

**THESE DAYS:**

## **Any Stick'll Do To Beat FBI**

By JOHN CHAMBERLAIN

**P**ITY THE POOR FBI. In the past, it has gotten it in the neck for taking too severe a view of the Communist menace. Its chief, J. Edgar Hoover, has been criticized for seeing Reds under the bed. The Reuther brothers, Walter and Victor, in their famous memo to Bob Kennedy (then the Attorney General), insisted that the danger from the Left wasn't in it in comparison to the danger from the Right, and called upon the Department of Justice to put a stop to Red witch-hunting by Federal sleuths.

That, of course, was almost three years before Jack Kennedy was killed in Dallas. The Warren Commission report makes it plain that the assassination was the act of Lee Harvey Oswald, a loner whose background was well-known to the FBI. The "get J. Edgar Hoover" faction is now echoing the Warren Commission's criticism of the FBI for its "unduly restrictive view of its responsibilities in preventive intelligence work."

The argument is that the Dallas police should have been tipped off by the FBI about Oswald's history of dalliance in the Soviet Union, his attempt to forswear his American citizenship, and his work for the Fair Play for Cuba Committee, in time to have him taken into detention before Jack Kennedy made the trip to Texas.

The Warren Commission report admits that criticism of the FBI on this score is "tinged with hindsight." As, indeed, it is. Moreover, it comes with exceedingly bad grace from a commission headed by the Chief Justice of the United States, for the Warren Court has been most zealous in its insistence that Communists have civil rights that must not be invaded.



THE NEW YORK-JOURNAL AMERICAN  
New York, New York  
October 1, 1964  
Page 20

129-11

The Court has also been over-sollicitous of the rights of alleged criminals. In the Malloy case, for example, the Court insisted that a Negro who had been convicted in a lower court of choking and raping a woman should be freed simply because he had been held for some eleven hours for questioning before arraignment. The same man later choked and raped another woman and was jailed for it.

\* \* \*  
ALWAYS, up to the present, the liberals have insisted that "raw and unprocessed" material in the FBI files should not be used as the basis for proceeding against any person. But now we are suddenly offered the proposition that, before a President visits a given town, every suspected Red or psychotic whose "raw" record is known to FBI agents should be forcibly detained for a safe period.

This is idiotic on the face of it. For instance, on one of President Johnson's trips to New York City, LBJ's itinerary took him past the dwelling places or hangouts of 3,700 persons who might legitimately be suspected of subversive, psychotic or crackpot tendencies. Imagine the uproar from the civil libertarians if 3,700 people were put under police surveillance at one time. The FBI would be accused of making its "raw" data the basis of wholesale invasion of private rights.

The point is that Lee Harvey Oswald, before the Kennedy murder, had not been known for violent tendencies. He was merely one of thousands of people in America who are known to the FBI for having had relations with the Reds of one sort or another.

If the government couldn't even apply the Smith Act to control Communist subversion in a manner satisfactory to the Supreme Court, how could a big city police force justify the detention of every suspected Red or psychopath who might turn up to watch a Presidential motorcade go past a big building? The police force that did that would be denounced from one end of the country to the other.

The Acting Attorney General

October 2, 1964

Director, FBI

**NEWSPAPER ARTICLES CONCERNING THE FBI AND THE  
WARREN COMMISSION**

Enclosed is a copy of the October 1, 1964,  
column of Mr. John Chamberlain, together with the October 2,  
1964, column of Mr. Ralph de Toledano concerning captioned  
matter. These are being furnished to you for your information.

*Sily*

Enclosures (2)

~~(1) - The Deputy Attorney General - Enclosures (2)~~

129-11

DEPARTMENT OF JUSTICE	R E C O R D
14 OCT 28 1964 F.W.C.W.	
RECORDS DIVISION	
ATTORNEY GENERAL	

*Noted  
J. de BK*

*BB file*

*BM*

October 2, 1964

In Washington

By Ralph de Toledano

THE FBI AND THE WARREN COMMISSION

Although the Warren Commission's report on the murder of President Kennedy is only mildly critical of the FBI, the professional carpers have seized on a few words in the "conclusions and recommendations" in an effort to make a federal case of them.

The words seized upon charge the FBI with failing to realize that Lee Harvey Oswald, the Marxist murderer, was "a potential threat to the safety of the President."

That a Commission headed by Chief Justice Earl Warren should make this comment is, to begin with, a little ironic. The Supreme Court which Mr. Warren heads--and the civil liberties organizations which sustain his views--would have been the first to decry any "preventive" steps against the assorted Oswalds of this country.

In a city like New York, for example, the FBI would be compelled to round up and hold in preventive custody scores of individuals whose records as subversives and men of leftist violence are far worse than that of Lee Oswald. There are men loose in this country today who served on the "liquidation squads" of the Soviet underground, who studied tactics of subversion and violence at the Lenin school in Moscow, or who served their gory terms as "apparatchiks" of the Russian secret police.

Should such persons be held by the FBI or by local police whenever the President was within the localities they inhabit, the American Civil Liberties Union would rise up in indignation and horror at what would undoubtedly be called "police state treatment"--and a review by the Supreme Court would lead to a decision calling the practice unconstitutional.

I am not a lawyer, but I believe the court would be justified in this ruling. The United States does not punish or restrain "potential threats" of any kind. No one can tell what man will give in to lethal impulses. A conspiracy is something else again. A plot carries beyond the "potential" to the actual. In Lee Oswald's

case, the Warren Commission insists that the act was irrational. No police or investigative force can delve into a man's mind, which is what the Warren Commission seems to be asking the FBI to do.

There is a great and tragic irony to the events which led to the murder of President Kennedy. The people who now criticize the FBI were those who dragged a red herring across the paths of understanding and action in the days before the terrible event. These people, with extremist insistence, argued at the top of their lungs that the real danger was the so-called "radical right"--whereas the radical left was no longer of any consequence. So loud were their voices that they drowned out reason and logic.

The first attempt at assassination in Texas was aimed at General Edwin A. Walker, a somewhat pathetic "leader" with no troops. But this indication of murderous intent was brushed aside as of no consequence. Had the Walker attempt been investigated thoroughly, President Kennedy would probably be alive today.

There was, however, little interest in the case in Washington--certainly none in the higher echelons of the Justice Department. And this lack of interest was purely political. The target of the Justice Department was the radical right. So obsessive was the thinking that the Walker case was dismissed with the suggestion that the shots had been fired by a "rightist" to gain sympathy for the general.

If there was bad liaison between the Secret Service and the FBI, this might not have been so had the leadership in Washington and certain pundits of the press not focussed all their attention on the wrong subjects. To hear them or read them, there were rabid rightists under every bed. Why, therefore, should either the FBI or the Secret Service concern itself with one confused--and we are told--solitary Castroite.

The fact startlingly clear in the Warren Commission Report is that no amount of care could have saved Mr. Kennedy--or any President, for that matter. General de Gaulle is perhaps the best guarded man in the world today, but he is still being fired on, though word of the latter attempts has been suppressed by the French government.

Copyright, 1964, King Features Syndicate, Inc.

October 1, 1964

Dear Walter:

I have received a copy of the letter dated September 30, 1964, addressed to you by the Director of the Federal Bureau of Investigation with regard to the findings of the President's Commission on the Assassination of President Kennedy. I agree with the Director that portions of the Commission's report appear to place an impossible burden on the FBI in a vague area of preventive intelligence where there are no specific criteria requiring the FBI to furnish names of subjects to the Secret Service. I hope that the testimony of the FBI representatives before the Commission can be made public as soon as possible in order to clarify these aspects of the Commission's report.

Sincerely,

Nicholas deB. Katzenbach  
Acting Attorney General

Honorable Walter Jenkins  
Special Assistant to the  
President  
The White House  
Washington, D. C.

cc: Director, Federal Bureau of  
Investigation

*of Howard Willens*

File  
HPW

129-11
SEARCHED
SERIALIZED
INDEXED
FILED

*ASSASSINATION*

*Files*  
*9/24/64*

President's Commission on the  
Assassination of President Kennedy

Mrs. Marina Oswald

629 Beltline Road  
Richardson, Texas

I WAS UNABLE TO REACH YOU BY TELEPHONE YESTERDAY TO EXPLAIN ABOUT TRENCHES, LETTERS, DOCUMENTS AND OTHER PERSONAL EFFECTS. WE ARE ARRANGING TO HAVE THESE RETURNED TO YOU AS SOON AS IT CAN BE DONE AND ADEQUATELY PROTECT THE REQUIREMENTS OF THE COMMISSION'S REPORT. THIS WILL TAKE A LITTLE TIME TO BE SURE THAT COPIES OF DOCUMENTS ARE SUFFICIENT. SOME PERSONAL PROPERTY CANNOT BE RETURNED WHERE NECESSARY FOR THE REPORT. THE COMMISSION IS NOT TAKING ANY ACTION TO INTERFERE WITH YOUR PRIVACY EXCEPT TO THE EXTENT THAT PUBLICATION OF THE REPORT HAS ANY SUCH EFFECT.

RESPECTFULLY,

J. LEE RANKIN  
GENERAL COUNSEL

J. Lee Rankin  
General Counsel

*129-11*

21	DEPARTMENT OF JUSTICE	R E C E I V E D
	NOV 16 1965	
	RECORDS BRANCH	513-11400

9/24/64

*129-11*  
*file*  
*JK*

September 22, 1964

R. M.

Subj  
129-11  
Honorable Jeffery Cohelan  
House of Representatives  
Washington, D. C.

Dear Congressman:

Your September 16 letter requested our review and comments of a September 1 letter to you from Michael Millman, Chairman, Berkeley Citizens Committee of Inquiry.

R  
Persons hostile to the Warren Commission have set up a number of organizations throughout the country which are making comments similar to those in Millman's letter. Millman's comments prejudge the factual findings of the Commission, which have not been made public. They make invalid assumptions and predictions.

We have every confidence that the Commission's report will deal with the facts in a thorough, fair and impartial fashion. We doubt that the Committee of Inquiry can be satisfied and therefore suggest a reply which would do no more than thank them for letting you have the benefit of their views - in the hope that a soft answer may turn away wrath - at least from you, if not from the Commission!

Sincerely yours,



Joseph F. Dolan  
Assistant Deputy Attorney General

SEP 23 1964



JEFFERY COHELAN  
7TH DISTRICT, CALIFORNIA

COMMITTEES:  
ARMED SERVICES  
DISTRICT OF COLUMBIA

ADMINISTRATIVE ASSISTANT:  
PETER V. CLUTE

FIELD REPRESENTATIVES:  
MR. AND MRS. ROY LEMON  
LATHAM SQUARE BUILDING  
OAKLAND 12, CALIFORNIA

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

September 16, 1964

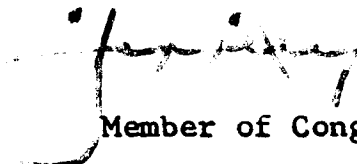
Mr. Joseph Dolan  
Assistant Deputy Attorney General  
Department of Justice  
Washington, D. C.

Dear Joe:

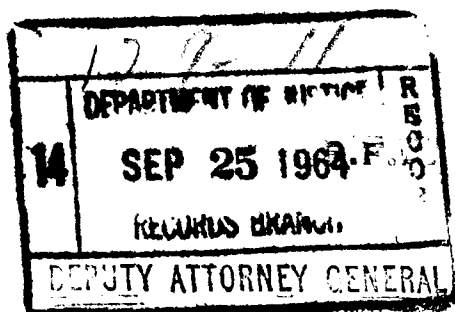
I am enclosing a copy of a letter being circulated by the Berkeley Citizens' Committee of Inquiry concerning the assassination of President Kennedy.

I would appreciate having the benefit of your review and comments in preparing my reply to Mr. Millman.

Sincerely,



Member of Congress



...of that month. The new  
...will be for the  
...in the  
...the Commission  
...the contractor as  
...fact-finding body  
...in its report open to various views and reflections. The  
...of that event and its consequences was it imperative that our judgment  
...and that  
...in guilty and finally

The Report, ...  
Office, Washington, D.C.  
Sincerely,  
Chairman  
Committee

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

September 17, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin  
General Counsel  
The President's Commission  
200 Maryland Avenue, Northeast  
Washington, D. C.

Dear Mr. Rankin:

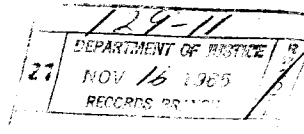
By letter dated September 11, 1964, you requested a translation of a letter addressed to you from Mrs. Marina Oswald.

The translation from the Russian language, as well as the foreign language material, is forwarded to you herewith.

Sincerely yours,

*J. Edgar Hoover*

Enclosures (2)



*129-11  
16  
JK*

TRANSLATION FROM RUSSIAN

September 9, 1964  
Richardson, Texas

Dear Mr. Rankin,

Allow me to appeal to you with a repeated request concerning the return to me of all documents and belongings of my husband, Lee Harvey Oswald. I also request that you send, in my name, a copy of my testimony before the Warren Commission, for which, I will pay the necessary fee. Please excuse me for the importunate trouble I am causing you, but I am compelled to appeal to you, because at the present time I am jointly working with Miss Priscilla Johnson on the book of my life with Lee Oswald. For that reason these documents would help me very much. Once again I ask you to fulfill my request at the earliest opportunity. Thank you.

Respectfully,

/s/ Mrs. Marina Oswald

EMF/JGS:JMC

129-11 S. R.

September 9, 1964

Mr. W. E. Turpin  
Assistant Administrator  
For Planning and Administration  
General Services Administration  
Washington, D. C.

Dear Mr. Turpin:

The Attorney General has directed to this office your letter of August 25, 1964 concerning the distribution of the Hearings and the Report prepared by the President's Commission on the Assassination of President Kennedy.

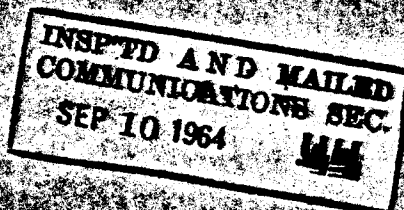
It is requested that the Department of Justice be furnished with 114 copies of the Hearings and 192 copies of the Report. This number of copies will be sufficient for all of the Offices and Bureaus of the Department.

Sincerely,

*S. L. Andretta*

S. L. Andretta

Assistant Attorney General  
For Administration



Director,  
Federal Bureau of Investigation

Typed: 10/15/64  
HJM:GAB:shd  
129-11

Herbert J. Miller, Jr.  
Assistant Attorney General  
Criminal Division

RECORDED  
R. M.

OCT 15 1964

9-4-64

Assassination of President Kennedy

Transmitted herewith for your attention and any action which may be deemed appropriate is a copy of a letter from United States Attorney Sylvan A. Jeppesen of Boise, Idaho, forwarding a letter from the Attorney General of the state of Idaho together with a document mentioned therein which is signed by [REDACTED]

[REDACTED] concerning the assassination of President Kennedy.

GAB  
10/15

mag  
10/15

MS

Enclosure 5

Records  
Chrono  
Brugger  
Adm. Off.

SENT BY MESSENGER  
COMMUNICATIONS SECTION  
OCT 15 1964 R.R.R.

Form No. 01-90  
(Rev. 7-17-63)

DEPARTMENT OF JUSTICE

ROUTE SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
	<del>Wittens</del>			
	<i>Mr. Johnson</i>			

APPROV.       COMMENT  
 SEE ME       NECESSARY ACTION  
 RECOMMENDATION       NOTE AND RETURN  
 ANSWER OR ACKNOWLEDGE ON OR BEFORE \_\_\_\_\_       CALL ME  
 PREPARE REPLY FOR THE SIGNATURE OF \_\_\_\_\_       PER CONVERSATION  
 \_\_\_\_\_       AS REQUESTED  
 \_\_\_\_\_       NOTE AND FILE  
 \_\_\_\_\_       YOUR INFORMATION

REMARKS

*Please refer to the PSI*

*HPK*

**RECEIVED**  
**OCT 6 1964**  
**CORRES. MAJ**

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
	<b>Henry K. Petersen</b>		<b>9/15/64</b>

United States Department of Justice

UNITED STATES ATTORNEY  
DISTRICT OF IDAHO  
BOISE, IDAHO

September 8, 1964

RECEIVED

SEP 11 1964

CRIMINAL DIVISION

Department of Justice  
Washington, D. C. 20530

Attention Criminal Division

Dear Sir:

Enclosed is a letter dated September 4, 1964, from the Attorney General of the State of Idaho, together with the document mentioned therein which is addressed to "TO WHOM IT MAY CONCERN AT THE IDAHO DEPARTMENT OF JUSTICE" and is signed by [REDACTED]

Very truly yours,

*Sylvan A. Jeppesen*

SYLVAN A. JEPPESEN  
United States Attorney

SAJ/c  
Encls.

RECEIVED

SEP 14 1964

ORGANIZED CRIME AND  
RACKETEERING SECTION

129-11  
129-11  
~~123-22-A~~

14	DEPARTMENT OF JUSTICE	RECORDED
	SEP 10 1964	F. H. W.
	RECORDED	
	L. Mr. Foley	
	CRIMINAL DIVISION	

REC'D R. M. J.  
10/1/64

2, Organized Crime and Racketeering Section





STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
BOISE

ALLAN G. SHEPARD  
ATTORNEY GENERAL

RECEIVED

September 4, 1964

SEP 8 1964

U.S. ATTY'S OFFICE  
Ref to \_\_\_\_\_

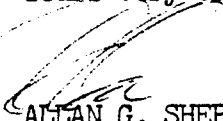
Mr. Sylvan A. Jeppesen  
U. S. District Attorney  
Federal Building  
Boise, Idaho

Dear Sylvan:

Pursuant to our telephone conversation, I am forwarding to you the original of a document received in our office today. I would appreciate your examining the same and if you agree with me that this type of document should be forwarded to the appropriate federal authorities, that you will undertake to so oblige me.

Thank you for your cooperation.

Yours very truly,

  
ALLAN G. SHEPARD  
Attorney General

AGS/bm

Encl.

ATTORNEY GENERAL'S OFFICE  
STATE OF IDAHO  
RECEIVED  
SEP 4 - 1964

TO WHOM IT MAY CONCERN AT THE *Idaho* DEPARTMENT OF  
JUSTICE,

THE FOLLOWING TWO MEN, [REDACTED]  
[REDACTED] TOGETHER WITH THEIR AGENTS, LOCATED  
IN THE BELL TELEPHONE COMPANY OF PENNSYLVANIA, THE PRUDENTIAL  
INSURANCE COMPANY OF AMERICA, AND THE PENNSYLVANIA RAILROAD  
CONSPIRED, PLANNED, PLOTTED, TO ASSASSINATE, TO HAVE KILLED,  
TO HAVE DONE AWAY WITH, UNITED STATES GOVERNMENT OFFICIALS  
WHEREBY THE ASSASSINATION OF PRESIDENT KENNEDY, THE WOUNDING OF  
GOVERNOR CONNOLLY AND OTHERS WAS CARRIED OUT IN DALLAS TEXAS IN  
NOVEMBER OF 1963.

THE ABOVE TWO MEN PLUS [REDACTED]  
[REDACTED] ARE ALSO THE RINGLEADERS AND MAIN PROFIT RECIPIENTS  
OF THE BIGGEST AND MOST VICIOUS FEMALE WHITE SLAVE RING EVER TO  
OPERATE IN THESE UNITED STATES OF AMERICA AND ITS TERRITORIES.

YOURS SINCERELY,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

(21)

**E. A. Andrews, Assistant Attorney General for Administration**

September 2, 1964

**Robert J. Miller, Assistant Attorney General, Criminal Division**

HJM:HPS:am  
129-1

Request of Report of the President's Commission on the Assassination of President Kennedy

Pursuant to your suggestion I am forwarding the attached letter from the General Services Administration regarding the delivery and distribution of the Report and Hearings of the President's Commission on the Assassination of President Kennedy.

*Handwritten:*  
KJA  
HPS  
9/2

Over and above the copies to be reserved for the Commission, the Criminal Division will require 12 copies of the Hearings and 20 copies of the Report.

Attachment

- cc: Records ✓
- Chrono
- Mr. Foley
- Mr. Miller
- Mr. Shapiro (in room 2107)

GENERAL SERVICES ADMINISTRATION



Office of Finance and Administration  
Washington 25, D.C.

AUG 28 1964

IN REPLY REFER TO:

Honorable Robert F. Kennedy  
Attorney General  
Washington, D. C. 20530

Dear Mr. Attorney General:

The President's Commission on the Assassination of President Kennedy will release its Report to President Johnson within the next few weeks and has asked General Services Administration to assist in its distribution within the Government.

It is anticipated that the Report will consist of a one-volume publication and the Hearings may consist of 19 or 20 volumes. The plan is to have the Government Printing Office deliver 1,304 copies of the Report and 204 sets of the Hearings to your office. The Commission has requested that 600 copies of the Report and 100 sets of the Hearings be assigned to the Federal Bureau of Investigation for their use. The Commission also reserves the right to assign ten percent of the copies indicated above to individuals in the Department who have participated or assisted in the work of the Commission.

One complete set is for your office, and a recommendation has been made that one set be given to each of your assistants. Copies should also be placed in libraries of your Department, and the balance of the copies distributed to the Heads of the Bureaus, Staff, or Service Offices in Washington and in the field. This suggested distribution can be modified, as may be necessary, to place these publications in offices or with officials who will have use for them.

If your review of the Department's requirements for these publications indicates the above quantities are more than necessary, please feel free to revise the quantities in your acknowledgement of this letter by September 9, 1964. For additional information, contact Mr. Dwight E. Smith, Director, Printing and Publications Division, General Services Administration, Washington, D. C. 20405; telephone, Government dial code 183-4851 (343-4851).

129-11

40	DEPARTMENT OF JUSTICE	RECORDS
	SEP 3 1964	
	RECORDS BRANCH	

**For your information and guidance, the Report and Hearings will  
be on sale to the public by the Superintendent of Documents,  
Government Printing Office, Washington, D. C. 20401.**

**Sincerely yours,**

**(Signed) W. P. Turpin**

**W. P. Turpin  
Assistant Administrator  
for Finance and Administration**

Form No. DJ-96a  
(Rev. 7-17-63)

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
	<i>Mr. Baker</i>			
	<i>Mr. Shapiro</i>			
	<i>Mr. [unclear]</i>			
	<i>Mr. [unclear]</i>			

SIGNATURE  
 APPROVAL  
 FILE  
 RECOMMENDATION  
 ANSWER OR ACKNOWLEDGE ON OR BEFORE  
 PREPARE REPLY FOR THE SIGNATURE OF

COMMENT  
 NECESSARY ACTION  
 NOTE AND RETURN  
 CALL ME

PER CONVERSATION  
 AS REQUESTED  
 NOTE AND FILE  
 YOUR INFORMATION

REMARKS

*You might wish to check with David Blawson to see if this memo is done.*

*Blawson said this was OK*

*[Signature]*

*File 115 12A-11*

*9/1/64*

FROM:	NAME	BUILDING, ROOM/EXT.	DATE
	<i>115</i>		<i>9/1</i>

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
WASHINGTON 25, D. C.

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AUG 3 1 1964

AND REFER TO THIS FILE NO.

CO 934-P

8-31

Dear Mr. Rankin:

This is in reply to your letter of August 21, 1964, to Mr. Harold P. Shapiro, Criminal Division, Department of Justice, requesting the release for publication of documents contained in the file of Marina Oswald. Your letter has been forwarded to this Service with the request that reply be made direct to your office.

In forwarding your request the Department advised that you would obtain consent to publish those classified documents which were obtained from other agencies and which are now contained in the file. Assuming that you do obtain such clearance for publication, this Service will interpose no objection to the publishing of any of the documents contained in the file. The documents which originated in this Service have been declassified.

The documents which have not been declassified were obtained, or contain information obtained, from other agencies. These are listed below. Clearance for publication should be obtained from the agencies concerned.

1. The ONI response dated December 18, 1961, to G-135 request of this Service to the U. S. Marine Corps for information concerning Lee Harvey Oswald dated December 5, 1961. The ONI response is on the reverse of the Form G-135 (Sheet 7). (The front and back of the form are numbered 77 and 78.)

2. Dispatch #29 dated July 11, 1961, from the American Embassy in Moscow to the Department of State in Washington, D. C. The dispatch consists of three pages. The reverse of the first page contains a document control stamp. The pages are numbered 94 through 97.

S.H. 129-11  
SEP 3 1964  
ORDM - GEN. CRIME SEC

RECORD

File  
HP5=

- 2 -

3. FBI report by John W. Fain dated July 3, 1961, at Dallas titled - LEE HARVEY OSWALD. The report consists of ten pages bearing, because of the control stamp on the reverse of the first page which cause it to be separately numbered, numbers 101 through 111.

It is requested that the copies in your possession be marked to reflect their declassification.

Sincerely,

*Raymond J. Farrell*  
Commissioner

J. Lee Rankin, General Counsel  
President's Commission on the  
Assassination of President Kennedy  
Washington, D. C.

✓ cc: Herbert J. Miller, Jr., Assistant Attorney General  
Criminal Division, Department of Justice

For your information - Your HJM:KCS:mrs 129-11,  
August 25, 1964.





~~CONFIDENTIAL~~

AUGUST 25 1964

Typed 8/25/64

Commissioner of Immigration and Naturalization

Herbert J. Miller, Jr.  
Assistant Attorney General  
Criminal Division, Department of Justice

HJM:KCS:mrs  
129-11

8-21-64  
K. R. S.

Lee Harvey Oswald and Marina Oswald

FILED  
V

Attached is a copy of a letter from J. Lee Rankin, General Counsel, President's Commission on the Assassination of President Kennedy, dated August 21, 1964, requesting to be informed as to whether there is any objection to the publication of documents in the file of the Immigration and Naturalization Service regarding subject individuals. We shall appreciate your replying directly to Mr. Rankin.

Also attached is confidential file A12 530 645. We believe, though we are not sure, that the file to which Mr. Rankin referred contains only copies of the documents in the attached file. In the event you desire to ascertain definitely that there is no additional material in the Commission's file, it will be available for review in the office of W. David Slawson, a member of the Commission's staff. In considering Mr. Rankin's request, you are not expected to obtain clearance for the release of classified documents obtained from other agencies now in the Service's file. The Commission has assumed the responsibility for obtaining clearance from the originating agencies of all documents the Commission desires to release.

This memorandum, which is classified only because of its classified attachment, may be declassified on separation therefrom.

KCS  
8/25  
LPS  
8/25

*[Handwritten signature]*

Attachments ✓

Records —  
Shelver

~~CONFIDENTIAL~~

SENT DIRECT FROM  
CRIMINAL DIVISION MAIL ROOM

DATE 8-25-64

BY 119 D. ST. KE

Spec Magr.  
Rm 753

PRESIDENT'S COMMISSION  
ON THE  
ASSASSINATION OF PRESIDENT KENNEDY

200 Maryland Ave. N.E.  
Washington, D.C. 20002  
Telephone 543-1400

EARL WARREN,  
*Chairman*  
RICHARD B. RUSSELL  
JOHN SHERMAN COOPER  
HALE BOGGS  
GERALD R. FORD  
JOHN J. McCLOY  
ALLEN W. DULLES

J. LEE RANKIN,  
*General Counsel*

AUG 21 1964

Mr. Harold P. Shapiro  
Criminal Division  
Department of Justice  
Washington, D. C.

Dear Mr. Shapiro:

Our office was informed in the past that we were to communicate with you on all matters concerning the Immigration and Naturalization Service. Accordingly, we are bringing this to your attention.

By letter dated November 27, 1963 your office forwarded to the Commission the complete Immigration and Naturalization file on Lee Harvey Oswald and his wife, Marina Oswald. Certain of the documents in that file bear a security classification. The Commission would like to make public all the documents in that file and would appreciate receiving from you or an appropriate I.N.S. officer at your earliest convenience written permission to do so. If any particular document or any portion of any particular document presents a problem in this respect and you believe that it cannot be published, please itemize such exceptions.

Sincerely,

*J. Lee Rankin*

J. Lee Rankin  
General Counsel

RECEIVED  
AUG 27 1964  
IMMIGRATION AND NATURALIZATION SERVICE  
RECORDS BRANCH

129-11

DEPARTMENT OF JUSTICE		REC C L
5	AUG 27 1964	
RECORDS BRANCH		D

HJM:WEF:am  
129-11 .

R. R. S.

January 22, 1964

Honorable J. Lee Rankin  
Counsel to the Special Commission  
VFW Building - Room 401  
200 Maryland Avenue, N. E.  
Washington, D. C.

Dear Mr. Rankin:

In accordance with the request of the Chief Justice in his letter of January 10, 1964, to the Deputy Attorney General, I am attaching two copies of the file of the Immigration and Naturalization Service pertaining to the wife of Lee Harvey Oswald.

Sincerely,

Herbert J. Miller, Jr.  
Assistant Attorney General

Enclosures

cc: Records  
Chrono  
Mr. Foley  
Mr. Miller

*HJM*  
*am*  
*129*

DEPARTMENT OF JUSTICE

TO Mr. Foley

REMARKS:

- ATTORNEY GENERAL
  - EXECUTIVE ASSISTANT
  - OFFICE OF PUBLIC INFORMATION
- DEPUTY ATTORNEY GENERAL
  - EXECUTIVE OFFICE—U. S. ATTORNEYS
  - EXECUTIVE OFFICE—U. S. MARSHALS
- SOLICITOR GENERAL
- ADMINISTRATIVE DIVISION
  - LIBRARY
- ANTITRUST DIVISION
- CIVIL DIVISION
- CIVIL RIGHTS DIVISION
- CRIMINAL DIVISION
- INTERNAL SECURITY DIVISION
- LANDS DIVISION
- TAX DIVISION
- OFFICE OF LEGAL COUNSEL
- OFFICE OF ALIEN PROPERTY
- BUREAU OF PRISONS
- FEDERAL PRISON INDUSTRIES, INC.
- FEDERAL BUREAU OF INVESTIGATION
- IMMIGRATION AND NATURALIZATION SERVICE
- PARDON ATTORNEY
- PAROLE BOARD
- BOARD OF IMMIGRATION APPEALS
- ATTENTION: \_\_\_\_\_

- |   |   |
|---|---|
| <input type="checkbox"/> SIGNATURE                                | <input type="checkbox"/> NOTE AND RETURN  |
| <input type="checkbox"/> APPROVAL                                 | <input type="checkbox"/> SEE ME           |
| <input type="checkbox"/> RECOMMENDATION                           | <input type="checkbox"/> PER CONVERSATION |
| <input type="checkbox"/> COMMENT                                  | <input type="checkbox"/> AS REQUESTED     |
| <input type="checkbox"/> NECESSARY ACTION                         | <input type="checkbox"/> NOTE AND FILE    |
| <input type="checkbox"/> YOUR INFORMATION                         | <input type="checkbox"/> CALL ME          |
| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ |   |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ |   |

*Bill:*  
 a letter is on the way to the OAG from CT women asking for two copies of the attached file. Will you please see that this gets to the right place for action when the letter arrives. Thank you.  
 HPS

FROM \_\_\_\_\_

~~CONFIDENTIAL~~

PLEASE REFER TO THIS FILE NUMBER

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
Room T-8005, New Federal Building  
701 Loyola Avenue  
New Orleans, Louisiana

A 12 530 645

Air Mail/Registered Mail/Return Receipt Requested

Mr. Nicholas Katzenback,  
Deputy Attorney General,  
Department of Justice Building,  
Washington, D. C.

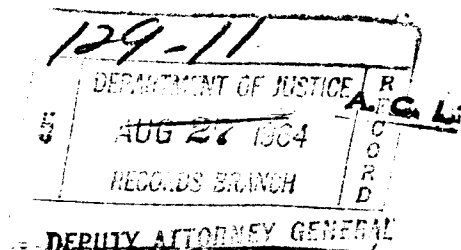
Dear Mr. Katzenback:

Transmitted, herewith, on loan is the file of Mrs. Marina Nikolaevna Oswald, A 12 530 645. This file is being sent to you at the request of Mr. Mario T. Noto, Associate Commissioner Operations, Immigration and Naturalization Service, Washington, D. C.

Sincerely yours,

*C. W. Johnson*  
C. W. Johnson  
District Director

Attachment  
File A 12 530 645



This document shall be declassified  
upon removal of classified enclosure.

~~CONFIDENTIAL~~

Typed: 11/16/65

November 17, 1965

NEW YORK  
100-11

**AIR MAIL SPECIAL DELIVERY**

Mr. Robert E. Riger  
United States Attorney  
Miami, Florida

Attention: Mr. E. M. Thomas, Jr.  
Assistant U. S. Attorney

Re: United States v. One S. J. M.  
Mannlicher-Carcano Military  
Rifle, Model M-38, Serial No.  
68766, with attachments, and  
One .38 Special S&W Victory  
Rimfire Revolver, Serial No.  
71822, with attachments

Dear Mr. Riger:

In reference to the telephone conversation of this date  
between Assistant U. S. Attorney E. M. Thomas, Jr. and Joseph J.  
Cella of this Division we are attaching copies, in triplicate, of  
the following communications taken from the files of the Depart-  
ment:

Letter of August 20, 1964 from J. Riger Hoover to the  
Honorable J. Lee Rankin

Letter of August 14, 1964 from Mrs. Cowald to Mr. Rankin

Letter of April 16, 1965 from Mr. William C. Garrett to  
the Honorable Earl Warren

Letter of April 29, 1965 from the Honorable Earl Warren  
to the Honorable J. Lee Rankin

Records  
Chrono  
Mr. Cella

*file  
JLC*

SENT DIRECT FROM  
ORIGINAL DIVISION MAIL ROOM  
DATE 11-17-65

*OW  
11/16  
11-16  
JLC*

*BPT  
11/16/65*





UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Oswald,  
Marina

WASHINGTON 25, D.C.

August 20, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin  
General Counsel  
The President's Commission  
200 Maryland Avenue, Northeast  
Washington, D. C.

Dear Mr. Rankin:

Your letter of August 17, 1964, forwarded a letter from Marina Oswald, dated August 14, 1964, requesting that it be translated.

The translation and original foreign language material are being forwarded to you herewith.

Sincerely yours,

*J. Edgar Hoover*

Enclosures (2)

129-11	
DEPARTMENT OF JUSTICE	
3	FEB 24 1966
	R.A.O.
	RECORDED

129-11

NOV 16 1965

file  
by  
129-11



TRANSLATION FROM RUSSIAN

629 Belt Line Rd.  
Richardson, Texas  
August 14, 1964

Mr. J. Lee Rankin, General Counsel  
Commission on the Assassination (sic)  
200 Maryland Ave., N. E.  
Washington, D. C. 20002

Dear Mr. Rankin:

I inform you by this letter that Mr. McKenzie will no longer represent me after the trial (sic) has ended; all he has to do is to transfer money from one bank to another. Therefore, I request you to address me personally in the future should my services be needed by the Commission.

I do not think that I need an attorney; moreover, I cannot afford expensive lawyers, particularly when I testify before the Commission; no lawyer is necessary when one tells the truth.

I would like to request from you a copy of my testimony before the Commission. Mr. McKenzie told me that he has already requested it from you. Please send it to my address and in my name, together with a bill for expenses in connection with this. After the conclusion of the work of the Commission, I would ask you to send me all my personal belongings and those of my husband (photographs, documents, diary, clothes, etc.).

As to the rifle belonging to my husband (however, I do not know to what extent my wishes in this case would be of importance to the Commission), it is my wish that the rifle become the property of the United States Government, but not be exhibited for public view during my lifetime.

Respectfully,

Mrs. Marina Oswald

LAW OFFICES  
KILGORE & KILGORE  
24TH FLOOR ADOLPHUS TOWER  
DALLAS 2, TEXAS

RECEIVED

APR 19 1965

April 16, 1965

CRIMINAL DIVISION

CABLE ADDRESS: KILGORE

4-16-65

The Honorable Earl Warren  
Chief Justice of the Supreme Court  
of the United States  
Washington, D. C.

Re: The Oswald Guns

Dear Justice Warren:

Our client Mr. John J. King has purchased from the Estate of Lee Harvey Oswald two weapons and related equipment which were exhibits in the Warren Commission hearings.

*has no  
not in  
D.C.*

We are writing to you because the Justice Department has indicated in conversations with our client that it is not certain it has any authority to deliver the weapons to the owner. We would hope that you, as Chairman of the Warren Commission, or the Commission as a body would be willing to make some disposition of these Commission exhibits which are no longer needed for the Commission's purposes.

It is our understanding that the guns in question were received by the Federal Bureau of Investigation upon its receipt to the Dallas Police Department. It is also our understanding that it is customary for law enforcement officials so receiving property to return it to the other officials to whom the receipt was given. We believe that the simplest disposition of the matter for the Warren Commission would be to give instructions that the agencies assisting it return exhibits to the parties from whom they were obtained--in this case, the Dallas Police Department. We would then take up the matter of delivery to Mr. King here in Dallas.

*file  
off*

129-11	
DEPARTMENT OF JUSTICE	REC'D
40 APR 19 1965	P.
RECORDS BRANCH	R
CRIMINAL-GEN. CRIME SEC.	

*Messrs. Willens, Cella*

KILGORE & KILGORE

The Honorable Earl Warren  
April 16, 1965  
page 2

---

So far as we can determine, the only claim which any governmental agency may have had with respect to the weapons in question was the right of temporary custody in the Warren Commission while these guns were pertinent to its investigation, and that investigation has been completed.

We find it difficult to believe that any governmental agency will require Mr. King to go to the expense and difficulty of bringing an action to recover his property. It nevertheless appears that such an action may be necessary. If the Commission does not plan to take any action with respect to the return of the exhibits, we suggest that it would be desirable from the Commission's point of view as well as Mr. King's to have a disclaimer by the Warren Commission so as to avoid joining any parties who actually make no claim to ownership. If this matter is to be left in the hands of the Justice Department for its inaction, would the Commission kindly furnish a disclaimer or some order affirmatively indicating that it no longer claims the right to custody of these exhibits?

In the event that your Commission should itself desire to determine the proper owners to whom the exhibits should be returned, we will be most happy to furnish all necessary documentation of Mr. King's ownership.

Respectfully yours,

*William C. Garrett*

William C. Garrett

WCG/rm

cc: Mr. Joseph J. Cella, Jr.  
Criminal Division  
Department of Justice  
Washington, D. C.

Mr. John J. King  
The Alaska Company  
1616 Glenarm  
Denver, Colorado

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
THE CHIEF JUSTICE

April 20, 1965

Honorable J. Lee Rankin,  
33 West 44th Street,  
New York, New York.

Dear Lee:

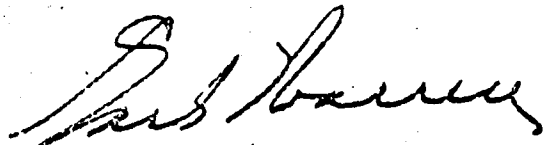
Enclosed is a copy of the letter I received from Kilgore & Kilgore which I talked to you about yesterday. It concerns the two weapons of Lee Harvey Oswald.

I do hope that the Department of Justice will not relinquish the weapons because it is important to have them in their present condition in order to support the testimony of the experts before the Commission. Also, I have no doubt that if released they will find their way to some collection which will be used commercially to exploit the assassination of our President.

I would appreciate it if you would make whatever reply is necessary to Kilgore & Kilgore.

With best wishes, I am

Sincerely,



April 27, 1965

Kilgore & Kilgore  
24th Floor Adolphus Tower  
Dallas 2, Texas

Attention: Mr. William C. Garrett

Re: Oswald Guns

Gentlemen:

I have been asked to respond to your letter of April 16th to the Chief Justice of the United States.

On behalf of the President's Commission for the Assassination of President John F. Kennedy, I wish to advise that all of the physical evidence relating to the proof of the participation of Lee Oswald in the assassination of President Kennedy was returned by the Commission to the Federal Bureau of Investigation. The Commission did inform the Bureau that it was its view that all of such physical evidence should be retained by the United States Government for an indefinite period.

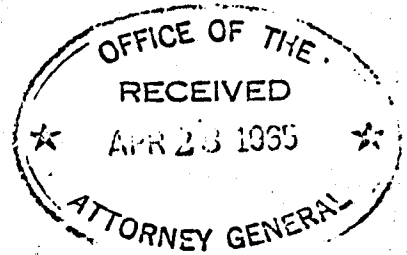
The Attorney General of the United States has been advised of this position of the Commission and is being sent a copy of your letter and this response.

Very truly yours,

J. Lee Rankin

J. LEE RANKIN  
36 WEST 44TH STREET  
NEW YORK, NEW YORK 10036  
MURRAY HILL 7-2924

April 27, 1965



Hon. Nicholas deB. Katzenbach  
Attorney General of the United States  
Department of Justice  
Washington, D. C.

Dear Mr. Attorney General:

I am enclosing a copy of the letter that I received from the Chief Justice with regard to a letter he received from attorneys Kilgore & Kilgore of Dallas, Texas, regarding the Oswald guns, together with my response to Messrs. Kilgore.

I talked to Mr. Waggoner Carr about these letters and my proposed response, and he said he was in complete agreement with the Commission's position that all of the physical evidence relating to the proof of the participation of Lee Oswald in the assassination of President Kennedy should be retained by the United States Government for an indefinite period.

Should you decide to recommend legislation on this subject, I am sure that the members of the Commission, or myself if they desire it, will be pleased to cooperate in urging that such legislation be passed.

With kindest regards, I am

Sincerely,

*J. Lee Rankin*  
J. Lee Rankin

129-11

31	DEPARTMENT OF JUSTICE	RECORDED
	APR 28 1965	
	RECORDS BRANCH	
ATTORNEY GENERAL		
CRIMINAL-GEN. CRIME SEC.		

L. 5/4/65  
129-11

*B D B*

May 10, 1965

Mr. J. Lee Rankin  
36 West 44th Street  
New York, New York

Dear Mr. Rankin:

Thank you for your letter of April 27, 1965,  
enclosing a copy of a letter to you from the Chief Justice.

I am glad to have this indication of the Commission's strong desire that the physical evidence relating to the proof of the participation of Lee Harvey Oswald in the assassination of President Kennedy should be retained by the United States Government. Once the Department's proposed legislation is transmitted to the Congress, I believe it would definitely be desirable for an appropriate statement of the Commission's position to be made to the responsible Committees.

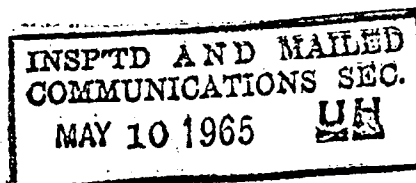
I shall be glad to send you a copy of the proposed legislation as soon as it is finalized within the Department.

Sincerely,

*Nicholas deB. Katzenbach*

Attorney General

cc: Records ✓  
Chrono.  
The Attorney General  
Mr. Vinson  
Mr. Willens  
Mr. Belcher



Re T/ March 12, 1965

HJM:JJC:mtg  
129-11 C. Q.

March 15, 1965

Mr. William C. Garrett  
Kilgore and Kilgore  
24th Floor Adolphus Tower  
Dallas, Texas

Dear Mr. Garrett:

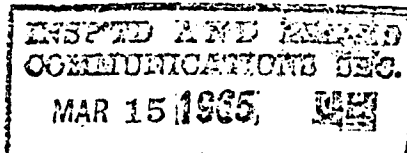
The Archivist has forwarded to this Department a copy of your letter of February 2, 1965 requesting delivery of the rifle used in the slaying of President Kennedy and the revolver involved in the fatal shooting of Officer Tippit to your client, Mr. John J. King.

Matters pertaining to the disposition of the exhibits to the Final Report of the President's Commission are receiving consideration in the Department and I am not in a position to furnish you further information at this time.

Sincerely,

HERBERT J. MILLER, Jr.  
Assistant Attorney General

Records  
Chrono  
Mr. Cella





LAW OFFICES  
KILGORE & KILGORE  
24TH FLOOR ADOLPHUS TOWER  
DALLAS 2, TEXAS

February 2, 1965

AREA CODE 214  
RIVERSIDE 1-0704  
CABLE ADDRESS: KILGORE -

RECEIVED N  
*WJ*  
FEB - 3 1965

Mr. Wayne C. Grover  
Archivist of the United States  
National Archives and Records Service  
8th Street and Pennsylvania Avenue, N. W.  
Washington, D. C.

Re: Certain Weapons Included among  
Warren Commission Exhibits

Dear Sir:

I am writing on behalf of our client Mr. John J. King. Mr. King is the present owner of the following two weapons and related equipment which were exhibits in the Warren Commission hearings:

RIFLE: Caliber 6.5 mm. Mannlicher-Carcano Italian military rifle, Model 91/38, serial number C2766, with attached 4-power telescopic sight stamped "Ordnance Optics Inc.," "Hollywood California," together with two-piece sling strap and cartridge clip marked "SMI" "952," as more fully described on pages 553 through 555 of Appendix X, Report of the President's Commission on the Assassination of President Kennedy, and identified as Exhibit #139 of that Commission.

REVOLVER: Caliber .38 Special Smith & Wesson Victory Model revolver, serial number V510210, as more fully described on pages 558 and 559 of Appendix X, Report of the President's Commission on the Assassination of President Kennedy, and identified as Exhibit #143 of that Commission, together with the holster for said revolver.

129-11

DEPARTMENT OF JUSTICE
15 MAR 10 1965
RECORDS BRANCH

KILGORE & KILGORE

Mr. Wayne C. Grover  
February 2, 1965  
page 2

---

Mr. King desires to obtain delivery of his above-described property, and he has seen press reports indicating that your office has possession of such property. Mr. King acquired ownership by purchase from Mrs. Marina N. Oswald, community survivor of Lee Harvey Oswald. He is, of course, willing to furnish all necessary documentation of his ownership, including instructions from Mrs. Oswald.

In connection with his acquisition of this property, Mr. King agreed not to cause or permit public exhibition or display of the same during the lifetime of Marina N. Oswald, and he further agreed to use his best efforts to prevent such exhibition or display by others. Accordingly, he requests assurance from you that this property will not be publicly displayed pending delivery to him.

Mr. King is a gun collector and not in any way a public figure, and he would appreciate this matter being handled without publicity.

Would you kindly let us know when and where Mr. King may receive delivery of this property and inform us as to any requirements you may have with respect to his proof of ownership?

Very truly yours,



William C. Garrett

WCG/rm

cc: The Honorable Nicholas de B. Katzenbach  
Attorney General of the United States  
Department of Justice  
Washington, D. C.

Mr. John J. King  
The Cortez Oil Company  
1700 Broadway  
Denver, Colorado

GENERAL SERVICES ADMINISTRATION



National Archives and Records Service  
Washington 25, D.C.

February 4, 1965

IN REPLY REFER TO:

Mr. William C. Garrett  
Attorney at Law  
Kilgore and Kilgore  
24th Floor Adolphus Tower  
Dallas 2, Texas

RECEIVED  
FEB 8 1965  
CRIMINAL DIVISION

Dear Mr. Garrett:

This will acknowledge your letter of February 2, 1965.

As the items about which you write are in the possession of the Department of Justice, I have referred your letter to that agency for reply.

Sincerely yours,

*Wayne C. Grover*

Wayne C. Grover  
Archivist of the United States

cc:  
Honorable Nicholas de B. Katzenbach  
Attorney General

129-11

40	DEPARTMENT OF JUSTICE	RECORDS
	FEB 8 1965	BRANCH
	RECORDS BRANCH	CRIMINAL DIVISION
	CRIMINAL GEN. CRIME SEC.	

I hope the measure will be unanimously passed today.

Mr. Speaker, I yield back the remainder of my time.

Mr. COLLIER. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill S. 2420.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 10386) was laid to the table.

#### PRESERVING EVIDENCE PERTAINING TO THE ASSASSINATION OF PRESIDENT KENNEDY

Mr. ROGERS of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9545) providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy, with committee amendments.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is hereby 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.

Sec. 2. (a) The Attorney General is authorized to determine, from time to time, which items should, in conformity with the declaration contained in the first section of this Act, be acquired and preserved by the United States. Each such determination shall be published in the Federal Register.

(b) Whenever the Attorney General determines that an item should be acquired and preserved by the United States, all right, title, and interest in and to, that item shall be vested in the United States upon the publication of that determination in the Federal Register.

(c) The authority conferred upon the Attorney General by subsection (a) of this section to make determinations shall expire one year from the date of enactment of this Act, and the vesting provisions of subsection (b) of this section shall be valid only with respect to items described in determinations published in the Federal Register within that one-year period.

Sec. 3. The United States Court of Claims or the United States district court for the judicial district wherein the claimant resides shall have jurisdiction, without regard to the amount in controversy, to hear, determine, and render judgment upon any claim for just compensation for any item or interest therein acquired by the United States pursuant to section 2 of this Act; and where such claim is filed in the district court the claimant may request a trial by jury: *Provided*, That the claim is filed within one year from the date of publication in the Federal Register of the determination by the Attorney General with respect to such item.

Sec. 4. All items acquired by the United States pursuant to section 2 of this Act shall be placed under the jurisdiction of the Ad-

ministrator of General Services for preservation under such rules and regulations as he may prescribe.

Sec. 5. All items acquired by the United States pursuant to section 2 of this Act shall be deemed to be personal property and records of the United States for the purposes of laws relating to the custody, administration, and protection of personal property and records of the United States, including, but not limited to, sections 2071 and 2112 of title 18 of the United States Code.

Sec. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. MATHIAS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Colorado [Mr. ROGERS] will be recognized for 20 minutes, and the gentleman from Maryland [Mr. MATHIAS] will be recognized for 20 minutes. The Chair recognizes the gentleman from Colorado.

(Mr. ROGERS from Colorado asked and was given permission to revise and extend his remarks.)

#### PURPOSE

Mr. ROGERS of Colorado. Mr. Speaker, the purpose of this bill is to authorize the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.

In the course of its investigation of the assassination of President Kennedy, the Warren Commission acquired a large number of physical items pertaining to the assassination and related events. The most important of these belonged to Lee Harvey Oswald and his wife. The Commission recommended that a substantial number of these items of evidence, particularly those relating to the actual assassination of the President and the murder of Patrolman Tippit, should remain in the possession of the Government. In furtherance of this objective the Attorney General requested the introduction of this measure.

These items include the assassination weapon, the revolver involved in the murder of Officer Tippit, among other exhibits. The working papers, investigation reports, and transcripts of the Commission have been transmitted to the National Archives. The items of physical evidence are presently being retained in the custody of the Federal Bureau of Investigation.

The committee is persuaded that the national interest requires that these critical exhibits be permanently retained by the United States. It concurs in the view of the Attorney General that in years ahead allegations and theories concerning President Kennedy's assassination may abound. To eliminate questions and doubts the physical evidence should be securely preserved. A failure to do so could lead to loss, destruction or alteration of such exhibits and in time may serve to encourage irresponsible rumors undermining the public confidence in the work of the Warren Commission.

The authority conferred by this legislation is vital and needed promptly. One private party has already filed suit against the Attorney General for possession of the assassination weapon and the .38 caliber revolver, claiming to have purchased all right and title from Mrs. Marina Oswald. The Government has not yet responded to the complaint.

The bill, H.R. 9545, would authorize the Attorney General to designate, by publication in the Federal Register, which items considered by the Warren Commission are required by the national interest to be acquired and preserved by the United States. All right and title to these items would vest in the United States upon the Attorney General's filing of the determination with the office of the Federal Register. This acquisition authority would expire 1 year after date of enactment. Under the bill, claims for just compensation must be filed within 1 year of the date of the filing of the Attorney General's designation. As originally drafted, the bill granted exclusive jurisdiction to the Court of Claims over claims for just compensation. The committee, however, amended the bill to provide concurrent jurisdiction in the Federal district court in the district wherein the claimant resides and also to permit the claimant in the district court to request a trial by jury.

As amended, the bill constitutes a measure essential in the national interest and the committee strongly urges its enactment.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. Yes, I yield to the gentleman.

Mr. GROSS. Why should the Government pay for any of these items that were submitted in evidence?

Mr. ROGERS of Colorado. The Constitution of the United States provides that property may not be taken without just compensation. Under this bill these items which are private property, may be acquired by the United States. The bill also authorizes that just compensation be paid to the individual who may own the item, by a suit brought in the Federal district court in the district in which he resides or in the Court of Claims.

Mr. GROSS. It is reported that the weapon used in the assassination was purchased for \$10,000 by a collector. Are we to understand that with the passage of this bill the Federal Government would pay out \$10,000 for permanent possession?

Mr. ROGERS of Colorado. No, I may state that a man by the name of John J. King, who resides in Denver, Colo., claims that he has an arrangement with Mrs. Oswald in connection with the assassination weapon and the pistol. Now, whatever arrangement he may have made with Mrs. Oswald is not the question of what is just compensation. The bill leaves that issue for the courts. If we try to restrict, limit or specify the amount of just compensation, there is some question as to whether or not the legislation itself would be constitutional. Therefore, we say "just compensation."

Mr. GROSS. Would this involve the weapon used by Ruby in the slaying of Oswald?

Mr. ROGERS of Colorado. What this bill provides is that the Attorney General shall within a 1-year period publish in the Federal Register the list of items that he believes should be preserved, which were considered by the Warren Commission. Many of these items considered by the Warren Commission are presently in the custody of the Federal Government.

We desire that they be retained here and if any individual claims that his property rights have been taken away from him the bill gives him a cause to action, so that he may go into court and assert his rights. The Government would retain the property and the claimant would get just compensation.

Mr. GROSS. Do I understand that a weapon used in a murder in the District of Columbia, confiscated by the police and used as evidence in court is returned to some member of his family?

Mr. ROGERS of Colorado. May I say to the gentleman that usually the question of what happens to a weapon that may have been used in the commission of a crime is something for State law. There is a specific procedure in the District of Columbia. Of course, the gentleman understands that the District of Columbia jurisdiction is not asserted in this matter. We are controlled by the law of the State of Texas. In this instance there was no conviction and no trial and the matter of trying to confiscate in such circumstances is not available to us.

Mr. GROSS. I thank the gentleman.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WHITENER. Mr. Speaker, bearing upon that point, as I remember, the Assistant Attorney General who met with the committee and who is a distinguished Texas lawyer, stated that unlike most States, Texas law had no confiscation provision for weapons used in criminal cases.

Mr. ROGERS of Colorado. That is correct. Furthermore, in this instance there was no prosecution and hence we could not have proceeded in that manner as we would wish if a State law provided for forfeiture.

Mr. WHITENER. Mr. Speaker, if the gentleman will yield further, I think the act which was passed by the Congress a short while ago would obviate this eventuality ever occurring again, because in the future this sort of conduct would constitute a Federal crime and the Federal law would be effective as to confiscation of weapons. So as I see it, this bill which we brought out of our subcommittee will take care of all the present cases, and in the future if such unfortunate happening should occur we will not need further legislation.

Mr. ROGERS of Colorado. I thank the gentleman for his contribution. I think he has outlined correctly that since we have made the assassination of the President a Federal crime we probably would not need this type of legislation in the future.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding. I wonder if the committee has considered the question of making this applicable to all future presidents, since it is going to be permanent legislation?

Mr. ROGERS of Colorado. The gentleman's question is, should we cover all items in connection with future assassinations? We discussed the matter, and as pointed out by the gentleman from North Carolina (Mr. WHITENER) just recently the President signed a bill which would make the assassination of the President a Federal offense.

Heretofore this was not a Federal offense. At the time the late President Kennedy was assassinated in Texas the assassin, if he had been prosecuted, would have been prosecuted under the laws of the State of Texas.

Mr. HALL. We are simply catching up with our previously unfinished business?

Mr. ROGERS of Colorado. That is correct.

Mr. HALL. Mr. Speaker, may I ask another question for the legislative record? Would, for example, the fragments of those ill-spent bullets that assassinated our late President, under this bill, necessarily be retrieved from the Armed Forces Institute of Pathology where I understand they now reside and have been the object of intensive ballistics research and study, which in turn is of some considerable scientific value?

Mr. ROGERS of Colorado. If I understand the gentleman's question, the gentleman will recognize that the President's Commission recommended that most of these items be acquired and preserved by the Federal Government. All of the evidence and everything in connection with it is now in the Federal custody. I believe that any ballistic analysis made would be reflected in the testimony before the Commission and that it has been filed with the Archives at the present time.

This legislation would place all of it under the jurisdiction of the General Services Administration.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I have read the Commission reports and this legislation, and I am glad to hear what the gentleman from Colorado says. It would be under the jurisdiction of the General Services Administration, as designated by the Attorney General, as I understand it.

Mr. ROGERS of Colorado. I did not quite understand the statement of the gentleman.

Mr. HALL. My question is simply, could the Director of the General Services Administration, upon recommendation of the Attorney General, remove from the Armed Forces Institute of Pathology, for example, and from further ballistic study the fragmented and extended missiles, or bullets, or projectiles?

Mr. ROGERS of Colorado. If the gentleman will look at section 4 of the bill he will see that it provides that all items acquired by the United States, pursuant to section 2 of this act, shall be placed

under the jurisdiction of the Administrator of the General Services Administration for preservation under such rules and regulations as he may prescribe. Hence he is the custodian.

Mr. HALL. Would the gentleman agree with me that it would serve history well, as well as possibly even future scientific investigation of ballistics, if it were interpreted that such Director of the GSA could from time to time withdraw from the Archives and make available for such study as the Attorney General or the Director of the Armed Forces Institute of Pathology, or others, might request?

Mr. ROGERS of Colorado. Certainly. There would be nothing to keep him from doing it and I am confident that if it would advance any information to the public, there would be no question but that under his rules and regulations he could so prescribe.

Mr. HALL. I believe this represents a valuable record and I believe the deceased would want it so.

Mr. ROGERS of Colorado. Yes.

Mr. HALL. If the gentleman will yield further, do I understand that the Court of Claims will eventually set the fee for the Federal Government's acquisition of the actual firearms mentioned?

Mr. ROGERS of Colorado. The claimant whose property may be taken has an option as to whether to institute a suit in the district court of the United States in the district where in he resides or whether to file suit in the Court of Claims in the District of Columbia.

Mr. HALL. I thank the gentleman from Colorado.

Mr. MATHIAS. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MATHIAS asked and was given permission to revise and extend his remarks.)

Mr. MATHIAS. Mr. Speaker, I, too, rise in support of this legislation and wish to associate myself with the remarks which have been made by the gentleman from Colorado (Mr. ROGERS), the distinguished chairman of the subcommittee which considered this legislation.

Mr. Speaker, I agree with the gentleman completely, that this legislation is necessary in the interest of history, and in the interest of any future calm and deliberate reevaluation of the events which surrounded the very tragic occurrence of the assassination of President Kennedy.

Mr. Speaker, some question has been raised here today about the possible cost to the Government. Of course, it is impossible to estimate what that cost might be. We are leaving it to the adjudication of the Court of Claims or an appropriate district court. In conformance with the Constitution, we are leaving it to a proper legal adjudication. But I would say whatever cost might be incurred would represent cost which must be met by the country and a cost which the country would want to meet. The items that will be paid for are somewhat grisly relics of a tragic moment in our national history. Nevertheless, they must be acquired without question.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from Louisiana.

Mr. BOGGS. I would like to commend the committee on reporting this bill, along with the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD]. I served on the Assassination Commission that he has described, a very sad and gruesome task. I saw these items not once, but many times, being discussed here this afternoon. As gruesome as it is, it would be very tragic, indeed, for these items—and that is the only word I know of to use in describing them—did not remain the property of the Government of the United States, so that for a great many reasons, the most compelling reason being that they were very vital in the evidence which the Commission used in its deliberations and in its determination.

I hope the House will pass this bill.

Mr. MATHIAS. I thank the gentleman for his contribution, for his observation, and for his personal experience. Certainly, our recollection of the Lincoln assassination, where there are certain missing links, would lead us to believe what we are doing today is important. Even more important is the principle mentioned by the gentleman from Colorado that we live in a government of law, that we deal with all citizens under the law with equal and impartial hand. Regardless of the circumstances, regardless of who may establish their ownership of the properties involved here, we are going to obey the supreme law of the land and pay just compensation.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from North Carolina.

Mr. WHITENER. I thank the gentleman. What he has said about the possible cost of the items of evidence to the Government is absolutely correct. I would point out to my colleagues that after we had studied the legislation proposed originally, it was the unanimous opinion, as I remember it, of the subcommittee that this determination as to cost should be left to a jury if the claimants desire to have a jury trial. We also felt that the original proposal that the Court of Claims have exclusive jurisdiction was not in keeping with what we thought was proper. For that reason we proposed that the claimant might bring action in the U.S. district court of his own district, where he could request a jury trial. I personally feel this gentleman from Colorado, Mr. King—whom I do not know—if he has paid \$10,000 in a bona fide transaction it would not comport with my idea of justice that he should not get his \$10,000 back. That is a matter for the courts to determine. We have our own theories as to what should be done on a monetary payment to the owner of the property. For that reason the committee very wisely left this to the constitutional test of just compensation, as that compensation is fixed by the court. The court may include a jury of plaintiff's peers, if he so desires. I do not know of any way we could proceed more considerately with any claimant, or any way we could do it

which would insure greater justice to the Government than this bill provides.

I believe we can all agree it is essential that prompt action be taken if we are to preserve these historical items of property.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Colorado that the rules be suspended and the bill be passed.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

#### AUTHORIZING FUNDS FOR THE PRESIDENT'S CRIME COMMISSION

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 102) to authorize funds for the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The Clerk read as follows:

Whereas the President by Executive Order 11236 on July 23, 1965, established the Commission on Law Enforcement and Administration of Justice to study crime in the United States and to recommend ways to reduce and prevent it; and

Whereas the President by Executive Order 11234 on July 16, 1965, established the Commission on Crime in the District of Columbia to study the causes of crime and delinquency in the District of Columbia; and

Whereas there has been a steady increase in crime in the Nation as well as in the District of Columbia; and

Whereas there is a need to ascertain its causes and to develop methods which can be undertaken by Federal, State, and local governments to combat such crime: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of \$1,500,000 for the expenses of both the Commission on Law Enforcement and Administration of Justice and the District of Columbia Commission on Crime and Law Enforcement.

The SPEAKER pro tempore. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. WILLIS] will be recognized for 20 minutes and the gentleman from Virginia [Mr. POFF] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Speaker, this bill comes up by direction of the full House Committee on the Judiciary. It is an authorization bill coming within the jurisdiction of that committee, which has jurisdiction over matters relating to law enforcement and the prevention of crime.

The bill authorizes the appropriation of \$1,500,000 to defray the expenses of the President's Commission on Law Enforcement and Administration of Justice

and the District of Columbia Commission on Crime and Law Enforcement.

The total amount involved is \$1,500,000. Of that sum, \$1,100,000 is authorized to defray the expenses of the Commission on Law Enforcement and Administration of Justice and \$400,000 to carry out the objectives of the District of Columbia Commission on Crime and Law Enforcement.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman. Mr. BOW. Could the gentleman tell us something about the composition of this Commission and what the salaries are that are going to be paid?

Mr. WILLIS. These figures are set out on pages 7 and 8 of the committee report. They are broken down in this fashion.

For Commission members, travel and per diem and for meetings over an 18-month period—\$67,000.

For citizens advisory committees, consultants, witnesses, for staff salaries, printing, general expenses, administrative services, contracts, and so on—they are all broken down in the committee report and the total is \$1,100,000 for the National Commission.

On page 8 of the report, we have the breakdown of the District of Columbia Commission aggregating \$400,000.

Mr. BOW. If the District of Columbia is about to take over its own government, what is the justification for the Federal Government and the taxpayers of the country to pay the \$400,000 for the District of Columbia?

Mr. WILLIS. I would say, it is my hope if the bill the gentleman refers to comes to pass, that we should quickly pass this bill because it will not be repealed by that bill, to come unless there is a move to repeal what we are doing today, and I doubt that it would prevail.

Mr. BOW. But as we do this and if there is this authorization, does the gentleman feel if the District of Columbia has its own government that the Federal Government will be called upon to make an appropriation for the expenses of this so-called home rule government?

Mr. WILLIS. Any way we look at it, this bill will become law before action is taken on the bill the gentleman refers to. Therefore, this bill will be part of the law of the land and any bill that may come hereafter within the next 2 or 3 weeks or 2 or 3 days cannot override this bill.

Mr. BOW. It would seem to me it might be a good idea to hold up this \$400,000 and to find out what is going to happen to that bill because if they want home rule and if they are going to have home rule, they ought to start paying their own bills.

Mr. WILLIS. If I had my way, I would think the situation should be reversed and this bill should be made a law first. In the second place, it would seem to me that even if the home rule bill is passed and becomes law, this bill that we are now considering could still be passed by the Congress.

Mr. BOW. Mr. Speaker, will the gentleman yield further?

Mr. WILLIS. I yield to the gentleman from Ohio.

care services, which assume considerably greater importance in countries with social insurance schemes of limited coverage, have been excluded from the study. Another point worth recalling is that the figures on scope of protection in respect of these countries should be regarded as minimum rather than as absolute figures, in view of the possibility that employer liability schemes may not have been completely covered in the study.

It should also be noted that the schemes in some of the developing countries covered in the study are fairly young and are in the process of gradual implementation. The eventual coverage under these schemes when they are fully implemented would probably be much higher than at present.

Many of these social insurance schemes of limited coverage either exclude dependents or cover them partially, so that if the scope of protection were to be expressed in terms of the economically active population, higher percentages of coverage would probably be obtained. Lack of data has made it impossible to compute this additional relative measure for many of these countries, but China (Taiwan), Costa Rica, and El Salvador clearly illustrate this point.

Again, most of these schemes cover, in the main, employees, and the structure of the labor force in developing countries is such that the proportion of employees in the economically active population is relatively low. Hence, if the scope of protection were to be expressed in terms of employees, still higher percentages of coverage would most likely be obtained. This is illustrated by the cases of Turkey and Venezuela.

#### ACQUISITION AND PRESERVATION BY THE UNITED STATES OF CERTAIN ITEMS OF EVIDENCE PERTAINING TO THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 836, H.R. 9545.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 9545) providing for the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.

The Senate proceeded to consider the bill.

Mr. SIMPSON. Mr. President, reserving the right to object—and I shall not object—I wish to call the attention of the Senate to the fact that no hearings were held on this bill in the Senate Judiciary Committee.

The House Judiciary Committee refused and denied an opportunity to Mr. King, the purchaser of the weapons, to appear before that committee. It is my belief that the matter needs more careful study than it has been given. At this time, I ask unanimous consent that there be printed in the Record at this point a statement from Mr. King, who bought the weapons, which is very revealing, and I think from the letter it will be understood why he was aggrieved at the thought that he was not able to appear before the House committee.

There being no objection, the statement was ordered to be printed in the Record, as follows:

#### STATEMENT OF JOHN J. KING BEFORE THE SENATE JUDICIARY COMMITTEE REGARDING H.R. 9545, UNION CALENDAR NO. 366

Mr. Chairman and members of the committee, I am John J. King, the present owner of the rifle and pistol used to such tragic purpose by Lee Harvey Oswald in Dallas on November 22, 1963. I wish to express my thanks to your chairman and to all of you for having granted me the privilege of appearing before you in opposition to H.R. 9545, a bill relating to the preservation of evidence pertaining to the assassination of President Kennedy—a privilege once promised me but subsequently denied by the House subcommittee to which it was referred.

H.R. 9545, while it appears to be a routine bill, is really a most extraordinary piece of proposed legislation; one which merits a most careful analysis and consideration by this distinguished committee.

First, inasmuch as it is a clear and unmistakable effort on the part of the Federal Government to override the statutory provisions of the State of Texas, and to assume unto itself certain powers properly and historically vested in the State, this bill poses a serious challenge to States rights in all areas. If enacted, it would invite further Federal transgression into this important field.

Second, by seeking to take full advantage of honest emotions, this bill would extend the right of eminent domain to personal property, and thereby establish a most dangerous precedent and a basic threat to the future security of all personal property rights. If enacted, it would invite future confiscatory legislation directed at personal property of whatever nature, selected at the whim of the executive branch.

Third, it is unusually nonspecific. It does not identify the items which it seeks to condemn, nor does it define the ultimate disposition of these items. In short, it grants carte blanche to the Attorney General for selection and to the Administrator of General Services for disposition of the unidentified items with which it is concerned. Accordingly, if enacted, it would significantly accelerate the relentless shift of authority from the legislative to the executive branch.

Fourth, it is an attempt retroactively to correct, at the expense of private citizens, certain past executive oversights. House Report No. 813, which accompanies this bill, includes a letter from the Attorney General to the Speaker of the House to the effect that, prior to the completion of its work, the Warren Commission requested the Justice Department to take the necessary steps to provide for Federal retention of certain items of evidence. This is substantiated by a letter from J. Lee Rankin to the Acting Attorney General written on leftover Warren Commission stationery, dated a month and a half after the Warren Commission had completed its work according to its own letter to the President. This bill was requested by the Justice Department over 7 months after the receipt of Mr. Rankin's letter.

H.R. 9545 and its accompanying report No. 813 claim as its public purpose the preservation of items of evidence in order to substantiate the conclusions arrived at by the Warren Commission. Public pronouncements by spokesmen of the Justice Department have suggested the possibility of a future reexamination of the evidence. The weapons with which I am personally concerned have been subjected to every known relevant test and analysis by impeccably qualified experts. The conclusions reached by the Warren Commission on the basis of the testimony of these experts have been widely read and fully accepted—except by a minuscule

fringe of irresponsible and unqualified critics. No further tests or analyses are needed. None have been made to my knowledge on previous Presidential assassination weapons. Sulfur casts have already been made of the rifle chamber. They can easily be made of the revolver chambers and of the bores of both weapons. Bolt face impressions can be made of the rifle and breachplate impressions can be made of the revolver. These things, combined with the various cartridge cases and related bullets are all that the Government would ever need for any future ballistic reexamination. Further, no request has ever been made of me or of the Oswald estate regarding our attitudes toward the gift, loan, or sale to the Government of any of our property for which it may feel a subsequent need. For myself, I would of course be more than willing to allow Federal authorities to examine the weapons from time to time and to conduct further tests on them should the need therefor be truly felt, provided, of course, that adequate assurances were made that the weapons be not further mutilated, or altered, or displayed publicly.

The Attorney General's aforementioned letter to the Speaker alludes to the fact that allegations and theories contrary to the conclusions of the Warren Commission feed on secrecy and uncertainty—and I certainly agree with this. It is, however, of interest to me that the present governmental custody of the assassination rifle has been characterized by the utmost secrecy. The FBI refused so responsible a journal as Life magazine to even photograph it.

It is perhaps here in order to observe that, of the three previous Presidential assassination weapons (1) the revolver which killed President McKinley—was acquired by private interests; while (2) the derringer which killed President Lincoln and the revolver which killed President Garfield—were taken over by the Federal Government since those two assassinations occurred in the District of Columbia and were hence subject to Federal jurisdiction. Only two of these three historic weapons survive—the privately owned McKinley assassination revolver and the federally owned Lincoln assassination derringer. History thus accords private custody twice as good a record of preservation as it accords governmental custody.

During the discussion on the floor of the House—it cannot properly be called a debate since only the pro side participated—some consideration was given (as it most certainly should have been) to the eventual cost to the taxpayer of this bill. The figure of \$10,000 was bandied about as an approximate value of the two weapons with which I am personally concerned. These two weapons are unquestionably the two most carefully documented and most valuable in the world today. From a collector's point of view, they are to the field of firearms what the Mona Lisa is to the field of painting, what La Pieta is to the field of sculpture, and what the Hope diamond is to the field of gems. In short, they are invaluable. Discounting their exhibition value throughout the free world—which in itself is almost incalculable—they are worth greatly in excess of a million dollars. Coupled with the value of the weapons themselves, consideration must also be given to the value of some of the other items concerned, principally owned, insofar as I know, by the Oswald estate. For example, a measure of the value of the original manuscripts of Oswald's 2-page farewell note, of his 12-page historic diary, and of his 17-page undelivered speech may be gleaned from the fact that a miscellaneous Oswald letter—an item considered of so little importance by the Warren Commission that it did not even attempt to restrain it—brought \$3,000 at a recent auction. It would appear from this that the Oswald papers alone have

a value of something over \$100,000. If the proposed legislation is passed and its constitutionality confirmed, the constitutional guarantee of just compensation will result in an expenditure of a staggering amount of taxpayers' dollars for the acquisition of materials for which the Government honestly has no further conceivable need.

Finally, this proposed legislation is in the nature of a private bill, specifically designed to reverse the inevitable outcome of a civil action now properly before a U.S. district court. This bill was proposed by the defendant in that action after the complaint had been properly filed, and the bill's pendency before the Congress has been relied upon by the defendant in seeking repeated delays in filing his response. It is noteworthy that defendant's counsel was privileged to appear before the House subcommittee in support of this bill, and that plaintiff's counsel was not privileged to appear in opposition thereto. In other words, you are here concerned with a clear attempt on the part of a defendant, a member of the executive branch, to shift the venue in a civil action from the U.S. district court in which it was properly brought by the plaintiff, a private citizen, to the very Halls of Congress. To my view, this is an outrageous attempt to circumvent the operation of—yes, even a direct insult to—the system of checks and balances between the three branches of our Government. The late President Kennedy himself said: "Our Constitution wisely assigns both joint and separate roles to each branch of the Government; and a President and a Congress who hold each other in mutual respect will neither permit nor attempt any trespass."

In conclusion, H.R. 9545 constitutes an insipid threat to States rights, to personal property rights, and to our system of checks and balances. It represents a totally unjustified waste of the taxpayers' money. It should not be enacted.

The bill was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 851), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to authorize the acquisition and preservation by the United States of certain items of evidence pertaining to the assassination of President John F. Kennedy.

ANALYSIS OF THE BILL

H.R. 9545 would authorize the Attorney General to designate, by publication in the Federal Register, which items considered by the President's Commission on the Assassination of President Kennedy are required by the national interest to be acquired and preserved by the United States (secs. 1 and 2(a)). All right, title, and interest to these items would vest in the United States upon publication of the Attorney General's determination in the Federal Register (sec. 2(b)). Authority to effect such acquisition would expire 1 year after the date of enactment of this legislation (sec. 2(c)).

Under the bill, claims for just compensation must be filed within 1 year of the date of publication of the Attorney General's designation. The bill grants concurrent jurisdiction to the Court of Claims and the U.S. district courts over claims for just compensation hereunder and provides that a claimant filing in the Federal district court may request a trial by jury (sec. 3).

All items acquired pursuant to the bill are to be placed under the jurisdiction of the Administrator of General Services and preserved in accordance with rules and regulations which he may prescribe (sec. 4).

The bill provides that all items acquired by the United States hereunder shall be deemed personal property within the meaning of provisions penalizing removal or mutilation and theft, sections 2071 and 2112, title 18, United States Code (sec. 5). The bill authorizes such appropriation as may be necessary to carry out the purposes of the act (sec. 6).

STATEMENT

In the course of its investigation of the assassination of President John F. Kennedy, the President's Commission on the assassination acquired a large number of items of physical evidence pertaining to the assassination and related events. The most important of these belonged to Lee Harvey Oswald and his wife. The Commission recommended that a substantial number of these items of evidence, particularly those relating to the actual assassination of the President and the murder of Patrolman J. D. Tippit, should remain in the possession of the Government. In furtherance of this objective, the Attorney General requested the introduction of the present measure.

These items include the assassination weapon, the revolver involved in the murder of Officer Tippit, among many other exhibits. The working papers, investigation reports, and transcripts of the Commission have been transmitted to the National Archives. The items of physical evidence are being retained in the custody of the Federal Bureau of Investigation.

The committee is persuaded that the national interest requires that the Attorney General shall be in a position to determine that any of these critical exhibits, which were considered by the President's Commission, shall be permanently retained by the United States. The committee concurs in the view expressed by the Attorney General that in years ahead allegations and theories, concerning President Kennedy's assassination may abound. To eliminate questions and doubts the physical evidence should be securely preserved. A failure to do so could lead to loss, destruction, or alteration of vital evidence and in time might serve to encourage irresponsible rumors undermining public confidence in the work of the President's Commission.

The authority conferred by this legislation authorizing the acquisition and preservation of certain items of evidence considered by the President's Commission is vital in the national interest. One private party has already filed suit against the Attorney General of the United States for possession of the assassination weapon and the .38 caliber revolver involved in the death of Police Officer Tippit, claiming to have purchased all right, title, and interest in these items from Mrs. Marina N. Oswald. The Government has not yet responded to the complaint. The effect of this legislation would be to deny the plaintiff possession of these items but would afford due process of law by providing a procedure for recovering just compensation by permitting the claimant his day in court to litigate his asserted rights.

The committee believes that the need for this legislation is manifest and in the public interest, and accordingly, recommends favorable consideration of H.R. 9545, without amendment.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar

No. 854, H.R. 9495; Calendar No. 879, H.R. 5217; and the two succeeding bills. The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TO INCREASE THE APPROPRIATION AUTHORIZATION FOR THE FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

The bill (H.R. 9495) to increase the appropriation authorization for the Franklin Delano Roosevelt Commission, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 867), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF H.R. 9495

H.R. 9495 would increase the expenditure authorization for the Franklin Delano Roosevelt Memorial Commission from \$25,000 to \$125,000 and would extend indefinitely the time for the Commission to select and report to the President and to the Congress on another design for a permanent memorial to former President Franklin Delano Roosevelt.

BACKGROUND

The Franklin Delano Roosevelt Memorial Commission was established by Public Law 372 of the 84th Congress, approved August 11, 1955, for the purpose of considering and formulating plans for the design, construction, and location of a permanent memorial to Franklin Delano Roosevelt, in the District of Columbia or its immediate environs. In an interim report to Congress on January 2, 1959, the Commission recommended—

(a) That the portion of West Potomac Park, in the District of Columbia, which lies between Independence Avenue and the inlet bridge be reserved as a site for the proposed memorial; and

(b) That the Commission be authorized to conduct a national competition, with appropriate prizes, to determine a suitable design for the proposed memorial.

The agreement of Congress to the recommended site and the proposed competition was expressed in Public Law 86-214, approved September 1, 1959. That law also stipulated that the proposed memorial should be "harmonious as to location, design, and land use with the Washington Monument, the Jefferson Memorial, and the Lincoln Memorial," and that the Commission should avail itself of the assistance and advice of the Commission of Fine Arts, of the National Capital Planning Commission, and of the National Park Service. There was authorized to be appropriated not to exceed \$150,000 to carry out the provisions of that public law.

The competition was organized and held in 1960, 574 architects and sculptors participating. A jury of architectural authorities awarded first prize (\$50,000) to Pederson and Tilney of New York, for their design consisting of eight monumental steles or tablets grouped in a cluster. The winning design was approved by the Memorial Commission, with the inclusion of a statue or bas-relief of former President Roosevelt, and duly reported to the President and to the Congress, although it lacked the approval of the Commission of Fine Arts.

Although it is customary for designs for memorials in Washington to evoke some



SEPTEMBER 3 1964

Director  
Federal Bureau of Investigation

Herbert J. Miller, Jr.  
Assistant Attorney General  
Criminal Division

8-17  
129-II  
H.M.D.S. mjr

NOV 11 1964  
S. B.

Attached herewith for your attention is a copy of a letter dated August 17, 1964 together with its enclosures to the Attorney General from [redacted]. The writer has not been advised of this referral.

12/101

*[Handwritten signatures and initials]*  
12/101  
- facts

Records ✓  
Chrono  
Skolrik  
Johnson

SENT BY MESSENGER  
COMMUNICATIONS SEC.  
SEP 3 1964 R.R.

T: 9/1/64  
HJM: IBS: mjr  
129-11

S. P.

SEPTEMBER 3 1964



Dear [Redacted]

This will acknowledge receipt of your letter dated August 17, 1964 to the Attorney General. Your interest in these matters is appreciated.

Sincerely,

HERBERT J. MILLER, Jr.  
Assistant Attorney General

*Handwritten signatures and initials*

Records ✓  
Chrono  
Skolnik  
Johnson

INSPTD AND MAILED  
COMMUNICATIONS SEC.  
SEP 3 1964 R.R.