

JFK ASSASSINATION SYSTEM
IDENTIFICATION FORM

AGENCY INFORMATION

AGENCY : INSCOM/CSF
RECORD NUMBER : 194-10001-10221
RECORDS SERIES : DOD AFFILIATED PERSONNEL AND INCIDENT INVESTIGATIONS
AGENCY FILE NUMBER : PAGES 74, 75 AND 87-90

DOCUMENT INFORMATION

ORIGINATOR :
FROM :
TO :
TITLE : [RESTRICTED]
DATE : 02/10/70
PAGES : 1
SUBJECTS : "SHOW CAUSE"

LTC WILLIAM J. HERLIHY

DOCUMENT TYPE : PAPER, TEXTUAL DOCUMENT
CLASSIFICATION : ~~CONFIDENTIAL~~
RESTRICTIONS : 1A, 1B, 3
CURRENT STATUS : RELEASED WITH DELETIONS
DATE OF LAST REVIEW : 03/14/95
OPENING CRITERIA : COMPLETION OF REVIEW BY JAG FOR RELEASABILITY
DETERMINATION
COMMENTS : COORDINATION WITH JAG HAS BEEN COMPLETED AND
DETERMINED TO BE RELEASABLE WITH RESTRICTIONS, PER
MEMO DTD 19 SEPT 95. ATTACHED ARE MEMOS DTD 2/3/70
AND 12/16/69 ARE INCLS (PAGES 75 & 87-90).

~~CONFIDENTIAL~~

DEC 16 1969

ICPSG-L

SUBJECT: Release of Documents
(re: HERLIHY, William J., LTC, SSAN: 558-36-6175 (U)
DPOB: 13 August 1929, Pittsburgh, Pennsylvania)

THRU: ~~Commanding General~~
~~First United States Army~~
ATTN: Deputy Chief of Staff, Intelligence
Fort George G. Meade, Maryland 20755

to
17 Dec 69

Hand carried
on

TO: Major General Melville B. Coburn
President of the Board
ATTN: CPT Keller, Recorder, Office of The Judge Advocate General
Headquarters, First United States Army
Fort George G. Meade, Maryland 20755

1. (U) References:

- a. Letter, AHAJA, Subject: LTC William J. Herlihy, 064739, MI, dated 11 September 1969.
- b. Letter, AHAJA, Subject: LTC William J. Herlihy, dated 5 September 1969.
- c. Letter, AHAJA, Subject: LTC William J. Herlihy, 558-36-6175, dated 24 September 1969.
- d. Letter, AHAJA, Subject: LTC William J. Herlihy, dated 2 October 1969.
- e. Letter, AHAJA, Subject: LTC William J. Herlihy, 558-36-6175, dated 29 October 1969.

87

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NOT AUTOMATICALLY DECLASSIFIED
DOD DIR 5200.10

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DEC 16 1969.

ICPSG-L

SUBJECT: Release of Documents

(re: HERLIHY, William J., LTC, SSAN: 558-36-6175 (U)
DPOB: 13 August 1929, Pittsburgh, Pennsylvania)

2. (FOUO) The documents requested in paragraph 4, reference a, were not releasable in their present form. A Summary of the Information (SOI) was prepared and is attached (inclosure 1). The SOI may be released to the board, HERLIHY and HIS Counsel, for use at the Board proceedings subject to the restrictions imposed by AR 380-5 in that the SOI contains classified defense information.

3. (U) USAPSG took no action regarding the request in paragraph 5, reference a, as it did not pertain to the release of documents from intelligence files.

4. (U) The document requested in paragraph 3, reference b, was previously released to your office on 28 October 1969.

5. (U) USAPSG took no action on the request in paragraph 4, reference b, for the reason stated in paragraph 3 of this letter.

6. (FOUO) The document requested in paragraph 3a, reference c, is not presently releasable pending concurrence of the concerned agency. For your information that agency was advised, in an effort to induce concurrence, that the document would be used at a board hearing which was closed to the public and the press. You will be advised upon receipt of the agency's concurrence or nonconcurrence.

7. (FOUO) The document requested in paragraph 3b, reference c, is not releasable. Ortiz was not willing to have the information released; however, he indicated that he would be willing to appear before a Board. For your information the correct identification of the source is: David Ortiz, SSG, USAF, AF19750015, SSAN: 525926068.

8. (FOUO) The dossier requested in paragraph 2a, reference d, may not be released. The authority of this office to release documents from intelligence files is limited to the release of specific individual documents. It does not extend to the release of complete dossiers on file at the U. S. Army Investigative Records Repository on the basis of a blanket request. Inasmuch as the request shows, primarily, concern for the statements of LTC Harry Funk, USAF, and SP4 Prosper J. Vignone, Jr., available records were reviewed and found to contain such statements. The statement of LTC Funk is not presently releasable pending concurrence from Funk and the Office of Special Investigations, USAF. The statement of Vignone is releasable and is attached (inclosure 2) for release to the Board, SUBJECT and HIS defense counsel for use at the Board proceedings.

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88

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DEC 16 1965

ICPSG-L

SUBJECT: Release of Documents

(re: HERLIHY, William J., LTC, SSAN: 558-36-6175 (U)
DPOB: 13 August 1929, Pittsburgh, Pennsylvania)

9. (U) The documents requested in paragraphs 2b and 2c, reference d, could not be located a Supreme Headquarters Allied Powers Europe (SHAPE). It is suggested that the time frame in which these messages were sent be narrowed and the request then be resubmitted to DCSI, First US Army.

10. (U) The document requested in paragraph 2d, reference d, has been located. A Summary of the Information contained in the message is attached (inclosure 3) and may be released to the Board, SUBJECT, and HIS counsel for use at the Board proceedings subject to the restrictions imposed by AR 380-5 to protect the classified defense information contained in the SOI.

11. (FOUO) Regarding the request in paragraph 2e, reference d, in the interest of supply economy when interviews are recorded on tape, they are erased and the tape re-used upon transcription to typed format. In SUBJECT's case however, a tape recording of an undated interview of SUBJECT is available. This recording is attached (inclosure 4) and may be released to The Board, SUBJECT, and HIS defense counsel for use at the Board proceeding.

12. (U) The dossiers requested in paragraphs 2a, 2b, and 2c, reference e, are not releasable for the reasons stated in paragraph 8 of this letter. It is suggested the requests be resubmitted to Deputy Chief of Staff, Intelligence (DCSI), First US Army specifying the particular documents sought.

13. (FOUO) Regarding the request in paragraph 2d, reference e, there is no record of an electronic intercept in the files of this command. Consequently, the request can not be complied with. Request you submit to DCSI, First US Army, those facts upon which your belief as to the existence of an electronic intercept is based. Such facts may be of assistance in locating the requested document. A telephone operator's statement regarding a conversation between unidentified parties, which was partially monitored by the operator, has been located. Upon completion of certain preliminary actions you will be advised regarding the release of this document.

14. (U) It is requested that future requests regarding the release of information for use at the Board proceeding be directed to DCSI, First US Army. Paragraph 28c, AR 381-130 grants authority, to major commanders, within the limits specified therein, to release information from counter-intelligence files to duly constituted military courts and boards. The function of this command is to act on those requests which are outside the limits of the release authority granted to major commanders.

89

3
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ICPSG-L

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15. (C) Per instructions from the Office of the Assistant Chief of Staff for Intelligence, Department of the Army, you are requested to remove the protective marking "FOR OFFICIAL USE ONLY" from reference c, reference e, and on any other documents in which Peter Bagley, Chief of Station, CIA, Belgium is referred to, and replace it with the defense classification "CONFIDENTIAL". In view of the nature of SUBJECT's case it is suggested that documents relating to it be coordinated with DCSI, First US Army to prevent future administrative compromises.

FOR THE COMMANDER:

4 Incls
as

CHARLES R. KING
MAJ AGC
DEPUTY ADJUTANT GENERAL

90

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