

March 7, 1997

Ms. C. Sue Nelson  
Chief, Records Release Office (SAIG-ZXR)  
Department of the Army Inspector General  
1700 Army Pentagon (Room 1E741)  
Washington, DC 20310-1700

Re: Records from Investigative Records Repository Concerning Richard Nagell

Dear Ms. Nelson:

The Assassination Records Review Board is an independent federal agency created to oversee the identification and release of records related to the assassination of President John F. Kennedy. The Review Board was established by The President John F. Kennedy Assassination Records Collection Act (PL 102-526), which states that "all government records concerning the assassination of President John F. Kennedy should carry a presumption of immediate disclosure." The statute, which specifically supersedes both the Freedom of Information Act and Privacy Act, allows postponement of information in assassination-related documents only on certain narrow grounds, and then only when the agency requesting postponement presents "clear and convincing evidence" of some harm which outweighs public disclosure. I am enclosing material about the Review Board and a copy of the statute for your reference.

Yesterday Dr. Joan Zimmerman and I provided you copies of approximately 1000 pages of material extracted from the records of Richard Case Nagell held by the Army's Investigative Records Repository (IRR). This material relates to various Department of the Army Inspector General investigations carried out during Nagell's military service. IRR records indicate that this material was previously referred to your office in September, 1995.

We request that you review this material in accordance with the standards of the JFK Assassination Records Collection Act. For the material that Dr. Zimmerman noted was of "high priority" interest due to pending Board action, we would like to have your recommendation, either for release in full or release with postponements, as soon as possible. For the remainder of the material, we request that you respond to us not later than April 15, 1997. Should your agency decide to request any postponements, the Review Board requires specific evidence for each postponement that it is both necessary and authorized under the Act's guidelines.

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Should you have any questions about this procedure, or if we can be of any further assistance in this matter, please feel free to contact either myself or Dr. Zimmerman.

Thank you for your assistance.

Sincerely yours,

Timothy A. Wray

Chief Analyst for Military Records

Enclosures