



Criminal Division

Office of the Assistant Attorney General

Washington, D.C. 20530

OCT 10 1984

Honorable Charles W. Stenholm  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Stenholm:

Reference is made to your recent referral to the Department of Justice of a letter from Mr. Lester F. Keene regarding the investigation of the assassination of President John F. Kennedy. In particular, Mr. Keene expressed his concern that the recommendations for further investigation which were included in the final report of the House of Representatives Select Committee on Assassinations (HSCA) have not resulted in appropriate Department of Justice investigative activity.

Mr. Keene is apparently unaware of several Department of Justice actions undertaken as a result of HSCA recommendations. The Department was asked by the HSCA, in its final report, to reevaluate the acoustical evidence, which evidence was the basis of the Committee's assassination conspiracy theory. There was some concern regarding the accuracy of the acoustical research performed for the HSCA because of the severe time constraints imposed upon the researchers performing that work.

The Department of Justice promptly initiated a review of the methodology of the HSCA experts, but not of the evidence itself, by the Federal Bureau of Investigation (FBI) Technical Services Division. The Department also contracted for a much broader National Research Council (part of the National Academy of Sciences (NAS)) study of the acoustical evidence. In order to assure the independence of the NAS effort from Department of Justice control, the National Science Foundation was asked to oversee the study. In this manner, the Department was able to avoid all involvement in decisions regarding either the scope of the NAS study or the composition of the scientific panel. Various factual issues raised by the HSCA report or Department of Justice attorneys who reviewed all investigative reports related to this matter were also referred to the FBI for investigation as appropriate.

The FBI Technical Services Division released a report on December 1, 1980, which concluded that the HSCA experts had not scientifically proven their conclusion that gunshots were fired from two different locations at the time of the assassination. In May, 1982, the NAS panel completed a 96-page report which included an analysis of the actual acoustical evidence, the

previous HSCA work, and the FBI report. While the NAS panel was critical of aspects of both the HSCA and FBI studies which preceded its work, its primary conclusion was that the HSCA acoustics research methodology was flawed. The Academy determined that the HSCA acoustical analyses did not demonstrate that there was a grassy knoll shot. Rather, it was determined that the sounds evaluated by the HSCA experts actually occurred one minute after the President was shot and the motorcade had been instructed to go to the hospital. Further, the NAS report discouraged undertaking additional expensive studies of this evidence, on the grounds that the strength of the demonstration that the HSCA conclusion was invalid was so great that the likely results of further study would not justify the cost of such research. The FBI has subsequently completed its review of the specific factual issues referred for further investigation.

Throughout the process described above, the Department has advised Members of Congress of our progress in this matter. Both the FBI and the NAS reports regarding the acoustical evidence were released to the public immediately upon completion. In response to those analyses, the Department has received a significant volume of public responses, including some relatively technical recommendations for further Department activity. Several of those replies have been sufficiently detailed to merit referral to FBI or NAS experts for further review.

We are now in the process of concluding our review of all aspects of the Department's response to the HSCA final report. It is envisioned that the Attorney General will report the Department's findings and recommendations to the Speaker of the House of Representatives within the next six months. That report will reflect the results of all aspects of the Department's response to the HSCA report, including Justice-sponsored acoustical analyses, FBI investigative activity, and the review of information received from the public. I have requested that a copy of that report be simultaneously provided to your office.

Your interest in this matter of mutual concern is appreciated.

Sincerely,

Stephen S. Trott  
Assistant Attorney General  
Criminal Division



by: Mark M. Richard  
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