

The Attorney General

May 10, 1977

Director, FBI

HOUSE SELECT COMMITTEE  
ON ASSASSINATIONS (HSCA)

Reference is made to my most recent letter dated April 28, 1977, captioned as above, which reiterated this Bureau's inability to obtain certain test bullets from the National Archives for ballistics comparison. The Archivist of the United States has denied this access to the FBI at the request of HSCA.

Enclosed is a copy of the most recent letter of Dr. James B. Rhoads, Archivist of the United States, dated May 4, 1977, with enclosures, which sets out the conditions under which this Bureau may gain access to the test bullets, originally turned over to the Archives by the FBI in 1964.

Also enclosed is a copy of this Bureau's acknowledgement of that letter dated May 10, 1977.

The FBI cannot agree to this compromise which directly impugnes the integrity of this Bureau and attacks the validity and trustworthiness of our Laboratory examination, nor can this Bureau comprehend how such encroachment by the HSCA on an investigative matter within the criminal jurisdiction of the FBI is a proper legislative function.

Since the impasse between the HSCA, the Archivist, and the FBI has continued to remain unresolved for the past 5 months, the FBI foresees no other alternative in this matter but to return the bullet fragment to the finder in Dallas as he has requested.

Enclosures (4)

1 - The Deputy Attorney General (Enclosures 4)

1 - Assistant Attorney General (Enclosures 4)  
Criminal Division  
ATTENTION: Mr. Robert L. Keuch

1 - Assistant Attorney General (Enclosures 4)  
Office of Legislative Affairs



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 10, 1977

1120  
Dr. James B. Rhoads  
Archivist of the United States  
National Archives and  
Records Service  
Washington, D. C. 20408

Dear Dr. Rhoads:

This will acknowledge receipt of your letter,  
with enclosures, dated May 4, 1977.

The conditions stipulated in your letter under  
which you would agree to loan the test bullets to the FBI  
are not satisfactory. The desire of the FBI to obtain the  
test bullets is based upon this Bureau's criminal jurisdic-  
tion in this investigation and is neither negotiable nor  
arbitrable.

I have taken the liberty of forwarding a copy of  
your letter, with enclosures, to the Attorney General  
of the United States for departmental review and resolution.

Sincerely yours,

Clarence M. Kelley  
Director

- ① - The Attorney General
- 1 - The Deputy Attorney General
- 1 - Assistant Attorney General  
Criminal Division  
ATTENTION: Mr. Robert L. Keuch
- 1 - Assistant Attorney General  
Office of Legislative Affairs