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SELECT COMMITTEES ON INVESTIGATIONS

HOUSE OF REPRESENTATIVES

EXECUTIVE

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UNIVERSITY MICROFILMS

EXECUTIVE SESSION - CONFIDENTIAL

PENDING BUSINESS

- - -

TUESDAY, DECEMBER 6, 1977

U.S. House of Representatives,

Select Committee on Assassinations,

Washington, D. C.

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9 The committee met at 10:20 a.m., pursuant to notice, in
10 room H-140, the Capitol, Hon. Louis Stokes (chairman of the
11 committee) presiding.

12 Present: Representatives Stokes, Preyer, Fauntroy, Dodd,
13 Edgar and Thone.

14 Professional staff members present: G. Robert Blakey,
15 R. Lehner, J. Wolf, T. Howarth, E. Berning, M. Wills and
16 W. Cross.

17 Chairman Stokes. A quorum being present at this time, we
18 will call the full committee to order.

19 I guess we don't need a motion because the matter to be
20 taken up at this time will be the budget and, under the Rules
21 of the House, this matter has to be conducted in closed ses-
22 sion. So all members of the public are at this point excluded
23 from this meeting.

24 Mr. Thone. Mr. Chairman.

25 Chairman Stokes. Yes, Mr. Thone.



1 Mr. Thone. I have a broken record on this, I guess. You
2 say it has to be conducted in closed session?

3 Chairman Stokes. Under the rules. What is the citation?

4 Mr. Thone. It does not have to be, does it?

5 Mr. Blakey. It does not have to be, technically, but it
6 does not have to be voted closed.

7 Mr. Thone. Mr. Chairman, something that is as important
8 as the budget, in my opinion, should be conducted in public.
9 I don't want to extend my argument on it but just let the
10 record show that I would vote to have this an open meeting
11 when we are considering expending public funds on sensitive
12 matters such as this investigation is covering.

13 Mr. Edgar. Mr. Chairman.

14 Chairman Stokes. Yes, Mr. Edgar.

15 Mr. Edgar. If the gentleman will yield, it will be help-
16 ful to get a comment or two on the reasons why it should be in
17 closed session.

18 Mr. Blakey. The broad outline of the budget is such that
19 it probably wouldn't make any difference whether it is open or
20 closed, and a great deal of the information in here --
21 salaries, number of people on the staff $\frac{1}{M}$ are matters that
22 are of public record anyway.

23 The most difficult issue $\frac{1}{M}$ and, I suspect, this one is a
24 question of degree in judgment $\frac{1}{M}$ is that there are estimates
25 in here on the expenditures for consultants and witnesses.



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Both of those matters touch somewhat on the investigation.
 It struck me that it might be better if our estimate as to our
 expenditures on consultants and on our witnesses -- for
 example, in here we estimated a maximum number of 250 wit-
 nesses -- it might just be better if that kind of telegraphing
 of the general investigative nature not be included in a
 public session.

I might indicate that some or indeed all of it will
 probably become public during the course of the discussion
 before the House Administration and on the House floor.

Chairman Stokes. I suppose maybe the question will be
 if there is any real necessity for its being conducted in
 closed session at this time in light of the fact that it will
 be before both the House Administration and the floor and will
 be a matter of public scrutiny.

Mr. Blakey. I can't tell you that I feel deeply about
 it either way.

Mr. Howarth. When we present the budget to the House
 Administration we can change some of the information ~~here~~ so
 that we will not disclose ^{the number} ~~some~~ of ~~the~~ witnesses. We can have
 an agreement with them ahead of time ^{so} ~~that~~ that part will not
 be brought up in public session. We have to ^{show} ~~have~~ it here so
 you gentlemen can pass judgment on it.

Mr. Thone. Mr. Chairman, I don't see whether it makes
 any difference whether we have 100 witnesses, 500 witnesses

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1 or four witnesses so far as any security of the committee work
2 is concerned.

3 Mr. Blakey. What is in the back of my mind, Mr. Thone --
4 perhaps I am being unduly cautious and, if so, I plead guilty
5 as charged -- if we get into the business of calling into
6 executive session a substantial number of Cuban expatriates
7 and organized-crime-type figures and it becomes very clear
8 exactly what we intend to do, to the point that we have actu-
9 ally asked for enough money to finance it, it may well be that
10 some of those people who have now determined that they might
11 be a likely target of our investigation may decide to take an
12 extended vacation to Acapulco. It would not take an extended
13 vacation substantially to disrupt our proceedings.

14 The experience of the Kefauver Committee in the early
15 fifties was precisely that. A number of major organized-crime
16 figures never appeared before the Select Committee to Investi-
17 gate Organized Crime in Interstate Commerce simply because
18 they fled the country.

19 Mr. Thone. As I understand this organized-crime situ-
20 ation, you get about three or four or five or six of those
21 fellows in here in closed session and word is going to get out
22 so fast it will make your head swim. They are not going to
23 get it from the fact that you published in a budget report
24 that you expect to call 250 witnesses. Am I wrong?

25 Mr. Blakey. No, you are not wrong. Again I do not want

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1 to press this point beyond which it should be pressed. I
2 thought that, balancing benefit and advantage against burden
3 and disadvantage, if we ran the risk, however minimal, under-
4 lining the seriousness of our intent in those areas by pub-
5 lishing the fact that we are asking for money to finance it,
6 this might be a little difficult if a person decides to winter
7 in Acapulco rather than Miami.

8 Mr. Thone. There is no question for a while here we had
9 a real cops-and-robbers situation going, a Keystone Cops situ-
10 ation, and it was ridiculous. I am inquiring whether we are
11 not going too far the other way now and pretty soon you are
12 going to get some unnecessarily bad press on the secrecy,
13 ~~whatever~~ of the committee ^{is} unnecessarily, as I indicate.

14 It would seem to me that we should be open and above-
15 board certainly about our budget or, as you indicate, when you
16 get to the House Administration, they will be there picking
17 away at you and they are going to say this was all worked out
18 in secret sessions of the committee, things like that, which,
19 I think, we could avoid.

20 Mr. Blakey. Frankly I don't feel that deeply about it
21 and would not press it on the committee if the committee were
22 of the mind not to do it. I think there are disadvantages in
23 doing it. The advantages, on balance, do not outweigh the
24 disadvantages.

25 I think, in fact, there will have to be some more

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1 detailed public accounting in time to the House Administra-
2 tion. Frankly I would prefer to have that accounting at that
3 time, when we can give, with the proposed budget, the status
4 report of the character of the investigation and the estima-
5 tion for future work.

6 If what is published in the paper tomorrow is our budget
7 without that status report, I think that might lend itself to
8 more uninformed public criticism than there would be if it
9 were all released at the same time, although I can't be
10 deeply upset about the nature of the public criticism one way
11 or the other. You can't do a lot about it no matter what
12 you do.

13 Mr. Freyer. Is the status report you mentioned the year-
14 end report which we will be obligated to make?

15 Mr. Blakey. Yes. We are preparing now a complete
16 review of the outlines of the investigation ¹ not the sub-
17 stance -- the number of days of hearings, the number of days
18 in the field, the nature of the files that we are looking at,
19 things of this sort, the kind of projects we have in process,
20 with scheduled completion dates in it.

21 So that the budget should really be evaluated in the
22 House Administration in light of the other statistical data
23 which, in general terms, of course, the committee is aware of;
24 the House Administration should have it before them in one
25 document. We will clearly by January have that document

1 prepared.

2 Frankly the decision to ask for a meeting today on the
3 budget grew out of my own thought that the chairman should be
4 present when this is discussed. He will be out of the country
5 the first part of January. So the option was either to have
6 the budget meeting now or have it ¹/₂₄ there was no option
7 really because we could not have it in January if he were to
8 be present. So we felt we would go with the ~~budget~~ ^{report} now, and
9 then it would not be necessary for him to fly back sometime in
10 January.

11 Mr. Preyer. The only thing that would concern me about
12 the open session of the budget right now would be that we will
13 get a story in the paper about all this money and be open to
14 the charge that there is nothing to show for it. It would be
15 a lot better if we had the status report to go along with it.

16 But I will have to concede that that is not a very good
17 theoretical legal reason to justify a closed session from a
18 practical public relations standpoint.

19 Mr. Blakey. There might be a question of who has the
20 burden of proof. If we had a vote to close it, that might
21 not be a good reason, but I think you would have to vote to
22 open it.

23 Mr. Preyer. I can't beat these law professors.

24 Mr. Edgar. If the gentleman will yield, I feel com-
25 pelled to support the motion to keep the meeting open. I

1 think we probably should go on with approving the budget. I
2 think that is the most important thing and what we are here
3 for.

4 Chairman Stokes. There is no motion to keep the meeting
5 open.

6 Mr. Edgar. I am suggesting I am going to support the
7 effort. The meeting is still open, I think; we are not in
8 closed session.

9 Mr. Blakey. It starts out in closed session on the
10 budget question unless the motion is made to open it.

11 Mr. Thone. I move that the meeting be opened, and then
12 we will meet the issue and get rid of it.

13 Chairman Stokes. Let me ask this question before we
14 entertain the motion: The last time, the House resolution
15 provided that we provide the House with a report and indica-
16 tion of our budget. Now we are not required to do that this
17 time, are we?

18 Mr. Blakey. No.

19 Chairman Stokes. Just report. Of course, there is no
20 real statement in the resolution that says we have to do it by
21 December 31 but we think it is better that we do so. The
22 problem I see -- and I am really basically opposed to a closed
23 meeting on the budget except that, realizing that we are at
24 the mercy of the press in terms of setting forth this type of
25 budget in the absence of a report, it leaves us nothing except



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1 to say that we are asking for this type of money without any
 2 evidence that we have done anything because there is nothing
 3 before them to indicate what we have done.

4 I think we really open ourselves up to the only story-
 5 making opportunity they have, that we are asking for almost
 6 \$3 million for 1978 and we have not given any indication that
 7 we have done anything in 1977.

8 Mr. Edgar. Mr. Chairman, if you will yield.

9 Chairman Stokes. Surely, I will yield to the gentleman.

10 Mr. Edgard. If that is a fear, I am afraid that fear is
 11 one that is going to be shared when, in fact, we go to the
 12 House Administration Committee and when, in fact, we share it
 13 with Congress for a vote.

14 Mr. Blakey. Except then we will have a status report
 15 with all of the statistics of what we have done, the projects
 16 in process. Now, the committee itself is fully aware of the
 17 number of hearings we have had, the kind of witnesses that
 18 have appeared before it, of opinion projects on such things
 19 as autopsies for both King and Kennedy, the effort on the
 20 Kennedy side, for example, to work out the issue of
 21 ballistics.

22 It is not a question of hiding the thing but it is a
 23 question of when you make it public. It would be better to
 24 make it public in context. That is when the committee goes
 25 before the House Administration. To make it public now, you

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1 don't inform; you only partially inform. The person who is
2 partially informed is a person misinformed. It seems to me
3 the committee ought not to misinform the public. Therefore
4 at this time it ought to be in executive session.

5 Frankly, but for the chairman's going out of the country
6 the budget would not have been brought before the committee
7 until the status report was finished, which would have been in
8 January. It would have been done at the same time.

9 Chairman Stokes. At which time there would be no real
10 reason to have it in closed session.

11 Mr. Blakey. No; it would not be in closed session.

12 Mr. Preyer. Mr. Chairman, it seems to me that his posi-
13 tion does give a little theoretical backing to what I thought
14 was only a public relations question, that this is a sort of
15 gratuitous meeting here, more for your convenience, and were
16 it not for that, normally the revealing of the budget would
17 occur with the status report, which, it seems to me, would
18 give a lot fairer impression.

19 I am afraid Mr. Lardner could take us and chew us up
20 pretty good, especially if we were not able to develop in open
21 meeting what witnesses we talked with and so forth at this
22 time.

23 Mr. Edgar. Would the gentleman yield?

24 Mr. Preyer. Sure.

25 Mr. Edgar. Is it my understanding we are going to have



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1 to come back at 2:00 o'clock for the second item on the
2 agenda?

3 Mr. Blakey. We are going to try but if we can't get a
4 quorum we will bust it.

5 Mr. Edgar. It is my understanding it might be easier to
6 get the eight members necessary this afternoon, when, in fact,
7 the House is in session and people are debating legislation on
8 the House floor.

9 Mr. Blakey. I yield to the cl^{er}k.

10 Miss. Berning. Some of the problem is weather and
11 people missing flights because of bad weather ^{and} not being
12 able to get in until this afternoon, if they can get in this
13 afternoon. We have only eight that we can possibly call on.
14 So much of that depends on the weather.

15 Mr. Edgar. I am wondering whether this motion which is
16 pending could be the subject of the first agenda item when we
17 meet at 2:00 o'clock and give us some time to think about the
18 ramifications of the decision. I will let the chairman
19 decide.

20 Chairman Stokes. That will depend on the gentleman, if
21 he will be willing to or would want to withhold his motion or
22 withdraw his motion. The Chair would have no objection to
23 entertaining it at a later session if you would prefer.

24 Mr. Thone. Certainly I will cooperate with the chairman
25 and the committee on it. I have no strong feelings.



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1 Mr. Blakey. Mr. Chairman, we have nothing else to do;
2 the only other item to bring before the committee is immunity,
3 and that takes eight members' being present.

4 Mr. Preyer. I don't know about the integrity of this
5 process but if we could perhaps discuss the budget right now
6 and, in particular, whether there are any things in it that
7 would be appropriate at a public session and then, if we are
8 able to get more people, if it is the desire to, in effect,
9 release it to the public at that time, I would vote to do it.
10 I will have to ask Mr. Thone if that would violate the spirit
11 of his motion.

12 Mr. Thone. I am afraid that would very much violate it.
13 As a matter of practicality, can't we go ahead and vote on my
14 motion -- it is obvious that it is going to fail -- and go
15 ahead then? Yes, Judge Preyer, that would bother me
16 considerably.

17 Mr. Edgar. I don't think it is as obvious as the gentle-
18 man thinks that it will fail. It may be a tie with no one to
19 break it.

20 Mr. Thone. Then it fails.

21 Mr. Edgar. Let us vote on the motion.

22 Chairman Stokes. The clerk will call the roll.

23 Miss Berning. Mr. Stokes.

24 Chairman Stokes. No.

25 Miss Berning. Mr. Devine.



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(No response.)

Miss Berning. Mr. Preyer.

Mr. Preyer. No.

Miss Berning. Mr. McKinney.

(No response.)

Miss Berning. Mr. Fauntroy.

(No response.)

Miss Berning. Mr. Thone.

Mr. Thone. Aye.

Miss Berning. Mrs. Burke.

(No response.)

Miss Berning. Mr. Sawyer.

(No response.)

Miss Berning. Mr. Dodd.

(No response.)

Miss Berning. Mr. Ford.

(No response.)

Miss Berning. Mr. Fithian.

(No response.)

Miss Berning. Mr. Edgar.

Mr. Edgar. Aye.

Miss Berning. Two ayes and two nays, Mr. Chairman.

Chairman Stokes. The motion fails. Mr. Blakey.

Mr. Blakey. Mr. Chairman, each member of the committee

has received a memorandum from me dated December 6, attached



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1 to which are the basic figures on the budget. They can be
2 summarized quickly. In essence, the committee originally
3 asked for a two-year life and gave an estimation of a \$5 mil-
4 lion budget. The committee will return to the House contin-
5 gency fund approximately \$425,000 this year. That is related
6 to the early period, the late start-up.

7 The committee is now working at the level that it had
8 anticipated it would be working some time ago.

9 Basically what the new budget does is suggest that the
10 money not used in the first year be used in the second year,
11 so that the combined ~~two~~-year period remains within the origi-
12 nal \$5 million figure. The only substantial difference that
13 I would draw your attention to on the first summary page is
14 the consultants figure at Roman III indicates the recommended
15 '78 budget at \$100,000. That is probably a little misleading
16 if you compare it to only the 1977 estimate.

17 The \$96,600, which is the estimated expenditure for
18 1977, is actually expenditure carried over ~~two~~ years. The
19 existing consultants will be carried over in the second year.
20 The \$100,000 figure for consultants is in there primarily in
21 expectation of the substantial expenditures that may be made
22 in connection with the scientific projects in process. This
23 is the computer enhancement of many of the photographs taken
24 at the Dealey Plaza, photographic interpretation, replication
25 of the Itek study, things of this nature.



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1 The second major figure that you ought to have your
 2 attention drawn to is Roman IV. The estimated figure for
 3 witnesses in 1977 is \$15,000; for 1978 it is \$75,000. The
 4 bulk of the witnesses that will be heard before the committee
 5 or from whom testimony will be taken under the designated
 6 counsel procedure will, in fact, be done in 1978, and this is
 7 the reason for the \$75,000 figure. It is based on an estimate
 8 of approximately 250 witnesses and an average expenditure for
 9 each witness of \$300, which is travel.

10 There is no way of knowing for sure whether all of that
 11 will be used. It will depend on the pace of the investiga-
 12 tion. Unfortunately for budget purposes, an investigation is
 13 not like building a bridge, where you know the cost and the
 14 need for steel, brick and mortar.

15 The best I can say to you is that I share with the chair-
 16 man the attitude that public funds be spent circumspectly,
 17 indeed begrudgingly. I am not embarrassed at the end of 1978
 18 to return money to the Congress because I figure I am return-
 19 ing my own money and it should not be spent if it cannot be
 20 wisely spent.

21 Chairman Stokes. How do you arrive at the figure of
 22 250 witnesses here?



23
24
25

Mr. Blakey. That was based on an estimate of the maximum probable number of hearing days that we could handle coupled with an estimate of the approximate number of designated counsel. It is indeed only an estimate, Mr. Chairman.

If the Committee sits at maximum force approximately three days a week through the basic hearing schedule and then it contemplates a partial repeat of those executive hearings in at least ~~forty~~ days of public session in September and October or August-September for the public hearings.

A number of the witnesses obviously have to be brought across country.

The budget also estimates, and I would show you on the third sheet which is computation of salaries, it contemplates a winddown of the investigation and a probability of reduction of employees in October, November and December of 1978, a non-expenditure of approximately \$298,000.

Mr. Thone. Mr. Blakey, is it your thought, then, that the Committee's work would be completed about that time?

Mr. Blakey. Yes.

Mr. Thone. And a final report will be ready about when?

Mr. Blakey. My assumption is that our life runs out in December of 1978 and that there would be no legal way for us to extend it without incurring substantial personnel risk, that is work without pay. I don't know now

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and the way people feel about it, but my family insists
that if I work I be paid, so I have to quit in December.
That means that we will complete the investigative phase of
what we are doing sometime in June or July. This is the
field investigation.

Beginning shortly thereafter the investigators will not
be needed, the researchers will progressively not be needed.
We will end up with a hard core of lawyers and some clerical
people who will finish the public hearing in September-
October or August-September, depending on the wishes of
the Committee.

Following the election in November, some time the latter
part of November, early part of December, we will have
for the Committee's consideration the final report. We
will terminate on December 31, 1978.

Chairman Stokes. Would you not need some investigators
for the hearings?

Mr. Blakey. We will need some, but certainly not all.
That is why the attrition contemplates beginning in October
and accelerating through November and December. I
would hope it is not too precipitous, but I would expect
that some of the researchers may decide to find other
employment the nearer we get to December.

Chairman Stokes. Are there questions in this area?

Mr. Thone. Mr. Blakey, on the Deputy Chief Counsel

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1 you have three listed, one at \$45,500. Who is that?

2 Mr. Blakey. That is the highest paid Deputy Chief
3 Counsel, Robert Lehner. That represents a salary of ~~forty-~~
4 two-five plus a ⁷ seven percent increase.

5 Mr. Thone. Who are the other two?

6 Mr. Blakey. There is one other, Gary Cornwell. There
7 is contemplated in this budget an additional deputy chief
8 counsel that has not yet been filled and I am not clear it
9 will be necessary to fill it. Stephen Fallis previously
10 was the third deputy chief counsel. When he left the Com-
11 mittee he was not replaced.

12 I have not yet seen the need to replace him. But I
13 thought if that need should arise, for example, in connection
14 with the preparation of the final report, it may be a whole
15 area of additional responsibility, it may be necessary at
16 that time to bring in someone at that level with that
17 degree of responsibility.

18 If that occurs the decision to do it has to be made
19 now in such a way that the decision to act in that fashion
20 can be possible at a later point in time.

21 Presently I do not contemplate that that will be filled.

22 Mr. Thone. The item of special counsel, what does that
23 involve?

24 Mr. Blakey. The special counsel is Charley Matthews.
25 He is in fact an alter ego to myself, hopefully the chief



... 41 CULVES HSCA (RG 233)

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... of communication between the Committee and the
Committee staff. Since I can't be everywhere at once,
Charley makes me be a few more places some of the time.

Chairman Stokes. Are we showing the total number of
employees somewhere?

Mr. Blakey. The number of employees here will be 114.

Chairman Stokes. 115 with the third deputy.

Mr. Blakey. Our budget authorized 115. We are now up
to 114.

Chairman Stokes. In light of some concern in the
media about who we have as consultants -- I am sure you are
aware that Mr. Lardner has been quite concerned about that --
what in effect are these consultants doing and what do you
anticipate their doing in 1978.

Mr. Blakey. The consultants have performed a range
of services. Chiefly they have been in the area of
scientific projects, for example, we have had a number of
consultants in the area of ballistics, evaluating the rifle
and bullets, both on the Kennedy and King sides. We have
had a number of consultants in the area of the photographs,
initially identifying the photographs that are outstanding.

The first phase has been primarily one of identifying
photographs. The second phase will involve a number of
people associated with the University of California,
Rochester Institute of Technology on computer enhancement

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1 of photography, of clearing up blurred images. We are
2 identifying people now who performed sound tests. There
3 apparently is a tape of what happened at Dealey Plaza.

4 I am told it is possible for them to scrub up the back-
5 ground of that and distinguishing between backfires and
6 rifle fire. Once they learn the rifle fire, to tell you
7 the caliber and the number of bullets that were fired. It
8 was used at Kent State.

9 The same people we are talking to are the ones who did
10 the Kent State work, and also were involved in evaluating
11 the Nixon tapes, the so-called eighteen-minute gap. That
12 is basically the kind of consulting work that is being done
13 for us, Mr. Chairman.

14 Chairman Stokes. Just one further question on that
15 then. Is there some basic reason why those types of people
16 cannot be named?

17 Mr. Blakey. The general House rules require standing
18 committees to make the consultants public. It does not
19 require the select committees to make them public.

20 Again, since these things touch on the character of the
21 investigation we thought it best that they not be named.

22 Again some of the people that we have dealt with, the
23 scientific people in the scientific community, have really
24 come in part on a promise that they would not then be
25 harassed by the press. If we identify who they are and what



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1 they are doing for us, you can be assured that there will
 2 be calls all hours of the day and night, not only by the
 3 press but also by citizens who have fears and information
 4 in this regard.

5 Now they have all been clearly told that who they are,
 6 how much they receive from us, and the nature of their work
 7 will become public in the public hearings and they understand
 8 that and they accept it.

9 But to subject them to harassment between now and the
 10 public hearing seems to me to be probably the price of
 11 securing their cooperation.

12 I might say that we have lost apparently two people who
 13 we had hoped would participate with us on precisely those
 14 grounds.

15 Kodak, who in initial discussions with their staff
 16 were enthusiastic about participating with the Committee
 17 in resolving some of the very difficult issues; well,
 18 it turns out when we got to the management level, management
 19 decided that there was more hassle involved than they
 20 wanted to put up with and they backed out.

21 Jet Propulsion Laboratory, who we had high hopes would
 22 review some of our photographic interpretation for us
 23 at the staff level, was enthusiastic about it. Now
 24 that the issue has reached the management level they are
 25 backing out.



The reason that I think we have lost both Jet Propulsion Laboratory and Kodak is precisely that. The work we are about is controversial and there is a great deal of press concern with it and there is more than the usual association of people who are paranoid or emotionally upset and inquire about it.

I think these people just decided they did not want to incur that.

Mr. Thone. Mr. Blakey, there is no reason, and I checked this before the Committee meeting, why you could not list so many handwriting experts for so many ~~1~~

Mr. Blakey. That will appear in the status report. The kinds of projects we have under way, the number of people we have in the various areas and the kinds of academic and other credentials associated with them will come out. But to do more than that now, frankly, Mr. Thone, I think would injure the investigation.

Mr. Thone. Don't lean over backwards again ~~and~~^{to} not disclose the information we just discussed because I went through the list ~~with~~ with your chief accountant and there is nothing here that one should not read.

Mr. Blakey. The plan in drafting the status report is to let everything out, of that character, all the statistics, all the employment, when we hired people, the rate at which we hired them, the basic organization of



the staff, the amount of money we are spending, the nature and kind of projects that we are engaged in, the estimated completion dates of the projects, the timetable for the final hearings, everything but the substance of what we are doing, that is, the investigative theories that we are pursuing on the witnesses that we have talked to. That should be reserved until we are prepared to present the whole truth at the end and not half truth as we go along.

Chairman Stokes, Mr. Preyer.

Mr. Preyer. I was going to ask about personnel. 115 will be our maximum. Do you recall when we had our first budget, what the number of personnel was that was proposed?

Mr. ^{S A}Haw~~o~~rth. About a year ago, sir, when we ^{presented the} ~~started~~ ~~things off~~ it was 170.

Mr. Preyer. So we will stay pretty well under that first large figure that upset the House so much?

Mr. ^{O S}Haw~~o~~rth. In other words, when we presented our report to the House Administration last year we reconciled from 170 down to 115. That has been our limit and we have stayed under it.

Mr. Preyer. One other question. On the 250 witnesses that will be called, you don't anticipate all of those will be heard in either executive session or open session, do you?

Mr. Blakey. No. Some will be designated counsel.

Mr. Preyer. I suspect there are an awful lot of



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Witnesses.

Mr. Blakey. The Warren Commission had access to something like 500-plus witnesses.

Chairman Stokes. Mr. Fauntroy.

Mr. Fauntroy. I have no questions, Mr. Chairman, at this point.

Chairman Stokes. Mr. Edgar.

Mr. Edgar. No questions.

Chairman Stokes. Mr. Thone, do you have anything further?

Mr. Thone. No, Mr. Chairman.

Chairman Stokes. Is there anything further, Mr. Blakey?

Mr. Blakey. No, sir.

Mr. Haworth. Mr. Chairman, before the Committee concludes, I would like to make one suggestion: If the Committee would give us flexibility between consultants, Item No. III, and reproductions, printing and graphics, which is Item No. IX.

As you know, in our funding resolution the House Administration ~~comes up with one~~ ^{total} figure, ~~whatever it might be~~ ^{have}, but they do ~~one~~ ^{one} statutory limit in ~~the resolution~~ ^{the resolution} and that is the amount of money ~~that~~ ^{be spent} can ~~be spent~~ ^{be spent} on consultants. We are not sure ~~of~~ ^{of} the total amount ~~at~~ ^{at} this time. We have budgeted an extra ~~32,000~~ ^{\$32,000} ~~for~~ ⁱⁿ reproduction, because we think ~~the~~ ^{this} type of services will be a straight ~~vendor~~ ^{contract} vendor ~~which~~ ^{which} will not require



a consultant ~~and~~ contract.

I would like to ask the Committee's okay that before we go to House Administration, if we think that ~~they are going to~~ fall under ~~perhaps~~ the consultant category, that we switch the ~~\$20,000~~ up to consultants ~~and make consultants~~ *make consultants* ~~so that we are not~~ in danger of being hamstrung by the statutory limit placed in our funding resolution.

It will be a switch of funds which the House Administration ~~Team~~ will understand, if we should decide to go that way.

Mr. Blakey. In effect Item No. III and Item No. IX are really the same thing. It is either in one of those two categories or both, that we will buy much of what we have to buy. It is either expertise service or expertise product and we are thinking primarily of a number of photographs, for example, the Zapruder film should be blown up and clarified. If that is done on a consultive basis that will fall under Item III. If it is done on an vendor purchaser basis it will fall under Section IX.

We do not yet know the exact category that it will fall in.

Mr. ³⁴Haworth. If we put the money in consultants we can use ~~the money~~ *other purposes if not spent on consultants.* for ~~anything else.~~ *If we come to the point, we reach \$100,000, we cannot go over that amount. To be on the safe side, we might wish to set ten*

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category so that we don't get trapped.

Mr. Thone. Mr. Blakey, just to reaffirm what I think you have ~~clearly~~ said, we currently have 114 employees on board as listed on your third page here. The only vacancy is this possible additional deputy chief counsel.

Mr. Blakey. That is correct.

Mr. Thone. You will start winding down the investigation, as you put it, in June or July. The public hearings will be in August, September or possibly November, whatever the Chairman decides, and there will be a final report to follow thereafter, and with this \$2,595,500, you have all the resources that you need to do a thorough job?

Mr. Blakey. That last one bothers me. I think that what we have here is a reasonable shot at it. I think what we are dealing with here is a client who came to the lawyer and said "I have about ~~five~~^{#5} million ~~dollars~~ for two years. Can you give me a professional work product in that time to answer the questions that I think appropriate in these two areas?" My answer to you is that I can give you a professional work product in ² years with these number of people and this amount of time and this budget. If you ask me is that all I will ever need to do an absolutely thorough and comprehensive job on both of these two things, I will have to tell you no.

Mr. Thone. You would?



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Mr. Blakey. Yes, sir. Let me put it to you in blunt and candid terms.

The Federal Bureau of Investigation put into Dallas the day after the assassination ⁴⁰~~forty~~ FBI agents. The Dallas PD had available to it 150 detectives at least the day after the assassination. We have a total detective force of approximately 32. They are working out of Washington and they are divided over two investigations. I think that you can get a thoroughly professional and respectable product examining these two cases, one 14 years and one approximately 8 years following the assassinations.

If you ask me to say that I can give you a thoroughly comprehensive running out of every possible lead, resolving every single question in this amount of time, the answer is no.

Mr. Thone. Is the question then time or resources?

Mr. Blakey. On some of the issues it would not make any difference how much more resources or money are involved. All that can be done is probably what has been done in some areas. You know the nature of the allegations, particularly on the Kennedy side. We are laboring under time pressures. That is a fact.

Given the nature of the House investigation, it must go over a ~~two~~-year period. That is a fact I think we just have to live with.



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1 What I am saying to you is all investigations have
 2 limitations of time, limitations of personnel, limitations
 3 of money, limitations of talent. This is a human staff,
 4 not an ideal staff. There are some very, very able and very,
 5 very dedicated people here. There are some, as in all groups,
 6 who are average, both in their talents and in their motiva-
 7 tions. Even among those of us who consider themselves
 8 superior, we have our off days. I don't want to promise
 9 you more than I can deliver. Indeed I won't promise you
 10 more than I can deliver.

11 At the end of the ²two years I will give you a professional
 12 work product, you will get your money's worth.

13 Mr. Thone. I am a little troubled with your answer.
 14 Not totally, and it does not come as a monumental surprise.

15 Mr. Blakey. You will recall, Mr. Thone, what I told
 16 you when you talked to me last June.

17 Mr. Thone. Let me phrase my last question this way.
 18 is there anything else at this time that this Committee
 19 can give you that will more assure this thorough, totally
 20 comprehensive investigation and final report.

21 Mr. Blakey. I am satisfied this Committee has supported
 22 me on every occasion within the limits of its ability.

23 Mr. Thone. Thank you.

24 Mr. Blakey. I have no complaints with the Committee. I
 25 think the Committee was extraordinary in its effort to fight



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for this investigation and has secured for us more resources
 that I think could be secured by any other group of people.
 That is a different issue than whether more resources and
 more time might produce more material. I think we are
 doing far more in this than the Congress has any right to
 expect and that the American people ultimately have any right
 to expect. The Congress and the nation are getting their
 money's worth. All those associated with this investiga-
 tion can be and will be at the end proud of that association.
 But don't ask me to promise you more than I can honestly
 deliver.

Chairman Stokes. Is there anything further, Mr. Thone?

Mr. Thone. No, Mr. Chairman.

Chairman Stokes. Mr. Dodd.

Mr. Dodd. Yes, Mr. Chairman. I apologize for arriving
 late. The question may have already been covered by one
 of my colleagues on the Committee, but I would like to ask
 you, Bob, whether or not these figures, particularly getting
 down into the reproduction, printing, periodicals, so forth,
 whether or not you have adequately calculated into these
 figures the cost of producing the final product.

Mr. Blakey. We tried to. This is not like a bridge
 when we know the cost of the brick and mortar and steel.
 This is an investigation.

Mr. Dodd. I understand that.



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Mr. Blakey. The best we can do is give you an outside estimate within the context of what the House has apparently been willing to spend, ~~five~~^{7.5} million ~~dollars~~. We will work within that budget.

Mr. Dodd. I am talking specifically about our ability to conduct public hearings and also to go through whatever steps may be necessary to produce a report.

Mr. Blakey. Yes. The executive hearings, the final hearings and insofar as the cost of the final report on the final hearings is attributed to the Committee, that has been calculated.

Mr. Dodd. Again my apologies for asking this. I am sure it has already been asked.

The salary increase in the approved budget and the recommended budget, would you mind running that by me again?

Mr. Blakey. It is basically attributed to the ~~seven~~⁷ percent.

Mr. Dodd. It is not an increase in numbers?

Mr. Blakey. No. The number of people remains the same. The basic salary structure remains the same. The ~~difference~~[#] in cost is attributed really to two things: the ~~seven~~⁷ percent and some people who, for example, had a change in job category within the ~~Committee~~. A simple secretary was moved to administrative section. Therefore a different in-job resulted in a different in-cost.

RECORDS ARCHIVES HSCA (RG 233)

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1 Mr. Haworth. Were you asking between the 1977 approved
2 budget and the recommended 1978?

3 Mr. Dodd. That is right.

4 Mr. Haworth. 1.8 against 2.4?

5 Mr. Dodd. Right.

6 Mr. Haworth. The big difference ~~is~~ is last year
7 we had 73 people in January and February. We went down to
8 64, down to 59 ~~and then~~ ^{and then} built up again.

9 Mr. Dodd. I was under the impression that figure was
10 one calculated on a full complement of people in 1977.

11 Mr. ~~Dodd~~ ^{Mr. Dodd}. We calculated the salaries on a full
12 complement, ~~then we prorated the amount based on the average~~ ^{and then prorated the amount based on the average}
13 ~~number of employees anticipated.~~ ^{number of employees anticipated.}
14 ~~giving you here we computed what we expected to spend.~~

15 In 1973 we do have the full complement, ~~now~~. That is the main
16 difference.

17 Mr. Blakey. It also contemplates at the end, Mr.
18 Dodd, as you will see on the attachment, page 2, dealing
19 with computation of salaries, it contemplates the anticipated
20 attrition at the end of the investigation.

21 Mr. Dodd. What we are talking about here is a net
22 increase of some \$30,000 based on what you are returning
23 and what your increased request is for, 425 and 463.

24 Mr. Blakey. We are spending a little less than ~~two~~ ^{\$2}
25 million ~~dollars~~ the first year and spending a little over
^{\$2}
~~two~~ million ~~dollars~~ the second. The combined figure for the



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two years come out to about ~~five~~^{8.5} million dollars.

Mr. Dodd. I was getting at this net figure.

Mr. Haworth. I have last year's budget here. They are practically the same for salaries. Last year we computed on a full ~~twelve~~¹² months basis that salaries would go to \$2,778,500. This year we are asking for \$2,400,000. We are really asking for the same amount of money salarywise if we had had a full ~~twelve~~¹² months last year.

Mr. Dodd. On the issue of witnesses ~~24~~¹ instead of repeating myself I will apologize all across the board and then --

Mr. Blakey. The witnesses are the estimate of the maximum possible number assuming the ~~Committee~~ sits the maximum possible available time, including both witnesses who appeared in executive session, beginning in January through June, and the witnesses who will then be called back for the public hearing at the end of the investigation.

It also includes an estimate of the number of designated-counsel situations since it is obvious we will not be able to have all the witnesses appear before the ~~Committee~~. This figure of 250 witnesses should be compared against a total figure of approximately 500-plus that appeared before the Warren Commission.

Mr. Dodd. I think there was some confusion here. When you mentioned the figure in your memo to Chairman Stokes dated today, you talked about returning some \$425,000 to



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the House, and yet this 1978 recommended budget is about
four-sixty-three more than 1977.

Mr. Blakey. What we are returning one year, we are
picking up the next.

Mr. Dodd. You are talking about a net increase of
~~twenty five or thirty thousand~~ ^{\$20,000,} that is really what we are
asking for.

Mr. Blakey. That is right.

Mr. Dodd. The total figure we anticipated.

Mr. Blakey. I think the total figure was only about
five million ~~dollars~~. We are still within that figure.

Mr. ~~Haw~~ ^Worth. You are correct, we are asking for
about \$25,000 more.

Mr. Dodd. Thank you, Mr. Chairman.

Chairman Stokes. Mr. Blakey, I was wondering, in light
of the final work product which always includes legislative
recommendations to the House and in conjunction with the
winding down of the total operation, do you anticipate that
we will have enough staff to work on that, or whether that
falls within the category of consultants?

Mr. Blakey. We anticipate that the staff will be
adequate to finish answering what I see on both investigations
is the four central questions: Who shot Dr. King and
President Kennedy? Did they have help? How well did the
agencies perform? And the fourth, and I think in the



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1 content of our mandate, the most central for the Committee is
2 what recommendations should be made? All of those projects
3 are going forward now.

4 The Committee will have an opportunity to evaluate the
5 kind of recommendations that are coming out of the investi-
6 gation. There are a number of areas where we have identified
7 problems already and are in the process of formulating
8 possible strategies for some and it would be appropriate at
9 the winding down of the investigation to bring to the atten-
10 tion of the Committee for its judgment.

11 Chairman Stokes. In that latter category, under our
12 mandate do you see us making recommendations or actually
13 legislative ~~work~~

14 Mr. Blakey. There is no money in here for drafting
15 legislation. I have drafted legislation before. It is not
16 something you do on a weekend. I think we will be able to
17 outline recommendations for legislation. It is doubtful
18 that we will have the opporutnity or staff in that last
19 pressed period of time to draft the kind of product that
20 will meet the same test of professionalism that the rest
21 of the work does. I believe we can recommend. We won't be
22 able to draft.

23 Chairman Stokes. Any further questions? If not,
24 the Chair will entertain a motion with respect to the budget.

25 Mr. Preyer. Mr. Chairman, I move that the recommended

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budget for 1973 be approved as set forth here.

Chairman Stokes. It has been properly moved, the clerk will call the roll.

Miss Berning. Mr. Stokes.

Mr. Stokes. Aye.

Miss Berning. Mr. Devine.

[No response.]

Miss Berning. Mr. Preyer.

Mr. Preyer. Aye.

Miss Berning. Mr. McKinney.

[No response.]

Miss Berning. Mr. Fauntroy.

Mr. Fauntroy. Aye.

Miss Berning. Mr. Thone.

Mr. Thone. Aye.

Miss Berning. Mrs. Burke.

[No response.]

Miss Berning. Mr. Sawyer.

[No response.]

Miss Berning. Mr. Dodd.

Mr. Dodd. Aye.

Miss Berning. Mr. Ford.

[No response.]

Miss Berning. Mr. Fithian.

[No response.]

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Miss Berning. Mr. Edgar.

Mr. Edgar. Aye.

Miss Berning. Six ayes, Mr. Chairman.

Chairman Stokes. Six members having voted affirmatively, the budget is approved.

Mr. Blakey, we do not have enough members here to act on your other matter, do we?

Mr. Blakey. No. If we could perhaps recess until 2:30.

Mr. Dodd. What are we going to do?

Chairman Stokes. We have to recess until 2:30 to try to get our eight members together to get action with reference to immunity matters.

Mr. Dodd. There are two immunity matters we would like to bring up before the Committee so that we can act in the interim, between now and the latter part of January. Both of them deal with issues that we might be able to resolve or situations we might be able to set in process. It will be terribly helpful if we could get eight people together this afternoon for the ten or fifteen minutes that it should take to get the approval. We need two-thirds. We need eight members to agree.

Mr. Thone. Mr. Devine is available around the corner. Is there anyone else we can round up?

Chairman Stokes. They have a problem on the other.

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Mrs. Burke will not be available until 2:00. Mr. Ford is in Tennessee. Mr. Fithian is snowed in in Indiana. Mr. McKinney is ill at home. Mr. Sawyer is in Japan.

So if we could ask for your cooperation at 2:00 p.m., I think we can do it fairly quickly.

Mr. Berning. Mr. Chairman, we do not have this room this afternoon. We will be meeting in House Administration H-328.

Chairman Stokes. Will everyone here be able to make that?

Thank you very much. I will see all of you again at 2:00.

(Whereupon, at 11:20 a.m., the hearing was recessed to 2:00 p.m., the same day.)

