

82 Squankum Road
Howell, New Jersey 07731
March 5, 1977

Cheif
Navy Reference Branch
National Personnel Records Center
Military Personnel Records
9700 Page Boulevard
St. Louis, Missouri 63132

Dear Sir:

Subject: Lee Harvey Oswald, SM: 1653230, USMC (deceased)

The following request is being made pursuant to the provisions of Title 5 United States Code 552, Public Law 93-502, 1974 ammended (aka Freedom of Information Act).

Contained in Volume XIX of the Hearings Before the Presidents Commission on the Assassination of Presidnet Kennedy are Donabedian Exhibit 1 (pages 581-617) and Folsom Exhibit 1 (pages 656-768) were supposedly represent Mr. Oswalds complete military service record. However, from my own personal experience in obtaining copies of my military records, I know that his record as represented by the above mentioned exhibits is incomplete.

At this time, I request that you furnish me with a copy of the National Agency Check and or Background Investigation conducted on Mr. Oswald by the Office of Naval Intelligence. I know for certain that such investigations were carried out upon him, as they are upon every member of the Armed Forces.

I would also submit that since Mr. Oswalds records are public for having been printed in the Warren Report (though incomplete), the Government has accordingly waived the right to withhold it impart and also that the permission of the next of kin is not necessary in this particular instance.

I shall be glad to pay the copying fees.

Sincerely,

Emory L Brown, Jr.

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TRANSIT		SERVICE NUMBER	<input type="checkbox"/> Verified	<input type="checkbox"/> NIF
A I R F O R C E	USAF MILITARY PERSONNEL CENTER ATTN: <input type="checkbox"/> DPMDRO <input type="checkbox"/> DPMDRA <input type="checkbox"/> RANDOLPH AFB, TX 78148	C G	Assigned to: COMMANDANT, U.S. COAST GUARD DC 20590	
	AIR FORCE ACCOUNTING & FINANCE CENTER 3800 YORK STREET DENVER, CO 80205	N A V Y	CHIEF OF NAVAL PERSONNEL, ATTN: DC 20370	
	AIR RESERVE PERSONNEL CENTER 3800 YORK STREET DENVER, CO 80205		CHIEF, BUREAU OF MEDICINE & SURGERY, U.S. NAVY DC 20390	
	CDR, RCPAC, TAGO ST. LOUIS, MO 63132		NAVAL RESERVE PERSONNEL CENTER 4400 DAUPHIN ST. NEW ORLEANS, LA 70149	
A R M Y	USAFAC INDIANAPOLIS, IN 46249	O T H E R	CO, NAVY FINANCE CENTER CLEVELAND, OH 44199	
	U.S. ARMY ENLISTED PERSONNEL RECORDS CENTER FORT BENJAMIN HARRISON, IN 46249		U.S. CIVIL SERVICE COMMISSION BUREAU OF RETIREMENT AND INSURANCE DC 20415	
	MILPERCEN ALEXANDRIA, VA 22332		DANTES 2318 S. PARK STREET MADISON, WI 53713	
	NATIONAL GUARD BUREAU DC 20380		SOCIAL SECURITY ADMINISTRATION 219 S. CENTRAL AVENUE CLAYTON, MO 63105	
M A R C O R	COMMANDANT, U.S. MARCOR CODE: <u>115AD-1</u> DC 20380		NATIONAL CEMETERY SYSTEM VETERANS ADMINISTRATION DC 20420	
	MARCOR RESERVE FORCES CLASS III 1500 E. BANNISTER ROAD KANSAS CITY, MO 64131			

- Records/documents requested are enclosed.
- Records not located in NPRC.
- Unable to identify from information furnished.
- Before a more extensive search is made, additional information as indicated below is required.
 - Verify spelling of name under which person served. (include middle name if not previously furnished).
 - Furnish/verify service number/SSN.
 - Furnish/verify dates of all service (active and reserve).
 - Furnish current military status (none, retired, reserve or on active duty).
- Records transferred/lent to (symbol/code/office) _____ (date) 11-22-77
- CSC FORM BRI 46-143; SSA FORM 654; VA FORM 07-3101 dated: _____
- on 11-22-77 115AD-1 C# _____
- Writer notified of this referral.

*cc: E. M. ...
11-22-77*

[Signature]

NCP _____ DATE: 11-22-77
National Personnel Records Center, (MPR)
9700 Page Boulevard
St. Louis, MO 63132

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Personnel Records Center
(Military Personnel Records)
9700 Page Boulevard
St. Louis, Missouri 63132



March 10, 1977

Oswald Lee H
001 65 3230
MC V O 000 188

Lee H Oswald
82 Squankum Rd.
Howell NJ 07731


Dear Mr. Oswald:

On March 10, 1977 the National Personnel Records Center received your request made under the provisions of the Freedom of Information Act.

We have determined that the requested information may be released if it is available in our files. Because of the number of inquiries we are receiving, additional time will be required to complete action on your request. Every effort will be made to respond as promptly as possible.

If it is necessary to write to us again, please enclose this letter.

Sincerely,


J.D. KILGORE
Acting Chief
Military Operations Branch



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
WASHINGTON, D.C. 20380

IN REPLY REFER TO
MSRB-12-1kw
1070
31 March 1977

Emory L. Brown, Jr.
82 Squankum Road
Howell, New Jersey 07731

Dear Mr. Brown:

Your letter of 5 March 1977 to the National Personnel Records Center, St. Louis, Missouri, regarding the late Mr. Lee Harvey OSWALD, service number 165 32 30, has been referred to this Headquarters for reply.

National Agency Checks and Background Investigations conducted on Marine Corps personnel are under the jurisdiction of the Director, Naval Investigative Service, 2461 Eisenhower Avenue, Alexandria, Virginia 22314; therefore, you should write to that office for the information you desire.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. J. Godby".

L. J. GODBY
Lieutenant Colonel, U. S. Marine Corps
Head, Records Branch, Personnel Services Division
By direction of the Commandant of the Marine Corps

82 Squankum Road
Howell, New Jersey 07731
April 5, 1977

Certified Mail: 240776

Office of the Director
Naval Investigative Service
2461 Eisenhower Avenue
Alexandria, Virginia 22314

Dear Sir:

I have been referred to your office by the Records Branch, Personnel Services Division, United States Marine Corps concerning my request for copies of certain records which I am requesting pursuant to the provisions of the Freedom of Information Act.

The records of which I wish copies are the National Agency Check and or Background Investigations which were conducted upon Mr. Lee Harvey Oswald, SN: 165 32 30, by the Office of Naval Intelligence during his period of service in the United States Marine Corps. These reports are missing from his " official " service record as represented in the exhibits of the President's Commission on the Assassination of President John F. Kennedy.

Please be advised that the records being sought are not a part of any legal proceeding. Your earliest response would be most appreciated.

Sincerely,

Emory L. Brown, Jr.

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NAVAL INVESTIGATIVE SERVICE
HOFFMAN BUILDING
2461 EISENHOWER AVENUE
ALEXANDRIA, VIRGINIA 22331

IN REPLY REFER TO
NIS-27F/bem
5400 F7-66
Ser U3464
27 APR 1977

Mr. Emory L. Brown, Jr.
82 Squankum Road
Howell, NJ 07731

Dear Mr. Brown,

Reference is made to your request of 5 April 1977 to this Service seeking, pursuant to the Freedom of Information Act, copies of the National Agency Check and/or Background Investigations conducted on Lee Harvey Oswald during the period of his service in the United States Marine Corps.

The Naval Investigative Service (NIS) a component of the Naval Intelligence Command, formerly known as the Office of Naval Intelligence (ONI), is the activity charged with meeting the investigative and counterintelligence responsibilities of the Department of the Navy.

A review of this Service's file holdings regarding Lee Harvey Oswald revealed no National Agency Check was made, nor was any Background Investigation conducted concerning him, during the period of his service in the United States Marine Corps. Lee Harvey Oswald's active service in the United States Marine Corps commenced on 24 October 1956 and he was released from active duty on 11 September 1959. In that time period a National Agency Check was not normally conducted unless a service member required a security clearance for access to Secret information, or, as part of a Background Investigation for Top Secret clearance.

Sincerely,

E. S. RICHEY
Assistant Director
Naval Investigative Service



82 Squankum Road
Howell, New Jersey 07731
May 13, 1977

Ref: NIS-27 F/bem
5400 F7-66
Ser U3464

Mr. E. S. Richey, Associate Director
Naval Investigative Service
Hoffman Building
2461 Eisenhower Avenue
Alexandria, Virginia 22331

Dear Mr. Richey:

Reference is made to your letter dated April 27, 1977.

A review of the testimony given by Mr. Oswalds fellow Marine aviation electronic operators (MOS 6741) as setforth in volume eight of the Hearings Before the President's Commission on the Assassination of President Kennedy shows that all men in his group had Secret clearances. It is only reasonable to assume that Mr. Oswald, since he handled the same classified matter as they, also had a similar clearance. Therefore, at some time in his military career, an NAC or Background Investigation must have been made. There is no other way it could have been.

Therefore, I would like to purchase a copy of your file on Mr. Oswald along with a certified statement to the effect that what I will receive represents the complete file with no deletions. Please be advised that I will be willing to pay a reasonable fee for those services.

Sincerely,

Emory L Brown, Jr.

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NAVAL INVESTIGATIVE SERVICE
HOFFMAN BUILDING
2461 EISENHOWER AVENUE
ALEXANDRIA, VIRGINIA 22331

IN REPLY REFER TO
NIS-27F/jvs
5400 F7-92
Ser U3644

31 MAY 1977

Mr. Emory L. Brown, Jr.
82 Squankum Road
Howell, NJ 07731

Dear Mr. Brown,

Reference is made to your request of 13 May 1977 to purchase a copy of this Service's file on Lee Harvey Oswald. Your request was received on 17 May 1977 and is being processed under the provisions of the Freedom of Information Act.

This is to acknowledge receipt of your request and to advise you that you may expect a further response within ten working days. This additional time is needed because of the volume of material involved and the preparation of referrals for release determination in regard to documentation originated by other U. S. Government departments, agencies and activities.

Sincerely,

W.C. O'Riley

W. C. O'RILEY
Information and
Privacy Coordinator
Naval Investigative Service





NAVAL INVESTIGATIVE SERVICE
HOFFMAN BUILDING
2461 EISENHOWER AVENUE
ALEXANDRIA, VIRGINIA 22331

IN REPLY REFER TO
NIS-27F/jvs
5400 F7-92
Ser U3691
10 JUN 1977

Mr. Emory L. Brown, Jr.
82 Squankum Road
Howell, NJ 07731

Dear Mr. Brown,

Reference is made to our letter of 31st May 1977 acknowledging receipt of your request of 13 May 1977 to purchase a copy of this Service's file on Lee Harvey Oswald. As you were advised, your request is being processed under the provisions of the Freedom of Information Act (5 U.S.C. 552).

The 1974 Amendments to the Freedom of Information Act provide for a liberal release of federal records unless they fall within specified exemptions. Therefore, I approve release of 280 pages of record material from this Service's file holdings, with the exception that excisions have been made to remove information, the release of which would be an unwarranted invasion of the privacy of others; and, to delete information to protect the confidentiality of sources. Those excisions were made under the provisions of 5 U.S.C. 552(b)(7)(C) and (D), respectively. Also, documentation and information originated by, or coming under the cognizance of, other organizations are being referred to the originating or cognizant organizations for release determination and direct response to you. Referrals are being made to the Department of State, the Office of the Attorney General, the Office of the Assistant Secretary of Defense for Manpower, the Central Intelligence Agency, the Federal Bureau of Investigation, the Immigration and Naturalization Service, the Defense Intelligence Agency, the U. S. Army Intelligence Agency, the U. S. Air Force Office of Special Investigations, the Navy Judge Advocate General and the Navy Discharge Review Board. This procedure is being used to expedite total response to you.

The above mentioned 280 pages of releasable record material and the referred documentation represent this Service's total file holdings on Lee Harvey Oswald, and all available files cross-referenced thereto. A number of cross-referenced files could not be located, and it can only be presumed they have been routinely destroyed in compliance with Department of Defense (DOD) policies and guidelines regarding retention of material on non-DOD affiliated civilians and organizations.



NIS-27F/jvs
5400 F7-92

The above mentioned excisions represent a denial under the Freedom of Information Act. I am the official responsible for this denial determination. You may appeal this decision within 120 days to the Secretary of the Navy. Such appeal must be in writing and clearly indicate that it is made under the provisions of the Freedom of Information Act. The appeal must fully describe the circumstances of your request and the initial denial. This may be done by attaching a copy of this letter. The appeal to the Secretary of the Navy should be addressed to the Judge Advocate General (Code 14L), Department of the Navy, Washington, D.C., 20370.

The 1974 Amendments to the Freedom of Information Act provide for reasonable reproduction fees. In this case the reproduction fee is \$15.70 (\$2.00 for the first six pages and \$.05 per page for 274 additional pages). A check in that amount, made payable to the Treasurer of the United States, should be remitted using the enclosed return envelope. Upon receipt of your payment the releasable record material will be forwarded.

Sincerely,



L. E. CONWILL
Captain, U. S. Navy
Director,
Naval Investigative Service

Encl:
(1) Return envelope

82 Squankum Road
Howell, New Jersey 07731
June 11, 1977

By Certified Mail No. 905288

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Captain L. E. Connell, U.S.N.
Director
Naval Investigative Service
Hoffman Building
2461 Eisenhower Avenue
Alexandria, Virginia 22331

Dear Sir:

Reference is made to your letter dated June 10, 1977. As requested, I am enclosing a personal check in the amount of \$15.70 in payment of the reproduction fee for a copy of the available documents from the file in question.

Your statement that certain cross referenced files relating to Lee Harvey Oswald were routinely destroyed is really unbelievable, in the light of the historic importance of the case. However, I imagine that to some, the murder of an American president is every occurrence and that therefore, no particular attention is paid to the evidence of the case.

Going back to my letter dated April 5, 1977 directed to your office, I had used the provisions of the Freedom of Information Act to request copies of only certain records, those being the normal investigative reports on Mr. Oswald which would have been filed by the Office of Naval Intelligence. Now, in your most recent letter, I think that you are applying this to your entire file holdings which is not really the case. A copy of the entire file is being requested without the provisions of the FOIA but the Naval investigative reports are being so requested. Therefore, until I receive what you have for me, I have no way of knowing if such reports are or are not apart of those materials. Accordingly, I shall first examine whatever I receive before determining if an appeal is in order.

Sincerely,

Emory L Brown, Jr.