

The Ford Files

By Max Holland



The Warren Commission posing for its official picture. Representative Gerald R. Ford (R-Michigan) is sitting in the lower left corner, followed by Representative Hale Boggs (D-Louisiana), Senator Richard B. Russell (D-Georgia), Chief Justice Earl Warren, Senator John Sherman Cooper (R-Kentucky), John J. McCloy, Allen W. Dulles, and J. Lee Rankin, the panel's general counsel.

Gerald R. Ford's FBI files, released under the Freedom of Information Act this month, will not force an instant reappraisal of America's 38th president some 20 months after his death.[\[1\]](#)

Unlike John F. Kennedy's bureau file, which documented JFK's trysts in the 1960s with Judith Campbell (a Mafia moll) and Ellen Rometsch (a suspected East German spy), the FBI files on Ford hold no information about any dangerous liaisons.

The files do contain information, though, on a curious liaison. Ford secretly arranged to share information with the FBI while serving on the Warren Commission, the panel charged with investigating President Kennedy's 1963 assassination. This would surely have been an explosive revelation but for one fact: Ford's covert dealings with the bureau in 1963-1964 have been public knowledge since 1978, when 58,000 pages from the FBI's files on the assassination were first released.[\[2\]](#)

Notwithstanding the passage of 30 years, there is a great deal of misunderstanding and misrepresentation of what Ford's secret liaison with the bureau in 1963-1964 signified. A recent *Washington Post* [article](#) on the newly-released files, for example, insinuated that Ford all but volunteered to steer any skeptical colleagues on the Warren Commission to the conclusion already reached by the FBI in early December 1963—namely, that Lee Harvey Oswald, acting alone, assassinated President Kennedy.[\[3\]](#)

The problem with such breathless accounts can be traced to a lack of historical understanding. The *Post* article both misread the documents and missed their point because it did not put the FBI memos into the context of what was going on at the time. This article will describe what troubled Ford about Warren's leadership of the commission in the weeks immediately following the assassination.

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The 1948 election, which initially brought Jerry Ford to Washington, was the first to be conducted after the onset of the cold war. But foreign policy was not the main issue in the September GOP primary. Instead, bread-and-butter issues like veterans' housing defined the difference between the candidates in the race to represent Michigan's fifth congressional district. In a stunning upset, Jerry Ford, a 35-year-old lawyer and Navy veteran with no political experience, defeated Bartel "Barney" Jonkman, a five-term incumbent who campaigned all too casually against a novice. And winning the primary was tantamount to being elected, because the fifth district was overwhelmingly Republican.

Still, foreign policy was the subtext of the campaign, if not the reason for the primary contest in the first place. The 64-year-old Jonkman was an isolationist, notwithstanding the causes and consequences of World War II, whereas Ford was now a committed believer in US world leadership. In fact, one of the Senate's leading internationalists,

Arthur H. Vandenberg (R-Michigan), had quietly encouraged Ford to challenge Jonkman, though Vandenberg could not openly take sides in a primary in his home state.

The flip side to Ford's internationalism, of course, was a deeply embedded anti-Communism both foreign and domestic. Once Ford arrived in Washington in January 1949, he aligned himself with those congressmen who were unstinting supporters of the FBI, the arm of the government directly involved in combating the US Communist Party and Soviet espionage. Indeed, one of the ancillary revelations from the bureau's files is that Ford himself came close to being on the front lines of the domestic war against subversion. In early 1942, while apparently uncertain about his Navy appointment, Ford applied to become an FBI agent. His background check was favorable, save for his role in organizing the "America First" committee while attending Yale University's law school in the fall of 1940.[\[4\]](#)

One of freshman Ford's earliest statements on the House floor directly involved J. Edgar Hoover, who had already been FBI director for 25 years by 1949. Ford had nothing but praise for the director, although it was already abundantly clear that Soviet spy rings had operated with near-impunity in war-time Washington. "The question of domestic security is of vital importance," Ford noted on July 8, and "Mr. Hoover's record for the past 25 years is unassailable."[\[5\]](#)

Ford's statement occurred during a discussion of compensation for top federal employees, including the directors of agencies. Ford believed that Hoover should not receive a penny less in salary than men in comparable positions, such as the much newer director of the Central Intelligence Agency. This statement of support was bound to attract Hoover's attention and warm his heart, for the FBI's legislative office regularly monitored the *Congressional Record* for all mentions of the bureau or its director. "It is always extremely gratifying to learn of such favorable observations," Hoover wrote in response a few days later, as he thanked Ford for his "gracious comments" and expression of confidence.[\[6\]](#)

Over the next decade, as Ford concentrated on issues of interest to his district or national defense issues, the Michigan congressman actually had little direct business with the bureau. But since he held a coveted seat on the Appropriations Committee—though not on the subcommittee with direct oversight of the FBI's budget—Jerry Ford was a valuable man to cultivate as part of the bureau's "Hill contact" program. As one internal memo put it, Ford represented "a contact in the event his services are needed on matters of interest to the bureau."[\[7\]](#)

During the 1950s, Ford also became close friends with Louis B. Nichols, an assistant director whose duties included liaison with members of Congress. Nichols, who developed many of the FBI's public relations techniques, was considered one of the most influential officials in the bureau until his 1957 retirement. Then too, Ford was clearly a Republican politician on the rise; by 1960, he was even being mentioned as a possible running mate for Richard Nixon, the GOP's presidential nominee. So every two years,

when fifth district voters returned Ford to Washington by wide margins, Hoover made sure to send a hearty note of congratulations and his best wishes.

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The second session of the 87th Congress began in January 1963 on a familiar note for Jerry Ford and the FBI. Shortly after the Congress convened, Cartha “Deke” DeLoach, the FBI’s congressional liaison, personally presented Ford with a special gift in light of the re-elected congressman’s “friendly attitude” toward the bureau.^[8] It was a signed copy of the director’s latest book, *A Study of Communism* (which was actually written by William C. Sullivan, assistant director of the Domestic Intelligence Division, but publicly credited to Hoover). The gesture affirmed that Ford stood in good stead with the FBI, and certainly complemented the picture of Hoover that had been furnished to Ford the year before.

Then, late in 1963, the cordial relationship between Ford and the FBI suddenly took a very serious turn. The reason was the assassination of President Kennedy, and Lyndon Johnson’s appointment of Ford to the presidential commission headed by Supreme Court Chief Justice Earl Warren.

Both the FBI and Ford had ample reason to establish a back-channel of communication out of Warren’s earshot. For the bureau, the Warren Commission represented an unprecedented intrusion into the FBI’s affairs. The panel would not only be reviewing the FBI’s investigation of the assassination, which had been transmitted to the commission on December 9, but also the bureau’s contacts with Lee Harvey Oswald prior to November 22, 1963, an issue of extraordinary sensitivity for Hoover’s image-conscious bureau. In order to forestall any possible criticism, it would be enormously helpful to know what was on the commission’s collective mind, so that countervailing information could be fed to a friendly commissioner if need be.

From Ford’s perspective, a secret channel was warranted because he was concerned that Earl Warren, owing to his liberal bias, would attenuate the investigation into Oswald’s political background and gloss over his motives. Because the assassination occurred in Dallas, a city known for its right-wing tendencies, the chief justice had hastily ascribed the president’s “martyrdom” to the “hatred and bitterness that has been injected into the life our nation by bigots.”^[9] (At the time, the word “bigot” was almost exclusively a code word for southerners opposed to civil rights). But just as Warren issued his ill-advised statement, Dallas police were in the process of apprehending Oswald, a self-styled Marxist enamored of Castro’s revolution. The night of November 22, Oswald was charged with killing a police officer as he fled downtown Dallas, and the assassination of a president.

By mid-December, after two meetings of the commission, Jerry Ford apparently thought that having his own pipeline into the FBI might be the only way to insure an investigation chaired by Earl Warren did not shy from a full investigation and exposition of Oswald’s Communist credentials. It is worth remembering that on December 6, the

House Republican Policy Committee, of which Ford was a leading member, had issued a statement decrying liberals' claims that "hate was the assassin that struck down the president." The Republicans charged that the true culprit was the "teachings of communism," in a statement that was considered a direct retort to the chief justice, among others.[\[10\]](#)

But what Ford found genuinely troubling, after Warren's hasty rush to judgment, was the indication that the chief justice intended to run a "one-man commission," as Ford described it to DeLoach.[\[11\]](#) Warren wanted one of his protégés, a Justice Department official named Warren Olney, to become the commission's general counsel. That threatened to give the chief justice, who was already the first among equals, inordinate power over the investigation, and Ford wasn't the only commissioner opposed to that.

As Cartha DeLoach summed up his first conversation with Ford on the morning of December 12, three days after the FBI report has been submitted to Warren's panel,

Ford told me he was somewhat disturbed about the manner in which Chief Justice Warren was carrying on his chairmanship of the presidential commission . . .

Ford indicated he would keep me thoroughly advised as to the activities of the commission. He stated this would have to be on a confidential basis[;] however, he thought it should be done. He also asked if he could call me from time to time and straighten out questions in his mind concerning our investigation. I told him by all means he should do this. He reiterated that our relationship would of course, remain confidential.

At the bottom of DeLoach's memo, a grateful J. Edgar Hoover scrawled, "Well done."[\[12\]](#)

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The FBI's desire for inside information, of course, would be insatiable for as long as the commission sat in judgment. But the Ford-DeLoach back-channel apparently never flourished to the extent laid out in December 1963—or if so, DeLoach refrained from writing down the gist of any subsequent discussions with the congressman in memo form.[\[13\]](#) Contrary to Ford's initial apprehension, as the commission's work proceeded Earl Warren did not try to control or curtail any part of the investigation into Oswald's political affiliations. All the facts were gathered, and all would be laid out. To the degree that Oswald's politics were minimized as a motive—and they were—that effort only occurred at the tail end, during the actual writing of the report, when the FBI could offer little assistance.[\[14\]](#) Fashioning the final language was something haggled out amongst the seven commissioners themselves.

The new FBI documents, nonetheless, describe an encounter between the Michigan congressman and FBI director that was previously unknown. On April 16, 1964, Ford and

his wife attended a Thursday-evening party at DeLoach's home at which Hoover was present. There the two men informally discussed "vital issues of interest to [Ford] as well as the FBI" at length, and the Warren Commission's investigation was surely among them. Hoover promptly thanked Ford for his "helpful and germane" observations, and he was manifestly pleased that such an "alert, vigorous congressman" sat on the panel that was sitting in judgment of his bureau.[\[15\]](#)

It was probably at this gathering that Ford relayed to Hoover the sense that the Warren Commission was inclined to treat the FBI "respectfully," which meant with kid gloves. The news put the ever-pessimistic Hoover in a good frame of mind, even though James Hosty, Jr., the Dallas agent who had handled the Oswald case, had yet to testify, and Hosty's appearance promised to be a litmus test of the commission's true colors.

True to Ford's report, Hosty's testimony on May 5, 1964 went smoothly—so smoothly, in fact, that the next day Hoover spent an hour chatting casually with his Dallas field agent, assuring him that he need not worry. No disciplinary actions were in the offing, for Hosty had done nothing terribly wrong. And if Hosty continued to keep his head down when he got back to Dallas, the whole matter would soon be forgotten.[\[16\]](#)

Hoover's mood soon darkened. As the deadline for publication of the *Warren Report* extended into September, Jerry Ford apparently confided to DeLoach that the commission's internal sentiment seemed to be shifting. Warren was pressing his colleagues to include language critical of the bureau's handling of Oswald. Although only one other commissioner, John J. McCloy, was inclined to agree with Warren initially, by the time the chief justice finished lobbying, the panel favored a mild rebuke of the FBI by the barest margin, 4 to 3.[\[17\]](#)

Intolerant as Hoover was of any criticism, even a slight reprimand infuriated him, for it challenged his carefully constructed image of being as infallible as the pope. When the commission's final report was released on September 28, it noted that the FBI suffered from a lack of imagination, and "took an unduly restrictive view of its responsibilities in preventive intelligence work."[\[18\]](#) The bureau should have notified the Secret Service about Oswald specifically prior to the president's visit, and been more alert and vigorous in its own handling of the case. Matters were not helped when the media latched onto this criticism, buried though it was, half-way through the commission's 888-page report. The mere fact that the FBI was criticized was a page one headline in such newspapers as *The New York Times*, though compared to the Secret Service, the bureau came out unscathed.[\[19\]](#)

Hoover's fury at the Warren Commission was kept in check initially. Since President Johnson had immediately embraced the findings and recommendations of the commission, and praised its diligence, Hoover doubtlessly did not want to embarrass or contradict the president in public just before the November election. But soon after the election, the commission's rebuke was revealed to be a bone in Hoover's throat.

Normally taciturn and unflappable in public, the real J. Edgar Hoover unexpectedly surfaced as he was talking to a small group of reporters in mid-November. Hoover charged that the commission had engaged in a “classic case of Monday morning quarterbacking.” Contrary to the commission, it was senseless to notify the Secret Service of every individual who might conceivably pose a threat to the president. But for now and the foreseeable future, in accordance with the commission’s recommendation, the FBI would be turning over to the Secret Service the names of “thousands of beatniks, crackpots and kooks” in every city and town to be visited by the president.[\[20\]](#)

Lyndon Johnson was taken aback by the vehemence of Hoover’s scorn for the Warren Commission. The day after Hoover’s remark was reported in the press, LBJ spoke to Cartha DeLoach and suggested the director was being too sensitive. No one was being “personally critical” of Hoover, the president observed, or “blaming” the director for something that was unavoidable. Indeed, the commission’s mild criticism of the bureau had been all but forgotten until Hoover himself drew attention to it. “We all get to feelin’ sorry for ourselves once in a while,” Johnson said, “feel like somebody is pickin’ on us,” but Hoover wasn’t doing himself any favors by advertising his disgruntlement. DeLoach agreed with LBJ, though there was little he could do until Hoover calmed down.[\[21\]](#)

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For what was probably the first and last time, the powerful New York chapter of the American Civil Liberties Union took J. Edgar Hoover’s side against Earl Warren. “Hoover’s resentment is . . . justified,” wrote Nanette Dembitz, in a letter to *The New York Times*.[\[22\]](#) The ACLU lawyer argued there was no reasonable basis for the FBI to believe, prior to November 22, that Lee Harvey Oswald posed any kind of mortal threat to President Kennedy, therefore his activities had not warranted a referral to the Secret Service.

Eventually, the strained relations between the FBI and Secret Service eased, especially once Hoover ordered a stop to the practice of forwarding names indiscriminately to the Secret Service in advance of a presidential trip. For the sin of subjecting the bureau to disrepute, five agents involved in the Oswald case were disciplined, though James Hosty bore the brunt of Hoover’s ire. After assuring Hosty in May that all would be well, Hoover now wanted to fire him for failing to anticipate Oswald’s behavior. When that proved inadvisable, the director exiled Hosty to the Kansas City field office and suspended him for 30 days without pay, the biggest punishment he could mete out without invoking Hosty’s civil service rights.

Earl Warren was never forgiven by Hoover, of course, but neither was Jerry Ford condemned to guilt by mere association. Hoover issued his routine letter of congratulations to Ford after the congressman was handily re-elected in 1964 despite the Democrats’ nationwide landslide. And when Ford was elected House minority leader in the new 88th Congress—largely on the basis of his new national stature, owing to his appointment on the Warren Commission—Hoover was among the first to express his enthusiasm. As a note at the bottom of the January 1965 letter explained, “Though we did

experience some difficulty with all the members of the Warren Commission, Ford was of considerable help to the bureau.” Ford also finally achieved the highest honor bestowed on persons outside the bureau: he was placed on the “Special Correspondents’ List,” a privilege reserved for the FBI’s most tried and true friends.^[23]

In return, Ford continued to be Hoover’s staunch advocate on Capitol Hill. In the years the remained before Ford’s “appointment with history” in August 1974, the minority leader would persist in heaping praise on the long-time director of the bureau at every turn, while helping to insure that the FBI was shielded from effective congressional oversight, or for that matter, any oversight at all. This immunity, in turn, fostered a uniquely insular bureaucracy whose embedded culture remains problematic to this day. Ford would even argue for Hoover’s continued leadership of the bureau long after the director was past his prime and into his dotage.^[24]

And what about the ethics of Ford’s secret liaison with the bureau while he was sitting on the Warren Commission? It may not have been strictly ethical, honorable, or something that’s taught in civics classes. But anyone who knows Washington knows that the end run is one of the oldest and oft-used plays in the capital’s playbook.

[1] *The Washington Post* received 500 pages of documents from the FBI’s voluminous files on Gerald Ford in early August, and was the first to publish a story about the documents. *Washington Decoded’s* analysis is based on a review of 1,966 pages from the FBI files which were also received in early August. Approximately 160 pages are still being reviewed for release.

[2] George Lardner, Jr., “[Documents Show Ford Promised FBI Data—Secretly—About Warren Probe](#),” *WP*, 20 January 1978.

[3] Joe Stephens, “[Gerald Ford, JFK, and the FBI](#),” *washingtonpost.com*, 7 August 2008, and “[Ford Told FBI of Skeptics on Warren Commission](#),” *WP*, 8 August 2008. The *Post* articles neglected to mention that Ford was actually conveying to DeLoach the reaction of two commissioners to the FBI’s report on the assassination, and that the report was not thoroughly persuasive to these panel members. In any case, it was entirely normal and proper for the commissioners to have questions in December 1963. It would have been suspicious if their minds had already been made up before examining any of the evidence.

[4] The “America First” committee, which started at Yale, was the leading citizens’ group opposed to US entry in World War II prior to December 1941. Strongly anti-Roosevelt, the committee regularly charged that FDR was not honoring his pledge to keep America out of war. At its peak, “America First” had almost 800,000 members, primarily in the Midwest, and received most of its funds from wealthy and conservative businessmen, such as Robert E. Wood, chairman of Sears, Roebuck & Company. The committee disbanded within days after the attack at Pearl Harbor.

Washington Decoded

- [5] *Congressional Record*, 8 July 1949, 9165.
- [6] Letter, Hoover to Ford, 11 July 1949, released under FOIA.
- [7] Memo, Welte to Edgerton, 19 January 1959, released under FOIA.
- [8] Memo, Jones to DeLoach, 7 January 1963, released under FOIA.
- [9] Max Holland, *The Kennedy Assassination Tapes: The White House Conversations of Lyndon B. Johnson Regarding the Assassination, the Warren Commission, and the Aftermath* (New York: Alfred A. Knopf, 2004), 178.
- [10] Anthony Lewis, "[Congressional GOP Deplores Linking Assassination to 'Hate'](#)," *NYT*, 7 December 1963.
- [11] [Memo](#), DeLoach to Mohr, 12 December 1963, courtesy of the Mary Ferrell Foundation.
- [12] [Ibid.](#)
- [13] FBI memos previously released describe only two additional contacts between DeLoach and Ford, one in July and the other in August. Both concerned the leaking of Oswald's private diary to the news media. [Memo](#), DeLoach to Mohr, 10 July 1964, and [Memo](#), DeLoach to Mohr, 24 August 1964, courtesy of the Mary Farrell Foundation.
- [14] Max Holland, "[The Key to the Warren Report](#)," *American Heritage*, November 1995.
- [15] Letter, Hoover to Ford, 17 April 1964, released under FOIA.
- [16] Cartha "Deke" DeLoach, *Hoover's FBI: The Inside Story by Hoover's Trusted Lieutenant* (Washington, DC: Regnery Publishing, 1995), 149; James P. Hosty, Jr., *Assignment Oswald* (New York: Arcade Publishing, 1996), 151-156.
- [17] DeLoach, *Hoover's FBI*, 149. There is no contemporaneous memo from DeLoach in which he described being so informed by Ford.
- [18] *Warren Report*, "[Evaluation of Presidential Protection at the Time of the Assassination of President Kennedy](#)," 443-444.
- [19] Felix Belair, Jr., "[FBI Is Criticized](#)," *NYT*, 28 September 1964; Chalmers M. Roberts, "[Warren Report Says Oswald Acted Alone; Raps FBI, Secret Service](#)," *WP*, 28 September 1964.
- [20] Ben A. Franklin, "[Hoover Assails Warren Findings](#)," *NYT*, 19 November 1964.

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[21] Holland, *Kennedy Assassination Tapes*, 274.

[22] Dembitz letter to the editor, "[Hoover Stand on the Report](#)," *NYT*, 30 November 1964.

[23] Letter, Hoover to Ford, 7 January 1965, released under FOIA.

[24] By May 1971, when even a Hoover loyalist like President Nixon was trying his hardest to ease the director out of office gracefully, Ford was still taking to the House floor and defending Hoover's continued leadership of the FBI. Memo, Felt to Tolson, 20 October 1971, released under FOIA.