

HENRY B. GONZALEZ
20TH DISTRICT, TEXAS
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COMMITTEES:

SMALL BUSINESS

SUBCOMMITTEES:

SBA LEGISLATION

SBA OVERSIGHT AND MINORITY ENTERPRISE

BANKING, CURRENCY AND
HOUSING

SUBCOMMITTEES:

HOUSING AND COMMUNITY DEVELOPMENT

CHAIRMAN,

INTERNATIONAL DEVELOPMENT INSTITUTIONS
AND FINANCE

CONSUMER AFFAIRS

GENERAL OVERSIGHT AND RENEGOTIATION

(SELECT) ON MISSING IN
SOUTHEAST ASIA

WHIP:

TEXAS DEMOCRATIC DELEGATION,
U.S. HOUSE OF REPRESENTATIVES

Congress of the United States
House of Representatives
Washington, D.C. 20515
January 11, 1977

STAFF:
GAIL J. BEAGLE
KELSA R. MEEK
MRS. BONNIE CALDWELL
RAYMOND I. CANTU
ELLA M. WONG
MRS. LORRAINE G. INMAN
ARLETT L. HARTIE
ELOY AGUILAR
GARY INMAN
MRS. LINDA S. PATTON
MRS. ADELAIDA B. HERNANDEZ
MRS. EDYTH BAISH
MRS. MILDRED DONAHUE

HOME OFFICE:
B-124 FEDERAL BUILDING
727 E. DURANGO STREET
SAN ANTONIO, TEXAS 78206
512-229-6199

MRS. LUZ G. TAMEZ
MRS. CORA FAYE CLAYTON
MRS. MARY JESSIE ROQUE
JESSE WONG

FILE REF. B13a

Dear Supporter of Congressional Study
of Political Assassinations:

This is to let you know that this is a particularly critical time for the House investigation into the assassinations of President John F. Kennedy and Dr. Martin Luther King.

As you know, a resolution I sponsored was approved on September 17, 1976, close to the end of the 94th Congress, which created a 12-member House Committee for the purpose of investigating the assassinations of President Kennedy and Dr. King (and any others that the committee designated).

The life of this committee ended at noon on January 3, so it is necessary to get H. Res. 9 (introduced on January 4) approved as quickly as possible so that the committee can be reconstituted and the staff which has been hired can continue their work.

It is very important that you express your support to your U.S. Representative again, if you have not done so recently. Some of you have new Members serving in the U. S. House, so it is particularly important that you let he or she know of your interest.

Thank you for your continued interest and support. With every good wish, I remain

Sincerely yours,

Henry B. Gonzalez
Henry B. Gonzalez
Member of Congress

HOUSE RULES COMMITTEE

H. Res. 9 is pending in the House Rules Committee. As soon as the Committee is organized for this 95th Congress, I expect the Committee to consider the resolution reconstituting the Select Committee on Assassinations and report it to the House floor for consideration. However, it is important that the Committee be fully aware of the people's interest in these investigations. I am listing for your information a list of the House Rules Committee members who will soon consider the resolution.

The Honorable James J. Delaney (D.-N.Y.) -- Chairman
2267 Rayburn House Office Building

The Honorable Richard Bolling (D.-Mo.)
2465 Rayburn House Office Building

The Honorable B. F. Sisk (D.-Calif.)
2217 Rayburn House Office Building

The Honorable John Young (D.-Texas)
2204 Rayburn House Office Building

The Honorable Claude Pepper (D.-Fla.)
2239 Rayburn House Office Building

The Honorable Morgan F. Murphy (D.-Ill.)
2436 Rayburn House Office Building

The Honorable Gillis W. Long (D.-La)
2445 Rayburn House Office Building

The Honorable Joe Moakley (D.-Mass.)
238 Cannon House Office Building

The Honorable Christopher J. Dodd (D.-Conn.)
224 Cannon House Office Building

The Honorable Lloyd Meeds (D.-Wash.)
2352 Rayburn House Office Building

The Honorable James H. Quillen (R.-Tenn.)
102 Cannon House Office Building

The Honorable John B. Anderson (R.-Ill.)
1101 Longworth House Office Building

The Honorable Delbert L. Latta (R.-Ohio)
2309 Rayburn House Office Building

The Honorable Del Clawson (R.-Calif.)
2262 Rayburn House Office Building

The Honorable Trent Lott (R.-Miss.)
308 Cannon House Office Building

The Honorable Andrew Young (D.-Ga.)
312 Cannon House Office Building (may leave Congress soon, if confirmed for U.N. post, but he is likely to still be here when this is considered)

-- all Washington, D. C. 20515

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WHIP:
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U.S. HOUSE OF REPRESENTATIVES

Congress of the United States
House of Representatives
Washington, D.C. 20515

January 22, 1977

STAFF:
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KELSA R. MEEK
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RAYMOND I. CANTU
ELLA M. WONG
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FILE REF. B13a

Dear Supporters of House Select Committee on Assassinations:

The House Rules Committee did not complete action on H. Res. 9 last Tuesday. They met all day long January 25. This day long session included my testifying and being questioned by members of the Committee for about four hours.

There are still several Members of the House, who are left to testify either pro or con, at a meeting scheduled by the Rules Committee in continuation of consideration of H. Res. 9 for next Tuesday, February 1. If the Committee completes consideration and takes favorable action on H. Res. 9 that day, the resolution will be scheduled for a vote on the House floor on Thursday, February 3.

Reconstitution of the House Select Committee on Assassinations continues to be a long, hard struggle, and I am appreciative of the help that you have been giving me.

I am enclosing, for your information, a copy of my testimony before the House Rules Committee (however, you would have to read the entire transcript of the Rules Committee hearing that day in order to get a complete picture of the issues involved from the questions that were asked), including a comparison of H. Res. 9 to H. Res. 1540 (the resolution passed in the 94th Congress last September 17 establishing the committee). Also, on the back of this letter is a reprint of an article from the Washington Star. The article is, generally speaking, accurate.

Sincerely,

Henry B. Gonzalez
Henry B. Gonzalez, M. C.

Assassination Panel's Future Is Left Dangling

By Jeremiah O'Leary
Washington Star Staff Writer

The House Rules Committee, hanging like a hung jury over the fate of the Select Committee on Assassinations, has put off until next week the decision of whether to kill off the panel or pass the final verdict along to the full House.

But, even with the select committee and its 73 staffers in legislative limbo, there was an obvious and growing consensus for severely restricting the controversial assassination committee. chief counsel, Richard A. Sprague. At least one witness, Rep. Robert E. Bauman, R-Md., called for Sprague's resignation and Rep. Delbert Latta, R-Ohio said, "Somebody ought to put a leash on him."

Rep. Henry B. Gonzalez, D-Tex., who will be chairman of the assassination panel if it survives, was forced to fight a rear-guard action yesterday. He pleaded with the rules committee to give him a chance to reorganize the unit and re-estimate

the cost of operating the probe of the murders of President John F. Kennedy and Dr. Martin Luther King Jr.

FACED WITH THE fact that Sprague has become a major issue in the fight for the committee's survival, Gonzalez said, "Staffers should be on tap, not on top."

Gonzalez sought to reassure the Rules Committee that he is aware of all the problems he has inherited and let it be known outside the committee room that he had other problems of his own since it became obvious he was going to succeed lame-duck Rep. Thomas N. Downing, D-Va., who has retired.

Gonzalez told newsmen he has been informed by the FBI and Texas police that he was the target of one assassination "contract" for \$35,000 last October and another "hit" in December.

Gonzalez said he has never been able to ascertain from the FBI what

the motive was for the reported plots against him or what became of them.

Rep. B. F. Sisk, D-Calif., told his fellow Rules Committee members that he has received threats from Los Angeles and Detroit and that his staff has been cursed because he was perceived as leading the opposition against reconstituting the assassination committee.

BUT ESSENTIALLY Gonzalez put his reputation as a hard-working and well-liked legislator on the line as a guaranty in return for consent of his peers to carry on with the investigation. He asked the Rules Committee to report out the resolution to reconstitute the select committee so that the House can vote its will.

Chairman James J. Delaney, D-N.Y., said he was disposed to put the resolution forward and let the entire House decide.

While that may be the result next Tuesday after the Rules Committee hears more witnesses and then votes on the assassination committee's fate, another consensus appeared to be developing.

The mood of the committee seemed to indicate that the best Gonzalez can get at that level is a 90-day extension at the present rate of expenditure until the issues of cost, longevity, investigative techniques, staff controls and other arguments are settled in the House Administration Committee and on the House floor.

MEANWHILE, Sprague and his 72 staff employees are on no payroll and even the subpoenas they have issued for witnesses have become null and void. It is known that Sprague already has reduced his onetime rock-bottom budget estimate of \$6.5 million for the first year of operations to \$4 million. House members indicated yesterday

there is little likelihood of even \$4 million being approved even if the committee is extended for 12 months.

There were these other developments yesterday:

- D.C. Delegate Walter E. Fauntroy got into a tangle with Sisk when he spoke of "new evidence" uncovered in the assassinations by the staff, then changed his statement to say the staff was "pursuing new leads." When Sisk pressed him to disclose the new information, Fauntroy said he did not feel at liberty to do so.

- Rep. Richardson Preyer, D-N.C., defended Sprague, saying, "He's had no experience with Congress, he's demonstrated he is no diplomat, but he's good at tracking down killers. His staff will get some answers (to the questions revolving around the two assassinations), but it needs to be Congress-broken."

- Rules Committee members said they heard the Sprague staff might be going to Cuba to try to get a deposition from Fidel Castro about the Kennedy death and to Africa to interview a witness in the King case. • Other members were concerned that the assassination committee will be doing investigations that four other existing committees may already have jurisdiction in what Sprague and his staff will be investigating if they are continued.

THE RULES Committee, it seems apparent, will report out the resolution next week, but the heated debate of yesterday was only the first round. Capitol Hill veterans predicted more trouble ahead when Gonzalez comes up with a new, reduced budget and asks for funds and permission to get started.



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No. 27

THE REASONS FOR THE FIRING OF THE CHIEF COUNSEL AND STAFF DIRECTOR

HOUSE SELECT COMMITTEE ON ASSASSINATIONS MEETS

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, today, the House Select Committee on Assassinations held its first meeting. I wish to provide for the Members of this House the text of my remarks:

BUDGET DISCUSSION

We are confronted with a serious budget problem. It is, in fact, a problem that grows and compounds with each passing moment. We must clearly understand this, and deal with it without delay.

We are restricted, under terms of the House Resolutions 228 and 11 to expenditures not exceeding the amount spent in December, 1976, until and unless a regular funding resolution is approved.

Under those terms, the Committee has \$94,000 per month available to it. The Committee cannot meet its obligations within that amount of money, for the main and simple reason that Mr. Sprague, without my knowledge, consent or approval, arranged for the employment of some 25 persons effective January 1. Had I known of this action, I would have objected in the most strenuous terms, because I know that no Committee expands its employment by 55 percent without some clear knowledge of what its ability to pay is. At that time, the only certain funds that we had were amounts that could be advanced under a continuing resolution.

If staff employees were to receive the salaries that they were promised by Mr. Sprague, Committee costs for personnel, alone, would be exceeding our total funds by \$35,000 per month. Committee personnel have taken a 35 percent reduction in pay, simply so that everyone could have something. However, they had no choice in the matter; the Committee on House Administration would have imposed reductions; inasmuch as they can only pay out what is authorized.

The Committee today has few funds to pay its operating costs. January bills have not been paid, but clearly exceed the \$770 available. The only way that the January bills can be paid, or for February expenses to be paid, is to reduce staff expenses. This can be done either by reducing salaries further, or reducing the number of personnel. I have a letter from the House Administration Committee regarding this.

After Mr. Sprague last week failed to produce a plan for any kind of reduction in force, I directed him in writing to provide me with a plan of operation whereby the Committee could avoid a reduction in force and still reduce expenses enough to live within the amount of funds we have available. I specified that this plan must be precise, and I directed that it be delivered to me no later than Noon Friday, February 11. This allowed a couple of days for Mr. Sprague to perform.

I finally received his response about mid-day Monday, and incidentally, it was backdated to February 11. The "precise plan" that I asked for was as follows, and I quote:

"adhering to the pay reductions the staff has agreed to, keeping operating expenses to a minimum, and having the Committee quickly approve a new budget which can be submitted to Congress."

It is hard to imagine anything less responsible than that.

Committee Members will appreciate that no one can assure how much money we will receive for continued operation. We can, however, be sure that we have to pay our bills until we do know what our budget will be. We have no choice but to live within our available funds.

I am willing to explore the possibility, however remote it may be, of covering some of the shortfall by trying to arrange for permission to use any leftover funds from the last Congress to apply against current expenses. This would not, in my judgment, cover our shortfall, but I am willing to explore every possible avenue.

I am also willing to approach the House Administration Committee to ask for a sup-

plemental to cover our shortfall, in the event it is not possible to work out our problems in any other way. Moreover, there is a condition to this: we must make a good faith effort on our own part. We must be able to show that every expense is fully justified. We must be able to show that every person on that staff is qualified, and we must be able to show that every person on that staff is essential. I am gathering as much detailed information as I can, but Mr. Sprague's performance in supplying information on time is a genuine handicap. Based on what I have in hand, my judgment is that the House Administration Committee would not approve any additional funds for the Committee until salaries are realigned and personnel positions adequately justified.

Before we pass on to a discussion of this, I want to emphasize one point: with each passing day, the Committee's financial problems grow deeper. Each day, there are more unpaid bills, and unless circumstances change, every cent of those bills must be paid out of personnel costs—either in the form of additional salary cuts, personnel cuts, or both. Each day we delay, the problem increases, and at a compounded rate.

Keep in mind this situation, and the imperative need to act. There is no way to avoid the problem. It is our responsibility.

I want you to bear in mind that paying the bills for January, let alone February, as I said before, will very likely involve personnel or further salary reductions. We must in any event act within the next day or two.

I know that some of my colleagues were alarmed by what they saw as my precipitate action last week. Let me say simply that when I see a rattlesnake on the doorstep, I don't hesitate; I stomp on it, and answer questions later. This may not always seem elegant, but it is explainable and understandable.

I am prepared to discuss this matter at this time.

I had no alternative but to remove Mr. Sprague. The circumstances were such that I had to move at once, with precious little opportunity to leisurely inform Members of the action or reasons for it. I did everything within my power to inform you at once, and to spell out in as much detail as possible, the reasons for my action.

Mr. Sprague apparently felt that he had the full authority of a Member of the House, and the full authority normally associated by the Chairman and the Committee. He explained his general penchant for acting the part of a Member—appearing before the Caucus, wanting to appear before the Committee on Rules—by saying, on January 11, (quote) "they wanted someone to take the leadership role... Fine, I am glad to do it." Regardless of the fact that employees of the Committee are responsible to the Congress, Sprague's instructions were: "Do not discuss our business here with Members of Congress. If you know something about a Member of this Committee, come to me." And, regardless of the fact that only a Member can employ or terminate anyone, Sprague made flat assurances that he—not me, not the Committee—would make good on any pay cuts, by raising salaries once the Committee got a regular appropriation. He assured the staff that he was in complete charge of the Committee. On February 8, he told the staff:

"There may have been some feelings of uncertainty around this office about who runs things—a kind of headless horse. But the head is right here—on me. I am laying out the lines of command in this office.... If they (Members of Congress) want to communicate with you, they will do it through me.... I do not want you running back and forth with Congressional offices as to what is happening here. If I find that kind of thing going on, they will be fired."

If any one on this Committee can believe that this was anything other than insubordination, and usurpation of any and every authority of this Committee, then there is no such thing as insubordination and usurpation.

Sprague did not believe that this Committee, let alone its Chairman, should—or was—running anything. He was in charge, and he alone. Congress did not appoint and dis-

miss—he did. Employees of the Committee were not responsible to the Committee, but to him and him alone.

Sprague did not wish for anyone of the Committee to know about this meeting. He told the staff: "I only hope all this remains in the confines of the staff." I found out about the meeting that evening, very late. The next day, February 9, another such pep rally occurred, but there are no records of it, since Sprague demanded that no records be kept—unlike all other cases. The reasons were clear. At that next pep rally, he literally dared the Chairman to try and remove him.

As I said, when I see a rattlesnake, I react. Any Member who knew what I did would not have hesitated; Sprague had to be stopped, then and there, and I did what I had to do.

Aside from insubordination and a clear effort to usurp the power of the Committee and its Chairman, Mr. Sprague is guilty of failure to perform. I presented Mr. Sprague a series of requests in writing, with deadlines that he had to meet, in order for the Committee to be prepared to proceed about its business in an orderly manner. None of the necessary deadlines were met; information he did finally provide, such as a request for a detailed plan of operation without salary cuts or pay cuts, which he claimed to be possible. You already know that he produced nothing except empty phrases, merely leaving it up to the Committee to obtain more money—how, he did not say.

Much more serious, however, is the fact that Mr. Sprague has placed the Committee in serious financial condition by irresponsibly employing a large number of people without any indication of where the funds to pay them would come from. This action, which took place without my prior knowledge, let alone approval, led directly to the 35 percent salary reduction imposed on the staff during the month of January. This led likewise to the ever-growing inability of the Committee to meet any costs, even the most minimal and essential operating expenses.

Even though I have taken strong action to reduce costs, including placing control equipment on telephones, there is no way to meet all expenses without further reductions in personnel costs.

In part, however, the Committee's financial ills are traceable to a scandalous inflation of salaries. Even though some employees of the Committee accepted pay cuts to join the staff, about two dozen employees were placed on the payroll at salaries vastly exceeding their last previous employment. Six of nine employees from the Washington office of my predecessor are on the Committee payroll. Most of these, I am sure, are well qualified, hard-working persons, but one, at least, received an astonishing 87 percent pay increase. That person previously worked at a salary of \$16,000, but was placed on the payroll by Mr. Sprague at a salary of \$30,000. Another employee previously earned \$14,000, but was being paid at the rate of \$24,000—a 65 percent increase. And another employee received a 60 percent increase—from \$10,000 to \$16,000. One received a 63 percent increase—from \$11,000 to \$18,000. Another received a 50 percent increase—from \$20,000 to \$30,000. One received a 41 percent increase—from \$24,000 to \$34,000, and another a 40 percent increase—from \$20,000 to \$28,000.

I submit that there is no way this Committee could accept—let alone defend—this kind of salary inflation. There is no other word for it except scandalous.

As I am Chairman of this Committee, I cannot defend it as long as this kind of condition exists. Salaries of this kind are an embarrassment to the Committee, a liability to it, and an insult to the House and to the American people. I must have the authority to clear this situation up immediately: I ask it, and I demand it.

If we are unwilling to confront this and deal with it head-on, there is no hope for this Committee. Need I say more?

It is plain—and I can document what I have said—that Mr. Sprague intended to brook no control from this Committee or its Chairman. He was dishonest, deceitful,

continued on back...

and irresponsible in his conduct with the staff and toward the Committee. His advocacy of what amounts to a budgetary blank check could not be justified last winter, and, clearly, cannot be justified today, especially in light of what we now know about the salary structure he was perfectly willing and happy to foist upon me and you.

Mr. Sprague, nor in fact any other member of the staff was required by the former Chairman to ever file a financial disclosure statement, and when I requested he file such a statement, he replied that certain procedures had to be honored first.

I am willing to do this, but I believe that any employee who claims to be acting in good faith—would be more than willing to file a financial disclosure report of his own free will—especially when that person occupies as sensitive a position as that of Mr. Sprague.

In connection with this, let me point out to my Colleagues—Rule XI, Clause 6(a)(3) (B) provides that "professional members of each standing Committee shall not engage in any work other than Committee business."

Mr. Sprague appears to maintain an active law practice, with offices at 1622 Locust Street, in Philadelphia, Pa., and, furthermore, is engaged in the teaching of law at Temple University, also in Philadelphia. It is plain that since the Rules of the House apply to this Committee, Mr. Sprague is in clear violation of the requirement that we have no outside employment. I checked as recently as yesterday, and Mr. Sprague's office reported that he was not in, but would be available during the weekend. The New York Times reported last Saturday morning that Mr. Sprague had taught his usual law course at Temple University on Friday evening.

It seems at least possible—if not likely—that Mr. Sprague, owing to his considerable outside activities, stands in violation of Rule XII, Clause 8, and I can assure my Colleagues that he most certainly is in violation of Clause 1 of that Rule, in that he has brought embarrassment and humiliation to this Committee and the House by repeated misconduct, and it is my profound and unhappy duty to report all this to you by way of justifying my actions of last week.

I believe that based on what I have told you, and I can furnish any additional details you may desire; that I have amply shown that no Member of this Congress, let alone a Chairman responsible to it, could for one instant tolerate the kind of insubordination, usurpation and outright malfeasance that it was my sorry lot to discover and be compelled to stop six days ago.

I end as I began: there may be those who wondered at my haste, but when one spies a rattlesnake on the doorstep, there is no time to hesitate. I did not hesitate to act, and in the same circumstances, I would not hesitate again.

Mr. Chairman, House Resolution 9, introduced by Mr. Wright on January 4, 1977, to re-establish the Select Committee on Assassinations is different from House Resolution 1540, 94th Congress, which initially authorized the Select Committee. The purpose for the additions to the original authorizing resolution are to state and express legislative purpose, broaden the language of the resolution to withstand anticipated legal challenges to subpoenas and to promote the efficiency of the inquiry by allowing specifically designated Committee counsel to take sworn statements from witnesses.

First, H. Res. 9, creates a Select Committee on Assassinations effective January 3, 1977. The language creating the Select Committee is the same as H. Res. 1540, with the additions of the effective date and the name of the Select Committee.

Second, while H. Res. 1540, authorized an investigation into the circumstances surrounding the "death"(s) of President John Kennedy and Dr. Martin Luther King, Jr., H. Res. 9, provides for an investigation into the "assassination, murder, homicide and death" of President Kennedy and Dr. King. While the additional language, assassination, murder, homicide, does not broaden the scope of the inquiry, the additional language provides a broader legal basis for the enforcement of subpoenas. For example, if a court were to narrowly construe the term "death" it may conclude that "death" is not per se illegal and thus not enforce a critical subpoena. Clearly, assassination, murder and homicide are illegal and comport with our express legislative purpose for the inquiry.

Third, unlike H. Res. 1540, H. Res. 9, provides an express legislative purpose. I would like to point out that the addition of the express legislative purpose does not confer legislative jurisdiction on the Select Committee but does provide that legislative recommendations would be made to the House. Those recommendations would then be referred to the appropriate Standing Committees of the House who have jurisdiction over the subject matter. Even though the Supreme Court of the United States recognized that "the power of inquiry— with process to enforce it is an essential and appropriate auxiliary to the legislative function," the bounds of a congressional inquiry are limited by the areas in which Congress can legislate. Thus, in anticipation of challenges to the enforcement of subpoenas we have enumerated specific areas in which the Congress has legislated.

Fourth, we have added the words, "in any other country," to allow the Select Committee or a subcommittee thereof to take testimony outside of the United States. Again, this addition does not broaden the substantive authority of the Committee but simply broadens the places at which the Committee may sit and take testimony. We feel this addition is necessary since both Lee Harvey Oswald and James Earl Ray traveled outside of the United States.

Fifth, we have added a provision to authorize designated counsel to take statements from any witness who is placed under oath. This provision is similar to a provision used by the House Impeachment Committee and which is contained in H. Res. 803, Section 2(a), 93rd Congress. It is also similar to the authority contained in Section 3(a) of S. Res. 60, which established the Select Committee on Presidential

Campaign Activities. Additionally, the taking of statements or depositions under oath is consistent with Rule 28 of the Federal Rules of Civil Procedure. The purpose of this provision is to promote the efficiency of the investigation by avoiding the necessity and expense of having Committee Members travel to take testimony or of bringing witnesses to Washington. Similarly, if a witness wishes to volunteer information, the witness will be less likely to volunteer false or misleading information if the statement which he gives is under oath. Of course the Committee will establish strict guidelines for the taking of such statements to fully insure that the rights of witnesses are protected. We believe that this method of taking such statements is entirely consistent with the conduct of a professional investigation.

Sixth, H. Res. 9 provides that "one-third of the Members" shall constitute a quorum. This language is consistent with House Rule XI, Clause 2(h), as adopted by H. Res. 5, 95th Congress, January 4, 1977.

Seventh, we have added, "or any subcommittee thereof," to the language providing for the issuance of subpoenas. Since two subcommittees were formed during the last Congress, the provision would clearly delegate the authority to authorize subpoenas to the subcommittees as it would to the Chairman of the full committee.

Eighth, we have added language which expressly provides for contempt of Congress and to the granting of immunity to witnesses by the Select Committee. While this authority is already provided by the cited statutes, we noted that the Senate Select Committee on Presidential Campaign Activities authorizing resolution (S. Res. 60) contained such a provision. That provision was the subject of litigation in the United States District Court for the District of Columbia as it related to David R. Young. Again, it does not broaden the authority of the Select Committee but in the event this provision would involve litigation it would be clearly contained in our authorizing resolution.

Finally, we have added a provision in the Resolution which provides for the adoption of written rules. Unfortunately, the Select Committee did not adopt rules other than the Rules of the House when it was initially created and this provision would mandate the adoption of such rules.

In summary, Mr. Chairman, the changes which are contained in H. Res. 9, which were not contained H. Res. 1540, were added in contemplation of challenges to the enforceability of our subpoenas and to provide a clear legislative purpose for the inquiry.

STATEMENT OF CONGRESSMAN HENRY B. GONZALEZ IN SUPPORT

OF HOUSE RESOLUTION 9, BEFORE THE HOUSE RULES COMMITTEE, JAN. 25, 1977

Mr. Chairman, Members of the Committee, I appreciate having an opportunity to appear in support of House Resolution 9, reestablishing the Select Committee on Assassinations and providing interim funding under the provisions of House Resolution 11.

I have come here today making this request for approval of H. Res. 9 fully realizing the impact of some of the controversy surrounding the use of various investigative techniques, the proposed budget and the activities of the Chief Counsel.

First, a proposal was made by the staff for the use of polygraphs and stress analyzers. These items have never been used. I am personally opposed to their use. Before they could be used they would have to be approved by the full committee after careful debate and deliberation. I am confident that once it is reestablished and the Members have an opportunity to meet, that the Committee for the 95th Congress will not sanction the use of such devices.

Furthermore, I have made it clear that each and every investigative technique proposed to be used will be carefully considered and decided by Members of the Committee.

Second, questions have been raised about the size of the proposed budget of \$6.5 million. Until we are reestablished as a Select Committee there cannot properly be a budget request. Once the Committee is reestablished, the Members will have to thoroughly review and evaluate the proposed budget. We will then be in a position to justify each and every expenditure. At this point, we do not know what the budget request will be. I can only state that whatever the amount of the request, the Committee will be prepared to justify it and I believe it will be acceptable to every Member of the House who wants to see a thorough, professional, independent investigation.

Third, various questions have been raised about the activities of the Chief Counsel, Richard A. Sprague. Some of the stories which have been published about him were dredged from the turgid and murky waters of big city politics. They are political and bear no credence. As to his frequent contact and visibility in the media, I have already prepared a draft of proposed rules for both the staff and the Members of the Committee. Once we are reconstituted the Members of the Committee will then be able to immediately consider and adopt such rules.

Fourth, while I propose to speak for no other Member, I am sure that I reflect their strong feelings that this investigation will be conducted under the highest professional and ethical standards. I can personally assure the Members of this Committee and of the House that this investigation will be carried out in the most professional manner so there will be no doubt as to our credibility or that of this House.

It is important to point out that I have not yet served as the Chairman of the House Select Committee on Assassinations. Even though I was the originator of legislation creating the Select Committee on Assassinations I was not named the Chairman of the Committee when it was first established last September. Therefore, it is important to understand that I have inherited the errors and misjudgments that have been made during a period when I was not the person in charge.

I have devoted myself, and much of the time of my personal staff, to meeting the challenge of these circumstances, and it is my judgment after very close consideration that there is nothing so dire that cannot be resolved or corrected. The work that has been done thus far by the legal

and investigative efforts of the Select Committee's staff is commendable and outstanding.

At such time that this Committee is reconstituted and I am officially made the Chairman by House Speaker, Thomas O'Neill, it is certain that some staff adjustments will be made, and there is no doubt in my mind that after these adjustments are made we can work together in such a way that no further missteps are taken that could cause harm to this body or these investigations.

Mr. Chairman, my colleagues, I have long sought enactment of legislation establishing a House study of the political assassinations.

I feel strongly about the need for assessing the impact of these assassinations on our country, and getting to the truth of why they happened so that we can prevent such events from happening again.

There has never been a period of time in the history of our country like the decade of political assassinations which began with the murder of President Kennedy and included the death of Dr. King.

This decade of assassinations shook the foundations of our democracy and has had lasting effects on the people -- too many of whom have very serious doubts and fears about their government and its ability to cope with forces both within it and loose throughout the land.

I sincerely did not seek the establishment of this Select Committee so that I could become the Chairman. The thought did not even cross my mind. Maybe it should have, because I certainly have other objectives and responsibilities which must be considered too.

All I have wanted from the beginning is the truth about these crimes against the people, and this is why I seek reestablishment of the Committee first established through legislation I originated.

I cannot think of anything more important for us to do here in the Congress, as elected representatives of the people, than to insure that the people have the option to choose their national leaders by ballot, rather than subjecting them to the possibility that bullets may eliminate those who could possibly serve, or who might continue to serve, in either a volunteer or elected position.

When I first introduced my proposal in the 94th Congress -- on February 19, 1975 -- calling for a Select Committee to study the circumstances surrounding the deaths of President Kennedy, U. S. Senator Robert F. Kennedy, Dr. King, and the attempt on Governor George Wallace's life -- I was serious, but since I was not taken too seriously at the time I had no reason to know much about the forces in this country that are dedicated to keeping the truth from being known.

Now that the Committee has been a reality and the investigations begun, I know full well that there are strong and organized forces dedicated to stopping these investigations in their tracks.

Nevertheless, I am willing to stand up to these forces, and I hope that you are willing to give me and my colleagues, who want to continue to serve on this Committee a chance to give the people a full accounting of why President Kennedy and Dr. King were slain.

Those of you who served on the House Rules Committee during the 94th Congress know that this Committee on September 15, 1976 favorably reported out House Resolution 1540, which authorized a Select Committee on Assassinations. On September 17, 1976, the House passed that resolution. Thus, four months ago, the House debated, deliberated and determined that

there should be full and complete investigations into the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr.

The initial reasons for the establishment of a Select Committee were thoroughly discussed and obviously dispositive to the overwhelming numbers of the Members of the House who voted in favor of that resolution.

First of all, the inadequacies of the investigations in both assassinations and the questions which have been raised, as well as independent findings of other Congressional Committees that in the case of the assassination of President Kennedy the Warren Commission was not provided with all the evidence, continue to be compelling reasons why the investigations must be carried out.

Similarly, Mr. Chairman, it was certainly the will of the American people that these investigations should once and for all solve these assassinations and determine the truth. To this end I would simply remind the Members of this Committee that both a CBS and a Detroit news poll indicated that 65% and 87% of those polled do not believe the conclusion of the Warren Commission. A poll by the Philadelphia Daily News indicated that 96% of those polled supported the need for investigations. Thus, the will of the American people to fully investigate these assassinations was carried out by the House last September by the passage of House Resolution 1540. A recent Gallup Poll indicated that only 11% of the people believe the conclusion of the Warren Commission.

During the span of its short life in the 94th Congress, the Select Committee found previously undisclosed evidence, critical witnesses who had never been questioned, and revelations which lead to serious questions that must be resolved.

Can we, like an ostrich, now hide our heads in the sand and pretend this evidence does not exist? If we do, I submit we can be accused of the greatest Congressional cover-up in history. To do so would be tantamount to the Senate Watergate Committee discovering the existence of the tapes and not inquiring further, or the House Impeachment Committee drawing a Bill of Impeachment and not proceeding.

Further unwarranted delay would demonstrate vacillation and indecisiveness which ultimately damages our credibility as Members of this House.

Mr. Chairman, the evidence is compelling -- it will not be washed away -- it cannot be ignored. As I said earlier, to stop now would be unthinkable. It would demonstrate to the American people that when faced with this challenge we turned our backs on the quest for the truth.

In closing, I would like to call your attention to a comparison of H.Res. 9 to H. Res. 1540 of the 94th Congress which I am submitting with this testimony, also copies of material from the Congressional Record relative to the need for the reconstitution of the Select Committee, and to the exchange of correspondence I have had with Congressman Don Edwards in response to his initial letter to former Select Committee Chairman, Congressman Thomas Downing, who is now retired.

Again, I ask for your support of this effort to find the truth, and welcome any questions you might have.

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February, 1977

MEMBERS OF THE SELECT COMMITTEE ON ASSASSINATIONS

U. S. Representative	HENRY B. GONZALEZ, Chairman (Tex.)	2312 Rayburn House Office Building
"	JOHN B. ANDERSON (Ill.)	1101 Longworth House Office Building
"	YVONNE B. BURKE (Calif.)	336 Cannon House Office Building
"	SAMUEL L. DEVINE (Ohio)	2206 Rayburn House Office Building
"	CHRISTOPHER D. DODD (Conn.)	224 Cannon House Office Building
"	WALTER FAUNTROY (D.C.)	2441 Rayburn House Office Building
"	FLOYD FITHIAN (Ind.)	1205 Longworth House Office Building
"	HAROLD E. FORD (Tenn.)	1230 Longworth House Office Building
"	STEWART B. McKINNEY (Conn.)	106 Cannon House Office Building
"	RICHARDSON PREYER (N.C.)	2344 Rayburn House Office Building
"	LOUIS STOKES (Ohio)	2455 Rayburn House Office Building
"	CHARLES THONE (Neb.)	2433 Rayburn House Office Building

NOTE - All of the above located in Washington, D.C. 20515.

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