

December 11, 1997

BY FACSIMILE AND FIRST-CLASS MAIL

Mr. Jeffrey I. Fogel, Esq.  
Criminal Division  
United States Department of Justice  
1001 G Street, N.W.  
Suite 1075  
Washington, D.C. 20530

Re: United States Department of Justice Criminal Division's Compliance with the JFK  
Assassination Records Collection Act, 44 U.S.C. § 2107

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Dear Mr. Fogel:

I want to thank you again for your cooperation, and for the assistance of Les Rowe and Jon Routson, in facilitating our review of certain organized crime files of the Criminal Division. To facilitate completion of the Criminal Division's work under the JFK Act, we hereby request that the Criminal Division identify and make available for review certain additional files relating to other subject areas.

The four categories of records that we want to account for are: (a) any internal security records that may relate to Lee Harvey Oswald; (b) records relating to the Jim Garrison prosecution of Clay Shaw for a conspiracy to assassinate President Kennedy; (c) the Department of Justice's review of the acoustical findings of the House Select Committee on Assassinations ("HSCA"); and (d) records on Judith Campbell Exner. We recognize that records relating to these matters may already be located within the Criminal Division's main JFK assassination file (No. 129-11) currently in the JFK Collection. However, we seek to determine whether there are any other distinct files that may be relevant under the JFK Act.

Accordingly, please identify any of the following files:

1. Internal Security Records Relating to Oswald

With respect to internal security records of the Criminal Division, we are seeking to identify any

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records that may relate to Oswald's defection to the Soviet Union, his residence in that country, his threat to reveal military information to the Soviets, and his return to the United States. In connection with his activities upon returning to the United States, we are seeking to identify any records that may relate to his communications or activities in connection with the Fair Play for Cuba Committee, as well as certain individuals. Accordingly, we request that you undertake a name search to locate any internal security files opened in the 1959-64 period and relating to the following:

Lee Harvey Oswald

Marina Oswald

Fair Play for Cuba Committee

Vincent T. Lee, President of Fair Play  
for Cuba Committee

Yuri Nosenko

Michael Paine

Ruth Paine

George DeMohrenschildt

Major General Edwin Walker<sup>1</sup>

Finally, we again reiterate our request for the records of Walter J. Yeagley, who was Assistant Attorney General for the Internal Security Division during the 1960's.<sup>2</sup>

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<sup>1</sup> Although the Criminal Division previously ran a computerized search for some of these names (*see* Criminal Division Compliance Statement, dated Jan. 29, 1997), the Criminal Division never made clear whether these name searches were also conducted on the manual index card system that exists for older files (*see* April 8, 1997 Letter from R. Haron to J. Fogel, ¶¶ 2,4). Accordingly, we request that these names be searched on all record tracking systems, including computerized databases and manual index card systems.

<sup>2</sup> To assist in identifying relevant case files, please make available any indices for the internal security files, including specifically any indices to 1959-64 case files for the following record

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groups: 71 (Neutrality); 146-1 (Communism); 146-7 (General Suspects); 146-41 (Disclosure of Official Secrets); 146-46 (Foreign Travel); 146-100 (Official Investigations); and 146-200 (Government Employees Connected with Subversive Organizations).

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2. Records Relating to the Garrison Case

In addition to internal security records, we also request that the Criminal Division identify any records that it may have relating to the Jim Garrison investigation and subsequent prosecution of Clay Shaw for conspiracy to assassinate President Kennedy. Accordingly, please determine whether the Criminal Division has any files on:

James Garrison

Clay L. Shaw (or Clay or Clem Bertrand)

David Ferrie

3. Records Relating to DOJ Review of HSCA Acoustical Findings

We also seek to determine whether the Criminal Division ever opened a separate case file or files in connection with its work regarding the acoustical analysis of the HSCA. As you know, the HSCA concluded in its Final Report that four shots were fired in Dallas on November 22. The Criminal Division subsequently worked with the FBI and the National Academy of Sciences ("NAS") to conduct further acoustical analyses. The NAS Report challenged the findings of the HSCA, and DOJ accepted the conclusions of the NAS Report. While acknowledging the Division's representations that "relatively few documents were created" regarding DOJ's post-HSCA work and that the Division is "not aware of any additional Criminal Division records relating to the HSCA" beyond those already identified under the JFK Act (*see* Criminal Division Compliance Statement, at 11), we renew our request to obtain assurance that *all* relevant files on this critical matter have been located and processed under the JFK Act. Accordingly, please identify and make available any such files not yet processed.

4. Records on Judith Campbell Exner

Please identify and make available any records that the Division may have on Judith Campbell Exner.

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Thank you for your cooperation.

Sincerely,

Ronald G. Haron  
Associate General Counsel

cc: Les Rowe, Attorney-Advisor,  
Criminal Division  
(By Facsimile)