

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Archives and Records Service
Washington, DC 20408



November 20, 1975

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is in response to your FOI request dated November 15, 1975, requesting a copy of a "letter of gift" signed by various members of the Kennedy family and dated on or about April 25, 1965.

It is apparent that you picked up the reference to this letter of gift in a letter of James B. Rhoads dated October 17, 1975, responding to a series of questions raised by Congresswoman Bella Abzug. We have examined the correspondence files in the National Archives and have found that the Office of Presidential Libraries, in contributing material for a response to the Bella Abzug inquiry, inadvertently gave the wrong date for the document in question. The document is a letter of gift by which Jacqueline Kennedy, Robert Kennedy, and Edward Kennedy as executors transferred custody, control, and title to the Presidential historical materials of John F. Kennedy to the United States Government. The date on this letter of gift is February 25, 1965. There is no letter of gift from members of the Kennedy family dated April 25, 1965. We regret the error.

For your further information in this matter we are enclosing a courtesy copy of the letter of gift dated February 25, 1965.

Sincerely,

RICHARD A. JACOBS
Deputy Assistant Archivist
for Presidential Libraries

Enclosure



Keep Freedom in Your Future With U.S. Savings Bonds

Honorable Bernard L. Boutin
Administrator of General Services
Washington, D.C. 20405

Dear Mr. Boutin:

FIRST: The late John Fitzgerald Kennedy had said many times both publicly and privately that it was his intention to place certain of his papers and other historical materials in a Presidential archival depository in Massachusetts, in the form of a Library bearing his name, and had encouraged, and participated in, and arranged for the planning of such an institution.

SECOND: Accordingly, in fulfillment of such stated intention and arrangement, it is our desire to give and deliver to the United States of America for the purpose of ultimate deposit in the said Presidential archival depository in Massachusetts, the papers, documents, historical materials, mementos, objects of art, and other memorabilia, including books, motion pictures, still pictures and sound recordings, hereinafter called "Materials," formerly belonging to and relating to the life and work of John Fitzgerald Kennedy, and which he intended should be so deposited.

THIRD: Therefore, we, the undersigned Jacqueline Bouvier Kennedy, and the Executors and Trustees of the estate of John Fitzgerald Kennedy, deceased, hereinafter called the "Donors," hereby convey, assign, give, and donate to the United States of America, hereinafter called the "Donee," effective as of November 22, 1963, and subject to the conditions and restrictions hereinafter set forth, all of our right, title, and interest to the Materials above described, hereinafter called "Materials," as our right, title, and interest may appear, including but not limited to those Materials now stored at the White House, the Executive Office Building, The National Archives Building, or at such other place or places where such Materials may be found, subject, however, to the specific understanding and agreement that:

(i) This gift and transfer shall not and is not intended to apply to or embrace such items as John Fitzgerald Kennedy had not intended to be deposited in said Presidential archival depository, or which are determined by the Donors to be of special or private interest to the personal, family and business affairs of John Fitzgerald Kennedy, his wife and children, parents, brothers and sisters.

(ii) The Donors shall have and specifically reserve the right to retain title and possession and to regain possession of any items that the Donors in their sole discretion may determine in accordance with this paragraph the Third are excluded from the purview of this gift, irrespective of the fact that such items may have been theretofore delivered to the Donee.

(iii) For the purposes of effectuating the provisions of subparagraphs (i) and (ii) of this paragraph the Third, the Donors shall have and specifically reserve the right to examine, at any time or from time to time prior to January 1, 1967, either themselves or through authorized representatives, any Materials from time to time in the possession or custody or under the control of the Donee, and wheresoever the same may be situated, for the purpose of determining and designating any such Materials as being excluded from the purview of this gift, provided, however, that examination of security-classified information shall be in accordance with applicable law or Executive Order relating to security-classified defense information.

(iv) The Donee shall, as soon as is reasonably possible, and upon written notice from the Donors of such designation, deliver to the Donors any items so designated by the Donors pursuant to subparagraph (iii) of this paragraph the Third as excluded from the purview of this gift.

(v) Mrs. Jacqueline Bouvier Kennedy shall have and specifically reserves the right to borrow from the Donee without formality such materials to which this transfer applies as she may wish for her personal use, examination, or display either by herself or by anyone she may select or approve, and any Material so borrowed shall be returned to the Donee within a reasonable period of time.

FOURTH: All Materials to which this transfer is applicable shall be maintained by the United States and stored at such place or places as may be designated by the Administrator of General Services until the completion and acceptance by the United States, pursuant to section 507(f) of the Federal Property and Administrative Services Act of 1949, as amended, of the proposed John F. Kennedy Library, at which time the Materials shall be deposited in that Library and administered in accordance with the pertinent provisions of that Act.

FIFTH: It is the Donors' wish that all Materials donated to the Donee hereunder be made available for research use as soon as possible and to the fullest extent possible. The Donors, however, desire to guard against the possibility of the Materials being used to injure, embarrass, or harass any person and otherwise properly to safeguard the interests of the United States. Therefore, all Materials to which this transfer applies are accepted and shall be held by the Donee subject to the following restrictions and conditions:

(i) The Donors shall have and hereby reserve the right to restrict the use and availability of any Materials to which this transfer applies, and irrespective of the time when such Materials may have been, or may be delivered to the Donee, for such time or times as the Donors in their sole discretion may from time to time or at any time specify, and such restrictions shall be adhered to and observed in all respects for as long a period as the Donors shall have specified or until such restrictions are revoked or terminated by the Donors or by persons legally qualified to act on their behalf with respect thereto. Any Materials so designated in writing by the Donors as restricted shall be known and are hereinafter referred to as "Donors' Restricted Material," and shall be placed under seal, it being understood, of course, that Donor Restricted Materials shall be accessible to the Archivist of the United States or designated members of his staff for the performance of such archival work processes as may be requested by the Donors, but not otherwise.

(ii) The Archivist of the United States or designated members of his staff shall review the Materials to which this transfer is applicable, except Donors Restricted Material, for the purpose of classifying such Materials. Any Materials which fall within the following categories shall be designated by the Archivist and are hereinafter referred to as "Archivist Restricted Material," and shall be placed under seal:

(a) Materials containing statements which may in any manner be used to injure, embarrass, or harass any person, or Materials which may in any manner be prejudicial to the conduct of foreign relations of the United States of America, or materials containing statements made by or to John Fitzgerald Kennedy in confidence.

(b) Defense information that has been security-classified pursuant to law or Executive Order: Provided that such information may be declassified or otherwise made available in accordance with the procedures established by law or Executive Order governing availability of security-classified information.

(c) Materials that relate to the personal, family, and business affairs of John Fitzgerald Kennedy and his family, including such affairs of Mrs. Jacqueline Bouvier Kennedy, and the mother, father, sisters, and brothers of John Fitzgerald Kennedy.

(iii) The review and classification of the Materials hereinabove provided for shall be performed by and in collaboration between the Donors or their designated representatives and the Administrator of General Services or his delegates and shall be completed within the shortest reasonable period of time after the Materials have been deposited in the John Fitzgerald Kennedy Library in Massachusetts.

(iv) Until such time as the review and classification of the Materials, as hereinabove provided for, has been completed, no person shall be permitted access thereto except the donors, persons given written authorization by the donors, and employees of the General Services Administration performing archival work processes on such Materials, provided, however, that access to Materials which are security-classified shall be in accordance with applicable law and Executive Order relating to security-classified defense information.

SIXTH: Except as otherwise provided herein, all Archivist Restricted Materials shall be available only to employees of the General Services Administration performing archival work processes on such Materials and to the Donors or other persons given written authorization by any of the Donors, provided, however, that access to Archivist Restricted Materials which are security-classified shall be in accordance with applicable law or Executive Order relating to security-classified defense information.

SEVENTH: The Archivist of the United States or his designated representative shall review from time to time Archivist Restricted Materials, and shall remove the restriction from such materials and make them available for research use as soon as the passage of time or other circumstances no longer require their being kept under restriction, provided, however, that notwithstanding anything otherwise or to the contrary in this instrument contained, no restrictions shall be removed in respect of the materials described in Article Fifth ii (c) without the prior written consent of the donors.

EIGHTH: The Donors hereby assign to the United States of America all of their literary property rights in all Materials, excluding Donors'

Restricted Material during the period of restriction, except that the donors reserve to themselves (a) the right to make any use of such Materials and (b) all literary property rights in any manuscript or other writings that John Fitzgerald Kennedy wrote for publication, including the right to license the publication of such material.

NINTH: All competent persons interested in using the materials for purposes of serious research shall be granted equal access to unrestricted materials.

TENTH: As used herein, the word "Donors" shall mean Mrs. Jacqueline B. Kennedy, and the Executors of and the Trustees under the Last Will and Testament of John Fitzgerald Kennedy from time to time qualified and serving.

Jacqueline B Kennedy
Donor
Jacqueline B Kennedy
Richard M Kennedy
Robert F Kennedy
Donors

By virtue of section 507(e) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 397(e)), the foregoing gift of the papers and other historical materials of the late President John Fitzgerald Kennedy is accepted.

THE UNITED STATES OF AMERICA
Acting by and Through

Lawrence B. Frost
Acting Administrator of General Services

Date: FEB 25 1965

Rt. 12, Frederick, Md. 21701
11/22/75

Mr. Tim Ingram, Staff Director
Subcommittee on FOIA and Individual Rights
House of Representatives
Washington, D.C.

Dear Tim,

As you know, I have phlebitis and had a confrontation with David Belin at Vanderbilt University the night of 11/19. That morning I could not lace a shoe and that night I could not wear one. I was otherwise ill but went through with it although thereafter I required assistance even prior to getting on the plane to return.

Meanwhile, from our mailing on Post Mortem we have had the greatest single response ever. With me handicapped and my wife and I to do all this and other work I hope that you will take my writing you at all now as a measure of the seriousness of that of which I do write, which is not all I'd like to take up with you.

Last Saturday morning I received a call from the lecture bureau which books both Belin and me asking that I rush him a copy of Post Mortem. I did. He said Wednesday night that it reached his office just as he was leaving for Nashville. This was during dinner, when he thanked me for rushing it but also said he had not had time to look at it. When it is 660 pp. and the mail in which it went out was only two days prior to his receipt of it I believe him.

The debate was to have been taped by the college radio station. Had I not been promised this I had my own machine with me, was accompanied by Floyd Lamore because I required assistance, and I would have taped our comments.

Before I get into the purposes of this letter and based merely on the news accounts of Belin's appearance before your committee (Donovan had indicated he'd let me see transcripts but has not) Belin lied about the Warren Commission's knowledge of alleged CIA/Cuban plots against JFK. The files abound in various forms of them, I included them in my prepared remarks of which I can provide a copy, I published some in my first book, and Belin was without even one word denial.

With the record - his personal record - that I laid on Belin only a psycho would ~~not~~ have come apart or at least displayed anger and personal resentment. He merely smiled and lied and evaded until the pressure got stronger. Then he did two things about which I write.

One was to say that in your office he had been given access to a copy of Post Mortem at the time you and Donovan, the only people on the Hill who had copies, by one of you. Both of you knew it was embargoed and that I wanted him to have no knowledge of its contents until the confrontation. One of the uses he made of it was misuse. He appears to have used the thorough index to find references to himself and the Kennedy family. He then tried to get away with lying about the timing of the Tippit killing by direct quotation of Post Mortem as he said from having written down what he used in your offices. While it required time I needed for other purposes I was able to nail him on this. The writing is accurate. He lied, which is his normal behavior on this subject at least. Naturally, I did not like this partly because it represents a breach of trust and partly because it handicapped me in the purposes for which I wanted to confront him when a record was to have been made. (Students are investigating to try to get the tapes of some students who did tape the confrontation.)

However, what really outraged and angered me was his using information or misinformation he attributed to Mrs. Agnew with a specific intention that came out as one of the most obscene anti-Kennedy diatribes I have ever heard.

I do not recall his exact words but he was specific in representation of intentions he attributed to Mrs. Absug, regardless of his source or whether or not it is entirely fabricated. It is that she is going to investigate the (misdated) letter of gift of February 25, 1965 as distinguished from the GSA-Burke Marshall agreement of more than a year later. I had requested but had not obtained a copy of this letter of gift. I have not received and read it.

Pretending to be talking about the gift Belin actually talked about the letter-agreement and introduced that by reading his self-serving letter to Marshall from his book, all the propoganda about royalty, the word he actually used, in connection with what is not included in the gift and in what for a lawyer is an indecency. He kept pretending what is in every sense false, that only because the Kennedy family is royalty the essential evidence, such as the autopsy materials, was withheld from the Commission. It was not. From Post Mortem and Whitewash IV if not from other papers I gave you you know that prior to the medical testimony the Commission did have the X-rays and autopsy pictures and the official records I reproduce in facsimile prove. He then launched into another indecency, ignoring the proof I gave the moderator to read, these records, demanding that all these properly privileged records be published. I went after him several ways on this, one the law and the proper privacy of such record as distinguished from their being used as unpublished investigative materials (and here I demanded and got no answer to whether this would be proper with a Bowery bum or with anyone else) and the other was to demand that he describe from his personal examination of the autopsy pictures the actual point of entry of the fatal head shot. When he, typically, talked about something else I then read the official reading of the Clark panel of X-ray 2, Post Mortem, p. 592 or 590. Unembarrassed he refused to join in a request for a full new investigation but persisted in his insistence that the Kennedy family, this "royalty," had and continued to suppress evidence and to demand that it be released and published. Period. Not interpreted by a duly constituted body or anything like that.

What this monster and others like him are up to, now that they fear the exposure of their own deliberate corruption, is to victimize the victims even more. I cannot and will not be part of anything this evil and wrong.

It has always been my view, in writing, in personal appearances and when I was ~~in~~ in an SOLA suit of 1969 or 1970, that the estate is determined by the moment of death. I find in the letter of gift reference to what existed as of this specified date. I also find no reference that I can torture into meaning that it includes anything in any way related to the assassination or the so-called investigation. You lawyers may see and understand or interpret what I cannot, but this is my understanding and there simply is not and cannot be any doubt about the intent Belin attributed to Mrs. Absug with regard to this letter of gift as it relates to the assassination, not any other matters that might be within legislative responsibility or jurisdiction.

For whatever it may or may not be worth to you, I have taken this time to report what I sincerely hope is a misrepresentation. But whether or not this man I regard as ~~psycho~~ ^{lied}, you appear to have out him in a position to commit this kind of public indecency.

If as reported Mrs. Absug plans to run for the Senate, I do not believe this will be helpful to her. I am horrified that it was possible for this kind of thing to happen during what was supposed to be a debate on the Warren Commission, not a furtherance of Belin's self-defense or the politics that made him head of lawyers for Nixon.

I remain prepared to help you in any manner you consider I can and despite my analysis of people and forces at work in disinformation on the Hill. There can be no benefit for me in the time this would take. However, I will expect the keeping of confidence and I will not be part of any political twisting of fact and reality, not even against those I consider require investigation. I am sure you and Donovan ought both remember that I specified the preservation of confidence so the whole thing would be available at one time, in, not out of context. Sincerely, Harold Weisberg