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HOUSE OF REPRESENTATIVES

HEARINGS

BEFORE THE COMMITTEE

on

SELECT COMMITTEE ON ASSASSINATIONS

Thursday, December 9, 1976

Washington, D.C.

Official Reporters to Committees
EXECUTIVE SESSION

Thursday, December 9, 1976

4th House of Representatives, Select Committee on Assassinations,
Washington, D.C.

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.
Chairman Downing. The committee will come to order.

Mr. Sprague, the next time we have one of these executive meetings, Mr. McKinney made what I think is an excellent suggestion that when we go into executive session we find some suitable room that we can adjourn to, to carry on the executive session, and we won't have this delay.

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

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

Mr. Hutton. E. M. Hutton, the Chairman's staff.

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

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

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

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

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

Chairman Downing. All right. Close the doors.

Mr. Sprague, suppose you begin your presentation.
Mr. Spague. Mr. Chairman, before I commence that, may I bring up two other matters, first, on which I would like to get some direction from the committee.

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

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

Mr. McKinney. Mr. Chairman, could we have it at 1 p.m. o'clock? Would anybody object? Is it going to be a long meeting?

Mr. Spague. I would not think so.

Mr. McKinney. I find myself in an embarrassing position being ranking member of the Economic Stabilization Committee. Bill Moorhead has moved the steel price meetings three times to accommodate the Minority side of the aisle.

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

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

Mr. Spague. What I would like to bring to the attention of the committee, if I may, there is a question
in my mind, as your chief counsel, with regard to the present
resolution that exists concerning the authority as the base
for this committee to operate on. There is in my opinion
a grave question of constitutionality, not with regard to
the ability of the Congress to be investigating, but with
regard to the way in which the resolution that presently
exists is worded.

Frankly, because of that, I have seen that no subpoena
was issued that was other than what I call a friendly
subpoena, because I did not want to get in the posture where
someone was attacking it, and taking us into court on the
constitutional base that exists.

And what I am seeking guidance on is I would like to
be able to present to the committee, at the next session,
a sort of preamble to the resolution stating what I submit
would be the appropriate basis for this investigation, so that
if and when the matter of the constitutionality arises, we
are properly and fully bottomed. But I would not do that unless
given such direction by the committee.

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

Mr. Sprague. At the next session I would like to present
what I think will be a preamble there which I think would then save this resolution, the wording of it, from subsequent attack.

Mr. Thone. Does this come down to whether or not that resolution directs itself enough to a legislative purpose?

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

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

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

Well, there was one sentence that I knew was at first blush violative "So scratch that out." And I said, "The rest I have my doubts, but my gosh, you want this in today, so you can have something to meet on tomorrow." And that is the way it got submitted.

Now, I didn't ask him what the history of the drafting had been when he presented it. But since then, I have been going into that. And I for one would be very grateful if you
would, because we may wish to think of the procedure we
may want to follow on in January.

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

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

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

Mr. McKinney. Mr. Chairman, Congressman Dodd could not
be here today, because he had to go back to Connecticut.
He asked me if I would make sure the counsel please keep in
the wording which left the availability of looking into the other
assassinations. He is not suggesting we should, but he feels
perhaps we might want to at least put
a protective hold on materials pertaining to other political
assassinations.

Mr. Sprague. Mr. Dodd so advised me. And the other
matter that I would want to bring to the attention of the
committee although we are reviewing it there has been
a letter submitted by the Civil Liberties Union in Chicago
requesting that we look into what they allege is the assassina-
tion of two people of the Black Panthers.
Mr. Anderson. Is that the Fred Hampton case?

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

Chairman Downing. All right. That will be fine.

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

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

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

Chairman Downing. All right.

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

Chairman Downing. That is not a matter we have to resolve right now. All right.
Mr. Sprague. Mr. Chairman, with regard to the investigation in more detail than we have gone into, I would start with the Kennedy assassination.

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

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

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

Now, the stretcher that President Kennedy had been on at some point was taken from Trauma Room No. 1, and taken down this same hallway, and placed against the wall, really just before this elevator that goes from the basement to the second floor.
An elevator operator, called an engineer, was given the assignment of operating that elevator on this particular day. That operator took the stretcher of Governor Connally which is said somebody had wheeled back there to the elevator after Governor Connally had been taken to the second floor the stretcher was brought back to the elevator. That operator said he then took the elevator with the stretcher down to the basement floor where President Kennedy's stretcher was against the wall, and the operator said he took the Connally stretcher, wheeled it out and placed it next to the Kennedy stretcher.

So you had, as he testified, the Kennedy stretcher next to the wall, outwardly of the Governor Connally stretcher. That witness testified before the Warren Commission and he testified that the bullet he found, which was the bullet that was at least alleged to be this one bullet I think you remember the pictures in terms of the condition of that bullet allegedly went through President Kennedy and Governor Connally. That bullet this witness said he found on the stretcher that was next to the wall which would be President Kennedy's stretcher, and there were bloody sheets there. He so testified before the Warren Commission.

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

The Warren Commission in their examination of this witness
drew the conclusion that, yes, he did find this bullet, but
he was mistaken as to which stretcher he found it on. He
drew that conclusion because in the questioning of that wit-
ness they describe these stretchers as stretcher A, stretcher
B and perhaps could stretcher B have been in a certain posi-
tion and the testimony was generally presented.

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

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

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

This lady, another young lady who we have found out where
she is unfortunately this gets into locating witnesses; she
is over in Africa somewhere neither of these two people had
ever been questioned by anybody from the day of the event
until this young lady came forth to us.

Her explanation I did ask her, "What is it that moti-
vated you to come forth to us after 13 years?" her response
and we have talked to her directly, I have as well, and
there is nothing kooky about this person is she frankly
thought initially some agency of law enforcement would get
to her at some point because she is on the record as working
that day; there is nothing secret, and in the course of
time when nobody did she just kind of felt that guilt that
she hadn't said anything, and that has bothered her ever since.

In any event what she relates to us is important from
two standpoints, in our review of the thoroughness of the in-
vestigative effort that existed previously, it is certainly
I would say surprising that since the importance of that one
bullet and where it was found becomes such an issue it
was an issue even back then there would not have been an
effort to find out each and every person that was present at
the hospital who perhaps saw this and interview them for
whatever they would say. It does raise some question in terms
of thoroughness in the rush to get the prior investigation
done.

She relates as she came down the hallway with her stu-
dent nurse friend to go to the elevator there was at that
time only one stretcher, and that was the stretcher next to
the wall. Whether this means that Governor Connally's stretcher
had not yet been brought back or there was a later period in
time we are in the course of investigating, but she relates
that the one stretcher that was there with bloody sheets on
that stretcher was the stretcher against the wall, and on
that stretcher she does see a single bullet.

Obviously if in fact this is the same bullet that she
has spoken about, if in fact it is the Kennedy stretcher, raises
a question. This is an area we are in the process of investi-
gating at the moment.

The second area that at the moment we have been doing some
looking into involves an allegation that concerns wiretapping
by the CIA in Mexico where they picked up conversations of
Oswald. Suffice it to say \( \frac{1}{2} \) here again, I guess we have to
put it in context \( \frac{1}{2} \) the CIA had testified before the Warren
Commission of no prior contact with Oswald known to them prior
to the assassination until they then checked the records after
the assassination and stated that they found a conversation
that Oswald had had in Mexico with the Russian Embassy prior
to the assassination, and they dug this out post-assassination.

That has been their position ever since. The contention
here is that in fact there was more contact by the CIA with
Oswald than what they have disclosed.

A former CIA agent named Phillips was reported in the
press to have made some statements which if true were contrary
to what the CIA had publicly said before the Warren Commis-

sion. We brought that former CIA agent Phillips before an
executive session of the Kennedy Subcommittee, and it was
chaired by Mr. Preyer, and Mr. Thone, and took Mr. Phillips'
testimony under oath.

The substance of the testimony by Mr. Phillips and we
have the transcript; it is available is as follows. This
could perhaps be of some importance. Mr. Phillips said that
prior to the assassination of President Kennedy the CIA main-
tained a surveillance operation in Mexico City of the Cuban
and Russian Embassies. The unit that was responsible for
surveillance of knowing what was going on in the Cuban Embassy
was headed by Mr. Phillips, a Mr. Manel was responsible for
knowing what was going on in the Soviet Embassy, being a CIA agent.

In addition, the CIA maintained a wiretap operation and
they were wiretapping what calls were coming into the Cuban
and Russian Embassies, and they also had bugs in the Cuban
Embassy and were picking up some conversations in the Cuban
Embassy.

The way in which this operation ran was that the inter-
cept unit, if I can use that word, would monitor these conver-
sations. They would have a recording going on of these conver-
sations going into the Cuban and Russian Embassies. There would
be a person listening to them as they were being recorded,
that after these conversations were recorded they were then taken to either a Spanish or a Russian interpreter who would then translate these recordings and they would be typed up. Upon being typed up, these transcripts would be sent to a Mr. Scott, who though not in a technical sense in command of that operation in fact was the person who was running the CIA operation in Mexico. Mr. Scott would review the transcript and if it was a wiretap of a call into the Russian Embassy, he would forward that transcript to Mr. If it were a wiretap going into the Cuban Embassy, he would send that to Mr. Phillips. If it involved both, it would go from Phillips to or vice versa.

The procedure upon the transcript going to Phillips at the Cuban unit and Manale at the Russian was then to advise other agencies of government, such as the FBI, State Department, concerning that information if it was significant.

In matters that were more unique, a cablegram would be prepared by either Mr. or Mr. Phillips, which would be routed back to Mr. Scott, and if he approved it that cablegram would then be sent advising CIA Headquarters in Washington as to that particular intercept, that being done in the more unusual situation.

He also testified that these transcripts, the recordings themselves, normally were destroyed not by just a destruction nothing ulterior in that sense but by a reuse of
these records after they had been transcribed.

In response to a question, would there not be a period of time to hold a recording for the transcript to be reviewed and perhaps a decision being made, that there might be a need to keep that recording itself, Mr. Phillips said, yes, but what that period of time would be and whether there was any formal order, directive, he was not prepared to say. I suggested to him, "What if we picked up a conversation in which someone was calling and threatening to, say, assassinate a congressman, would there not be a decision somewhere to hold that tape, you might want to use that for evidence, maybe to identify a voice or something?"

He said, "Yes, we would."

"What was the criteria that you would use if you heard that an American was trying to get out of the country? Would that be a matter to keep?"

He was not prepared to say.

In any event, what Mr. Phillips said happened specifically in regard to Oswald was there was an intercept of a conversation by Oswald to the Russian Embassy, and Oswald was in fact calling from the Cuban Embassy. Mr. Phillips said that to the best of his recollection 1/4 and there is no doubt as to the first part of this 1/4 one part of that conversation was Oswald advising the Russians that he wanted to get out of this country, that he wanted to get to Cuba, and then to Russia.
Mr. Phillips stated what I would consider in an unsatisfactory fashion, a rambling fashion, that it was his feeling from the way in which the words appeared in the transcript that Oswald was indicating that the Russians perhaps ought to be talking to him and that they perhaps ought to give him some aid in getting out of the country. I say to you I feel that Mr. Phillips said it without any degree from my standpoint of authority but that this was an attempt to get out of the country is clear.

Mr. Phillips states that as a result of that and that transcript came to him first and then went on to Mr. there were two things that he noted, that in this transcript it referred to the fact that Oswald was speaking poor Russian and there were notations typed on here of the poor quality of the Russian that was being spoken, typed on the transcript, and some other comments.

As a result, Phillips testified that a cablegram was prepared by Mr. signed by Mr. submitted to Mr. Phillips and signed by Mr. Phillips, to then be given to Mr. Scott to be sent to CIA Headquarters in Washington because this information put it in a more unusual category.

That cablegram states Mr. Phillips specifically stated that they had picked up this information that Oswald was trying to get out of the country, seeking a visa to go to Cuba and then on to Russia. That becomes of some significance because
the cablegram that in fact was sent by the Mexican station to Washington omits that and the cablegram that in fact was sent from the Mexican station to Washington merely states that Oswald was contacting the Soviet Embassy and was inquiring whether they had received a response to a telegram that he had sent, whether the intercepted messages of Oswald calling the Soviet Embassy was his inquiry about a telegram, but that is in addition to the transcript to which I have made reference.

We have asked Mr. Phillips, "Are you positive that the cablegram that you prepared was alerting Washington that this supposed American was trying to get out of the country?" he said, "Yes," He is absolutely sure as to that.

"Do you have any explanation for the cablegram that was in fact sent?"

His response was that it seems to him it would be acts of negligence by a number of people or a deliberate decision by a person not to have that information conveyed.

The second aspect of Mr. Phillips' testimony that is of some significance is that these are areas that were investigated bringing up to date this is what we are doing in this same cablegram that Mr. Phillips said was prepared was a description of an American seen going into the Russian Embassy on the date of this intercept. This description we thought the literature has caused numerous problems because it is conceded by.
everybody that the photograph that the CIA used in the descrip-
tion is of a person who is not Oswald. The CIA has since said
they made a mistake. The person who wrote the description thought
this was Oswald. What is important here, however, is that the
CIA records and even this transcript, Mr. Phillips' testimony is
that the person was not in any way related to Oswald going
into the Russian Embassy that day but he was in the Cuban
Embassy and the question has arisen if they are sending a
description of the person that day who made that call, why
did they give a description which in fact turns out not to be
an accurate description of somebody who is entering the
Soviet Embassy when their information is he is entering the
Cuban Embassy in which they had a surveillance operation.

I did ask Mr. Phillips, "Well, did you make any attempt
to ask your people who made the surveillance on the Cuban
Embassy at that time? What pictures did they take of people
going into the Cuban Embassy? What were your surveillance re-
ports?"

And he said, "No, we did not."

"Why not?"

He had no response.

The sequel to that, of course, is apparently after the
assassination when the CIA was asked to furnish what photo-
graphs they had of Americans entering the Cuban Embassy on
that day, the response was that their equipment did not work
on that day and they have no such photographs.

But we did get back to the fact that under Phillips' testimony you have a cablegram conveying information of an American trying to get out of the country. When asked by us whether the FBI or other authorities were notified as to that information, he did not know. In fact, it appears that they were not notified. The information that appears in the cablegram to Washington, i.e., that Oswald was merely asking about a telegram, that is the extent of the information that was conveyed to the other agencies.

When the CIA responded from Washington they of course alerted Mexico that Oswald had prior defected to Russia and had married a Russian wife. And I asked Mr. Phillips upon getting that response, "Knowing this is an American trying to get out of the country going to Cuba, which it was a violation of the law for Americans to do at that time, what would you do?"

He said, "We would commence a surveillance of Oswald."

I said, "Did you?"

His response was, "No; we didn't."

"Well, why not?"

"Because we got word that Oswald had left Mexico and he was back in the United States."

If this was of sufficient importance, trying in this man trying to get out of the country, who is a prior defector, that
you would have commenced a surveillance while he was still in Mexico, what did you do to alert other agencies of the Federal Government. Whenever he was back in the United States they should now commence a surveillance.

Mr. Phillips said he did not.

"Why not?"

"Because we assumed the other agencies of government would do whatever was appropriate for them to do," but he conceded that was only an assumption; they were told this American was trying to get out of the country and we have gotten access to those documents of notification to the FBI, the Department of State, and Immigration. None of them were told about this part of the intercept.

What makes the area more complex at the moment, after interviewing Mr. Phillips we dispatched two of our staff to Mexico to contact the person who was the transcriber, the interpreter of the wiretap, and the person who typed it, who in fact is the wife of that translator.

We have interviewed them and they are both available at some point to come before this committee and testify, as well as Mr. Phillips, publicly. They have stated that, yes, they remember the conversation and they took it down, but no part of it was in Russian. In fact, the translator says I didn't have to translate because it was in English and that is the reason my wife took it and typed it, and we did not
type any notes to this thing that the man spoke in poor Rus-
sian or any such thing. 

There definitely was a part of the transcript that the
wife remembers vividly which included Oswald stating that he
wanted financial assistance from the Russians to get out of
this country.

We have obtained the typewriter that this lady says per-
haps she used in the typing here of the transcript. We went
to get the documents and submit them to these people, our
people, for them to look at, determine whether these are the
transcripts; are these different transcripts. We want to
find out what were the original cablegrams that existed and
find out why the change.

I might say this in addition. This area is apparently
sensitive enough to the CIA that although I have not yet been
cleared, none of our staff in the security classifications,
the CIA contacted me and on an ad hoc basis granted an immedi-
ate clearance to have me look at what they submitted were
the transcripts of these conversations in their reports con-
cerning the Mexican operation.

I must say that what appears in their transcripts is
at variance with what Mr. Phillips has said and what the
translator and typist in Mexico have said in their transcripts.
There are markings about the person speaking in Russian,
regular writings in there of this being from a Russian trans-

lation, which of course would be at variance with what is there.

We are investigating this matter. That brings you up to date as to this particular area.

Passing on for a moment, we in the Martin Luther King case have been in touch with a lawyer, a person who was formerly head of the Department of Corrections in Tennessee who has advised us of personal conversations he has had with James Earl Ray where in one of those conversations Ray told him that when Ray was over in Portugal, Ray, pursuant to arrangements, contacted somebody to get his further instructions as to what to do, and pursuant to those instructions he was directed to go on to Belgium to where he was headed when he was arrested.

Again, these are areas that we are working in.

The other area in Dr. King's case at the moment, it does appear that a police officer who had been assigned for security for Dr. King had been requested as a matter of fact by Dr. King's staff to supply security in Memphis named Reddix was called off the detail just about two hours prior to the assassination of Dr. King. The stories that we are obtaining from the various individuals who appear to sponsor the calling off are contradictory stories, one story being that there is information of a plot to kill Reddix and therefore there is a need to get him out for his own security and take
him away. But the source of that plot, because \( \frac{1}{4} \) one of the things we are trying to do is pin down these people if there is a plot to kill Reddi\( \frac{2}{4} \) who is the source of that information and see how bona fide this was, or was this merely an attempt to get the officer away who might have been in a position to observe and stop something.

As I say, the stories we are getting are conflicting at the moment and we are investigating back to find out in as much detail as we can to then present them in a hearing before this committee.

I would say in the main that represents the limited amount of investigative work that we are in the process of doing.

Chairman Downing. You did examine the guilty plea of Ray. Have you told the committee about that?

Mr. Sprague. I believe I did, Mr. Chairman, at the earlier presentation.

Chairman Downing. Mr. Gonzalez.

Mr. Gonzalez. The CIA had surveillance on both \( \frac{2}{4} \) embassies and presumably they would have two sets of conversations because he called both, didn't he? Did Phillips know, or has this been brought out, about the existence of two or only the one that he might have known about?

Mr. Sprague. Mr. Chairman and Mr. Gonzalez, Mr. Phillips knew of both and as a matter of fact that is one of the ques-
tions that has arisen here, ought there not be two trans-
scripts since there were two wiretaps if the call is from
the Cuban to the Russian Embassy.

Mr. Gonzalez. Apparently they also had some type of sur-
veillance that was taken, photographs of the people enter-
ing and leaving, and I would assume they matched. Here is
the monitor, and he has the machine going. I guess he would
be in contact with whoever was also handling the photo-taking
so they would probably \( \frac{1}{4} \) what would be the chances for an
error of that nature, because I know that the Warren Commiss-
sion had been given instructions they were to be picked from
an individual to be Oswald and obviously it wasn't Oswald.

There it would seem to me the question would be, how easy
would it be to make that kind of mistake?

Mr. Sprague. Mr. Chairman and Mr. Gonzalez, one of the
things we want to do is get hold of Manel's wife
because they are the ones that gave this description from
the obvious incorrect picture. When I say obvious incor-
rect picture, you understand it is a picture of someone enter-
ing the Soviet Embassy when the information was Oswald went
into the Cuban, so that makes no sense.

Mr. Gonzalez. Phillips doesn't know who was operating
the photograph operation?

Mr. Sprague. As far as I recall, he does not.

Mr. Gonzalez. Is there any way that could be ascertained?
Mr. Sprague. Yes. We are seeking to identify each and
every individual. I may say in another area that slipped my
mind, in dealing with the translator and the typist in Mex-
ico, contrary to again what the CIA has indicated at least to
the Warren Commission, not any real knowledge here, nothing
that alerted them, the typist and the translator in Mexico
acknowledged when they picked up the first intercept that
their CIA contact whom they named to us was alarmed about this
sufficiently to say to them this is very important. The
moment you pick up another intercept we have to know about
it, expressing grave concern about this matter.

Mr. Gonzalez. For years it has been known for instance
that the Russians in Mexico have had four or five times the
number of personnel in their embassy than, say, the American
and the British combined. Do the CIA officials know of any
kind of counterintelligence where they might be taking pictures
of our people taking pictures of theirs? Because there has
been no doubt that for years they have had a vast army of
personnel, way beyond what the picture is of commercial and
other interchange between. Obviously there has been intelli-
gence here but the figure is astounding, for our five times
more. So it would seem perhaps our intelligence efforts could
have been outdone in the case of the Russians.

Would there be any possibility of some transposing there
of information?
Mr. Sprague. I just could not say.

Mr. McKinney. The typists you talk about, were these Mexican or American citizens, CIA agents or just people? What is their background?

Mr. Sprague. The background: The typist is a Mexican and the translator, if I recall, is a former Russian.

Mr. McKinney. In other words, is it the CIA practice to hire people like that from a foreign country and not use their own service?

Mr. Sprague. I do not feel qualified to speak on the practice on this point. I am advised that the head of the area dealing with the Russian Embassy Mr. was formerly from Russia as well.

Mr. McKinney. That was going to be my next question. You said you wanted to talk to Mr. and Mrs. ; is that correct? Where are they?

Mr. Sprague. We do not yet know.

Mr. McKinney. The CIA does not know?

Mr. Sprague. I have not pressed this inquiry with them.

Mr. McKinney. Is this one of the areas you don't really want to press unless there is a better resolution? There could be a fringe area?

Mr. Sprague. I guess what I want to do is go over their documents in more detail because if they have eliminated any documents, if there are materials in there that are contra-
dicted by what has been established by witnesses, I want to see what is there without going into the substance of the area of inquiry.

Mr. McKinney. Did the Warren Commission have any knowledge of what Oswald's financial condition was? I have never seen people travel around that had less financial resources in my life. They make me envious. Here is this man in Mexico. You just don't go to Mexico casually, wander across the border; and how did he get there?

Mr. Sprague. In this area I only know what I was advised in the Warren Commission report. I do not feel I am expert in it. They do say they went into his finances. They have stated the evidence indicates he took a bus to Mexico. It may be of some interest again I am told that when we get to what was it that Oswald said when he was being interrogated, one of the areas he made statements probably untrue is his being in Mexico, raises some question as to his feeling of a need to cover up having even been down there.

Another area that arises in these transcripts as a matter of fact is in one of the conversations by Oswald with the Russian Embassy they asked Oswald, "Where can we get in touch with you?"

And Oswald response is in effect, "I don't know; the Cubans have my address, the Cuban Embassy has it." Which raises some questions why they would have it and he just didn't
remember or what. We are really at the threshold. One of our problems is we can only go in to pinpoint some areas and even in doing this it really reemphasizes my point as to the kind of staff to do an adequate job here.

Mr. McKinney. As far as you can tell from what Phillips said, the CIA made no effort to inform anyone, including the Immigration Service or the guards at the Mexican border, that Oswald had left?

Mr. Sprague. That is from what we have to this point apparently clear. They made no attempt to notify anyone he was out of Mexico and they made no attempt to notify that this person was seeking to get out of the country and go to Cuba and Russia.

Mr. McKinney. So they just sort of took down information about who worked off to Russia, had a Russian wife and said he is going out of Mexico so we won't worry about it?

Mr. Sprague. If they sent a cablegram in some way at least alerting Washington this person was trying to get out of the country and changed it to omit that specific information, whether that was done on anybody's orders or not.

Mr. McKinney. Is anyone still alive?

Mr. Sprague. Scott is dead. I wouldn't say everybody. I do not know.

Mr. McKinney. In the context.
Mr. Sprague. I am advised that [improper mark] and his wife are alive, the typist and translator of course are. There is a whole raft of people. We have to find out the people in that intercept unit and hear what it is they say occurred.

There is a question in my mind even on the destruction of the tape. For example, if this situation was unusual enough to warrant a cablegram being sent to CIA Headquarters in Washington, would not there at least be a thought to maintain that tape until you get a response from Washington?

These are areas of inquiry.

Mr. McKinney. One last question. I wondered somewhat what your timetable was.

Mr. Sprague. I do not mean to be facetious in response. I think it would be wrong to have Ray feel as feels this moment that he is in the driver's seat and everybody is going to come scrounging and begging to him. You know in the Yablonski case they were trying to get me to question Tony Boyle right off the bat, if I came to him, "What makes you think I am going to tell you everything?"

There is a psychological timing to get to someone. In my view there are a couple of things that are important before we get to Ray. I want to be in a much stronger position in terms of knowledge of activities in terms of the whole question of aliases, the phone calls.

Secondly, I am interested in finding out just little tid-
bits from anybody who may have been contacted, like this 
person from the corrections department that we have referred 
to.

Finally, and in all good course, Ray has been in corres-
pondence with us. He has written and we have responded. Ray 
is represented at the moment by a lawyer named James Lesar. 
He was represented by an attorney named Fensterwald, who we 
did find. The appellate courts in Tennessee have ordered 
Lesar to remain in the case, which he is doing. Ray also has 
an investigator, one of the critics of the Warren Commission 
named Weisberg, and there is some sort of problem existing 
not only between them and us but between Ray and these people. 
Frankly, one of the things from the psychological standpoint, 
I am hoping that at some point Ray kind of does not continue 
to have these people representing him and may want to be in-
itiating some contacts on his part.

It is a long way to answer, but I can not be prepared 
at this point to answer except that a lot more groundwork 
has to be laid before we get to that stage.

Mr. McKinney. There is no way at all we can ever as-
Obtain Mr. 
for or ever get any information about what Ray told his 
first attorney because that is privileged.

Mr. Sprague. I am glad you asked that, because I apologize, 
that is another area we should take up. One of the things we 
are doing is attempting to get what it is that Ray has told
each of his attorneys as well as what information was conveyed, and so forth. As a matter of fact, there are subpoenas on each of them at the moment. However, trying to hand out a carrot at the same time, I have been talking with Mr. Ray's present lawyer, Mr. Lesar, with regard to obtaining from Ray a waiver of attorney-client relationship as to all of his prior counsel, and if I can get that, I would rather proceed in that vein.

The probabilities are we can still get it because Ray in his various legal proceedings has attacked his prior counsel and that has probably achieved a waiver of attorney-client privilege, but I would rather not get to that step if I could proceed in the first way of getting this waiver of attorney-client relationship.

Mr. McKinney. I apologize for taking so long.

Chairman Downing. Mr. Preyer.

Mr. Preyer. I just have two brief factual questions and one general question. You mentioned the CIA transcripts, documents which you have had a chance to see recently, and you say they differ from those of the translator and from Mr. Phillips' recollection.

Do those documents indicate that Oswald was seeking to get out of the country?

Mr. Sprague. Those documents, even their own documents that are there, indicate that Oswald was attempting to get a
visa to go to Cuba and Russia. The part of those documents that I say has that in part is a Soviet call with Oswald speaking to the Russian Embassy, and it could be a little unclear from the transcript as to who is making the statement but it is clear it is referring to Oswald being the one to go out of the country.

Mr. Preyer. On the bullet, the two stretchers, was the Warren Commission clear that of the two stretchers against the wall in the basement, one was Kennedy's stretcher and one was Governor Connally's? I had a recollection that the President had remained on the stretcher during the entire time and I didn't recall that was clear in the report. Is it clear of the two stretchers one was Kennedy's and one was Connally's?

Mr. Sprague. I have been advised of that. I have been told by a member of the staff who has read that but I will check that.

Mr. Preyer. I was just wondering generally how much of any of this you thought might go into the report which I guess we will have next week.

The mention of six and a half million dollars has made me feel we should try to put as much strong medicine in that report as possible.

I wonder how much you think of what you have told us may be addressed to the point where we wouldn't be compromising
any future leads to put it in the report?

Mr. Sprague. I recognize what you say. The trouble is that each of these matters merits and calls for intensive investigation and I feel that disclosure would be premature at this point.

It would be very difficult when we have yet to be comparing typing with documents, when the questioner is speaking to

Mr. Preyer. So you probably wouldn't be able to complete that in one line of this inquiry by January?

Mr. Sprague. I will try to wrack my brain to see if there can be some allusion without disclosure, but I am afraid that the allusion that doesn't disclose doesn't achieve what you say.

Mr. Preyer. I can see the witnesses like the Mexican and so forth might take some time to track down and you wouldn't want to go into that until you have them.

Mr. Sprague. I also have the additional problem. I would like to show these transcripts to this typist and to the translator as well. There are notations there and I would like them to see those notations and see if they say they are theirs.

Mr. Preyer. Thank you.

Chairman Downing. Mr. Anderson.

Mr. Anderson. I couldn't be present at the hearing that
was held I guess a week ago Friday or Saturday because I was
out of the country when Mr. Phillips came in, so I am not aware
of how his testimony developed. Did he come in voluntarily
before the committee?

Mr. Sprague. As a result of a story that appeared in
The Washington Post we immediately interviewed Phillips. I
thought this was merely involving what was reported in the
paper as to what someone was orally stating and I thought we
ought to get from him directly what it is he has to say.
What in fact he told us was not quite as it appeared in the
paper. Then we thought we ought to get what he said under
oath as promptly as possible.

Mr. Anderson. He seemed to be totally cooperative?

Mr. Sprague. He appeared to be, although I must say that
I found there was a selective ability to recall and not recall
during the questioning process. I had some questions at some
points as to how forthright he was being with us.

Mr. Anderson. I am not familiar with what the statutes
are. Are there any prohibitions on former CIA people as to
what they can or can not disclose to someone like yourself
or a committee of Congress with respect to the activities of
the agency for which they once worked?

Mr. Sprague. I am not in a position to give you a
definitive answer. My belief at the moment is the only pro-
hibition is what they are obligated to pursuant to a contract
they signed with the CIA. I am advised that the CIA advised
Mr. Phillips prior to his responding to our subpoena under
oath that he was technically bound by that contract. Mr.
Phillips chose to appear and testify anyway. Mr. Thone was
very concerned about the CIA telling him that he was technically
bound by contract.

Mr. Gonzalez. May I interrupt?

In the Marchetti case where you actually had a hearing,
the court upheld the CIA contract.

Mr. Sprague. That is my understanding.

Mr. Anderson. Just one final question. You have actually
seen or someone on the staff has actually seen the transcript
of what the station chiefs got and did send back to CIA Head-
quarters in Washington with reference to this wiretap on the
Oswald conversation between the Cuban and Soviet Embassy, the
transcript that differs from the recollection of the tran-
scriber and the interpreter? You have seen that physically?

Mr. Sprague. The way you said it, Mr. Anderson is not
quite accurate. What Mr. Scott sent to Washington was a
cablegram.24

Mr. Anderson. It contained no reference?

Mr. Sprague. Right. He did not at any time send a
transcript of the conversation. There are two areas: One is
the transcript and the other is the cablegram. I have seen a
copy of the cablegram that they say was sent by the Mexican
station to CIA Headquarters in Washington and I have seen what they say are the transcripts of the taped conversation that was picked up.

Mr. Anderson. And they are as different as you have described them?

Mr. Sprague. Yes, they are.

Mr. Anderson. Both of those documents were turned over to you by CIA?

Mr. Sprague. They were furnished to me to look at. I frankly did not want to, at that time not having a security clearance, have them remain in my possession because I did not want to take the chance of something happening and the staff or me being accused of any leak or loss of the documents, so I looked at them and had them taken back.

Mr. Anderson. Thank you.

Mr. Gonzalez. One further matter. In the Gonzalez case the question was with respect to the publication of a book and this is a congressional subpoena, so we have an interesting situation there in case there were pressing points.

Mr. Sprague. I want to say to get to that point, second that Marchetti case is a different context. That had to do with their enjoining him from the publication of a book. The area that might apply here might have to do with executive orders, but the President of the United States, it turns out that the executive order in terms of classification and dis-
closure that the CIA operates under was the executive order issue, there is a question as to that limitation, and I frankly would think that the power of subpoena and investiga-

Chairman Downing. Mr. Stokes.

Mr. Stokes. Thank you, Mr. Chairman.

This morning during the presentation, Mr. Sprague, you mentioned to us a rather voluminous file which represents an inventory of the Memphis Police Department records from which you will ascertain what records you ultimately would like to have in your possession.

With reference to that Memphis Police record file, does it relate to just the day of the assassination and subsequent investigation or does it cover a period of surveillance of King prior to the assassination? What period of time are we talking about in terms of that file in your possession?

Mr. Sprague. There are indications here in the indexing of parts of the files that go into surveillance operations and Dr. King prior to the assassination as well as the investigation thereafter. There are indications of surveillance action by the Memphis Police as well as the Federal Bureau of Investigation prior to the assassination.

There is an appearance here also of a representative of the Department of Justice being at the Lorraine Motel at the
very same time Dr. King was assassinated, and allegedly it says they had a meeting with Dr. King, so there is some appearance of information concerning that person being there and the reasons therefor, which would have existed prior to the assassination as well. How far back in time I can not say.
Mr. Stokes. Have we had any further information or follow-up with reference to the historic files that came up at our last executive committee meeting?

Mr. Sprague. We have spoken to a police officer who has advised us that some of the files that have been destroyed by the Memphis police were surveillance materials on Dr. King prior to the assassination. We have not yet gone further on that particular area, although we are in operation to defer that to the coming week.

Mr. Stokes. I think I have just one further question. At our last executive committee meeting, you provided us with some information with reference to a former FBI agent who gave information to the type of heavy surveillance on Dr. King in the Atlanta area, and in the Memphis area, and the fact that when he left one jurisdiction he was picked up in the other jurisdiction, et cetera. Have you been able to follow up on that line of surveillance activity by the FBI?

Mr. Sprague. We are in the process, as I think I said previously, of trying to obtain from the House its other documents that they already have on the COINTELPRO operation, which was the FBI surveillance of Dr. King. We have not yet succeeded in getting those documents. We have learned the names of two other former FBI agents who were part of the surveillance of Dr. King, and we are advised they have
information they are desirous of giving us. We have not yet
gotten to that.

Mr. McKinney. Can I interrupt for a moment?

Why are you having so much trouble getting things in
the same building we are sitting in right now?

Mr. Sprague. Well, the technical side of it is that
through the Chairman we have contacted I guess it was the
Speaker's office. As to the other, we were referred to
the Clerk. We were told we would have to contact someone
who is in a position of being a representative for the committee.
It has just been a long drawn-out process. And I may throw
in we have had the same thing with regard to the Senate
intelligence area, where we go from one to the next, and then
we go to get hold of the chief counsel, and we are told he is
not going to be back in town for a couple of weeks. It is
that kind of thing. I am not saying we are not going to
get them. But frankly, at this moment it has not been
breaking my heart that we have not gotten them, because I
do not know that we can do much about them. We are now getting
in the process where I would like to get them. Rather than
any thought for the committee now, at our next meeting if we
do not have them and we are in the process to go ahead then,
I would get back to you on that.

Mr. Stokes. If I could have just one further inquiry:
In light of the lead that you now have that a member of the
Department of Justice was perhaps registered at the same hotel
as Dr. King, have you proceeded to attempt to get ahold of the
record of all persons registered at or about that time?

Mr. Sprague. Yes. And one of the other things we are
trying to do is find out, in the interviewing of witnesses,
what interviews existed even of this person, if he was
allegedly there, and if none, then why none?

Mr. Stokes. Thank you, Mr. Chairman.

Chairman Downing. Mr. Fauntroy.

Mr. Fauntroy. Thank you, Mr. Chairman.

I am interested in the handwriting, or the notes on the
transcripts of the conversations in the Kennedy case.

Do I understand you to say that the records which appear
in Washington had notation in handwriting that the subject
spoke poor Russian?

Mr. Sprague. That part is typed in.

Mr. Fauntroy. It was typed in.

Mr. Sprague. Typed in. On the side there is handwriting
that this is the translation from the Russian, and that
is in handwriting.

Mr. Anderson. Could I interject at that point?

Does that raise the possibility that we are talking in
fact about a couple of conversations, one where he spoke
English and one where he did speak poor Russian?
Mr. Sprague. It certainly raises that possibility. And that is one of the things that we are examining the totality, and whether one is talking about one, and someone else is talking about another.

The problem with that is, though, that in looking at what are the total transcripts, at least the CIA advised me what they showed, there is nothing there that conforms to what the people, the typist down in Mexico is saying, from that standpoint.

Mr. Fauntroy. The typist in Mexico indicates that she had no trouble typing the transcript because what she heard was in English.

Mr. Sprague. That is right. And I might also say, in response to Mr. Anderson as well, these two people, this translator and typist, state that on all calls to the Russian Embassies, they would be the ones to type and translate there would not have been anyone else.

Mr. Fauntroy. May I quickly go to the King matter?

Do I understand that the index of files available in Memphis includes both local police records and FBI records of all surveillance undertaken by the FBI in Memphis?

Mr. Sprague. I cannot say all surveillance. I can only say that the index indicates that there are surveillance records by FBI and local police here. But I would not say
that is all that there is.

Mr. Fauntroy. Is there any indication of informants which either the FBI or the local police had among the invaders, a group of young people who had been active in demonstrations and on whom they blamed the violence in the first demonstration?

Mr. Sprague. I do not see anything in the index that would indicate that. But we have not yet read and digested this material in any detail. All we have done is just go through and itemize what was there.

Mr. Fauntroy. But there is no indication of the source of what surveillance information they have on hand?

Mr. Sprague. I cannot even say that, Mr. Fauntroy, because we have not read what is there. All we have done is take what are the items that appear there. The analysis and reading of it is yet to be done.

Mr. Fauntroy. Thank you, Mr. Chairman.

Chairman Downing. Mr. Sprague, I would be interested in knowing how you set priorities on your leads. Now, I think we all understand the need for immediate investigation of Mr. Phillips, as that broke suddenly. The bullet theory is an important one. But you take the numerous irregularities in each case taking Kennedy for a moment now. There is information that there were two rifles in the Texas Depository, and that there is a deputy down there someplace in Dallas
that saw the other rifle. Have you got a list of irregularities and then you have a list of priorities? Just how do you work it?

Mr. Sprague. Well, the basic approach and of course again I have to repeat the basic investigation here cannot get underway until we get the staff to do the job.

In the interim, it is finding out all of the material that exists and where it exists. That seems to me to be one of the first steps what investigative reports there are, where are they, what is there, so that something doesn't then disappear. And that is one of the essentials that I think have to be undertaken and is being undertaken.

To the extent that we get some matters of information Phillips, I think we would be derelict in waiting there. The nurse and the Parkland bullet, she contacted us. I do not think as a matter of fact, I could not very well say to her, "Thank you for the call, we will see you six months from now."

So I think that calls for that kind of immediate response. And I may say the person with the information on Dr. King was someone who contacted us, willing to give this information. Again, I think we have an obligation there to respond immediately. I don't think I should say, "We will get to you a month from now."

But aside from these areas that I call of immediacy, I do not want to see us jumping off and just being like a little
jack-in-the-box jumping to any stimuli that occurs, because somebody in the Press wants to push a button here, someone wants to push a button there. The real way to proceed is to get everything that exists up to now, to know where it is, to get it reviewed, analyzed, every bit of physical evidence, what are the weaknesses there, where are the avenues that then have to be explored, where are the witnesses, what witnesses apparently were never followed through on. That seems to me the approach. And that is the best I can respond.

Chairman Downing. I was thinking of this.

If you could prove or disprove an irregularity, and then perhaps make that public, to not only show the American people that you are making progress, but show the Congress that you are making progress \( \frac{1}{M} \) is that possible? For instance, if you came up with startling news, "Yes, indeed, there were two rifles in that Texas Depository" \( \frac{1}{M} \) I don't think you would have any problem with any of those people down on the floor. On the other hand, if you came up with only one rifle in the Depository, then we would go on to the next one.

Mr. Sprague. The problem there, Mr. Chairman, if I may say \( \frac{1}{M} \) I am conscious of what you are saying. I guess in trying to keep this at a professional tone, and do a thorough job, just like I have felt it is not up to me to give any fictitious or padded figures \( \frac{1}{M} \) I really don't even
want to be in a posture of pump priming with the Congress.
I want to do a thorough job.

I think in the long run the evaluation and the analysis of what this committee does because I think it is going to be examined with a fine tooth comb, as it ought to be. I ought not even to be tarnished with the thought that we just went out and shot in and tried to create something for an immediate effect. I guess that is my best response.

Mr. Preyer. Would the gentleman yield? I was wondering on one point along that line, which would not be sensationalizing it, but which you have given some substance to here, that could be made in a report, is the incompleteness of the other investigation. You have mentioned the two student nurses who had not been seen by any investigator. And I understand these translators in Mexico, the ones who translated the intercept, have never been talked to by anyone.

Mr. Sprague. That is correct.

Mr. Preyer. Which is a rather startling commentary on the quality of the investigation.

Mr. Sprague. Mr. Preyer, isn't that amazing, that even the CIA, with the questions that have been raised about their own transcript, have never themselves gone back to the primary source as to who did it. That I find amazing.
Mr. Anderson. Mr. Chairman, following, I think, the trend of your question, and also Mr. Preyer's thought, and in my question I betray my ignorance of computer technology is it possible, because you will have some computer capability, as I understand it, tied into the House computer, to program a computer in such a way that you can somehow highlight and pinpoint the discrepancies that admittedly do exist in the papers that are now extant on this whole investigation, both investigations?

Mr. Sprague. Yes, Mr. Anderson.

Mr. Anderson. Is that one way of proceeding, in which you could rather quickly highlight a whole series of things that are questionable, and that deserve the amount of time and money and attention that will be given in this investigation?

Mr. Sprague. It is a way of proceeding. As a matter of fact, that is one of the reasons we are going to be using the computer. It is broader based. In fact, it could be doing exactly that in terms of discrepancies and corroboration. It works both ways. The problem at the moment is it would be impossible in the time frame between now and frankly the end of this year to be able to program and do that.

Mr. Gonzalez. Also financially, isn't that correct?

Mr. Sprague. Oh, yes. We do not even have the money.

Mr. Gonzalez. You don't have the $100,000 for that.
Mr. Sprague. We are down to just about $25,000 at this moment.

Mr. Gonzalez. We have a Catch-22 proposition here.

Mr. Fauntroy. Mr. Chairman, pursuant to the point which you raised, and which Mr. Anderson mentions, I admire the thoroughness and ground work, the approach you have been taking, to the investigation. But I have been in a sort of a dilemma, personally, about how to proceed. In the first instance, I recognize we do need a little something to take to the floor, and we need public interest stimulated if we are in fact to be able to do the thorough job that you outline here.

I have wondered whether or not it might be useful to have someone on the staff, or a small group on the staff, to go over thoroughly much of the research, many of the books that have been written some of them positing theories about how the assassinations were carried out and by whom, and that sort of thing, with a view to arriving at one, two or three propositions that have been made by some of those some have seemed to be very thorough in their investigations as a starting point, to see if there is in fact anything there.

Mr. Sprague. Well, my problem is, Mr. Fauntroy, that

Mr. Fauntroy. Let me first say I have read so much now,
and I am so confused by the many, many theories, that I welcome
what I call the grate-laying you are now doing in terms
of finding out the sequences that in fact happened, when, and
where $\frac{1}{4}$ we are going to need that to straighten it out.

Mr. Sprague. That is the problem.

I am looking at it, maybe improbably in the long
road, because maybe we will never get to travel that long road.
But assuming we do, I do not think it would do us well
if in that long travel, we put ourselves in the position at
the beginning of giving the indication, now that we are
on the road, started the investigation, of just shooting
off in terms of somebody's theory here and there. I really
think total impartiality is what is essential for our own
investigation.

Chairman Downing. Are you now or would you next week be
in a position to say that the Warren investigation was not
a complete investigation?

Mr. Gonzalez. Excuse me for interrupting before
you answer. Let me say this, Mr. Chairman. I don't think
that we should have to try to reach for the sensational, or
the tantalizing thing, to dangle before the Members of the
House, in order for us to get the approval for this. We have
to confront each and every Member of the House as if it
were us, that is assuming that they are men of good reason
and all. Because just as many of the critiques and the theories
and the hypotheses that you have in both homicides, you
have almost an equal number of apologists that is people
writing books sustaining those findings. So I think if
we get into that, we are going to be chasing rabbits right off
at the beginning and we will get lost.

I think we have got to look at it this way. And the
reason I interrupted before I even gave him a chance to answer
his the Warren Commission. I have even seen members
of the Congress say, "We are reopening that." We are not reopening anything. This is the first time it has ever been done.
The Congress has never undertaken this.

I had a reporter argue, "Well, you had the Church
Committee, you had the Pike Committee." It is not the same thing.
They never had a grant of authority to look into this.
They stumbled upon some peripheral matters in looking into
the intelligence agencies of the Federal Government that had
to do with Kennedy, that had to do with Martin Luther King.
But they were peripheral. They never had the authority,
they never had the resources to go into this.

Now, what we are saying is Look, 'Mr. House', you
gave us $150,000 to start. We are doing the best thing
we know how, which is to get the best expertise available
on a professional basis, here is the consensus, it was being
given to us first, we have had a chance to shoot at it, and
we have got to take that risk. I think if we try to say
we know now, and we can tell even at this point the Warren
Commission was defective partially or in toto, I think, Mr.
Chairman, we might be really flirting with trouble, even if
we got the $6 million.

Mr. Sprague. Mr. Chairman, I didn't get to answer, but
I really feel Mr. Gonzales answered for me.

Chairman Downing. I think that is a pretty good answer.

I think we all admire your thoroughness.

You just bring in a report next week.

Mr. Gonzales. Let me say this: We cannot minimize.

This is sensational, just what has been done thus far.

Well, what is this? Well, one, none of these witnesses, including
Marie Niles, has ever testified under oath. We cannot expect
of the Warren Commission a power that could rise and be inherent
in the Executive Branch of the Government. It was an ad
hoc situation, to try to address itself to the nation at a time
of trauma and high emotionalism, and where all kinds of
theories were batted around. We had a similar thing in the
case of the murder of Martin Luther King, Jr. You had rioting,
you had emotions people said, "Aha, we know it." But now
we have a brilliant opportunity to look at this in retrospect
and not so far off where you don't have more living witnesses
than those dead, where we still have available some documentation

Our task is going to really be big, and that is to talk
to those who voted for it who are still with us, those who
didn't, and somehow convince them. This is the reason I asked the question earlier this morning. Maybe even on an initial fragmentary basis \( \frac{1}{3} \), maybe they will say, "We can't give you $6 million for the whole year, but we will give you one-third of that for one-quarter of the year."

I don't know whether that is feasible or not. But at least we have got the flow of resources on the level we feel are required.

But I don't know \( \frac{1}{3} \). I have faith it is going to be sold. We will have to call on you, Mr. Chairman, even though you won't be here after January 3. But I think the influence is still there.

Chairman Downing. I have faith in the manner in which the staff is proceeding.

Mr. Fauntroy. Mr. Chairman, may I just ask in that regard \( \frac{1}{4} \), could a part of this report be the listing of the unanswered questions that we have with respect to the plea of guilty by Ray?

Mr. Sprague. Yes. And in making the report, I will be conscious of the thoughts that are suggested here. But I would also like to respond with one comment to Mr. Gonzalez.

You cannot have funding for a third of the year or half of the year. There is no way that we can get the competence and the kind of staff that we need, and say to them, "We can only tell you you are going to be employed
from now to March, or now to June. It is problem enough. The other would make it impossible. The other would make it impossible.

Chairman Downing. Okay. Any further questions of this witness? If not, the committee is adjourned, and we will meet again on Friday, December 17, at the call of the Chair.

Whereupon, at 4:25 p.m., the committee adjourned to reconvene on Friday, December 17, at the call of the Chair.