

2/11/66

NAS:CFS:gml

cc: FILES
Mr. Schlei
Mr. Simms
Mrs. Copeland

FEB 11 1966

Honorable Lawson B. Knott, Jr.
Administrator of General Services
General Services Building
Eighteenth and F Streets N.W.
Washington, D.C. 200405

129-012-3

J. G.

Dear Mr. Knott:

This is with further reference to our recent discussion concerning the question whether the casket that was used to transport the body of President John F. Kennedy from Dallas, Texas, to Washington, D.C., should be destroyed.

J. G.

Since final settlement with the undertaker who supplied the casket has been accomplished, there can be no doubt as to its being the property of the United States.

NAS/NAB

As you know, the first section of the Act of November 2, 1965 (P.L. 89-318), declared "that the national interest requires that the United States acquire all right, title, and interest, in and to, certain items of evidence, to be designated by the Attorney General pursuant to section 2 of this Act, which were considered by the President's Commission on the Assassination of President Kennedy (hereinafter referred to as 'items'), and requires that those items be preserved by the United States." This statute plainly applies only to "items of evidence" to which the United States does not have title. Consequently, it does not apply to the casket which had already been acquired by the United States prior to the passage of the Act.

The Act, however, does express a public policy to preserve items of evidentiary significance, and I believe that this policy is equally applicable to items to which

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the United States holds title but which are not in fact covered by the Act. Applying this test, I am satisfied that the casket is not such an item. The casket was not an exhibit considered by the Commission. The report of the Commission alludes to the fact that a casket was obtained immediately after the President was pronounced dead, but there is no suggestion that the Commission considered the casket as having evidentiary value.

Moreover, I am unable to conceive of any manner in which the casket could have an evidentiary value. Nor can I conceive of any reason why the national interest would require its preservation. It is obvious that it could never be used for burial purposes and its public display would be extremely offensive and contrary to public policy. Finally, so long as the casket remains in being, there is always a possibility that it could be misused or misappropriated.

Consequently, I am of the view that the reasons for destroying the casket completely outweigh the reasons, if any, that might exist for preserving it.

Sincerely,

Attorney General