important item on the agenda is the Committee's supplemental funding request.

The Committee has before it a memorandum outlining the nature of that request, coupled with a number of supporting pages. Basically the outline is where we have been and where we can reasonably expect to go between now and December 31. The budget has been cut by the staff really about as deep as we can. I think it is fair to say that it is razor thin with the expectation that we go through December 31 continuing both investigations, frankly, or at least keeping the options open to continue them both right through December. It is particularly important on the King side that that option be kept open.

I note that over the two-year period what had been estimated as a $5 million budget, would be, if this supplemental...
were adopted, be only 1.8 percent off the original estimate.

In fact, I would commend on the record Tom Howarth for having estimated the budget so well on all occasions. If the House had given us the money we had originally asked for, of $500,000, the only amount that we really would have been off was the value of the basic scientific projects, and that, indeed, was a matter brought to their attention at the time. We didn't include it in the original budget because we did not know in January and February exactly what those figures would be?

We did, I remember specifically Mr. Preyer indicated to them that we would probably come back for a supplemental on that. So in effect, what we are doing is coming back for a supplemental on the scientific projects, and the relatively minor cost overrun which is primarily attributable to the cost of travel and telephones.

\[\text{Questions of any members?}\]

Mr. Fithian?

Mr. Fithian. Thank you, Mr. Chairman.

I would just ask that Mr. Blakey and Mr. Howarth provide us with some information as to what happens in December. I haven't gotten all the way through the budget, but obviously our whole investigation will be done and public hearings will be done. We will still have the need for staff to do the reporting, but I would trust that the phase out

Mr. Blakey. In the best of all possible worlds, which
this is not, we will end on December 31, hand in our report, and quit. Because this is not the best of all possible worlds, the likely result will be is that the committee will have to go back to the Congress for probably 90 days extension into the next Congress and spend an as yet undetermined amount of money, certainly a relatively small figure to maintain a skeleton force, to process the report through the agencies, through the Government Printing Office, and to transfer its files to wherever they will ultimately be transferred. This budget aims to end us at the end of this Congress when technically our life is over with anyway.

If, in fact, we determine in December when it will be appropriate to determine that there is a need for a wind-up time, this is a practice virtually universally followed by committees. For example, all of our bills won't come in in December for the month of December. There will have to be the skeleton force around for 60 to 90 days just to process the bills, but what we are talking about is a relatively routine process of cleanup in the next Congress, certainly no hearings, certainly no investigation after December 31.

Chairman Mr. Fithian?

Mr. Fithian. And one further question.

Might it be possible to never have to go back to the House for that final mopping up operation if we could get House Administration simply to take on the responsibility of
payment of the remainder of the staff to finish out the
purely routine?

Mr. Blakey. No; I think what happens is that all
Committees of the House die at the end of the Congress, and
technically every committee around here doesn't exist for one
day, and then you must be reauthorized in the new Congress.
This Congress cannot bind anything beyond the 31st.

Mr. Fithian. No; I understand that. I didn't make my
question clear, obviously.

The House Administration Committee sometimes lumps in
a whole series of little incidental type expenditures, rather
than to retain or ask that this Committee be reconstituted for
any part of the next Congress, do you follow me? In other
words, whoever was doing the mopping up exercises would be
employees of the House Administration Committee.

Mr. Blakey. I suppose that could be done. It would
probably be just as simple to have the continuing resolution
and put us in, and having explained at the time this was
mop-up. It would be appropriate to have our life continued for
legal purposes so that the staff could represent the Committee
in negotiations with the agencies. That is what I think may
happen. The commitment has always been from the agencies to
disclose the information to us subject to a review before
final declassification. The memorandums of understanding are
between this Committee and the Department of Justice, this
committee and the CIA. It would be appropriate to have this
committee finally negotiate those positions.

Mr. Edgar. Mr. Chairman.

Stokes

The Chairman. Mr. Edgar.

Mr. Edgar. Just a point following up on Mr. Fithian's
comments, I would hope that some research has been done on
exactly how to do what you are talking about. If I
remember the last two Congresses, we took the first two weeks
of January off, and the first legislative day was not until
mid-January at the earliest, 18th, 19th, 20th. There is a
great deal of organizational work that is done there, and I
would hope that we wouldn't find ourselves in a position where
we die on the 31st and have to ask our staff to be volunteers
for a month.

Mr. Blakey. It is unlikely that the staff would, given
the history of the last similar request. Nevertheless, there
has to be a resolution introduced by House Administration for
all Committees, Judiciary on, and it would be appropriate to
put us in there, and it would be extremely unusual for us to
be taken out. It would require a vote for us to be taken
out. And if it is put simply as clean-up, which is what it would
be, I doubt that it would present an issue of controversy.

The Chairman. I think maybe what Mr. Edgar has in mind
is a pay lag system that occurs in January.

Mr. Blakey. It is only a day and every committee suffers
it. This committee would be no different than any of the others.

Chairman. Well, we would undergo a period where in the Democratic Caucus we go through the process of electing Chairmen of committees, etc., and so forth, and until such time as you have approval of that, there are no committees. I don't believe, in operation.

Mr. Blakey. The staffs continue from year to year, though. They are paid continuous from year to year.

Mr. Edgar. But the staff continues because the jurisdiction and the authority for the staff, for the committee, goes from Congress to Congress.

Mr. Blakey. No. At the beginning of each Congress there must be a new, in the House, a new resolution creating each committee anew, including the Judiciary Committee. It does not continue.

Chairman. That is the first order of business?

Mr. Blakey. Yes.

Mr. Howarth. Also, of course, they have to put in a resolution to finance the committees on a temporary basis, which covers all committees that are in existence. If you recall, the resolution continues the committees more or less at the same level of expenditure that they had the previous year until the House acts on their funding resolution for the current year. So all committees have to be extended
financially. No committee has any funds until this general resolution is passed.

Chairman. As that applies to select committees, standing committees I can understand having to be funded in that way, but how about select committees?

Mr. Howarth. Well, it is in the resolution. It has happened each year. That is how we had a problem if you will remember the first year, last year, when we were restricted to about $83,000, I mean, it does cover all committees. So permanent funding. Of course, we would have to be re-created, the things is we would have to be created again. Like any other committees but once we were created, we would come under the general funding resolution.

Chairman. Anything further?

Mr. Fauntroy?

Mr. Fauntroy. Mr. Chairman, I am not sure that this is the point at which you would want to consider some amendments, but I have now had an opportunity to look over this budget and I would agree with counsel that it is razor thin, but in that regard, we certainly have to commend the staff for the very tasteful way it handled the very difficult task of reducing staff so that we come in at this level, but I think that it is perhaps too razor thin a budget to take forth at this time, and particularly in light of some of the things that I am concerned about in the King investigation. I feel we need a little more latitude for some contingencies, and therefore I
would simply recommend and will make a motion at the appropriate
time to add, oh, a $60,000 contingency fund, that would bring
it up to $750,000 and would afford us some latitude to carry
out what appeared to me to be potentially productive follow-up
leads that we are now continuing to pursue.

Mr. Blakey. That would be very useful, Mr. Fauntroy.

Obviously what we don't spend we will give back. This
Committee has a unique history of, in fact, not spending money
given to it. We turned back $450,000 the first session, and
if there is a little flexibility in the budget, that shouldn't
cause any trouble.

Mr. Sawyer. Why not make it $100,000 so we go $790,000?

I don't like those round figures like $750,000. You never bill
legal bills that way. It always looks too arbitrary.

Mr. Fauntroy. I would have no objection to that. I suspect
that once our submission is made, those of our detractors in
the press will say it is more than a half-million dollar
request. If it got up to $750,000, they would say three-quarters
of a million. So $790,000 wouldn't make much difference.

The Chairman. And they are probably going to cut us some
anyway, so I think that whatever the Committee feels is appro-
 priate ought to be entered as the budget figure.

Mr. Blakey. I might add, Mr. Chairman, this budget was
not framed with a notion that there was need to cut it, as
indeed, the last budget was not framed with the notion that there
was room to cut it.

Chairman: As I say, with the realization that this is a barebones budget, your figure of $690,000, I think Mr. Fauntroy is right and Mr. Sawyer, we ought to have some leeway for some contingencies.

Mr. Fauntroy. If it is therefore appropriate, Mr. Chairman, I will move that we add the contingency item of $100,000 to the budget proposed by staff.

Chairman: You are talking about a total figure of $790,000?  

Mr. Fauntroy. We are talking about a total figure of $790,000.

Chairman: Is there any discussion?  

If not, then the clerk will call the roll.  

Mr. Ford. This is on the $790,000? It is on the $790,000 rather than the additional?  

Chairman: The motion is for a total figure of $790,000 for the submission of the budget.

Ms. Berning. Mr. Stokes.

Chairman: Aye.

Ms. Berning. Mr. Devine.

No response.

Mr. Berning. Mr. Preyer.

No response.

Ms. Berning. Mr. McKinney.
[No response.]

Ms. Berning. Mr. Fauntroy.

Mr. Fauntroy. Aye.

Ms. Berning. Mr. Thone.

[No response.]

Ms. Berning. Mrs. Burke.

[No response.]

Ms. Berning. Mr. Sawyer.

Mr. Sawyer. Aye.

Ms. Berning. Mr. Dodd.

[No response.]

Ms. Berning. Mr. Ford.

Mr. Ford. Pass.

Ms. Berning. Mr. Fithian.

Mr. Fithian. Aye.

Ms. Berning. Mr. Edgar.

Mr. Edgar. No.

Ms. Berning. Four yeas, one no, and one pass.

Mr. Blakey. Mr. Chairman, I would suggest it might be appropriate to take that vote over.

Stokes

The Chairman. All right, then without objection, the previous vote will be expunged from the record, and the clerk will call the roll.

Ms. Berning. Mr. Stokes.

Stokes

The Chairman. Aye.
Ms. Berning. Mr. Devine.
[No response.]

Ms. Berning. Mr. Preyer.
[No response.]

Ms. Berning. Mr. McKinney.
[No response.]

Ms. Berning. Mr. Fauntroy.

Mr. Fauntroy. Aye.

Ms. Berning. Mr. Thone.
[No response.]

Ms. Berning. Mrs. Burke.
[No response.]

Ms. Berning. Mr. Sawyer.

Mr. Sawyer. Aye.

Ms. Berning. Mr. Dodd.

Mr. Dodd. Aye.

Ms. Berning. Mr. Ford.

Mr. Ford. Pass.

Ms. Berning. Mr. Fithian.

Mr. Fithian. Aye.

Ms. Berning. Mr. Edgar.

Mr. Edgar. No.

Ms. Berning. Five ayes, one no, and one pass. Mr. Chairman.

Chairman. What is the parliamentary situation?

Mr. Blakey. That is sufficient, Mr. Chairman.
Now, we have one vote in process waiting for \( \frac{2}{2} \) Stokes
Chairman, on this, also?

Mr. Blakey. I am sorry. It would be appropriate to
state that the resolution passes.

Chairman. All right, then, five members having voted
in the affirmative, the resolution is adopted.

Professor Blakey?

Mr. Blakey. Mr. Chairman, we have one vote in process
awaiting the arrival of Mr. Preyer's proxy. In that interim
it might be appropriate for me to note for the benefit of
the committee several items. One, Charlie Mathews will be by
to see each of the members individually to discuss the question
of specialization for the upcoming King and Kennedy hearings.
The hearings have been outlined by subject matter. I made an
effort myself to specialize people and I found it just simply
wasn't appropriate for me to do it without getting your judg-
ments first about the areas where you would like to specialize,
and with a clear idea of when that material may come up in the
hearings.

By the end of this week or certainly the middle of next,
Mr. Mathews will certainly be around for you and he will ask
you to set out your preferences one through 17. I will come
back and shuffle them to try to maximize your preferences, and
then come back to you with a tentative list of specialization,
and then you people can work among yourselves to make sure
everybody gets basically what they are most interested in.

Second, you ought to be aware that yesterday the Committee secured a writ of habeas corpus ad testificandum for James Earl Ray to appear in the August hearings. It was done over the objections of Mark Lane. Fortunately, Judge Bryan ruled in favor of the Committee. What you ought to be aware of is the end of next week, with the Chairman and a small delegation of the Committee will go down to Brushy Mountain to speak with Mr. Ray, in an effort to secure his cooperation in the hearings and perhaps to take a polygraph.

You also ought to be aware that we will try to schedule next week probably on Monday night an optional briefing for all the membership to bring you up to date exactly where the investigations are on both King and Kennedy. Outlines of the final reports have been prepared in both. Summaries of the investigations have been prepared on both sides. The King case is in a very dynamic situation, and the Chairman has said it is appropriate that all of you ought to be brought up to date, and we will try to do that, as I said, Monday night at the briefing. It is optional. There won't be any business discussed, but you may want to hear exactly where we are.

Mr. Edgar. Would counsel yield?

Mr. Blakey. Yes.

Mr. Edgar. The briefing is this Monday night?

At what time?
Mr. Blakey. It would be after Congress goes out of session, about 5 p.m., and we will find an appropriate room.

You ought to also be aware that the committee is moving to a situation where there may be a confrontation between it and the Department of Justice. The committee has asked for and not received access to certain informant files in Memphis. It has well, Mr. Chairman, I was just reminded by the clerk that that amendment was an amendment to the budget but not an adoption of the budget itself.

Chairman. Well, it is a question of interpretation.

The motion, as I understood it, by Mr. Fauntroy was that we submit the budget in the amount of $790,000 rather than amending it as such.

Mr. Blakey. All right, then we are okay.

To go back, it is likely that the Department of Justice will deny us access to those informant files, and it may be necessary for the committee to subpoena them. You will probably receive that subpoena application sometime next week. There will be a detailed justification on it. I simply draw it to your attention at this time.

You ought also to be made aware that the committee has made an effort to interview a man named Maxie, Dr. Maxie in Missouri who apparently was one of James Earl Ray's physicians inside the prison and who we have information that leads us to believe that he was involved in the drug traffic in the
prison. Dr. Maxie's doctor has told us now that he is too old and too senile to talk to us. This comes after his family had first told us that he is bright and chipper and would be glad to talk to us. We will make an effort to secure an independent doctor's examination of Dr. Maxie.

I do not think we need a specific resolution for that, but since this moves us into a potential confrontation, I thought it would be appropriate to bring it to the attention of the committee.

The committee also ought to be aware that the discussion of what to do about the Russians, any possible resolution being introduced in the House calling on their cooperation is proceeding at pace. A meeting is to be set up between the Department of State and the committee to secure their help in going to the Russian embassy as a kind of a one last effort before a resolution is introduced.

Sincerely,

Chairman. Let me interrupt, counsel. I just had a thought with reference to the possibility of a subpoena for the files of the Department of Justice. What would the legal situation be in that event?

Mr. Blakey. If we subpoenaed them on a day certain, the Department would either have to produce them or have an adequate legal reason for not doing so.

And it would be my judgment that they have none, in which case, the committee would be in a posture much like the United
States District Judge in the Southern District. We would be facing a situation where the Attorney General might well be held in contempt, this time in contempt of Congress as opposed to contempt of court in the Southern District.

Mr. Blakey. It would be a very interesting contempt. We would have one or two choices. We could either recommend to him that he prosecute himself for contempt, or that he appoint a special prosecutor to prosecute him for contempt, or that we bring him before the bar of the House for a hearing on contempt.

I add, at this point, that this suggestion is not malicious on my part, as much as I have indicated on the record that I would like to see this committee have an inherent contempt, this isn't one being pressed by me for personal reasons.

Mr. Ford. Mr. Chairman, while we are waiting I would like to know if it would be all right for this committee to move in a direction where starting Monday night with the briefing of the full committee and the committee members, that we would be able to bring at least one of our people, a staff person connected with our office, inasmuch as we are moving into August, you know, the public hearings, if we are going to do that, I personally would like to have a staff person that I could work constantly with here in Washington while I'm back home in the district.

Mr. Blakey. There would be two elements, Mr. Ford, inasmuch
as we talk about the hearings and the plans to use unclassified material, there would be no problem with the staff person being present. If we wanted to summarize the investigations as they actually are in both King and Kennedy, and we got into classified material, the staff person would not be permitted to be present.

Mr. Ford. Well, we could ask him to leave, but I think at some point we ought to bring them in now. For my sake, you know, I need a staff person working with me to be briefed on certain issues and certain things that are going to be brought out. If it is all right with the Chief Counsel along with the Chairman, I would like to see us next week some time to have the permission to bring staff people in.

Mr. Blakey. Except for one area, apart from the classified question, which we could reveal, except for one area on King, it might be appropriate. I would be most reluctant to, at the delicate current stage of the investigation on the King side, to increase the number of staff people aware of that investigation. For example, the entire Committee staff will not be there, the entire Committee staff has not been made aware of, indeed, the entire King staff has not been made aware of our pursuit of certain conspiracy allegations. We have not had a leak up until this point.

Mr. Ford. I don't see any problem with that. We can tell the staff when they have to step out or...
certain information they are not privy of or what have you.

*Spokes

Chairman. I think Mr. Fithian is seeking recognition.

Mr. Fithian. Thank you, Mr. Chairman.

I just want to strongly support Mr. Ford, and I want to say this. It seems to me as we prepare, Mr. Blakey, for the public hearings, that segregation of material which can and cannot be made public is incumbent upon you and the staff in any event. That has to be carefully done, and done in a timely fashion, and all I would want, quite honestly, is to be able for my staff person to work to help me coordinate and prepare for the public hearing. As we go along, you will have to segregate the information and the material, in any event, and as you segregate by section, by parts of inquiries, by parts of the investigation, it seems to me that we could permit our staff to have access to that which is no doubt going to be used in the public hearing.

And I am only concerned about the public hearing at this point. All of us have carried the classified section ourselves on the committee. I am only concerned about the public hearing anyway.

Mr. Blakey. Insofar as we talk about the hearings, there is no problem. Insofar as we talk about the full investigation, the personal staff people would probably have to be on a revolving door, in and out, in and out, and what I am questioning here is the utility for them coming and asking them to leave over major portions of the briefing. It might be more appropriate to bring
the staff people in when we focus squarely on the hearings, as indeed we will, as soon as specialization is fully completed.

Mr. Fithian. So you are saying that this Monday night session might not be the best session.

Mr. Blakey. It might not be the best time to begin.

Mr. Fithian. I am not quarreling with that, but I just want to join in on saying I want to move a staff person in soon. I don't want it to be too days before we begin public hearings.

Mr. Dodd. Will the gentleman yield on that point?

I would, Mr. Chairman, like to support what Mr. Sawyer is suggesting here, and I think importantly we have all discussed with each other here the necessity to have some sort of help, particularly during the public hearing process. I think most of us had a staff person assigned in our own offices some time ago to this area and then in my own case, that staff person has left my employment, and I don't even know what they are doing, but I think in the case of everyone else, they haven't done anything I don't know for a long time because of the nature of our hearings.

I was curious myself about trying to bring someone on to work with me over the next three or four months, and it raised through the committee, the potential possibility of going back and maybe getting some of those people that we no longer have with us. I realize there are particular special problems involved with that, issues that Mr. Blakey raised that I think are entirely legitimate.
I would like to add as a request here, since I would like to be able to have someone work with me, if there is a possibility of getting someone from the Committee, that the Committee is aware of, that would be a good person to have, that they may have dealt with or someone they would have brought on, but didn't, because they reached a level they couldn't bring anyone else on, and I just would like to be able to have someone, and I don't know what pool of resources to go to, to get someone who would have a good working knowledge of the thing before we begin.

Mr. Sawyer's concept. I think we are absolutely going to have to have it.

Mr. Blakey. One of the things that is going to happen or is happening is that senior staff counsel are being assigned precisely the areas in which each of you will be specializing, and you will be directly, personally briefed by the senior staff people.

Mr. Dodd. It gets more complicated than that, Bob. We are going to have to deal with, you know, what we're going to have our own local press in addition to what goes on here, and calls coming into the office, and what are you doing, and we, as individual members, have to do all of that in terms of what was actually said and what wasn't, and we have to provide some help with it.

I think we are being awfully shortsighted, in terms of the demands that are being placed on us as individuals, during that time period.

And I think as much knowledge as these people are going to
have, without encroaching on the very sensitive areas you have outlined, is really something at this point. I think we are probably going to have to have, and I would support the idea, and I would add only that I would like some personal help from the committee coming up with someone who could be helpful to me personally that I would put on my own payroll during this period. 

The Chairman, I see no problem in working that out.

Mr. Dodd. I have a request, Mr. Chairman. You are talking about having informal briefing sessions beginning on Monday, or at least having one on Monday about where things are. As we eventually pull the thing together, where we know the areas of specificity where we are going to be working, why not have some sort of cell meetings with that staff person from the committee?

Mr. Blakey. Let me outline what will happen. We have outlined August and September, into 17 subject matters, covering the entire Kennedy hearings and the first phase of the King hearings. They have been assigned to senior staff people to outline in detail. Those outlines will include the suggested text of the narration, the suggested witness lists, and the questions to be asked of the witness, our recommendation as to whether cross-examination would be appropriate of that witness, and if cross-examination is appropriate, what it should sound like, the specialization of at least two Members of Congress on that witness, what areas those two Members of Congress might want to raise with
this witness, all of the exhibits and demonstrable evidence that
might be introduced on that day. When all of that is outlined
and the backup material that supports it is put together and
the specialization has been cranked into it, a senior staff person
will come and work with the Congressman or the Congressman and
his staff in that area.

The books will be prepared on each of the areas so that it
will be possible for any member of Congress to come and read
directly through all the books, in effect, preview the entire
set of hearings. Once it gets outlined with that kind of specificity,
it will then be possible for the entire committee to sit in a
strategy session on exactly what the hearings look like, what
questions should be asked, what questions should be done on
certain days. By specializing like that, it should be possible
for a member of Congress to choose not to be present on a certain
day because he knows what is coming up and probably in the context
of the hearings, not necessarily missed, because major roles will
be played by different people on different days, although some time
will be reserved for, probably under the five-minute rule, for
each member to ask any questions any day.

Well, I am sure you can remember in the hearing involving
Mr. Nosenko, how frustrating and ineffectual questioning of a
significant witness is under the five-minute rule. You get your
first question in and it goes on to the next person. The defector
really was wiped out by direct and cross-examination and then
totally regained his posture and composure, and frankly began
to give the top level, he gained the upper hand in dealing with
the Committee because he talked all the time and the Committee only
talked five minutes.

So that if we can avoid that kind of situation in our hearings,
we would be much better off.

Mr. Chairman, it might be appropriate at this time to
resume the roll call on the immunity question.

Chairman. The Clerk will inform Mr. McKinney at this
time of the motion.

Ms. Berning. There is a resolution to confer the immunity
that you have before you, Mr. Pittian made the motion. We have
a vote.

Have you had a chance to look at it?

Mr. McKinney. Yes.

Chairman. All right, continue the count.


Ms. Berning. And Mr. Preyer.

[No response.]

Ms. Berning. Eight ayes, Mr. Chairman.

Chairman. All right. Eight members having voted in the
affirmative, the immunity order is granted.

Mr. Blakey. There is nothing else to bring before the
Committee at this time, Mr. Chairman.

Mr. Dodd. You will let us know about the meeting on Monday
night?

Mr. Blakey. Yes.

Chairman. All right, if there is nothing further to come before the Committee at this time, the Chair will adjourn the meeting subject to the call of the Chair.

[Whereupon, at 11:35 o'clock a.m., the Committee recessed subject to the call of the Chair.]

(all)