DUE DILIGENCE MEMORANDUM: DEPARTMENT 7 HOLDINGS

TO: EXECUTIVE ENGINEERING COMMITTEE
FROM: E. PRICE / PERSONNEL AND LEGAL
DATE: 21 DECEMBER 1992
QUESTION: MAY CORE VEGA ACCEPT THE DELIVERED MATERIALS?

reservations are not blocking

Opinion: custody may be accepted. Provenance cannot presently be warranted.

ACCEPT WITH RESERVATIONS

TRANSFEROR IDENTITY

The party described as Department 7 does not appear in the available register of state institutes. NII-7 appears on equipment plates but not on the delivery vehicle. The translated institute name appears on the packing list but not on any instrument.

NAME	BASIS	EVIDENCE	FINDING
Department 7	Operational name	Frequent	No legal record
NII-7	Equipment mark	Physical	Entity unknown
All-Union Institute	Translation	Documentary	No exact source
Driver / courier	Delivery	Observed	Declined receipt copy

No identified person has demonstrated authority to transfer the property. No identified person has demonstrated authority to prevent its transfer.

This is not due diligence.

CUSTODY, TITLE AND PROVENANCE

QUESTION	FINDING	CONTROL	DISPOSITION
Physical custody	Certain	Already occurred	Accept
Transferor authority	Not established	No party available	Reserve
Good title	Not warranted	No claimant identified	Reserve
Technical provenance	Partly corroborated	Apparatus matches	Use
Chronological order	Not reliable	Receipt precedes agreement	Index
Safety restrictions	Specific	Names differ	Historical

Ownership defect cannot be established without an owner capable of asserting it. Continued non-acceptance would not reverse physical receipt.

absence of claimant != title

COMMITTEE DETERMINATION

Counsel confirms that the review cannot determine the legal identity of the transferor, establish title, or reconcile the chronology of receipt. The committee notes that these are the questions the review was commissioned to identify.

> The due diligence is incomplete because due diligence cannot be completed.
>
> E. Price / oral qualification

> Then it is complete.
>
> E. C. Vale / committee chair

Decision: accept custody immediately. Preserve all reservations as non-blocking. Assign unresolved provenance to the Recovered Materials Programme.

