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JFK ASSASSINATION SYSTEM

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HEARINGS

Before The

SELECT COMMITTEE ON ASSASSINATIONS

HOUSE OF REPRESENTATIVES

EXECUTIVE SESSION

August 15, 1978

Albany Reporting Company, Inc.

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EXECUTIVE SESSION

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Tuesday, August 15, 1978

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

The Committee met, pursuant to notice, at 5:17 o'clock p.m.
in Room H-328, the Capitol, the Honorable Louis Stokes (Chairman
of the Committee) presiding.

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

Also present: G. Robert Blakey, G. Cornwell, J. Wolf,
P. Beeson, E. Evans, A. Hausman, W. Collins, W. H. Cross and
I. C. Mathews, Professional Staff Members.

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The Chairman. A quorum being present for the meeting, the
meeting is now called to order.

Mr. Blakey?

Mr. Blakey. Mr. Chairman, a number of the issues involved
in the investigations on both the Kennedy and King sides will be
presented to the Committee this afternoon. It will be appropriate,
therefore, to go into executive session.

Mr. Sawyer. So move.

1 The Chairman. It has been properly moved that the Committee,
2 for reasons stated, now go into executive session.

3 The Clerk will call the roll.

4 The Clerk. Mr. Stokes.

5 The Chairman. Aye.

6 The Clerk. Mr. Devine.

7 Mr. Devine. Aye.

8 The Clerk. Mr. Preyer.

9 Mr. Preyer. Aye.

10 The Clerk. Mr. McKinney.

11 (No response.)

12 The Clerk. Mr. Fauntroy.

13 (No response.)

14 The Clerk. Mr. Thone.

15 (No response.)

16 The Clerk. Mrs. Burke.

17 (No response.)

18 The Clerk. Mr. Sawyer.

19 Mr. Sawyer. Aye.

20 The Clerk. Mr. Dodd.

21 Mr. Dodd. Aye.

22 The Clerk. Mr. Ford.

23 Mr. Ford. Yea.

24 The Clerk. Mr. Fithian.

25 Mr. Fithian. Aye.

1 The Clerk. Mr. Edgar.

2 Mr. Edgar. Aye.

3 The Clerk. Seven ayes, Mr. Chairman.

4 The Chairman. Seven members having voted in the affirmative,
5 this meeting is now declared to be in executive session. All
6 members of the public are asked to remove themselves from the
7 room.

8 Mr. Blakey.

9 Mr. Blakey. Mr. Chairman, the first item of business is a
10 matter that has occupied the attention of the Kennedy Subcommittee.
11 The Subcommittee has attempted through a subpoena to secure the
12 gun that Jack Ruby used in shooting Lee Harvey Oswald in order
13 that it might be examined by the ballistics panel. Congressman
14 James Maddox has dealt with one of his constituents who had the
15 gun, and I understand he is present today to turn the gun over
16 to the Committee in compliance with that subpoena.

17 The Chairman. Mr. Maddox, you have heard the statement of
18 Mr. Blakey. Is there a response you have to that?

19 Mr. Maddox. Mr. Chairman, I have the gun with me today.
20 I frankly, it is the opinion of Mr. Mayer, Jules Mayer, the
21 independent executor of the estate of Jack Ruby, that he was
22 never properly served with subpoena and that he is not under
23 actual subpoena because it was not adequate and legal, but he
24 has agreed to voluntarily tender the weapon through me to the
25 Committee, and his principal concern and his lack of cooperation

1 thus far has been based on the continuing fear that he has at
2 this point and probably will have in the future that this Committee
3 and through the government, might take possession of the weapon
4 and not return it to him, and he would not be able to carry out
5 the rest of his functions of closing out the estate. He has
6 been offered \$125,000 for it in a cashier's check which he
7 rejected, and he thinks that the weapon will ultimately sell
8 for \$200,000 to \$250,000.

9 And he is prepared to turn it over. The one thing he would
10 like to have on the record is the assurance of this Committee,
11 the assurance of the Chairman, that this weapon will be returned
12 to me or to him as soon as tests have been completed on it, and
13 that it will not be maintained in the government's possession
14 unless there be some further justifiable reason indicating
15 something should develop that is beyond what would be our recognition
16 at this time.

17 The Chairman. Mr. Blakey, do you have a further response
18 to Congressman Maddox?

19 Mr. Blakey. I would only add, Mr. Chairman, that the staff
20 has made every effort to make it clear to Mr. Mayer that there is
21 no intent to seize the gun. It is only necessary to make it
22 available for a relatively short period of time to the ballistics
23 panel, and the intent always was to return it to him, and that
24 intent has been so stated to both Congressman Maddox and to Mr.
25 Mayer.

1 The Chairman. So that the record is clear, firstly, and
2 that there be no problem in examining this gun, under circumstances
3 where it will not be in any way injured or caused to be in
4 disrepair, and you will attempt to have the work done by the
5 ballistics panel as soon as possible and returned expeditiously
6 to either Mr. Mayer or Mr. Maddox.

7 Mr. Blakey. That is correct, Mr. Chairman.

8 Mr. Maddox. Mr. Chairman, I think that would be adequate
9 if that is the statement and intent of the Committee.

10 One thing I would point out, the subpoena asked for
11 cartridges to also be brought to the Committee. There were car-
12 tridges with the gun at one time, of course, when Mr. Ruby
13 actually committed the murder. Those cartridges are not in the
14 possession of the estate, and I suspect that the Dallas police
15 or somebody else has taken them as souvenirs or something, but
16 they are not now in that possession.

17 I would tender the gun to the Committee with the expectation
18 again that as soon as the Committee could get it back to me,
19 hopefully it would be back by the time that the recess is over,
20 and perhaps it could be that quick because I feel rather uneasy
21 about it. I had to give the man my word that I would give it back
22 to him, because I am going to tell you, he was in the mood, because
23 of the concern about the future of this Committee and also past
24 actions of the government, he was in the mood to defy this
25 Committee's subpoena, and I think that there may have been adequate

1 grounds for him to do so because I don't think it was served
2 adequately.

3 But his particular concern is the same problem that has
4 existed in trying to obtain possession of the rifle that is now
5 in the Archives that was part of the estate of Lee Harvey Oswald
6 which the Government has, I think, in a summary type fashion grabbe
7 on to, and now despite the fact that they have spent \$75,000
8 trying to get it back, have not been able to do so, and he really
9 can't afford to deliberate this matter that long.

10 So I would deliver this now.

11 (Whereupon, Mr. Maddox tendered the pistol to Mr. Edgar.)

12 The Chairman. All right. We certainly want to thank you
13 for having interceded in this matter and having taken the time
14 to help the Committee acquire the acquisition of the gun, and
15 I assure you we will do everything in terms of returning it to
16 you as necessary.

17 Mr. Fithian.

18 Mr. Fithian. At the proper time, I would like to inquire of
19 Congressman Maddox what assurance we have that this is in fact
20 the gun, before we proceed?

21 Mr. Maddox. Mr. Chairman, if I might respond to that,
22 that gun bears the serial numbers of the gun that was suggested
23 on the subpoena. There has been some conflict as to the exact
24 serial numbers, but I think that these are very close and very
25 similar. There is a dispute as to whether the initials on it

1 are WL or WI or something else, but I think it is pretty
2 evident now.

3 Also, the initials that you will find that are scratched
4 in the gun, and the dates that are scratched on it, you will note
5 that there are quite a number of dates and quite a number of
6 initials scratched on it. Those were part of the chain of
7 evidence that were scratched into the gun by the officers that
8 picked the gun up, took it into their possession, and ran it
9 through the court processes, the normal chain of evidence
10 procedure that is used, particularly in the criminal courts, in
11 Texas, and that is basically what they are. I have no doubt
12 in my mind that that is the gun.

13 I will point out to you also, there was some question, I
14 think at one time, about where Jack Ruby got the gun, and the
15 gun, the best I can tell, was purchased as Ray's Sporting Goods
16 on Singleton Avenue in Dallas in January 1960, and the one thing
17 I would tell the Committee, though I'm not sure if it has any
18 real merit to it, but at the time the gun was purchased, Jack
19 Ruby was in the presence of a lieutenant on the Dallas Police
20 Department, and the Dallas Police officer took Jack Ruby in there
21 to get the gun. The police knew very well that Jack Ruby habitually
22 carried the gun in his possession. There was never any doubt about
23 that, that he did.

24 And one other thing that I think that is interesting, too,
25 is that Jules Mayer, the independent executor of the estate, was

1 the first individual that Jack Ruby called after committing the
2 murder, and I don't believe that the Warren Commission -- and
3 although he visited Jack Ruby and several other people, I don't
4 believe the Warren Commission ever talked to Mr. Mayer about his
5 feelings concerning the gun or -- and he was a very close friend of
6 Jack Ruby and had been his personal attorney the entire time that
7 he was in Dallas.

8 And so it may be something that somebody might want -- I
9 don't know that he has anything to offer. I quizzed him to see
10 if there was anything to offer there, but I don't think that
11 there is anything in particular.

12 The Chairman. Thank you very much, Congressman Maddox.

13 Mr. Maddox. I will be expecting to hear from you.

14 The Chairman. Is that a vote that is on now?

15 All right, we have an immunity order next before us, a
16 resolution for immunity.

17 Can we have a resolution?

18 Mr. Blakey. Mr. Chairman, you have before you a draft
19 resolution authorizing the staff to apply for orders of immunity
20 for a number of individuals, all of whom are involved in
21 continuing efforts on the King side. I would be glad to answer
22 any questions about it.

23 Mr. Devine. Who are they? Who is to gain? You have got
24 ten people?

25 Mr. Blakey. Burns has refused to be interviewed by the

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WITHDRAWAL NOTICE

1 (No response.)

2 The Clerk. Mrs. Burke.

3 Mrs. Burke. Aye.

4 The Clerk. Mr. Sawyer.

5 Mr. Sawyer. Aye.

6 The Clerk. Mr. Dodd.

7 Mr. Dodd. Aye.

8 The Clerk. Mr. Ford.

9 (No response.)

10 The Clerk. Mr. Fithian.

11 Mr. Fithian. Aye.

12 The Clerk. Mr. Edgar.

13 Mr. Edgar. Aye.

14 The Clerk. Ten ayes, Mr. Chairman.

15 The Chairman. Ten members having voted in the affirmative,
16 the resolution is adopted.

17 Those are the second bells. Shall we go vote and come back?

18 (A brief recess was taken.)

19 The Chairman. A quorum is present. The Committee will come
20 to order.

21 Mr. Blakey?

22 Mr. Blakey. Mr. Chairman, the next item of business requires
23 some preface. As a number of members of the Committee are aware,
24 on the Kennedy side, the staff and a number of members of the

1 City attempting to make a determination of how well the Agency
2 performed in Mexico City.

3 I am sure you will recall that Oswald was down there, that a
4 photograph was sent back up to the United States shortly after
5 the assassination that was not Lee Harvey Oswald, although
6 identified as such by the Agency people, and there has been a
7 great deal of controversy over how well the Agency performed in
8 Mexico City. Indeed, the Cuban government has recently challenged
9 the Agency, suggesting they had foreknowledge of the assassination
10 and made an effort to pin it on the Cuban government.

11 What has happened with us is that we finally had a breakdown
12 of communications and negotiations, and there are several items
13 that the Agency has simply finally refused to give us access to
14 in an unsanitized form, and we have before you this afternoon a
15 suggested subpoena to Admiral Turner asking for those materials.

16 They are a three-volume history of the CIA Mexico City
17 Station prepared by one of the witnesses that has appeared before
18 the Committee, a Miss Annie Goodpasture. It covers the period
19 1969-1970, but it takes up all of the key figures and the sur-
20 veillance and other operations in Mexico City.

21 The second is all files and file references to Maria Teresa
22 Parenza, who was an employee of the Cuban consulate who we have
23 reason to believe was called back to Cuba by the Cuban
24 government because of her contacts with Lee Harvey Oswald. It is
25 essential that we have an opportunity to read this file prior to

1 the upcoming trip to Cuba being undertaken by Chairman Preyer.

2 In addition, it calls for or would call for a debriefing
3 memorandum obtained from a Cuban defector known as AMMUG 1.

4 This Cuban defector apparently was in a position to know what
5 was going on in the Cuban consulate at the time, and some of the
6 debriefings should cover that material.

7 Next is photographic mug books shown to AMMUG 1. His ability
8 to identify various key people in the embassy and consulate down
9 there seems to us to be very relevant to our work.

10 And finally, all files and file references to a man named
11 William Harvey. Harvey is the Agency employee who was basically
12 in charge of the executive action program which included the
13 assassination attempts on Mr. Castro. Harvey is a central
14 figure in the Senate's investigation, and for the same or similar
15 reasons has been a central figure in our investigation. And they
16 have declined to allow us to see his personnel and security
17 files. These would include, for example, his Agency performance
18 ratings, a description of his job and job performance.

19 We have had a number of conversations with Agency people over
20 this, most recently on Friday Gary talked to Scott Breckinridge,
21 and in fact, the Chairman and some of the Agency people met on
22 a different issue, but this matter was discussed on Friday.
23 On Monday Gary finally sat down and discussed with the Agency
24 people this material, and from our perspective on the staff, what
25 they want to do is discuss and discuss, and we simply are not

1 getting the kind of performance in terms of turning the material
2 over to us, that had been promised all along. And since the
3 Committee will not be in session or be available to us from the
4 end of this week through virtually the beginning of our hearings,
5 this ks kind of the failsafe point. Either we subpoena them
6 now, returnable this week, so that we can continue to examine
7 them between now and September, and particularly have the benefit
8 of it before the Cuban trip, or the Agency in effect has
9 denied us access to them. If they are going to deny us access
10 to them, it is the staff's recommendation to the Committee that
11 that be done in the teeth of a subpoena and not in further
12 negotiations.

13 So we brought the issue to you and are making the recommenda-
14 tion to you that as a Committee, you vote to subpoena Admiral
15 Turner and he produce these documents by Friday, the subpoena to
16 be executed tomorrow.

17 I would be glad to answer any questions. Gary Cornwell is
18 here to respond to any questions.

19 Mr. Dodd. Do you have any idea why they have taken this
20 attitude all of a sudden? Is there any reason for it other
21 than the materials? Is there some reason, some problem with the
22 Committee?

23 Mr. Blakey. No. What we have observed is a response by
24 the Agency that is varying depending on the material we have
25 asked for. They have been very free in turning the material over

1 in the basic Oswald file. Two areas have been very sensitive with
2 them. One is the defector issue. That we have been able to
3 negotiate.

4 But the deeper we have gotten into the Agency's performance
5 in Mexico City, the more difficult they have gotten in dealing with
6 us, the more they have insisted on relevance, the more they have
7 gone back, in effect, on their agreement to give us access
8 to unsanitized files. For a while we had general and free access
9 to unsanitized files. That is increasingly not true in the Mexico
10 City area, and this is just the point at which push comes to
11 shove. They have not given us access to this material in such a
12 way that we can use it to finish our work, and I think it goes
13 to -- well, Congressman, I would have to say there's two ways
14 to view it. One way is they are terribly concerned that we are
15 looking into something and will find something wrong, and they are
16 therefore attempting to protect themselves by building the
17 fences of relevancy and other good arguments.

18 A second way of looking at it is that we are touching on
19 very sensitive issues of Agency performance and sensitive sources
20 and methods, and therefore, the kind of change in administration
21 that has most recently occurred out there with Scott Breckinridge
22 in charge, and there have been a number of people who have come
23 and gone as they have dealt with us. This Breckinridge is
24 just drawing the line at this point.

25 The Chairman. It is an area that we have spent an awful

1 lot of time in areas of negotiation, and I have sat there with
2 Admiral Turner, and we have sat there with three of his other
3 top people, including Scott Breckinridge. On another occasion
4 he sent Barbara Watson over to my office on one occasion to talk
5 about it. They put in an awful lot of time.

6 This is an area in which they have suddenly become resistant
7 and extremely sensitive, for what reason we do not know, but we
8 have spent an awful lot of time, and we can try to negotiate.
9 The only area -- and we tried there to indicate that we were not
10 trying to ask for something that we really don't need to see. The
11 raised the question about personnel files having a lot of raw
12 data in there about a person that is unsubstantiated, uncorroborate
13 and so forth, and we explained that we are not looking for that
14 kind of thing, that we are not interested in that, but we do have
15 to be able to ascertain double agent situations that relate to
16 employment and so forth, and they have just been totally and
17 positive there.

18 So there is something in this area that they are extremely
19 sensitive to.

20 Mr. Devine. Mr. Chairman, have you been able to approach
21 it on the basis of a one-on-one off the record? I am not sure
22 our desire is to see these things based on that it is absolutely
23 essential or that we are curious to find out what they won't
24 tell us because their history has been total cooperation up to
25 this point.

1 Now, I don't know whose word you are willing to take, but
2 if Admiral Turner were to talk to you personally and only to you,
3 off the record, and tell you what is and what isn't in there, it
4 might satisfy you that it is not essential to the conduct of
5 our investigation.

6 The Chairman. Well, a part of their objection is this. It
7 is just like with reference to some Mexico City agents, that we
8 feel it is necessary for us to personally talk with. And we know
9 who the agents are, we know their names, so they are not really
10 withholding anything in terms of that. We know and can identify
11 the agents.

12 Mr. Devine. Do they know that we know?

13 The Chairman. And what we have said is we want to personally
14 talk with them, and their position is this: this establishes
15 a precedent, when it becomes known worldwide that they have
16 permitted their agents to sit and talk with us, foreign agents
17 to sit and talk with us. So we tried to compromise the situation.
18 We said, okay, we are willing for an intermediary type situation,
19 provided we can select someone whom we have faith and confidence in
20 their integrity, and we will let them be the intermediary.

21 Well, they came back with a counter proposition, that they
22 would utilize two retired admirals who are now part of the
23 CIA in another capacity who would be the intermediaries between
24 the Committee and the agents, and the agents would be in another
25 room and we wouldn't be able to see what happened in the other

1 room. We would just get a reply when they came back into our
2 room with an answer. And we said no, let's take, and Bob named a
3 man who has impeccable credentials in terms of integrity, who is
4 a part of the National Security Agency that has supervision over
5 them, and they rejected him, and he is on the Commission that has
6 supervision over them. So that gives you some idea of how sensitive
7 they are about this situation.

8 Mr. Dodd. Well, also Sam, if you would yield on it, you know,
9 Mr. Chairman, if you would end up in a private discussion -- and
10 I appreciate your idea, Sam, but I just worry about at that time
11 you become then, in a sense, a part of that information and
12 whether or not you uphold it or not, that puts an awful lot of
13 burden on you.

14 The Chairman. Well, that's what happened to the Warren
15 Commission.

16 Mr. Dodd. I think that is a fatal flaw.

17 Mr. McKinney. It seems to me, Mr. Chairman, Counsel and
18 staff feel we really need this material, and it sounds from the
19 description that we really do. You know, I am getting a little
20 concerned that we are going to have our own critics on this, and
21 they are not only going to be critics of what we come up with, but
22 they are going to be critics of Congress and Congress's ability
23 to do anything, and we have spent \$4 million of the public treasury
24 already, and it seems to me that we should go ahead and get this
25 because I don't think we want to come out with a report that has

1 a great gaping spot in it, which we would have to admit to, at
2 least I would have to admit. I mean, I would feel in my views
3 that I would have to state the total lack of cooperation on the
4 part of the CIA over events in Mexico limited this Committee
5 from following through to the end a course of action. It is
6 really sort of the basic principle. I guess here, you don't
7 want to destroy the security of the country, but at the same time
8 I think this Committee has been pretty damned good. It is
9 only the room that we are sitting in that has been pretty bad
10 to us since we have started, and that we have to go ahead, that
11 we are mandated to go ahead. To me it comes down basically
12 as to who runs the damned government. The way I read the
13 Constitution, this House passes the laws and makes the determina-
14 tion. Other people execute those laws, and I think when you
15 turn around to non-elected executive officials and turn around
16 and say that they can override the law and the will of the
17 Congress, you are in bad shape.

18 And for this Committee to condone it to me is almost an
19 impossibility.

20 The Chairman. I would be willing to say that the Chairman is
21 disposed to take the action, but prior to having the staff actually
22 get service on it, I would call Admiral Turner one more time
23 to know the action has been taken by the Committee in case they
24 want to avoid, you know, this type of public confrontation.

25 Mr. Fithian?

1 Mr. Fithian. Mr. Chairman, two questions. If we vote the
2 subpoena, what are the prospects of keeping it nonpublic?

3 Mr. Blakey. Nobody in this room will let it out, and I am
4 sure the Agency won't.

5 Mr. Fithian. So it really wouldn't be a public confrontation?

6 Mr. Blakey. If they fail to produce on Friday, then the issue
7 is what does the Committee do in light of contempt on the part of
8 the Admiral.

9 Mr. Fithian. Second, if they comply, who among the Committee
10 or the staff really needs to see this?

11 Mr. Blakey. Very limited. It would be on a need to know
12 basis. I would say the number of people who have had access to
13 the Mexico City stuff, less than five.

14 Mr. Cornwell. That is the number that is working on it.
15 One factor, in light of your question, is much of the material on
16 the face of the subpoena is still classified. The fact that the
17 CIA has a station in Mexico City is not public and they feel
18 very sensitive about it. The cryptonym of the Cuban defector is
19 classified information.

20 Mr. Blakey. It is suggested that they classify the subpoena.

21 Mr. Devine. Is the life of the informant going to be
22 endangered here? I think that is a very serious risk we talk
23 about if we go talk to their informants every time public
24 knowledge, or it is learned by someone outside the CIA.

25 Mr. Blakey. No, correct me if I am wrong, Gary, but I do

1 not believe this involves our -- this does not involve our
2 effort to get access to the informant. This involves their file.

3 Mr. Devine. I thought you said there were informants we
4 wanted to talk to.

5 Mr. Blakey. That is an issue we have recently faced, Mr.
6 Devine.

7 Mr. McKinney. We already know who the informants are, right?

8 Mr. Blakey. We know most of the informants in this area,
9 yes.

10 Mr. Dodd. What happens on Friday if they don't comply with
11 the subpoena? What are the steps that have to be taken?

12 Mr. Blakey. The next step would be to bring it back to
13 the Committee for a recommendation on the floor for contempt. I
14 take it there would be negotiations with the Agency, but basically
15 we would have taken the first step toward insisting that they
16 live up to the subpoena.

17 Mr. McKinney. Nothing needs to be mentioned on the floor as
18 to what we were after.

19 Mr. Fithian. One other question, Mr. Chairman.

20 The Chairman. Mr. Fithian.

21 Mr. Fithian. If this all kind of flares up here on Friday
22 on the heels of what we are doing this week and in the light
23 of the September business that we have to tend to as a
24 Committee, how big a gamble is this?

25 Mr. Blakey. Mr. Fithian, I have to really to say to you is

1 that it is mostly that we may or may not get our money in
2 September.

3 Mr. Fithian. I am not talking about that.

4 Mr. Blakey. The same thing is I think we either do this
5 now or we don't do it, and if we don't do it, in effect, we
6 concede to them the right to tell us what files we can look at.

7 Mr. Fithian. I understand the principles, Bob. My question
8 is a practical one and that is what is your judgment or the
9 Chairman's judgment or anyone else's here?

10 Mr. Blakey. I think they'll fold.

11 Mr. Fithian. As to what it does in terms of what we are
12 presenting and will present now and ultimately in the King case,
13 for example, or in the Kennedy case.

14 Mr. Preyer. You are speaking of if it becomes public
15 knowledge.

16 Mr. Fithian. If it becomes public knowledge, if we have
17 to go to the floor of the House, if we get into a real donnybrook,
18 do we run a chance of ending this Committee as we began, in
19 which case, all the intervening time might have been so much --

20 Mr. McKinney. If the gentleman would yield a moment, I mean,
21 aren't you going to have to have a clear conscience? I mean
22 now that you know this. I mean, I didn't know this. Aren't you
23 going to have to put in your views of this, that information
24 was withheld from you and therefore this Committee has not done
25 a complete job? We have invalidated our work for two years by

1 that very statement.

2 Mr. Fithian. Well, of course, I would join you in the
3 dissenting view of whatever is written, that we did not carry
4 out and we were prevented from carrying out the full mandate of
5 the Congress. I don't know how I should vote on this. I suspect
6 I'll support Chief Counsel, but my concern is whether or not
7 we have looked at the high risk of the roll of the dice as we
8 are now ready to throw them, and if we are, or if I am not mistaken,
9 you know, we have a very tenuous acceptance in the world anyway,
10 and more people remember our first month than our last 16, and if
11 we add to that one final month of embroglio, does that kind of
12 nullify everything we have done?

13 Mr. Preyer. Mr. Chairman, we can, if we make it returnable
14 Friday we don't have to make a decision -- do we have to make a
15 decision on whether to go to the floor on it?

16 Mr. Blakey. No, that can be postponed.

17 Mr. Preyer. The problem you are talking about can be post-
18 poned.

19 Mr. Blakey. It can be postponed. An effort to enforce the
20 subpoena can be postponed until after we have got our money or
21 not got our money, in which case it won't make any difference
22 anyway.

23 The Chairman. You know, someone expressed a concern here
24 about possible danger to someone. Let me just read this part of
25 the subpoena and what it says. "And to bring with him the three-

1 volume history of the CIA Mexico City Station operation prepared
2 by Ann Goodpasture in 1969-1970; all files and file references
3 to Maria Teresa Parenza pertaining to events and transactions
4 involving her between September 1, 1963 and January 31, 1964; all
5 debriefing memoranda which reflect or relate to information sought
6 or obtained from the Cuban defector known by the cryptonym
7 AMMUG-1, and copies of all photographic mug books shown to AMMUG-1,
8 and all files and file references to William Harvey, including
9 but not limited to personnel and security office files for the
10 period '59 through '66.

11 And who is William Harvey, Gary?

12 Mr. Cornwell. He was a CIA agent who was, among other
13 things, in charge of the Agency's attempts to assassinate Castro
14 in what the Church Committee has called the second phase of
15 that operation.

16 The Chairman. Is there any further discussion?

17 Mr. Fauntroy. Mr. Chairman, may I move we serve the subpoena?

18 The Chairman. It has been properly moved that the subpoena
19 be served.

20 Mr. Fauntroy. Issued.

21 Let me be proper.

22 The Chairman. The subpoena issued.

23 Okay, it has been properly moved.

24 The Clerk will call the roll.

25 The Clerk. Mr. Stokes.

1 Mr. Stokes. Aye.

2 The Clerk. Mr. Devine.

3 Mr. Devine. No.

4 The Clerk. Mr. Preyer.

5 Mr. Preyer. Aye.

6 The Clerk. Mr. McKinney.

7 Mr. McKinney. Aye.

8 The Clerk. Mr. Fauntroy.

9 Mr. Fauntroy. Aye.

10 The Clerk. Mr. Thone.

11 (No response.)

12 The Clerk. Mrs. Burke.

13 (No response.)

14 The Clerk. Mr. Sawyer.

15 Mr. Sawyer. Aye.

16 The Clerk. Mr. Dodd.

17 Mr. Dodd. Aye.

18 The Clerk. Mr. Ford.

19 Mr. Ford. Aye.

20 The Clerk. Mr. Fithian.

21 Mr. Fithian. Aye.

22 The Clerk. Mr. Edgar.

23 (No response.)

24 The Clerk. Eight ayes and one no, Mr. Chairman.

25 The Chairman. Eight members having voted in the affirmative,

1 Mr. McKinney. I want to tell you, Bob, seriously, I watched
2 an antiwar protest in front of the Waldorf-Astoria in New York,
3 in fact, I was part of the damned thing. It was the most peaceful
4 antiwar protest I have ever been involved in in my life. There
5 were 30 kids up the street about two blocks away raising hell and
6 they broke one window, and that is all I saw on television all
7 night, and if he is planning his little games, he will have a
8 portable camera standing out there in the hallway watching
9 them.

10 Mr. Dodd. Well, there is nothing we can do about that.
11 If he is going to do that, he can do that. I mean, that will go
12 on all week.

13 Mr. Edgar. Can I make a suggestion before we break up?
14 Does it make sense for us to be there at 8:30 tomorrow as
15 opposed to 9:00 o'clock, just to be there in our place, or
16 should we come right at 9:00 o'clock?

17 Mr. Devine. I think the marshals and the security are
18 all scheduled on a time basis.

19 Mr. Edgar. Not that we should start the hearings, but
20 just in terms of presence.

21 The Chairman. Do we need anything more from the members?

22 Mr. Dodd. Before we break, Mr. Chairman, I would like to
23 make one short comment, and that is that we are beginning tomorrow
24 what may be the toughest three days we have of the hearing, and
25 I know, without even saying it to anyone else, the other Committee

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1 members, I know I speak for everyone in this room when I say
2 you have done a marvelous job, Bob has, throughout this entire
3 process, over the last 16 months, and we are going to win
4 this thing. We are going to come out on top, and you have got
5 ten other people standing behind you tomorrow, and we'll beat
6 the son of a bitch, and you can quote me on that.

7 The Chairman. All right, thank you.

8 (Whereupon, at 7:10 o'clock p.m., the Committee recessed,
9 to reconvene Wednesday, August 16, 1978.)

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