

UNITED STATES GOVERNMENT

# Memorandum

1-Mr. Conrad  
1-Mr. Cunningham, 7410

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

TO : Mr. Conrad

DATE: 11/1/66

FROM : R. H. Nevins

1-Office, 7133

SUBJECT: WARREN COMMISSION MATTER;  
REQUEST FROM THE DEPARTMENT

Reference is made to my memorandum of 10/26/66, reporting on a conference of representatives of the Laboratory and the General Investigative Division with the Department at the Department's request in connection with the disposition of exhibits and evidence in the assassination matter. Reference is also made to the letter from the Department dated 10/28/66, confirming the Department's oral request for information as to the disposition of those exhibits not turned over to Archives for retention on 9/14/66, it being noted that many such items previously had been turned over to the Warren Commission, or to the owners, or to other authorized recipients for retention.

In this regard, it is our judgment that the Department's last minute request for this type of information is due entirely to the fact that, inspite of repeated written promptings from the Bureau over a period of many months to resolve the issue of disposition of Warren Commission evidence, the Department still has not fully decided which items of evidence are to be retained in the permanent custody of the U. S. Government. Indeed, during the conference on 10/26/66, there was great deal of internal bickering and dissension among the Departmental attorneys present, and it is believed the decision to publish in the Federal Register the entire 90-page list of evidence turned over to Archives by the FBI is prompted by the Department's failure to decide which of the items listed thereon should be retained by the Government, and hence, the need to reserve all of the items.

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As indicated in my memorandum of 10/26/66, the Department was orally advised by Bureau representatives that the Bureau would explore the possibility of preparing the information requested. The Bureau has maintained in its records a tight and meticulously accurate record of the disposition of all items and exhibits in this matter. Preparation of the requested information, therefore, is merely a matter of extracting such information from the tremendously voluminous file. We have now completed the necessary coordination with the investigative divisions involved and have been able through such coordination and by reference to Bureau records to prepare a tabulation as to the disposition made of the items of interest to the Department.

Enclosures (2)  
1-Mr. Mohr  
1-Mr. DeLoach  
1-Mr. Sullivan, Atty. Mr. Lenihan, 818 9th & D  
1-Mr. Rosen, Mr. Malley, 5710  
1-Mr. Rosen, 11/3/66

*[Handwritten signatures and initials]*

CC: fch (9) (CONTINUED - OVER)

Memorandum to Mr. Conrad  
Re: WARREN COMMISSION MATTER;  
REQUEST FROM THE DEPARTMENT

Inasmuch as the Department, under date of 9/15/66, was furnished a copy of the 90-page listing of the items turned over to Archives on 9/14/66, it is our considered opinion that rather than re-copy this lengthy 90-page list into a new composite listing in the manner suggested by the Department, the Department's purpose could be equally well and much more readily met merely by preparing a supplemental list which would include only those FBI numbered items not shown on the list of evidence turned over to Archives. In this connection, it is pointed out that the term "gaps" used by the Department in describing the list of material turned over to Archives is a misnomer in that it frequently carries an unfavorable connotation. On the contrary, the list of items turned over to Archives was a meticulously accurate listing of the actual evidence delivered at that time. It did not purport to be a list of items previously in the Bureau's possession. The listing was individually checked against each item of evidence as that item was turned over to Archives, and a receipted copy of this list signed by the Archives representative is maintained in the Bureau file. The presently proposed supplementary list will provide the Department with a complete accounting for all other FBI identifying numbers and numbered exhibits.

**ACTION:**

Such a supplementary list is attached hereto, together with a proposed reply to the Department, in the event the Bureau wishes to comply with the Department's request.

*W.C.*  
*R*  
*JPM*  
*JPM*  
*GRV*  
*H*  
*P*  
*[Signature]*  
*[Signature]*