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HEARINGS

Before The

014673

SELECT COMMITTEE ON ASSASSINATIONS

HOUSE OF REPRESENTATIVES

EXECUTIVE SESSION

Washington, D.C.

April 6, 1978

Alderson Reporting Company, Inc.

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EXECUTIVE SESSIONCONSIDERATION OF AN AMENDMENT TO THE RULES
OF THE SELECT COMMITTEE ON ASSASSINATIONS*Thursday, April 6, 1978*
~~WEDNESDAY, APRIL 5, 1978.~~

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

The committee met, pursuant to notice at 4:00 p.m., in room 304 of the Cannon House Office Building, Hon. Louis Stokes, chairman of the committee, presiding.

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

Present also: G. Robert Blakey, Chief Counsel and Director; Gary Cornwell, Deputy Chief Counsel; I. C. Mathews, Special Counsel; William Cross, Security Officer; Elizabeth Berning, Chief Clerk; and Marion Wills, Deputy Chief Clerk.

Chairman Stokes. A quorum of the committee being present at this time, the committee is called to order. I recognize Mr. Blakey for a statement with reference to this.

Mr. Blakey. There are several matters that could be brought up. One of them, I suppose, technically should be considered in public session about the deals with the change

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1 Mr. Ford. Aye.

2 Mrs. Berning. Mr. Fithian.

3 Mr. Fithian. Aye.

4 Mrs. Berning. Mr. Edgar.

5 Mr. Edgar. Aye.

6 Mrs. Berning. There are nine ayes, Mr. Chairman.

7 Chairman Stokes. Nine members having voted in the
8 affirmative, this meeting is now declared in executive session
9 and all members of the public are asked to excuse themselves
10 from the room.

11 Mr. Blakey. Let me see if I can present the problem to
12 you as succinctly as I can, although perhaps I should begin
13 with an apology to the committee for bringing about a meeting
14 of the full committee on such short notice.

15 Obviously, there has been a recess and some of the
16 membership has been gone for the last week and this is really
17 the first opportunity that we have had.

18 The problem has come up during the recess in our efforts
19 to work with the Central Intelligence Agency in preparing
20 hearings. The problem really goes as follows: In the central
21 case study is the Mexico City issue. The Agency has given us
22 complete access to everything in this area and this includes
23 the nature of the surveillance that the Agency had of the
24 Russian and Cuban Embassies.

25 They had photographic and electronic surveillance of both

1
2 in the rules. Nevertheless, the reasons for the change in the
3 rules goes to the heart of the nature of our current
4 investigation and consequently, I think it would be
5 appropriate for a motion to be made to close the meeting.

6 Chairman Stokes. The chair will entertain such a motion.
7 Mr. Fauntroy. I so move.

8 Chairman Stokes. It is moved that the meeting go into
9 executive session. The clerk will call the roll.

10 Mrs. Berning. Mr. Stokes.

11 Chairman Stokes. Aye.

12 Mrs. Berning. Mr. Devine.

13 Mr. Devine. Aye.

14 Mrs. Berning. Mr. Preyer.

15 Mr. Preyer. Aye.

16 Mrs. Berning. Mr. McKinney.

17 (There was no response.)

18 Mrs. Berning. Mr. Fauntroy.

19 Mr. Fauntroy. Aye.

20 Mrs. Berning. Mrs. Burke.

21 (There was no response.)

22 Mrs. Berning. Mr. Sawyer.

23 Mr. Sawyer. Aye.

24 Mrs. Berning. Mr. Dodd.

25 Mr. Dodd. Aye.

Mrs. Berning. Mr. Ford.



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2 places. This covered the crucial periods of time, more or
3 less, and that is a big question, more or less. And I now
4 have to say that the person alleged to have been Oswald went
5 in the embassy.

6 Nevertheless, the Agency never came up with a photograph
7 of Oswald coming in and out of the Agency. Indeed they sent
8 back up to Washington the wrong photograph. This has given
9 rise to the whole problem of the mysterious plan.

10 The significance of the issue of the investigation
11 literally speaks for itself. If Oswald did not go in and
12 apply for that visa, and someone else did, then it is obvious
13 that Oswald had an associate. If he had an associate, the
14 single assassin theory is in real serious trouble.

15 What we need to do is to pursue in our hearings for your
16 benefit our ability to understand what went on down in Mexico.
17 We have witnesses scheduled for the hearings and we now asked
18 the Central Intelligence Agency to make available to us those
19 materials dealing with the surveillance, which are Hill-sensi-
20 tive and they go right to the heart of sensitive sources and
21 methods. But the Agency prefers not to disclose them.

22 Now, they have no objection to the staff looking at them
23 and they frankly have no objection to this committee looking
24 at them and they have no objection to us, at least in dealing
25 with Agency employees, using or pursuing these matters in the
hearings, but then they say to us the following: "But what do

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2 you do about Rule 11?"

3 Rule 11 of the House says that all committee documents
4 are property of the House and as such all members of the House
5 have access to them. We say, well, our response to them is as
6 follows: "What do you want me to do about the rules of the
7 House of Representatives? I cannot change them."

8 And their response is: "Well, why don't you adopt,
9 meaning the committee adopt, a rule that looks like the House
10 Intelligence Committee's rule on member access?"

11 So, we looked at that very carefully and the rule of the
12 House Intelligence Committee provides roughly as follows:
13 Members can have access to documents in the possession of the
14 House Intelligence Committee under terms and conditions set
15 forth by the House Intelligence Committee up to and including
16 denial of access. That is, we can set-out the exact language
17 for you but the House Intelligence Committee's rule explicitly
18 authorizes the House Intelligence Committee to deny access to
19 a member.

20 And I said, or our response to the Agency is as follows:
21 "You cannot seriously expect me to suggest to my committee the
22 adoption of a rule that is on its face inconsistent with Rule
23 11, can you?"

24 And they said, "Yes, we know that it is inconsistent but
25 if you give us at least as much protection as the House
Intelligence Committee gives us, we would hve no problem with

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2 turning it over to you."

3 My response is that "I cannot do that."

4 I cannot suggest to this committee that you adopt a rule
5 that is on its face inconsistent with Rule 11. The House
6 Rule, after all--I am talking as a lawyer, your lawyer I
7 guess--the rules of the House are explicit. The rules of this
8 committee are explicit. The resolution of this committee
9 explicitly says that your rules must be consistent with the
10 rules of the House.

11 So, I cannot suggest to you a rule like that rule of the
12 House Intelligence Committee.

13 I played around with language with Jim Wolfe and we came
14 up with the following suggestion that may meet the needs of
15 the Central Intelligence Agency. The rule does not deny
16 access to any member but it conditions that access to the
17 time, place and manner by the following procedure: That a
18 member would have to request access in writing and the request
19 would be taken up by the full committee and, if the full
20 committee voted to give the member access, he would get it
21 then and there and, if the committee decided that under the
22 circumstances the committee member or the members should not
23 have access, it would cause the question to be taken back up
24 on the House Floor.

25 Of course, if the House Floor in effect reaffirms Rule 11
in this case, then our rules would permit the member to have

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2 access. If the House Floor says that the members should not
3 have access, then of course it would be the resolution of the
4 Floor that would deny the member access and not our own rules.

5 Basically, what it would do is that it would cause the
6 House of Representatives to take a second look at the scope
7 and impact of Rule 11, not as an abstract question of
8 principle, but as a concrete instance where if what the member
9 wanted access to was something that could be fairly described
10 as the "family jewels," then it would be the burden of the
11 full committee to say that it is too risky to turn over this
12 material to this member.

13 It would then provide a mechanism for transferring that
14 decision to the Full House Floor and the Full House Floor
15 would then be in a posture of debating the issue in the
16 concrete context, that is, the specific request of a specific
17 member to see a specific document, and you could bring to the
18 attention of the House the nature of that document without
19 actually revealing it.

20 If, of course, the House votes to reaffirm Rule 11 in
21 this instance, access would be granted. It is my judgment
22 that the Agency would buy this rule as giving them the maximum
23 protection of the disclosure, or the routine and automatic
24 disclosure of the more sensitive methods, to 435 people simply
25 on request.

The choices are hard. If we do not adopt it, I think the

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2 Agency simply will not permit us to explore sensitive sources
3 and methods like the Mexico issue in our hearings and the only
4 way we will get the information out of the Agency is by a very
5 sensitive declassification process in the Agency first. We
6 need to have the information over here to work with it.

7 If we bring it over here to work with it and cannot give
8 them some protection in the context of Rule 11, they will not
9 give it to us. That is the dilemma you are in.

10 I am prepared to discuss with you the exact language of
11 Rule 11 and the exact language of the Intelligence Committee's
12 rule, and Mrs. Berning has for you the text of the rule
13 change.

14 Mr. Sawyer. Would it be feasible to enter into an
15 agreement with the Agency that gave them the right to recall
16 at any time they want the documents covered by the agreement,
17 so if they were advised that there was now a request to review
18 them, we would get a binding agreement and give it back to
19 them?

20 Mr. Blakey. We discussed that with them and the kind of
21 feeling that they had, and that we had, was that once they
22 give us the documents to work with over here, including our
23 own transcripts--in other words, if we have a closed order
24 examination of an Agency employee over what was going on in
25 Mexico, it is hard to argue that our transcript of that
hearing is a document that they gave to us and they can

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2 recall. And I think we just have to bite the bullet and say
3 that once we put it in our hearings, it is ours.

4 Then Rule 11 is explicit that what is ours belongs to the
5 House and that is every member of the House.

6 We tried that, Mr. Sawyer.

7 Mr. Sawyer. I just threw it out.

8 Mr. Fithian. Well, then, Bob, what you are saying is
9 that if we get a document that shows some very, very sensitive
10 aspects of surveillance and we make that a part of our record,
11 when we get ready to fold up shop, in our records is this
12 document where we require the maximum security, and the
13 inability then of the Assassination Committee to make
14 available to the public our record falls seriously into
15 question first.

16 Mr. Blakey. I think that is true. There are certain
17 things, and in other words when we are dealing with what
18 happened in the assassination, everything cannot be made
19 public. If we begin dealing with the way in which certain
20 things were learned, I think we have to recognize that that
21 probably, unless we can convince the Executive Department to
22 in effect declassify it, it will not come out.

23 Mr. Fithian. It will not what?

24 Mr. Blakey. It will not be made public.

25 Mr. Fithian. What physically happens to it then?

Mr. Blakey. Well, it would be part of our record and it



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2 will be in effect classified in our records and our records
3 will probably be turned over to--I suspect the best repository
4 would be the House Intelligence Committee.

5 For example, the Agency had a surveillance on the Russian
6 Embassy, that is a wire tap, and the physical surveillance, a
7 photographing surveillance, a sensitive surveillance to the
8 highest degree, and it poses potential problems for the
9 existing Mexican Government.

10 Mr. Fithian. I am in full support of the proposition and
11 I want to see, once you go back to Cornell and we go back to
12 our committees, what actually happens to that?

13 Mr. Blakey. Those documents will go to the Intelligence
14 Committee who will look them up like the other documents that
15 they have. The other answer is, to the degree that a
16 question comes up, who was the person who applied for the visa
17 application in Mexico City, and can we believe what the Agency
18 tells us, which calls immediately into question the nature of
19 their surveillance, the wire taps and the photographs and as
20 we can talk in a minute about what came out in Cuba.

21 The Cuban Government has provided to us as a witness the
22 man who filled out the visa application.

23 Mr. Devine. Those are free from the Freedom of
24 Information Act, and they are in the custody of the
25 Intelligence Committee?

Mr. Blakey. Because it is in the possession of Congress



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2 which is exempted from that. The witness given to us in
3 Mexico, who was in Mexico at the time, says that his memory is
4 that the person who filled out the application was not the
5 same person who Jack Ruby shot in Dallas.

6 Now, there is a lot of corroboration that we have to do
7 and verification of that, and he gave it as his best memory
8 and "I am not saying this is what happened, but it is my
9 memory of what happened; the person who dealt with me is not
10 the person that I remember," and the ages were different and
11 the weights were different and the heights were different and
12 the facial shape was different.

13 If there were two people in Mexico City, one of which was
14 Oswald and one which was not, there were two people for a
15 conspiracy.

16 Whatever else we have seriously undermined, if we believe
17 that testimony we have undermined the single assassin theory.
18 So, it is right at the heart of what we have to do now, to get
19 access and be able to use the photographs the Agency took of
20 the people who walked in and out of the building.

21 For us to get it, they have to either declassify it or
22 they have to give it to us in such a way that they are
23 reasonably assured that some exercise of discretion will be
24 made before every member of the House gets immediate access to
25 it.

Mr. Fauntroy. I have two questions. It is my

1
2 understanding that CIA is willing to risk a Floor procedure?

3 Mr. Blakey. Yes.

4 Mr. Fauntroy. My second question, therefore, is: How do
5 you distinguish the House Intelligence Committee and its rules
6 from that of our Select Committee?

7 Mr. Blakey. Well, I think the House Intelligence
8 Committee rule is in opposition to Rule 11. They have adopted
9 a rule in contradiction to the Rules of the House. As a
10 lawyer, I say tat and I cannot suggest to you that you adopt
11 their rule. Their rule explicitly says that the House
12 Intelligence Committee can deny you access to a document in
13 their possession.

14 Rule 11 of the House says that if it is in possession,
15 they can condition your access, time place and manner but this
16 cannot deny it.

17 Mr. Fauntroy. My only concern, Mr. Chairman, therefore
18 is that we get access. Now, if we can get access through this
19 means, that is fine. but if we cannot, if the House
20 Intelligence Committee can do it, for the sake of our mandate,
21 I have no objection to adopting their rule.

22 Mr. Sawyer. That is the way I feel about it, too.

23 Chairman Stokes. Do we have a copy of the House
24 Intelligence Committee Rule?

25 Mr. Fithian. May I come in here? I am not the careful
stickler on this, Mr. Blakey, but it would seem to me that we

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2 might be able to adopt a rule just simply saying that in the
3 handling and for security purposes in the handling of
4 documents from the Intelligence Committee, they shall be
5 handled in accordance with the Intelligence Committee rules
6 for the House of Representatives.

7 Mr. Blakey. Of course, then you go and read that and you
8 go to Rule 11 and Rule 11 controls the detail.

9 Mr. Dodd. Could I ask one question there? I am
10 concerned about really one aspect of this. I would like to
11 see us do whatever can be done to gain access immediately to
12 this information. My real concern comes here, that all of us
13 here have made a pledge that at the conclusion of these
14 hearings next year, that we would make public all and any
15 information that helped us arrive at the results we have. And
16 that information would be available to the public.

17 I am torn, myself, over the desire to get at this, and
18 then faced with the dilemma of having to renege on a
19 commitment that we felt was important. I do not think we
20 anticipated this kind of a thing facing us, and that is my
21 principal concern at that particular juncture.

22 Mr. Blakey. The issue arises like this. The process
23 that we have been going through is a two-step process. First,
24 it is access and second it is disclosure. When it comes time
25 to write the final report, suppose we wanted to tell the
American people about Oswald in Mexico, and the only way to do

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2 it is to tell them about the photographs and the wire taps.
3 We have been right up front with the Agency and to say "You
4 guys may have to bite the bullet when we get down to the end,
5 the nature of the surveillance goes to the heart of the
6 information and we cannot make a conclusion without indicating
7 the heart of the information, and at that time we will make
8 the appropriate request of you for not access but disclosure."

9 And the Agency says, "Well, we recognize that problem and
10 we will see if we cannot develop words that let us disclose
11 enough in the final report to protect our sensitive sources
12 and methods."

13 Mr. Dodd. What you are telling me is that we are not
14 being asked at this juncture to make a commitment as to what
15 ultimately we will do with the information at the time we make
16 the final report.

17 Mr. Blakey. Yes, the agreement reserves all
18 Constitutional rights to both sides at the final stage. With
19 the Agency, that is disclosure. The only question now is
20 access.

21 If we need it to tell the American people, I think we
22 fight for disclosure.

23 Chairman Stokes. Having read the Intelligence
24 Committee's provision, you are lucky if CIA is willing to take
25 this provision here that you have drafted, because this is not
anywhere near as stringent as the one of the Intelligence

1
2 Committee.

3 Mr. Blakey. The Intelligence Committee actually says, and
4 I am reading now from subparagraph 2, when it says, "Such
5 action as the committee may take including but not limited to
6 approving the request in whole or in part or denying the
7 request."

8 How can the House Intelligence Committee deny the request
9 when you have Rule 11 which is explicit and it says and I
10 quote now from Rule 11, "All members of the House shall have
11 access thereto." It is explicit.

12 Our resolution says our rules have to be consistent with
13 the rules of the House and the rules of the house do not leave
14 any if's and's or but's. But the requested rule is that it
15 brings into operation the Floor of the House prior to the
16 members access and thus they will take their chances on the
17 Floor of the House denying a member access, if we think it is
18 worth fighting over.

19 Mr. Fauntroy. And your fear is that were we to operate
20 under this rule that we would run the risk of being overruled
21 by the House and there we would have to give it.

22 Mr. Blakey. But the Agency says they are willing to risk
23 a Floor confrontation over an individual access and if they
24 lose that, they lose. But they are unwilling to run the risk
25 of having the decision automatically flow from the rule of the
House itself.

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2 Mr. Preyer. You do not want to release it because the
3 man's conscience tells him that this should be made available
4 to the public. I think at least they have a crack at that
5 public opinion mob elicited by them.

6 Mr. Blakey. And I would say in a routine matter that the
7 rule ought to be absolutely construed in favor of a member's
8 access.

9 There is very little over there now that could not be
10 turned over to every single member of the House, if he was
11 adequately briefed before hand, but the deeper we get into
12 some of this, the more sensitive it becomes and the more it is
13 depending on who makes the request and what he announces
14 before he makes the request, which you might want to
15 reconsider.

16 Mr. Preyer. When he makes the request to the committee,
17 we would have the right to impose conditions on access at that
18 time?

19 Mr. Blakey. Our rules now provide a very stringent
20 situation, only he, and only written, and only in a designated
21 room and no notes taken, and of course subsequent disclosure
22 is a violation unless he does it with your majority opinion.

23 In other words, he cannot come in and look at something
24 and then disclose it against the will of the full committee
25 publically and all he can get is access to it. But I think
that they have a fear that the ethical violation by a member

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2 of not living up to your majority rule might not be a
3 sufficient deterrent to the disclosure.

4 Chairman Stokes. I have a question and maybe Jim Wolfe
5 is the proper person to answer the question, but each time we
6 amend the rules, do we then again republish our rules?

7 Mr. Wolfe. All we have to do is add an amendment to the
8 end, and we now have our pamphlet with one glued amendment on
9 it and we will have to glue the new amendment on at the end
10 and we will not have to republish them.

11 Chairman Stokes. Also previously--and I do not know
12 whether it is required by the House Rules or not--but we did
13 put our rules into the Congressional Record, and are
14 amendments required?

15 Mr. Wolfe. Not necessarily. I do not think we are
16 necessarily required, and they are public in the sense that
17 every person who gets a copy of our rules will get a copy of
18 this provision with it.

19 Chairman Stokes. What about House members?

20 Mr. Wolfe. If the House member wants access, it has not
21 happened yet, but they have asked us sometimes on the phone
22 how to do it, and we would send them a copy of the rules and
23 the rule dealing with access would be at the end. In the same
24 way the Intelligence Committee's rules are public, our rules
25 obviously would be public.

Chairman Stokes. Are there any further questions? If



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not, the chair will entertain a motion.

Mr. Preyer. I move the adoption of this rule amendment, Mr. Chairman.

Chairman Stokes. It has been properly moved that the rules of the committee be amended as per the rules amendment now before the members. The amendment is as follows:

13.11. Members who desire access to restricted, including classified and confidential, or sensitive information that has in addition been designated by the Chairman as primary information, shall be required to request such access in writing to the Committee. Each such request by a member must be considered by the committee, a majority being present, at the earliest opportunity.

The committee may, by record vote, grant the member's request. If the member's request is not granted, the committee shall forward the member's request, together with a recommendation and report of the committee, to the House. If the committee did not grant the member's request, the member shall have access to the primary information only subsequent to a determination by the House that the member's request should be granted.

Mrs. Berning. Mr. Stokes.

Chairman Stokes. Aye.

Mrs. Berning. Mr. Devine.

Mr. Devine. Aye.

*Entered as Full Committee Exhibit #16.
see App. —, p. —.*

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1 Mrs. Berning. Mr. Preyer.

2 Mr. Preyer. Aye.

3 Mrs. Berning. Mr. McKinney.

4 Chairman Stokes. Aye by proxy.

5 Mrs. Berning. Mr. Fauntroy.

6 Mr. Fauntroy. Aye.

7 Mrs. Berning. Mr. Thone.

8 (There was no response.)

9 Mrs. Berning. Mrs. Burke.

10 (There was no response.)

11 Mrs. Berning. Mr. Dodd.

12 Chairman Stokes. Aye by proxy.

13 Mrs. Berning. Mr. Ford.

14 Mr. Ford. Aye.

15 Mrs. Berning. Mr. Fithian.

16 Mr. Fithian. Aye.

17 Mrs. Berning. Mr. Edgar.

18 Mr. Edgar. Aye.

19 Mrs. Berning. There are ten "ayes," Mr. Chairman.

20 Chairman Stokes. Ten members having voted in the
21 affirmative, the rules amendment is adopted.

22 Mr. Blakey. There is one other matter which it may be
23 appropriate to raise, particularly while everybody is here.
24 It is a very sensitive matter, and we ought to get some feel
25 from it.

1
2 You will recall while we were in Cuba, Mr. Chairman, we
3 discussed on the beach one issue and this deals with an issue
4 that is important. The Central Intelligence Agency suggested
5 the only way we could have conversations in private was to
6 stand on the beach and face the United States, that is out to
7 the ocean.

8 So, at certain times we went to the beach and faced the
9 ocean to have conversations.

10 Chairman Stokes. I am glad that you clarified that. You
11 can get the wrong impression.

12 Mr. Fauntroy. I was about to become very disgusted with
13 that and the rested look that you had when you returned.

14 Mr. Blakey. The tan covers the bags under my eyes.

15 Chairman Stokes. While he was watching the United
16 States, you saw the latest maneuvers of the latest MIG fighter
17 200 yards off the beach.

18 Mr. Blakey. It was 200 yards.

19 Chairman Stokes. It was some display of its agility.

20 Mr. Edgar. Did they know you were there?

21 Chairman Stokes. Yes.

22 Mr. Blakey. The issue raises as follows: Our rules are
23 explicit for no electronic surveillance and by that I mean not
24 even the wire tapping which is obviously beyond the pale, but
25 no central recording either.

As all of you now know, there are two informants in the



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2 Mr. Blakey. The Supreme Court has decided a case on this
3 and they have set up the rules that should be followed in this
4 kind of a situation and it would be possible for us to follow
5 those rules and not invade the attorney-client privilege.

6 Chairman Stokes. I was aware of that general principle.

7 Mr. Edgar. Given the information that we have so far, I
8 think we ought to put this in our thinking and think about it
9 very seriously before we get involved in any kind of action at
10 this point. So, I would suggest taht we mill it over in our
11 minds and keep it within the committee structure and deal with
12 it at some future time, because I think that there are some
13 very, very serious questions.

14 Mr. Blakey. They are extremely serious, no matter what
15 decision you take.

16 Mr. Edgar. If I would have an opportunity to vote now, I
17 would vote "no."

18 Mr. Blakey. Whatever decision you make you run risks and
19 it is not something tat has to be decided today, but it is
20 something that has to be decided next week.

21 Chairman Stokes. I think the gentleman is absolutely
22 right, that this is something that the committee needs to
23 think about, and have further dialogue with one another on,
24 and then we can entertain it at some later date.

25 Mr. Edgar. Before we adjourn, I would like to reiterate
a comment I made to you, that it seems to me it would be

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2 helpful in the next week or two to have at least an hour
3 meeting of our committee to bring together all of us to get a
4 summary report of where we are in terms of status with each of
5 the investigations, the foreign contacts, the process of where
6 we are going, and I think we are in need of that at this
7 point.

8 Chairman Stokes. Your comments to me were brought to the
9 attention of Mr. Blakey today and he is going to follow
10 through with that.

11 Mr. Blakey. There are a number of dramatic developments
12 that are occurring day by day, and I am finding it a problem
13 being brief, but I have obviously no problem with keeping you
14 people up to date and we can certainly do that within the next
15 week.

16 Chairman Stokes. There being nothing further at this
17 time, the meeting is adjourned subject to the call of the
18 chair.

19 (Whereupon at 4:55, the committee adjourned subject to
20 the call of the chair.)
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RULES AMENDMENT
(a majority must be present)

RESOLVED:

The Rules are hereby amended, by adding a new section 13.11 to provide as follows:

- 13.11 Members who desire access to restricted (including classified and confidential) or sensitive information that has in addition been designated by the Chairman as primary information, shall be required to request such access in writing to the Committee. Each such request by a Member must be considered by the Committee, a majority being present, at the earliest opportunity. The Committee may, by record vote, grant the Member's request. If the Member's request is not granted, the Committee shall forward the Member's request, together with a recommendation and report of the Committee, to the House. If the Committee did not grant the Member's request, the Member shall have access to the primary information only subsequent to a determination by the House that the Member's request should be granted.

Full Committee Exhibit #16