

January 2, 1997

VIA FACSIMILE

Mr. Edmund McBride
Information Management Division
Joint Staff
The Pentagon
Washington, D.C. 20318

Re: Joint Staff Compliance with the JFK Assassination Records
Collection Act, 44 U.S.C. § 2107

Dear Mr. McBride:

Thank you for meeting with Tim Wray and me on December 17, 1996, to review several matters regarding the Joint Staff's compliance with the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994) ("JFK Act"). As a result of our meeting, it is our understanding that you and your staff will proceed as follows:

1. Review of Joint Staff Files at National Archives. The Joint Staff will review certain of its files at National Archives, including the files of the Chairman of the Joint Chiefs, Maxwell Taylor, for the 1963-64 period. In addition, we have identified for you certain files of Joseph Califano, as Assistant to the Secretary of the Army under President Kennedy, that are at National Archives and that your staff should review, particularly since some of the records relate to Cuba and Operation Mongoose.
2. Minutes of Joint Chiefs of Staff Meetings. You advised us that verbatim records were kept of Joint Chiefs of Staff ("JCS") meetings from the 1940's to 1978, but that these were destroyed in 1978. Since this destruction would encompass records of the Joint Chiefs for the 1963-64 period that might bear on the assassination of President Kennedy, you agreed that an accounting of this destruction will be made as part of the compliance procedures.
3. Other Subjects that May Relate to the Assassination. We reviewed with you a number of record categories that may reside with the Joint Staff and that may relate to the

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assassination of President Kennedy. After further consideration, we have identified additional record categories that may relate to the assassination and should be reviewed. Accordingly, we request that you locate and review records that encompass the following subjects or files:

--Operation Mongoose or any other plan or action to destabilize Cuba in the 1960-64 time period including, but not limited to, any discussion that the President's assassination may have been in response to, or somehow related to, these plans or actions (the files of JCS Chairman Lyman Lemnitzer and his successor as JCS Chairman, Maxwell Taylor, should be reviewed since they were members of the Special Group (Augmented)).

--Documents that discuss or relate to the duties and activities of Fletcher Prouty and Edward Lansdale during the 1962-64 time period, including files that they may have created or maintained during this period (Lansdale was chief of operations for Operation Mongoose).

--Communications from or to the State Department, CIA, or any other Federal agencies that relate to the assassination, including any discussion of potential Cuban or Soviet complicity.

--Documents relating to the assassination of President Diem including, but not limited to, any discussion of a potential connection with the assassination of President Kennedy.

--Intelligence material in the possession or control of the Joint Staff that relates to Cuba or Fidel Castro during the 1962-65 period, including but not limited to any discussion of potential Cuban complicity in the assassination of President Kennedy.

--Documents relating to the Warren Commission, the Church Committee, the Rockefeller Commission, or the House Select Committee on Assassinations, including any communications that the Joint Staff had with those bodies or any work that the Joint Staff did on their behalf (the files of the Joint Staff's legal counsel and Congressional liaison should be reviewed for this purpose).

--All minutes, notes, or other documents from all JCS meetings held from November 1, 1963 through the end of 1964 that refer to, discuss, or relate to, in whole or part, the assassination of President Kennedy or any of the other topics listed herein.

--All memoranda or other documents reflecting any internal communications of the JCS from November 1, 1963 to December 31, 1963.

--All documents that identify the location of all members of the JCS from November 21-23, 1963.

--All communications to and from the JCS, individually or collectively, on the day of and the day after the assassination (November 22 and 23) including, but not limited to, any audiotapes (or transcripts thereof) reflecting radio communications to and from Air Force One (SAM 26000) on the day of the assassination, as well as any intelligence or other reports from Dallas that may have been forwarded to the Joint Chiefs of Staff.

--All documents discussing, referring, or relating to Lee Harvey Oswald (or his wife) including, but not limited to, his defection to the Soviet Union in 1959, his return to the United States in 1962, Joint Staff communications with the Navy, Marines or other entities regarding Oswald, or any other information or intelligence that was collected regarding Oswald.

--Documents and files that relate to defections of military personnel to Communist Bloc countries in the 1959-62 time frame.

--Documents that relate to any mail cover or mail surveillance programs or operations in the 1959-62 time period with respect to correspondence between individuals in the United States and the Soviet Union including, but not limited to, documents showing whether Oswald's correspondence to or from the Soviet Union was subject to any such program or operation.

--Documents and files that relate to internal security of the United States during the 1962-63 period (i.e., documents that discuss, reflect or relate to how the military handled, investigated or monitored--on its own or through other agencies-- subjects living in the United States that may have been considered Communist or otherwise

subversive).

--Documents sufficient to confirm whether or not there was any United States Government or military program or operation during the period 1958 to 1970 to place false defectors in foreign countries including, but not limited to, documents that would disclose the identities of the persons responsible for, as well as any names or codes given to, such programs or operations. If there existed such programs or operations, then documents that relate to any false defector program for the Soviet Union during the period 1958-62 including, but not limited to, documents sufficient to show the identities of any such "false defectors" to the Soviet Union during that time period.

--Any other documents that relate to, or would otherwise shed light on, the allegation that Lee Harvey Oswald was connected with military intelligence or other United States intelligence entities.

--Any audio tapes (or transcripts thereof) or any other documents that recorded or related to National Security Council meetings, any other meetings in the White House, or any other conversations in the White House, to the extent that those meetings or conversations, whether in whole or part, in any way referred to, discussed, or otherwise related to the assassination of President Kennedy or the subsequent investigation.

--Any other memoranda, cables, minutes, reports, notes, or other documents relating to President Kennedy's assassination that are in the possession, custody, or control of the Joint Chiefs of Staff or any Joint Staff personnel.

4. Compliance Official. You indicated that you would be the designated compliance official for the Joint Staff, but that additional persons may also be designated.

5. Compliance Deadline for Initial Statement of Compliance. You requested additional time for the Statement of Compliance, and we wish to accommodate your request. Let us know the date by which you anticipate submitting the Joint Staff's initial Statement of Compliance.

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Thank you again for your cooperation, and please feel free to call Tim Wray or me to discuss any of these matters or any questions you may have.

Sincerely,

Ronald G. Haron
Senior Attorney

cc: Colonel John T. Burton, Chairman, JCS, Legal Counsel
Stewart Aly, Associate Deputy General Counsel, DOD