

UNITED STATES GOVERNMENT

Memorandum

TO: Mr. Belmont

FROM: J. Rosen

DATE: May 4, 1965

- 1- Mr. DeLoach
- 1- Mr. Conrad
- 1- Mr. Sullivan
- 1- Mr. Callahan (Att. Mr. Dunphy)
- 1- Mr. Casper
- 1- Mr. Belmont
- 1- Mr. Rosen
- 1- Mr. Malley
- 1- Mr. Shroder
- 1- Mr. Raupach

[Handwritten signatures and initials]

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
11/22/63,
DALLAS, TEXAS,
MISCELLANEOUS - INFORMATION CONCERNING

SYNOPSIS:

The Department by communication dated May 3, 1965, furnished a copy of a letter to the Speaker of the House of Representatives enclosing a draft bill pertaining to legislation to provide a legal basis for the retention of critical exhibits relating to the assassination. It establishes a procedure under which selected items could be retained and protected by the United States. The Attorney General would be authorized to determine which items are required for preservation and following his decision all rights and titles would be vested in the United States after publication in the Federal Register. His acquisition authority would expire one year after the enactment of legislation. The Court of Claims thereafter would be granted exclusive jurisdiction over claims for just compensation for any item acquired by the United States. The Department requested the Bureau's views by the close of business, May 4, 1965.

This proposed legislation appears to be a logical solution to the problem of final disposition relative to items of evidence that were acquired during the investigation of the assassination. If this legislation is approved we will thereafter relinquish the evidence in our possession to the designated authority upon instructions from the Attorney General.

ACTION:

167-107460
NOT RECORDED
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Attached for approval is a letter to the Deputy Attorney General advising this legislation appears to be the logical solution for the United States to retain critical evidence as it relates to the published findings of the President's Commission. Letter points out agencies other than the FBI may be in possession of evidence obtained in this case.

Enclosure
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5-4-65
CONTINUED - OVER

ORIGINAL FILED IN

Memorandum to Mr. Belmont
RE: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY

BACKGROUND:

We have had previous correspondence with the Department concerning disposition of physical evidence pertaining to the assassination currently in our possession. Specifically, by letter dated February 24, 1965 to the Department, we clearly pointed out that we did not wish to be the custodian of the exhibits which related to the published findings of the President's Commission. Further, it was not within our prerogative either to object to or make recommendations as to the retention of exhibits.

Briefly, the Attorney General's letter to the Speaker of the House points out the evidence and investigative reports, transcripts and other working papers of the Commission have been officially transmitted to the National Archives. Pending final decision as to the disposition to be made of these exhibits, the physical evidence has been retained in our custody. The Attorney General has indicated that the national interest requires legislation to provide a valid legal basis for the retention of critical exhibits. He also indicates it is important to recognize that in years ahead allegations and theories regarding the assassination will continue to abound. Failure to retain critical exhibits would encourage rumors and allegations designed to destroy public confidence in the work and conclusions of the President's Commission. The Attorney General has indicated the legislation is desirable to protect the memory of President Kennedy from debasement which would occur if items connected with the President's death are permitted to become objects of commercial spectacle.

The proposed bill is quite specific and authorizes the Attorney General to determine, from time to time, which items should be selected and preserved by public use in connection with the published findings of the President's Commission. The selected items acquired by the United States will be preserved for public use and all rights and titles will be vested in the United States after publication in the Federal Register.

The bill points out all items acquired shall be placed under the jurisdiction of the Administrator of the General Services for preservation for public use under such rules and regulations as may be prescribed. To this end the bill indicates appropriate sums are to be made available to carry out the purpose of this act.

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RE: ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY

OBSERVATIONS:

This proposed legislation appears to be a logical solution to the problem of final disposition relative to items of evidence that were acquired during the investigation of the assassination. It was specifically noted in the Attorney General's letter reference is made to physical evidence which has been retained in the custody of the Federal Bureau of Investigation. This tends to indicate that all physical evidence is in our possession. It is noted the Bureau has no knowledge and is not aware of other items of evidence which may have been obtained by the President's Commission from other sources or requested to be obtained through agencies other than the FBI. This information is being pointed out in our letter to the Deputy Attorney General. If this legislation is approved we will thereafter relinquish the evidence in our possession to the designated authorities upon instructions from the Attorney General.

[Handwritten initials and marks: "JFM", "V", "4", and a large stylized "G" or "9"]