

UNITED STATES GOVERNMENT

Memorandum

1-Mr. Conrad - Cs. (2)
1-Mr. Jevons - Encs. (2)

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

TO : Mr. Conrad

DATE: 2/14/69

FROM : R. H. Jevons

1-Mr. Heilman - Encs. (2)

SUBJECT: JOHN NICHOLS VERSUS UNITED STATES OF AMERICA

We are in receipt of a memorandum from the Department dated 2/3/69 (copy attached), requesting information from the Bureau relative to a suit Dr. John Nichols of Kansas City, Kansas, is bringing against the Government for release of information pertaining to the assassination of President John F. Kennedy. It is understood he is preparing a book regarding the assassination.

Although the Departmental memorandum refers only to certain spectrographic analyses performed by the Laboratory, the complaint attached to the Department's memorandum reflects that the bulk of the requests made by Nichols is directed to the Archivist and pertains to the autopsy and other matters not affecting the FBI.

BACKGROUND:

We have had substantial previous correspondence with Nichols regarding the assassination. By letter 7/6/67, he requested to see the Director to explain some of his ideas and theories which he had in regard to the assassination. By Bulet 7/12/67, the Director declined to make an appointment and advised Nichols that we would take any information he desired to furnish but in documentary form. It was not believed desirable to accept oral information concerning his medical findings that would be subject to interpretation. By letter 6/8/68 (his sixth letter), he requested additional information and again suggested he present some findings orally. He also made frivolous, if not derogatory, remarks concerning Agents in the Kansas City Office. Obviously, it appeared that Nichols had nothing of value to make available and wanted to "use" the Bureau in connection with his book. In a memorandum B. J. White to Mr. Conrad dated 6/13/68, it was recommended and approved that his letter not be acknowledged and that the field office be advised to be most circumspect in any future dealings. Subsequently, SAC, Kansas City advised by airtel 9/25/68, that Nichols in an address before a local Bar Association and Medical Society was critical of the FBI investigation and made derogatory remarks concerning the Bureau. This airtel advised that Nichols indicated he planned to file suit against the FBI.

Enclosures (2) 2-17-69

1-Mr. Mohr

1-Mr. DeLoach

1-Mr. Rosen

1-Mr. Bishop

1-Mr. Casper, Attention: Mr. Dalbey

12 FEB 19 1969

RHJ:fch (9)

(CONTINUED - OVER)

**Memorandum to Mr. Conrad
Re: JOHN NICHOLS VERSUS UNITED
STATES OF AMERICA**

The Department has asked the Bureau specifically for copies of memoranda showing administrative processing of the plaintiff's request (the Department subsequently advised that a summary of the action would be sufficient) and copies of any correspondence with Nichols, statements relative to the alleged complaint and information concerning the spectrographic tests conducted on Warren Commission Exhibit Number CE 399 which is the so-called pristine bullet reportedly found on the stretcher at the hospital and which was subsequently determined to have been fired from Oswald's rifle. Spectrographic analyses were conducted to compare this bullet with other recovered bullet fragments. The results of the spectrographic tests to the effect that the metals were similar is a matter of record in the Warren Commission Report. This is the normal manner in which the results of such tests are reported.

The Agent's notes and the raw analytical data on which the results are based are not normally made public since they can only be interpreted properly by scientifically trained personnel, and it would place an unnecessary and heavy burden on the Bureau to furnish all such details to any and all individuals who might request them. Release of the data in this instance would, therefore, establish a potentially highly detrimental precedent.

It is suggested that the Bureau may wish to recommend to the Department that it attempt to get a denial for the release of this information based on the exemption in the Public Information Law, 5 U.S.C. 552, subsection (b), paragraph 7, which specifically exempts investigatory files compiled for law enforcement purposes. It is also suggested that we take the position that the release of our work papers and Agents' notes of our work would place an undue and unnecessary burden on the Bureau.

RECOMMENDATIONS:

(1) That we recommend to the Department that the information requested by Dr. John Nichols be denied.

(2) That the attached proposed memorandum be sent to the Department forwarding the information requested by the Department.

[Handwritten signatures and initials]