

December 1, 1995

Stewart F. Aly, Esq  
Associate Deputy General Counsel (Legal Counsel)  
Office of the General Counsel  
Department of Defense  
1600 Defense Pentagon  
Washington, D.C. 20301-1600

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

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Dear Mr. Aly:

As part of its responsibilities under the JFK Act, the Assassination Records Review Board is now reviewing records compiled by the House Select Committee on Assassinations (HSCA) during its three-year (1976-1978) investigation into the assassination of President Kennedy. The Review Board is now reviewing HSCA records to determine to what extent they may be made available to the public.

From among the HSCA materials, we have identified several documents that originated with the Department of Defense, some of which are classified. These documents should have been forwarded to you two years ago by the National Archives to determine whether DOD has any objection to their release. If DOD has no such objection, the Review Board presumably will open in full the first set of these records at its meeting on January 4, 1996. For this reason, it is important that you communicate, with specificity, any objections you may have to releasing the documents in question, as well as any evidence in support of your position, by December 22, 1995. I have enclosed copies of the documents for your convenience.

The first set of records includes the following:

1. **Cover Letter from Judy Miller, dated 7/26/78.**  
removal of attachments.

CONFIDENTIAL, but unclassified upon

2. **Fact Sheet on 112th Intel Corps.** This document contains names and last known addresses of former commanders. -- CONFIDENTIAL
3. **Fact Sheet on Protective Services.** This is negative reply to an HSCA request concerning protective support rendered by DoD personnel during Presidential visits. The information contained in this document was published on page 184 of the HSCA Report. Pursuant to section 5(a)(3) of the JFK Act, release of this record cannot be postponed-- UNCLASSIFIED.
4. **Fact Sheet describing the destruction of the IRR Dossier on Lee Harvey Oswald.** The contents of this document were reproduced verbatim on page 223-224 of the HSCA Report. Pursuant to section 5(a)(3) of the JFK Act, release of this record cannot be postponed-- UNCLASSIFIED.
5. **Army Adjutant General letter implementing DoD Directive 5200.27.** This instruction deals with the collection and retention of information on civilians not affiliated with the Department of Defense and was the justification of the destruction of Oswald's IRR dossier. -- UNCLASSIFIED
6. **Various Memoranda Dealing with the Disposal of Records.** These documents were forwarded in support of a response to an HSCA request -- UNCLASSIFIED
7. **Fact Sheet on Sales to Haiti.** This was in response to an HSCA request for additional information. -- UNCLASSIFIED
8. **Fact Sheet on Marine Corps Aircraft.** This document is in response to an HSCA request for a listing of all Marine Corps aircraft stationed at El Toro and Kaneohe, Hawaii. -- UNCLASSIFIED
9. **Fact Sheet on Personnel Involved in Oswald's Discharge.** -- UNCLASSIFIED
10. **Fact Sheet on Tentative Identifications.** This is a response to an HSCA request for DoD assistance in identifying certain individuals as former Marines. -- UNCLASSIFIED
11. **Marine Aircraft Stationed at El Toro and Kaneohe, Hawaii.** This document was probably originally attached to the "Fact Sheet" listed above. It includes a printout of the aviation status board for late 1963. -- UNCLASSIFIED

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The standard for reviewing these documents is that set forth in the JFK Act. If you have any objections to their release, or any questions related to this matter, please contact Dennis Quinn of my staff promptly. He will be able to facilitate your review of these records and answer any questions you may have.

Sincerely yours,

David G. Marwell  
Executive Director

Confidential Enclosures