dotting fill

To JL, IN, PH, RF, IF from IN

8/15/83

Today I received from DJ, in response to a 1997 request, the attached two pages along with a draft of the GSA- Kennedy outste letter agreement, which I do not send.

It is obvious that none of this information over qualified for any FOIA exemption. So, I woulder why it was withheld for so long and what review prompted its disclosure now.

What is alear is that carlier disclosure could have suriously embarramend the government.

among the potentially enhanceding elements in the unexplained great ungunet in obtaining possession of both the clothing and the autopsy saturials.

mong the possibly embarraming evidentially items is the shirt collar, which makes it clear that these slits were not and could not have been caused by a projectile of any kind, whether exiting, the official story, or entering.

For those who sid not believe or when, on the desis of private information, I stated that Buckley did not have possession of this stuff, please note that the letter prepared for RVK's signature is explicit in confirming what I stuted and published, that the Segret Service had had it all along.

UNITED STATES GOVER. JENT

LARTMENT OF JUSTICE

DATE: October 4, 1966

Memorandum

TO

. Mr. Frank Wozencraft Assistant Attorney General Office of Legal Counsel

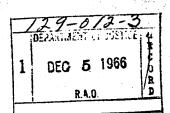
FROM F. Reis

Executive Assistant to the Attorney General

SUBJECT: Warren Commission--Kennedy Materials

Transmitted herewith is a draft prepared by Stephenson after discussion with me. In general, I am in agreement with it. I am, in addition, very anxious to get your reaction so that we can get this matter moving by sending copies of whatever we wish to propose to Bahmer and Burke Marshall.

Attachment



DRAET 10/4/66

Dear Dr. Bahmer:

129-012-3 BJA.

The family of the late President Kennedy share

which were utilized as evidence before the Warren Commission, as well as certain other materials relating to the assassination, of the late President, should be deposited, safeguarded and preserved in the Archives of the United States as materials of historical importance. The family desires, and the Government we know is determined, to prevent the undignified or sensational use or display of these materials or any other use which would tend in any way to dishonor the memory of the late President or family cause unnecessary grief or suffering to the members of his family or those closely associated with him.

In consideration of the mutual interest of the family of the late President and of the Government of the United States in achieving the aforesaid objectives, the

of the late President, with the approval of the

members of his family, named in paragraph (2), hereby

fundly and digrat with the Medical

gives to the United States of America all the personal

clothing of the late President now in the possession of

the United States Government and american in Appendix

with the autopsy of the late President as-littled in

Appendix B, and the Archivist of the United States,

in accordance with the previsions of 44 U.S.C. 397(e) and ADN
P 5450.39 dated May 5, 1964, ch. 8, para. 1, accepts the sure,

posit in the Archives of the United States, for de
posit in the Archives of the United States, subject

to the following conditions:

(1) access and inspection of the material referred

to in Appendix A and Appendix B shall be made available to

pure authority of for any

(a) Any committee of the Congress or the other

official agency of the United States Government
having appropriate authority to investigate matters

purposes within ies investigative jurisdiction of any person suchesised to act for such committee or agency.

(b) Any recognized expert in the field of medicis ballistics, textiles or any other area of science or technology, relevant to the investigation of matters relating to the death of the late President, provided, however, that the decision of the Archivist shall be final as to who may qualify as a recognized expert and provided, further, that the Archivist may consult with appropriate professional and technical organizations in making such determination. The Archivist may limit the scope of access and inspection ly expert to that portion of the materials referred to in Appendix A and Appendix B as may in the judgment of the Archivist be of legitimate technical or professional concern to such expert.

Access to and inspection of the material shall be
subject to such restrictions and limitations as may be
legally imposed by the Archivist (dr his escretary) and
like may deem appropriate for their safekeeping and

preservation, for the proper administration of the National

(2) None of the materials herein given to the Government of the United States shall be placed on public dis-

such materials unless heretofore published as part of the

Warren Commission report or otherwise publicly distributed)

be published or otherwise publicly distributed or displayed

thereing the lives of Jacqueline Bouvier Kennedy (Mrs. John F.

Kennedy Lawford (Mrs. Peter Lawford), Eunice Kennedy Shriver

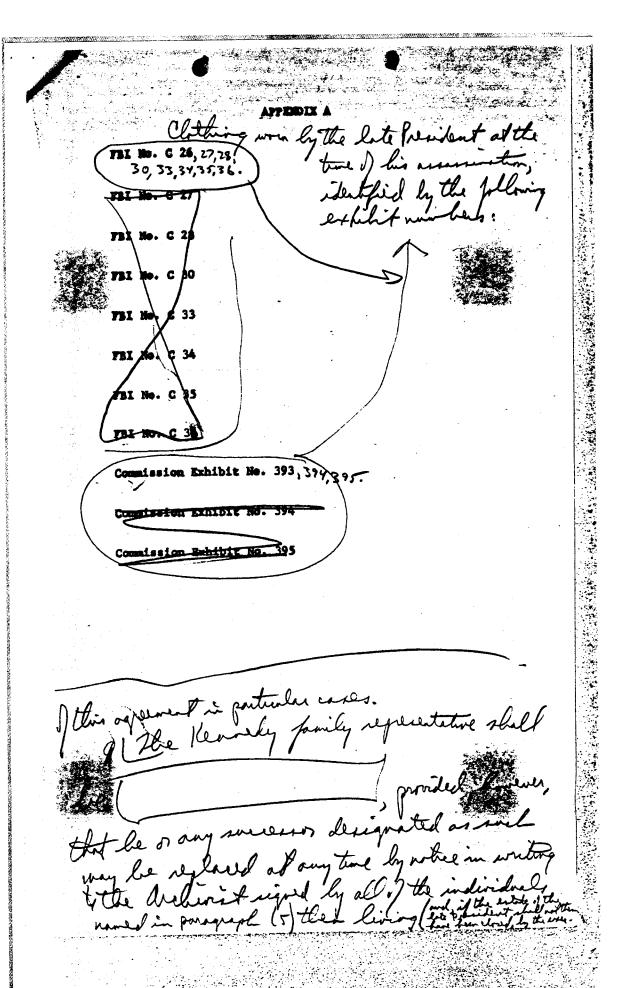
(Mrs. Sergant Chairer) and Jean Kennedy Smith (Mrs. Stephen

without the written consent of all of the of

lul

the obligation of the Archivist to exercise his best efforts to enforce the foregoing restrictions, obtain advance agreement to the foregoing restrictions from all persons permitted access to pursuant & purpose (1) or purpose (2), inspection of the materials in secondance set forth basein, and to take such further actions, impose such further restrictions and conditions upon access and inspection, as he may deem appropriate. (4) In the event of a wilful violation of this agreement by any official acting or purporting to act on behalf signed executors or any of the persons named in paragraph may sue in the district court of the United States for the District of Columbia, for the purpose of enforcing the provisions of this agreement.

ted States, please execute this agreement by Saland Salah signing on behalf of the Government the approval clause set forth below, and this agreement shall become effective pon the deposit in the Archives of all the material listed in Appendix A and Appendix B, and shall re では、 対す後に自然を受けるようななからないのではあると Sincerely, Executors of the estate of John Y. Kennedy United States of America by Robert H. Bahmer Acting Archivist of the United States



APPENDIX I

Autopey photographs and X-Rays.

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UNITED STATES GOVER....IENT

DL. ARTMENT OF JUSTICE

Memorandum

TO

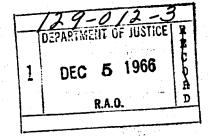
Mr. Frank Wozencraft Assistant Attorney General Office of Legal Counsel

FROM

Executive Assistant to the Attorney General

SUBJECT:

Agreement with President Kennedy's Executors DATE: October 12, 1966 HFR:mhl



In the event you have not seen it, I am attaching a copy of a memorandum prepared in the Civil Division concerning the provision relating to a judicial remedy by the executors to enforce the conditions of the agreement. As I read the memorandum, it concludes (1) that, absent a provision for reverter, it is extremely doubtful that the executors could in fact sue to enforce the conditions of the contract, but (2) if a reverter provision should be inserted and a breach occur, the executors could sue for return of the property.

Assuming these conclusions are correct—and I assume they are—I think we have two possible courses available to us. The first is to attempt to convince the executors that, even though the conditions are not judicially enforceable, there is no reason they should not rely upon the good faith of the Government. If this is not satisfactory to the executors, I would not be averse to the insertion of a reverter clause.

With respect to the later conclusion, I believe that the most important job we have to do is to get possession of the X-rays and photographs and that the insertion of a reverter clause is not too high a cost if necessary to obtain possession. While, as you have pointed out, future recapture of these items by the estate might cause substantial problems, I think as a practical matter the likelihood is remote. I am led to this view by the belief that a breach by the Government so flagrant as to justify reverter is highly unlikely and, even if that should occur, institution by the executors of a suit to replevy is even more remote. The whole course of conduct of the executors has been to avoid any undignified display or notoriety with respect to these materials. The institution of suit would be wholly inconsistent with that course.

Attachment

April 22, 1965

129-012-3 B&B

Dear Dr. Burkley: ..

This will authorize you to release to my custody all of the material of President Kennedy, of which you have personal knowledge, and now being held by the Secret Service.

I would appreciate it if you would accompany this material personally and turn it over for safekeeping to Mrs. Evelyn Lincoln at the National Archives. I am sending a copy of this letter to Mrs. Lincoln with instructions that this material is not to be released to anyone without my written permission and approval.

Sincerely.

Robert F. Kennedy

Vice Adm. George G. Burkley Physician to the President The White House Washington, D. C.

cc/Mrs. Evelyn Lincoln