

January 6, 1997

VIA FACSIMILE

Lieutenant Colonel Mike Finnie  
Office of General Counsel  
1000 Navy Pentagon  
The Pentagon  
Washington, DC 20350-1000

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

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Dear Colonel Finnie:

I wish to thank you and Christopher Tynes for meeting with Tim Wray, Christopher Barger and me on January 3, 1997, to review several matters in connection with the Department of the Navy'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 the Navy will proceed as follows:

1. The Navy will confirm whether its previous records searches encompassed National Archives records. There was some question whether the Navy's prior record searches for assassination records encompassed archive records. As part of the compliance program, the Navy will contact all relevant entities or commands to confirm whether or not their previous record searches included searches of any archive or storage facilities utilized by that entity or command. If archival and stored records were not included in the first search, another search will be executed, and the results reported.
3. The National Naval Medical Center (NNMC), will independently document its compliance with the JFK Act. The NNMC at Bethesda will separately demonstrate its compliance with the JFK Act, and it has already designated its own compliance official and submitted its own statement of Compliance. Therefore, we agreed your compliance responsibilities do not include NNMC (but they do include the Bureau of Medicine and Surgery)

4. Other Subjects that May Relate to the Assassination. 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 the Secretaries of the Navy, the Chiefs of Naval Operations, and the Commandants of the Marine Corps from this time period should be reviewed.)

--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 Department of the Navy or the Marine Corps 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.

--All communications to and from the Chief of Naval Operations or the Commandant of the Marine Corps, 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 Chief of Naval Operations or the Commandant of the Marine Corps.

--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; communications both within the Navy, Marines and/or with 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. Specifically, any files which may exist on a program or operation designated, "Code 30."

--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 entities within the Department of the Navy.

--Rosters of DOD attendees (civilian and active duty) who received Russian language training at or from the U.S. Army's School of Languages in Monterey, CA (now known as the Defense Language Institute) during the years 1957-1959, inclusive.

--Any investigations of the assassination, or of Lee Harvey Oswald, following the assassination which were conducted by either the United States Marine Corps or the United States Navy. Specifically, any records relating to an investigation alleged to have taken place in December 1963; an investigative team said to be working on this investigation is alleged to have left MCAS Kaneohe for Japan on December 7, 1963, on a C-54, tail number 50855.

5. Compliance official. You indicated that you would be the designated compliance official for the Department of the Navy (excepting Bethesda Naval Medical Center), and that you may be assisted by others in this tasking.

6. Compliance Deadline for Initial Statement of Compliance. You requested additional time for the Statement of Compliance, and we wish to accommodate that request. Let us know the date by which you anticipate submitting the Department of the Navy's initial Statement of Compliance.

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

Sincerely,

Ronald G. Haron  
Senior Attorney

cc: Lieutenant Chris Tynes, XXX