

Army History

Mr. Guy B. Oldaker, Chief
Records Management Division
Office of the Adjutant General
Department of the Army
Washington, D.C. 20310

3/14/81

Dear Mr. Oldaker,

DAAG - AMR -S


In your letter that bears no date, received recently, you state you did not refer my request to MDW because "files disposition would have long ago required that files from that period be either destroyed or retired to an area designated for that purpose."

Recently I have reviewed some 6,000 pages of Department of Justice records pertaining to the non-destruction and preservation of records of historical importance, as my records pertaining to the assassination of a President indubitably are. It is my impression that law and regulation prohibit the destruction of any such records. If records have been transferred elsewhere, I believe that practice under FOIA required referral to that agency, which then is required to regard the referral as a request of that agency. I therefore again request that you make proper referral to ~~MDW~~ MDW,

I thank you for the information regarding the House committee. I regret very much that, with this knowledge, you did not conform to the Attorney General's instructions and forward my request to the proper person in Army intelligence. This would have greatly expedited the matter, the intent of the Act, and could have provided more information than I can provide.

While I think I understand what you intend to say with regard to communications with the House committee, what you actually say in your fourth paragraph is that investigative files are not releasable without the written permission of the chairman of a non-existing congressional committee, an impossible situation. Also, investigative files most definitely are releasable unless they are within an exemption and inappropriate for discretionary release. In addition, existing records, even if provided to a Congressional committee, are not within any exemption because they were provided to any committee.

You say you made inquiries of several agencies. I thank you for this. I would ask, please, that you refer my requests to those unidentified agencies so that they may provide any information they may have, or make referral themselves to those areas where pertinent records may have been retired. I will send a copy of this letter as you suggest, to DAMI - GIS, but I request that you also forward anything that may assist that office.

Sincerely,

Harold Weisberg

FOIPA Officer
Ass't Chief of Staff for Intelligence
ATTN: DARI-CIA
Rm 2D-481, Pentagon
Washington, D.C. 20310

3/14/81

Dear Sir,

Enclosed are the undated letter to me from the office of the DAG and my today's response. These pertain to information about the assassination of President Kennedy, particularly to the autopsy and all surrounding circumstance. In particular they also pertain to the recent book, Best Evidence, by David Lifton, and to all information provided to him.

I regard what Lifton alleges as untenable, baseless, and defamatory of many innocent persons, and as a corruption of a tragic event of great historical importance.

I would appreciate any information you can provide. It will become part of a major historical archive on this event, perhaps the largest single such archive, deposited in a major university system.

Years ago I asked the Army and Army intelligence for all pertinent records. I received nothing except the statement that all the Army's files had been destroyed. I believe that any such destruction would have violated law and regulations. I hope that in the ensuing years other copies of those files or parts of them have been located. If so I ask for compliance with my prior requests also.

I am encouraged in this hope by the fact that the Navy recently began to process a request I made of it in 1977. What has been provided since then has been quite helpful and is of considerable historical importance.

If you have reason to believe that any pertinent records may be elsewhere I hope you will forward my requests and provide me with copies of any referrals.

Thank you very much.

Sincerely,

Harold Weisberg



DEPARTMENT OF THE ARMY
OFFICE OF THE ADJUTANT GENERAL
WASHINGTON, D.C. 20310

REPLY TO
ATTENTION OF

DAAG-AMR-S

Mr. Harold Weisberg
7627 Old Receiver Rd.
Frederick, MD 21701

Dear Mr. Weisberg:

This is in reply to your letter of 11 February 1981, concerning your earlier requests for information about the assassination of President Kennedy.

In your letter, you request that the Military District of Washington (MDW) be included in the referral of your request of 23 January 1981. Your request was not referred there, as Army instructions for files disposition would have long ago required that files from that time period be either destroyed, or retired to an area designated for that purpose. The records would no longer be maintained in a local files area, such as MDW. For that reason your request was referred to the National Archives and Records Service.

You also asked about later investigations of the assassination. For your information and future reference, The Assistant Chief of Staff for Intelligence, Department of the Army has been designated as the Executive Agency for any and all Army records (health, personnel, intelligence and investigative) requested by the House Select Committee on Assassinations, which would appear to encompass the records in which you expressed interest.

Our inquiries to that agency reveal that these records, at the request of the Congress, have been "sealed and segregated" within the Army record system. They constitute investigative files, and are not releasable without the written permission of the Chairman, House Select Committee on Assassinations.

If you desire further information on these records, I suggest you direct your inquiries to:

Freedom of Information/Privacy Officer
Office of the Assistant Chief of Staff for Intelligence
ATTN: DAMI-CIS
Rm 2D-481 Pentagon
Washington, DC 20310

DAAG-AMR-S
Mr. Harold Weisberg

I trust this information will be of assistance to you.

Sincerely,



GUY B. OLDAKER
Chief, Records Management
Division