

August 30, 1995

Stewart F. Aly, Esq.
Acting Deputy General Counsel
1600 Defense Pentagon
Washington, D.C. 20301-1600

Re: Department of Defense Compliance with the JFK Assassination Records Collection Act, 44
U.S.C. § 2107

Dear Mr. Aly:

As you are aware, General Counsel Judith A. Miller named you as the point of contact between the Department of Defense and the JFK Assassination Records Review Board. The JFK Assassination Records Collection Act of 1992, 44 U.S.C. § 2107, requires all Government offices to search for and identify all records related to the assassination of President Kennedy. Some departments (including DOD) have not yet communicated this statutory requirement to all agencies or divisions under their control.

This letter formally requests that DOD provide such a directive to all its Services, Offices and Agencies to ensure their compliance with the JFK Records Act and their full cooperation with the staff of the Assassination Records Review Board (ARRB). To assist you in this process, we are enclosing a model directive that we have prepared for the Department of the Air Force and the Department of the Navy. We request that this (or a similar) directive ordering compliance with the basic tasks set forth in our model be sent to all DOD entities by Secretary Perry, and desire as well that both the Navy and Air Force Service Secretaries issue similar service-wide, "all-hands" directives as soon as possible. (The Department of the Army has already taken this action with fruitful results. I have enclosed a copy of the Army's directive to all its components and commands, dated April 13, 1993, for your consideration.)

The Review Board requests that the initial DOD directive be issued by September 30, 1995, and that subordinate Services, Offices and Agencies be obliged to report their compliance to DOD in a timely fashion so that the Assassination Records Review Board receives reports from DOD, and the Service Secretaries of the Navy and Air Force by November 15, 1995. In order that we may document compliance with the JFK Act, these reports should include: (1) a copy of the respective tasking

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directive; (2) responses from all subordinate commands and activities (including all documents submitted); (3) notification of which of these documents have been submitted to the National Archives; and (4) copies of any and all correspondence generated along the chain-of-command.

In addition to relying on the general search for records conducted by all DOD components, the Navy and Marine Corps, the Air Force, and the Army, we will shortly be submitting specific requests for "additional records and information" as provided for in the JFK Act at 44 U.S.C. § 2107.7j(1)(C)(ii), and in the Review Board's interpretive regulations, 36 C.F.R. § 1400.2, 60 FR 33345, 33349 (June 28, 1995).

In the near future I and perhaps one other member of the staff would like to pay a call on you in your office to better explain the requirements of the JFK Act, and to answer any questions which you may have regarding the implementation of the Act.

We look forward to continuing to work with the Department of Defense to further the objectives of the JFK Act. If you have any questions, please feel free to contact me or Jeremy Gunn at (202) 724-0088.

Sincerely yours,

David G. Marwell
Executive Director

Enclosures

cc: Judith A. Miller, General Counsel, Department of Defense
Navy P.O.C.: LTCOL John E. Sparks, USMC (via cover letter)
Air Force P.O.C.: Lt. Col. Francis X. McGovern, USAF (via cover letter)