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EXECUTIVE SESSION  
HOUSE OF REPRESENTATIVES

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HEARINGS  
BEFORE THE COMMITTEE  
on

014697

SELECT COMMITTEE ON ASSASSINATIONS

Thursday, December 9, 1976

Washington, D. C.

Official Reporters to Committees

Mills

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EXECUTIVE SESSION  
COMMITTEE  
BUSINESS MEETING

5212  
CAPS

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1218  
CAPS

Thursday, December 9, 1976

*Handwritten initials*

U.S. House of Representatives, 5

Select Committee on Assassinations, 13

Washington, D. C. 1

The committee met at 2:45 p.m., in Room 2247, Rayburn House Office Building, the Honorable Thomas N. Downing (Chairman) presiding.

Present: Representatives Downing (presiding), Gonzalez, McKinney, Preyer, Thone, Stokes, Anderson, and Fauntroy.

Also Present: Richard A. Sprague, Chief Counsel and Director; Thomas Howarth, Budget Officer, and Donovan L. Gay, Chief Researcher.

*Handwritten signature*

EXECUTIVE SESSION

1 H Chairman downing. The committee will come to order.

2 Mr. Sprague, the next time we have one of these  
3 executive meetings, Mr. McKinney made what I think is an  
4 excellent suggestion  $\frac{1}{M}$  that when we go into executive session  
5 we find some suitable room that we can adjourn to, to carry on  
6 the executive session, and we won't have this delay.

7 Mr. Sprague. Mr. Chairman, I think it would be a great  
8 idea to try to have an alternate room to move to.

9 Chairman Downing. Now, will everybody in the room not  
10 a member of this committee staff identify themselves?

11 Mr. Hutton. E. M. Hutton, the chairman's staff.

12 Mr. Levin. Jay B. Levin, Congressman Dodd's staff.

13 Ms. Caldwell. Bonnie Caldwell, Congressman Gonzalez'  
14 staff.

15 Mr. Burgess. Quentin Burgess from Congresswoman Yvonne  
16 Burke's office.

17 Mr. Harvey. Percy Harvey, from Congressman Ford's staff.

18 Mr. Spring. Hank Spring, from Mr. McKinney's staff.

19 Chairman Downing. All right. Close the doors.

20 Mr. Sprague, suppose you begin your presentation.

21

22

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114210  
CAPS

1 STATEMENT OF RICHARD A. SPRAGUE, CHIEF COUNSEL AND  
2 DIRECTOR

3 Mr. Spague. Mr. Chairman, before I commence that, may  
4 I bring up two other matters, first, on which I would like  
5 to get some direction from the committee.

6 As I understand it, there is going to be another meeting  
7 of this committee for purposes of presentation of the report  
8 that will be submitted to the Congress, this Congress.

9 Chairman Downing. That meeting will be next Friday, at  
10 10:30 a.m., that is the 17th of December, at a place to be  
11 decided.

12 Mr. McKinney. Mr. Chairman, could we have it at  
13 1:30 o'clock? Would anybody object? Is it going to be a long  
14 meeting?

15 Mr. Sprague. I would not think so.

16 Mr. McKinney. I find myself in an embarrassing position <sup>1/27</sup>  
17 being ranking member of the Economic Stabilization *Committee*,  
18 Bill Moorhead has moved the steel price meetings three  
19 times to accommodate the Minority side of the aisle.

20 Chairman Downing. I certainly have no objection to  
21 1:30 o'clock. Anybody else?

22 The committee will then meet at 1:30 o'clock. That is  
23 Friday, December 17.

24 Mr. Sprague. What I would like to bring to the  
25 attention of the committee, if I may, there is a question

1 in my mind, as your chief counsel, with regard to the present  
2 resolution that exists concerning the auth<sup>o</sup>ri<sub>λ</sub>ty as the base  
3 for this committee to operate on. There is in my opinion  
4 a grave question of constitutionality, not with regard to  
5 the ability of the Congress to be investigating, but with  
6 regard to the way in which the resolution that presently  
7 exists is worded.

8 *H* Frankly, because of that, I have seen that no sub~~p~~oena  
9 was issued that was other than what I call a friendly  
10 sub~~p~~oena, because I did not want to get in the posture where  
11 someone was attacking it, and taking us into court on the  
12 constitutional base that exists.

13 And what I am seeking guidance on  $\frac{1}{M}$  I would like to  
14 be able to present to the committee, at the next session,  
15 a sort of pre~~a~~mb~~l~~e to the resolution stating what I submit  
16 would be the appropriate basis for this investigation, so that  
17 if and when the matter of the constitutionality arises, we  
18 are properly and fully bottomed. But I would not do that unless  
19 given such direction by the committee.

20 Chairman Downing. Well, I think if any question exists  
21 in your mind as to the constitutionality of the section of  
22 the resolution, certainly you should draft a preamble, along with  
23 a proposed resolution, which will, of course, have to be  
24 submitted in the next session of Congress.

25 Mr. Sprague. At the next session I would like to present

1 what I think will be a preamble there which I think would  
2 then save this resolution, the wording of it, from subsequent  
3 attack.

4 91 Mr. Thone. Does this come down to whether or not that  
5 resolution directs itself ~~how would I say it~~ enough to  
6 a legislative purpose?

7 Mr. Sprague. Legislative and oversight purposes, because  
8 I think there would be problems the way it is presently  
9 worded.

10 Mr. Gonzalez. Mr. Chairman, let me give you a little  
11 history, because this is something that bothered me at  
12 the very beginning.

13 The wording that finally resulted in this resolution  
14 was very hastily prepared, presented to me by the clerk of  
15 the Rules Committee. I raised the point immediately, and he  
16 said, "This is what I have been ordered to arrange.  
17 Do you have any suggestions?"

18 Well, there was one sentence that I knew was at first  
19 blush violative <sup>1</sup>/<sub>M</sub> "So scratch that out." And I said,  
20 "The rest I have my doubts, but my gosh, you want this in  
21 today, so you can have something to meet on tomorrow." And that  
22 is the way it got submitted.

23 Now, I didn't ask him what the history of the drafting  
24 had been when he presented it. But since then, I have been  
25 going into that. And I for one would be very grateful if you

1 would, because we may wish to think of the procedure we  
2 may want to follow on in January.

3 9) This was a simple House resolution. We may wish  
4 to file another for the sake of having immediate full House  
5 consideration, so as to not lose too much time. And in that  
6 respect, I am trying to get the picture from the Parliamentarian.

7 So I for one would be very grateful if you would, and we  
8 could look it over next week.

9 Chairman Downing. Without objection, counsel is  
10 directed to draft a preamble and/or a resolution for presenta-  
11 tion at the next meeting of the committee.

12 Mr. McKinney. Mr. Chairman, Congressman Dodd could not  
13 be here today, because he had to go back to Connecticut.  
14 He asked me if I would make sure the counsel ~~please~~ keep in  
15 the wording which ~~left the availability~~ <sup>retained the option</sup> of looking into the other  
16 assassinations. He is not suggesting we should, but he feels  
17 perhaps we might want to ~~as a committee~~ at least put  
18 a protective hold on materials pertaining to other political  
19 assassinations.

20 Mr. Sprague. Mr. Dodd so advised me. And the other  
21 matter that I would want to bring to the attention of the  
22 committee  $\frac{1}{21}$  although we are reviewing it  $\frac{1}{21}$  there has been  
23 a letter submitted by the Civil Liberties Union in Chicago  
24 requesting that we look into what they allege is the assassina-  
25 tion of two people of the Black Panthers.



1 9/ Mr. Anderson. Is that the Fred Hampton case?

2 Mr. Sprague. Yes, it is, sir. We are in the process of  
3 at least looking that material over. And if I may at the  
4 next session I will at least prepare a summarization  
5 with a recommendation to the committee.

6 Chairman Downing. All right. That will be fine.

7 Mr. Sprague. The next housekeeping chore that I  
8 just want to bring to the attention of the committee is this:  
9 It has been suggested that assuming this investigation  
10 proceeds, and that there are hearings, that they are on such  
11 a historical note that either we arrange for a videotaping  
12 of them, just the keeping of them as a permanent record,  
13 or make arrangements with the news media, who undoubtedly  
14 will be televising them, for obtaining their records.  
15 I just throw that out, because I do not know what your  
16 thoughts are on that.

17 Chairman Downing. Are you talking about a videotaping  
18 of the entire session?

19 Mr. Sprague. Of what is our public hearings, where  
20 witnesses are presented.

21 Chairman Downing. All right.

22 Mr. Sprague. I am not making any recommendation. I  
23 am just bringing it to your attention.

24 Chairman Downing. That is not a matter we have to resolve  
25 right now. All right.

1 9 Mr. Sprague. Mr. Chairman, with regard to the investiga-  
2 tion in more detail than we have gone into, I would start with  
3 the Kennedy assassination.

4 It has come to our attention that in the area of the  
5 finding of the bullet which allegedly went through President  
6 Kennedy and through Governor Connally, the following situation  
7 at least had existed:

8 The bullet was found on a stretcher in the Parkland  
9 Hospital. The sequence of events was that upon the shooting,  
10 the bodies of President Kennedy and Governor Connally were  
11 rushed to the Parkland Hospital. President Kennedy was on  
12 a stretcher wheeled into what is called ~~Trauma Room No. 1~~,  
13 Governor Connally into a room right across from that,  
14 ~~Trauma Room No. 2~~.

15 President Kennedy's condition was such that there was  
16 nothing further that would or could be done. However, Governor  
17 Connally was within a short space of time wheeled out of  
18 ~~Trauma Room No. 2~~ down a hallway to an elevator and up two  
19 flights to a holding room for subsequent operation.

20 Now, the stretcher that President Kennedy had been on  
21 at some point was taken from ~~Trauma Room No. 1~~, and taken  
22 down this same hallway, and placed against the wall, really  
23 just before this elevator that goes from the basement to  
24 the second floor.

25 SD:lls  
3 p.m.

SD:jw  
12-9-76  
Ass. Ssi.  
3 pm

1 9 An elevator operator, called an engineer, was given the  
2 assignment of operating that elevator on this particular day.  
3 That operator took the stretcher of Governor Connally which  
4 is said somebody had wheeled back there to the elevator after  
5 Governor Connally had been taken to the second floor  $\frac{1}{M}$  the  
6 stretcher was brought back to the elevator. That operator  
7 said he then took the elevator with the stretcher down to the  
8 basement floor where President Kennedy's stretcher was against  
9 the wall, and the operator said he took the Connally stretcher,  
10 wheeled it out and placed it next to the Kennedy stretcher.  
11 So you had, as he testified, the Kennedy stretcher next to  
12 the wall, outwardly of the Governor Connally stretcher. That  
13 witness testified before the Warren Commission and he testi-  
14 fied that the bullet he found, which was the bullet that was  
15 at least alleged to be this one bullet  $\frac{1}{M}$  I think you remem-  
16 ber the pictures in terms of the condition of that bullet  $\frac{1}{M}$   
17 allegedly went through President Kennedy and Governor Connally.  
18 That bullet this witness said he found on the stretcher that  
19 was next to the wall which would be President Kennedy's  
20 stretcher, and there were bloody sheets there. He so testi-  
21 fied before the Warren Commission.

22 Obviously if that testimony in fact is true, it does cre-  
23 ate a problem as to how this bullet which allegedly went from  
24 Kennedy to Connally ends up on President Kennedy's stretcher.

25 The Warren Commission in their examination of this witness

1 drew the conclusion that, yes, he did find this bullet, but  
2 he was mistaken as to which stretcher he found it on. He  
3 drew that conclusion because in the questioning of that wit-  
4 ness they describe these stretchers as ~~stretcher~~ A, ~~stretcher~~  
5 B and perhaps could ~~stretcher~~ B have been in a certain posi-  
6 tion and the testimony was generally presented.

7 *Q* Our reading of it is there is an indication of the wit-  
8 ness getting confused. In any event, the witness ended up  
9 saying he was not sure on which stretcher it was found and  
10 there are other people who said the mass of bloody sheets  
11 were not on the Kennedy stretcher against the wall but on  
12 the Connally stretcher outwards, so the Warren Commission con-  
13 cluded this bullet had to be found on the Connally stretcher.

14 I say this because obviously the question as to what  
15 bullet where, whose stretcher could be of some importance.

16 A nurse came forward and told us that she was a student  
17 nurse there on that particular day along with another person  
18 she named as well, and she relates how they had been in the  
19 ~~Trauma~~ Room No. 1 with President Kennedy and then coming out  
20 in the hallway to go up this elevator upstairs at a point  
21 after Governor Connally had been wheeled out of Trauma Room  
22 No. 2.

23 This lady, another young lady who we have found out where  
24 she is  $\frac{1}{A}$  unfortunately this gets into locating witnesses; she  
25 is over in Africa somewhere  $\frac{1}{A}$  neither of these two people had

