Behind Closed Doors
Minutes of Unrecorded Warren Commission Executive Session Found in National Archives

by Mark Sobel

A 9-page document found in the National Archives [among the 40,000 private papers of Commission General Council J. Lee Rankin donated by his family in 1997 ???] details a meeting of the Warren Commissioners on June 29, 1964 that is not listed by the Archives as ever having taken place, (presumably because there is no official transcript of this meeting). All previously known meetings of the Commission Executives were transcribed by a court reporter, which was the standard procedure.

The minutes begin with a discussion of the unauthorized publication of the diary of Lee Harvey Oswald in the Dallas Morning News, and with the Commissioners unanimously adopting a request for the FBI to investigate the source of the leak.

It was agreed that the tentative date for delivering the report to President Johnson be set to early August, (the final report was ultimately delivered in late September). The Commission also heard a report from members Earl Warren and Gerald Ford of their interview with Jack Ruby in the Dallas jail. Mention is made of Ruby’s request for a polygraph exam; interestingly no mention is made of his repeated requests to be taken to Washington to testify, citing that his life was in danger, as the Ruby transcripts demonstrate. (New York Columnist Dorothy Killgallan later obtained an unauthorized copy of the Ruby transcript, which was subsequently published before the Warren Report was issued).

The Commissioners discussed the existence of conspiracy-oriented writings that were being widely circulated in Europe, especially a book by Thomas Buchanan, and decided that the best way “to handle these matters” was to evaluate them in an appendix to the report entitled “Refutation of Rumors and Theories.”

The Commissioners then turned to a list of 72 conclusions that the staff had reached in the writing the draft of the Warren report for the Commissioners to approve, disapprove or comment on. The first 65 were discussed at a meeting scheduled for July 2, 1964 — of which there seems to be no record.

Among the Comments made by the Commission:

i) The answer to the question “Did Oswald kill Officer Tippit” would be an unqualified “yes”.

ii) Regarding Marina Oswald’s allegation that Oswald threatened to kill Richard Nixon, “the Commission questions whether the incident did, in fact, occur.”

iii) Dancing around what has since come to be known as the “Second Oswald Theory”, the Commission wished to state that “there is some evidence by reputable people that Oswald practiced with his rifle during October and November 1963, ... (but) ... other circumstances tend to negate any such conclusion.”

The notion of an Oswald look-alike is not raised.

iv) To the question “Did Oswald have any accomplices at the scene of the assassination?” the Commission responded that “all of the evidence the Commission has indicates that Oswald was alone at the scene of the assassination.”

v) The Commissioners deal with the statement by Deputy Sherrif Roger Craig that Craig saw a man resembling Oswald run down the knoll beside the Depository and get into a station wagon by concluding that Craig was “mistaken” since Oswald was on a bus at the time.

vi) In answering “What do the investigative agencies conclude on the subject (of Oswald being a Foreign Agent)” the Commissioners responded that “the agencies uniformly said that Oswald was a “loner.”

vii) The Commissioners “were unwilling to assign any particular motive” to their conclusions regarding the actions of Lee Harvey Oswald and Jack Ruby.
Regarding the draft chapter on Oswald himself, “the Commissioners commented that they thought the Liebler draft was too soft and sympathetic about Oswald and did not adequately present the strength of his character which they considered to be “steely” as evidenced by a number of Oswald’s acts.” (Author Edward J. Epstein makes mention of a rewrite of this chapter in his 1966 book Inquest.)

There is no indication in the minutes of whether or not a court reporter was present at the meeting. It is known that at a previous Commission Executive session of January 22, 1964, the Commissioners had requested that the transcript of the meeting be destroyed. The National Archives listed this meeting as having occurred, but the record destroyed at the request of the Commission. The existence of a transcript became known, however, when Gerald Ford published excerpts of the “destroyed” (and then still Classified) transcript in his 1965 book Portrait of the Assassin. Later it was discovered that the original court reporter’s tape of this meeting still existed in the National Archives, and after a Freedom of Information lawsuit lasting almost 10 years, the transcript was released in the mid-1970s. It was first published by Harold Weisberg in his White-wash series of books.

Although the official records indicate that the final meeting of the Warren Commissioners in September 1964 consisted of minutes only, (no transcript just as the June 29 meeting), the first page of the minutes of that September meeting is, itself, a transcript — starting with Earl Warren’s opening statement. Only at the top of page 2 does the document turn into several pages of minutes written by Commission Council J. Lee Rankin. It was later confirmed in the Johnson Tapes that at this September meeting Senator Richard Russell initially wished to dissent from signing the Warren Report (due to his disbelief of the Single Bullet Theory) and yet Rankin’s minutes do not make reference to this significant event.

In light of these Minutes of the final session starting as a transcript, and not containing reference to Russell’s dissent, it is not unreasonable to suggest that there had indeed been a transcript made which was secretly destroyed so that the lack of unanimity among the Commissioners would not be on the record. One then asks the question of why Rankin allowed the first “transcript” page to remain intact, an obvious contradiction of the “official” position that only minutes were made. Rankin was certainly not a stupid man, and the record indicates that he began his work for the Commission with great idealism, wishing to bring in investigators outside of the FBI, and to investigate possible conspiratorial meetings in Mexico.

Rankin also expressed concern that the alignment of wounds in the President’s back and throat would have required a single bullet to turn upwards. Over a period of time he become less vocal, as the Commission’s agenda solidified. Perhaps, objecting to the revisionist history taking place in the record of the final meeting in September 1964, Rankin deliberately left a small breadcrumb for future historians to find — a breadcrumb almost certainly confirmed by the contents of the 1993 released telephone recording between President Johnson and Senator Richard Russell in which Russell details the controversial events of that final meeting.
The Commission convened at 2:30 p.m. at its offices, 200 Maryland Avenue, N. E., Washington, D. C., and all Commissioners were present with the Chairman presiding. A discussion was had concerning the publication of a part of the historic diary of Lee Harvey Oswald in the Dallas Morning News and the Commissioners expressed their concern about this and the possibility of similar publications. After such discussion it was moved by Congressman Ford and seconded by Senator Russell that the Commission ask the Federal Bureau of Investigation to immediately make a thorough investigation of the publication of the Lee Harvey Oswald diary by the Dallas Morning News and that it ascertain both the means used and the circumstances surrounding the acquisition of the diary and its subsequent publication, and that the FBI also be asked to make a like investigation of any similar publications that may occur in the immediate future. Motion was carried unanimously.

There was then a discussion at some length of the plans for the completion of the Commission's Report and it was agreed that the Commission should undertake to complete the Report and deliver it to the President some time between August 1 and August 10.

There was then a discussion about further evidence to be developed with suggestions by several of the Commissioners. Senator Cooper proposed that the Commission plan to take the depositions of Llewellyn E. Thompson, Ambassador to the Soviet Union at the time Lee Harvey Oswald defected, and Priscilla Johnson, who was the reporter who had an interview with Oswald during that period. Senator Russell said that he recalled
seeing on television a person who claimed to be a mind reader and said that he remembered seeing Oswald in the Carousel, Ruby's night club, prior to the assassination. He asked that this be investigated and the depositions obtained from the man. The Commission then discussed the testimony of Jack Ruby given at the Dallas County Jail. The Chief Justice and Congressman Ford outlined at some length what the Mr. Ruby had said and requested that he make for a polygraph examination. The Commissioners asked that they be given a copy of the Ruby deposition to read as soon as that can be done.

There was a discussion by the Chief Justice of the problem of purchase of evidence involved in the obtaining of the Abraham Zapruder film by Time-Life publications at a very substantial cost as well as comparable situations that had come to the attention of the Commission in this investigation. It was agreed that this problem should be examined and commented upon in the Commission's Report.

There was then a discussion concerning Buchanan's book and writings about the assassination and also comparable writings, and especially those that had been circulated in the foreign press and it was agreed that the best way for the Commission to handle these matters was to treat them carefully and thoroughly under the Appendix heading of "Refutation of Rumors and Theories."

Thereupon the Commission turned to the list of 72 questions to be decided by the Commission which had been prepared by the Staff, and proceeded to give the Commission's answers for the treatment of each of the questions seriatim down through question 65 as follows:

1. What was the purpose of the trip?
   Ans.: Treatment in proposed draft satisfactory.
2. Who participated in the planning of the trip?
   Ans.: Treatment in proposed draft satisfactory.

3. When was it decided to visit Dallas?
   Ans.: Treatment in proposed draft satisfactory.

4. What was the purpose of the motorcade?
   Ans.: Treatment in proposed draft satisfactory.

5. Who planned the motorcade route?
   Ans.: Treatment in proposed draft satisfactory.

6. Why was this route chosen?
   Ans.: Treatment in proposed draft satisfactory.

7. Why did the motorcade turn from Main Street and pass the intersection of Elm and Houston?
   Ans.: Treatment in proposed draft satisfactory.

8. When was the route announced to the public?
   Ans.: Treatment in proposed draft satisfactory.

9. What time was the President assassinated?
   Ans.: Treatment in proposed draft satisfactory.

10. How fast was the car going?
    Ans.: Between 11 and 12 miles per hour.

11. Did the car slow down after the first shot?
    Ans.: Treatment in proposed draft satisfactory.

12. What treatment was given President Kennedy at Parkland?
    Ans.: Treatment in proposed draft satisfactory.

13. What wounds were observed by the doctors?
    Ans.: Treatment in proposed draft satisfactory.

14. What treatment was given Governor Connally?
    Ans.: Treatment in proposed draft satisfactory.
15. When and where did President Johnson take the oath of office?
   Ans.: Treatment in proposed draft satisfactory.

16. What wounds were observed at the autopsy?
   Ans.: Treatment in proposed draft satisfactory.

THE SHOTS

17. How many shots were fired?
   Ans.: A preponderance of evidence indicates that there were three shots fired.

18. How many times was the President wounded?
   Ans.: Twice.

19. What was the course of the bullets through his body?
   Ans.: Treatment in proposed draft satisfactory.

20. Were both shots lethal?
   Ans.: First shot not necessarily lethal; second shot unquestionably lethal.

21. How many bullets struck the Governor?
   Ans.: One.

22. What was the course of the bullets through his body?
   Ans.: Treatment in proposed draft satisfactory.

23. Where did the shots come from?
   Ans.: It was agreed that all of the shots came from the Texas School Book Depository Building and the treatment of the proposed draft is satisfactory.

24. Did they all come from one place?
   Ans.: Treatment in proposed draft satisfactory.

25. Is there any evidence that the shots came from the Triple Overpass or any other place in front of the car?
   Ans.: Overwhelming weight of evidence is that the shots did not come from the Triple Overpass (Commission indicated that in referring to the three railroad crossings at that point on Elm Street, reference
should be uniformly by the name, "Triple Overpass)."

26. What damage was done to the windshield of the Presidential car?

Ans.: Treatment in draft satisfactory, but make certain that there was no penetration of the windshield, and also that there was no roughness that could be felt on either side of the windshield.

27. From what kind of gun were the shots fired?

Ans.: Treatment in proposed draft satisfactory.

THE ASSASSIN

28. Who owned the gun?

Ans.: Lee Harvey Oswald.

29. Was Oswald at the window from which the shots were fired?

Ans.: Treatment in proposed draft satisfactory, except that it was suggested that in describing the cartons piled up near the window as a rest for the gun, there be a reference to The Rolling Readers and their light weight.

30. How did the weapon get into the building on November 22?

Ans.: Treatment in proposed draft satisfactory.

31. Who fired the gun?

Ans.: Treatment in proposed draft satisfactory.

32. How did Oswald leave the building?

Ans.: Treatment in proposed draft satisfactory, except the report should be explicit that he presumably left by the front entrance and that he had a coke in his hand when he was seen by Mrs. Reed in the office.

33. What time was the building closed off by the police?

Ans.: Treatment in proposed draft satisfactory.

34. Did Oswald kill Officer Tippit?

Ans.: Yes.
35. What was Tippit's record as a policeman?
   Ans.: Treatment in proposed draft satisfactory.

36. Was Tippit normally performing his duties?
   Ans.: Treatment in proposed draft satisfactory.

37. Was Oswald's pistol the murder weapon?
   Ans.: Yes.

38. Are Oswald's actions between the time of the assassination
and the murder of Tippit consistent with his having com-
mited both crimes?
   Ans.: Treatment in proposed draft satisfactory.

39. Did Oswald shoot at General Walker in April of 1963?
   Ans.: The answer should include statement that the over-
whelming evidence established that Oswald shot at
General Walker in April of 1963. The Commission
also commented upon the fact that there should be a
reference to the pictures of the Walker house that
were found and the special book that Oswald had made
up about the Walker affair which he later burned.

40. Did Oswald threaten to kill Nixon in April of 1963?
   Ans.: The Commission directed that in answering this
question, it be shown that in the original hearing
Mrs. Marina Oswald was asked whether Oswald shot
at any other person in high public office and that
she answered "No." Furthermore, that the Commis-
sion questions whether the incident did in fact
occur.

41. Did Oswald practice with his rifle during October and
November of 1963?
   Ans.: This question should be answered by the statement
that there is some evidence by reputable people
that Oswald practiced with his rifle during October
and November 1963, but this is a matter of their
recollection without their having known Oswald, and
the other circumstances tend to negate any such
conclusions. There was some discussion at this
point about the Irving Gun Shop incident and whether
the investigation had been sufficient to conclude that there was no other gun. The Commissioners commented that all the surrounding circumstances that they knew of caused them to question whether the testimony about the Irving Gun Shop incident could be believed, but they desired to have any additional reasonable investigation made that might help to determine the matter.

WAS THERE A CONSPIRACY?

42. Did Oswald have any accomplices at the scene of the assassination?
   Ans.: This should be answered by stating that all of the evidence the Commission has, indicates that Oswald was alone at the scene of the assassination.

43. Did Oswald have any accomplices in shooting Tippit?
   Ans.: Same as answer for 42.

44. Is there evidence that anyone helped Oswald from assassination to arrest?
   Ans.: The Commission thought that the testimony of the one witness that someone looking like Oswald was taken away from in front of the Depository Building in a station wagon should be referred to with the additional statement that the evidence show conclusively that Oswald was on the bus (and the other places that he was during the purported time of the station wagon incident) and therefore the Commission concludes that the witness concerning that incident must be mistaken.

45. Was any private conveyance used during that period?
   Ans.: Treatment in proposed draft satisfactory, except for matters referred to in answer to 44.

46. Is there evidence of any domestic left wing conspiracy?
   Ans.: The answer should be that there is no present evidence available to the Commission, etc.

47. Is there evidence of any domestic right wing conspiracy?
   Ans.: Same as in 46.