

March 9, 1998

BY FACSIMILE AND FIRST-CLASS MAIL

Ms. Cheryle Gumaer
Air Force Records Officer
AFCIC/ITC
Department of the Air Force
1250 Air Force Pentagon
Room 4A1088E
Washington, D.C. 20330-1250

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

Dear Ms. Gumaer:

Thank you for submitting the Final Declaration of Compliance for the Department of the Air Force ("Air Force") (dated Nov. 8, 1997), which sets forth, under oath, the final statement of the Air Force regarding its compliance with the President John F. Kennedy Assassination Records Collection Act of 1992 ("JFK Act").

We have reviewed the Air Force's Final Declaration of Compliance and, at this time, cannot conclude that the Air Force has completed its work under the JFK Act. We request that the Air Force undertake four additional measures to complete its work under the JFK Act, as follows:

1. Records of Top Air Force Officials. While we assume that conscientious searches appear to have been undertaken, we are surprised that the Air Force has not identified, for review, any 1963-64 files for the Secretary of the Air Force, the Air Force Chief of Staff, or the Deputy Chief of Staff for Intelligence, as we had previously requested. See Feb. 21, 1997 R. Haron Letter to R. E. Carr, Jr. In its Final Compliance Statement, the Air Force reports that "[n]o [such] records were found nor indications they had ever existed." Final Decl. ¶ 1. Moreover, the Air Force reported that these "responsive records" could not be located at either the National Archives or the Federal Records Center. *Id.*

Based on the Air Force documentation forwarded to the Review Board, we cannot ascertain what kind of search was done or whether it was adequate. In our opinion, the Final Declaration provides an insufficient accounting for the records of the highest Air Force officials serving the during the Kennedy and Johnson administrations. Accordingly, we request that a more specific explanation be given regarding the identity and disposition of these important record categories, namely: Were any files maintained for the Secretary of the Air Force, the Chief of Staff for the Air Force, or the Assistant Chief of Staff for Intelligence during the 1963-64 period? If so, what office within the Air Force now has custody or access to any of these records?¹ What indices were used to locate or search these records? What documentation exists regarding disposition, including any destruction, of these records? Please submit any SF-135 forms or other inventories for these records.

2. Records of the Office of Presidential Pilot. The Air Force's Final Declaration included a representation that the Office of Presidential Pilot at Andrews Air Force Base searched "[a]ll office historical files," but located no relevant records. See March 24, 1997 Memorandum for the Office of Presidential Pilot (Attachment B hereto). We request that this office describe more specifically these "office historical files" and provide any indices to these files. We also request that the Office of Presidential Pilot identify, and provide indices for, any other records that it has from the 1963-64 time period.²

3. Records of the Air Force Historical Research Agency. The Air Force's Final Declaration identified some historical records maintained by the Air Force Historical Research Agency at Maxwell Air Force Base in Alabama. See April 18, 1997 Memorandum of the Historical Officer, Lt. William M. Butler (Attachment D hereto). It does not appear that these records were forwarded to the JFK Collection. Please provide the Review Board with the complete histories of the 1254th Air Transport Wing and the 1001st Air Base Wing (both wings located at Andrews Air Force Base) for the period July through December 1963. In addition, please provide the the complete "history report of the Presidential Pilot with

¹ The Air Force's Final Declaration reports that "the AF/CVAEC office . . . maintains responsibility" for the records of these offices (see Final Decl.) and that this office searched "our microfiche source" for these records. This office concluded that "[n]o information was found" and that "[w]e have no information indicating the records ever existed." See July 30, 1997 Memorandum of the Chief, Correspondence Management Branch (Attachment 2 to Final Declaration; Attachment A hereto).

² It is important that a complete accounting be obtained from the Office of Presidential Pilot in view of the fact that this office provided a report regarding the events on the day of the assassination. That report is quoted, in part, in the Air Transport Wing history that the Air Force submitted with its Final Declaration. See Attachment C hereto.

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pictures of the unloading of the President's casket." *See* Attachment C hereto. This Presidential Pilot report is quoted in the 1254th Wing history, but we request the full report, including any related photographs, that may be in the possession of the Historical Research Agency. The Historical Research Agency also identified 40 documents that "could contain pertinent information" regarding President Kennedy's assassination, but subsequently determined that they were not "related directly" to the assassination. *See* Attachment D hereto. Please provide us with copies of these documents.

4. Records of the Air Mobility Command ("AMC"). We appreciate the efforts of the Air Mobility Command to document its searches. We note that the AMC identified record category T13-6 as "tower tapes." *See* July 21, 1997 Memorandum of the AMC (Attachment E hereto). As we advised before, we are attempting to determine if there are any tapes of communications between Andrews Air Force Base and Air Force One, or other aircraft, on the day of the assassination. While accepting AMC's representation that these are "short term records," no document disposition schedule was specifically referenced for these records. Therefore, could you please double check to see whether AMC or Andrews Air Force Base may have retained any tower tapes from 1963. We request that this be re-verified due to the importance of obtaining any contemporaneous records of the Air Force that record or relate to the events on the day of the assassination.

It is not our intent to request voluminous additional documentation from the Air Force. We request that you follow-up on these matters as reasonably and efficiently as you can and recommend that you document your efforts in a Supplemental Declaration. As with the Final Declaration of Compliance, the Supplemental Declaration should also be executed under oath in the form prescribed by 28 U.S.C. § 1746.

Thank you for your cooperation.

Sincerely,

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T. Jeremy Gunn
Executive Director

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4. Records of Office of Special Investigations ("OSI"). We appreciate the efforts of OSI to more specifically describe the searches that it conducted. OSI reported that they searched a particular file category (intelligence record group no. 33 on Communist Matters) for relevant records and, as to that category, all records were destroyed. *See* August 21, 1998 OSI Memorandum (Attachment D hereto). No other categories were identified or searched, and we cannot ascertain whether such files should have been searched or might be expected to have any information pertinent to the assassination of the President. Therefore, please provide a list of the other record category numbers (and subjects) by which OSI investigative files would have been organized. This will allow us to determine whether a search as to those might be productive.

In addition, the Air Force Declaration stated that intelligence information would often be captured in Air Force Intelligence Information Reports ("IIRs") (as opposed to investigative reports), but that "all" such reports would have been destroyed in 1977. *See* Attachment D hereto. Please submit any inventories or other documents that would identify these IIR records from 1963-64, and provide documentation which explains the circumstances for their destruction.