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August 21, 1988

Mr. Bud Fensterwald, Sr.
Assassination Archives
Washington, D.C 20004

Dear Bud:

I just received the enclosed document from Justice. Thought you might be interested if you haven't already seen it.

What is the 'Daniel Film'(re: p2)? I'm not familiar with that one.

Regards,

Lou Kartsonis
Louis P. Kartsonis, M.D.



U.S. Department of Justice
Office of Legal Policy
Office of Information and Privacy

Washington, D.C. 20530

AUG 15 1988

Dr. Louis P. Kartsonis
4747 Mission Blvd., Suite 5
San Diego, CA 92109

Re: Appeal No. 88-0740
RLH:JCB:CAK

Dear Dr. Kartsonis:

This is in response to inquiries made on your behalf by Senator Alan Cranston and Representative Bill Lowery regarding your Freedom of Information Act appeal from the action of the Criminal Division on your request for access to the Department of Justice's response to the House Select Committee on Assassination's investigation of the Kennedy assassination.

Since our response to you dated June 27, 1988, this Office has learned that a five-page report has been sent to the Committee via the Department's Office of Legislative Affairs. A copy of this response is enclosed.

Sincerely,

Richard L. Huff, Co-Director
Office of Information and Privacy

Enclosure



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

March 28, 1988

Honorable Peter W. Rodino, Jr.
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

One of the interesting features of employment with a large governmental organization is that matters occasionally come bubbling to the surface from the depths of the bureaucracy.

An example of this phenomenon is the enclosed report which relates back to the activities of the Select Committee on Assassinations. While this is long overdue and may no longer be of interest, I am forwarding it to you for your information and appropriate disposition.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Boyd".

Thomas M. Boyd
Acting Assistant Attorney General

Enclosure

request



U.S. Department of Justice

Criminal Division

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Peter W. Rodino, Jr.
Chairman, Committee on the Judiciary
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The House of Representatives Select Committee on Assassinations completed its review of the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. in late 1979. The results of that review and a series of recommendations for further action were included in a final report which was made available to the public. The recommendations of the Committee included several proposed actions to be taken by the Department of Justice.

Virtually all of the actions sought by the Committee were completed by the end of 1983. Those actions and the results were reported to the former Chairman of the Committee, Congressman Louis Stokes, and other former Committee members in the form of correspondence and copies of scientific reports. The Department has delayed issuance of a formal notice of the completion of its response to the Select Committee report, pending a complete review of all public comment responsive to Department of Justice-initiated studies of acoustical evidence by the Federal Bureau of Investigation and the National Academy of Sciences. We have concluded that the Department has now completed its response to the Committee recommendations and, consistent with the request of the Select Committee, hereby report the results to the House of Representatives Judiciary Committee.

Quoted below are the three "recommendations for further investigation" listed on page 7 of the final report of the Select Committee. Listed after each is a summary of the results of the Department of Justice action responsive to the recommendation. It is noted that the results to recommendations "A" and "B" were previously reported in their entirety to former members of the Committee. Similarly, most of the information listed in item "C"

was previously reported to the former members. There are no "new developments" included in this report; rather, we are taking the formal action of advising the Judiciary Committee that following a lengthy period of review of unsolicited correspondence and other information available to the Department that we have accepted the conclusions of the National Academy of Sciences panel of experts regarding President Kennedy's assassination and have determined that it appears unlikely that new information will emerge which would provide a productive basis for further investigative activity regarding either the President Kennedy or Dr. King assassinations.

A. Committee Recommendation: "The Department of Justice should contract for the examination of a film taken by Charles L. Bronson to determine its significance, if any, to the assassination of President Kennedy."

Result of Department of Justice Activity: As reported to Congressman Stokes on April 9, 1981, the Department of Justice was unable, due to the provisions of the Privacy Act and the Freedom of Information Act, to offer the owners of the above film or the owners of another film ("Daniel film") privacy assurances of the type tentatively offered by the Committee (which was not subject to the legislation cited above). Those individuals insisted upon such privacy assurances in addition to other assurances as a condition of making the films available for government analysis. Consistent with our notice to Congressman Stokes in April 1981 that we would not further pursue the acquisition of those films from their owners absent a Congressional request and Congressional assistance, the Department has taken no further action in this regard. It should be noted that the value of these films in evaluating the acoustical evidence was significantly diminished in view of the conclusions of the National Academy of Sciences.

B. Committee Recommendation: "The National Institute of Law Enforcement and Criminal Justice of the Department of Justice and the National Science Foundation should make a study of the theory and application of the principles of acoustics to forensic questions, using the materials available in the assassination of President John F. Kennedy as a case study."

Result of Department of Justice Activity: As reported to former Committee members in October 1980, the National Institute of Law Enforcement and Criminal Justice of the Department of Justice contracted with the National Bureau of Standards, Law Enforcement Standards Laboratory, of the Department of Commerce for a review of the acoustics reports. The Law Enforcement Standards Laboratory concluded that a scientific study of the acoustics evidence would be very expensive to conduct and would be unlikely to yield information of significant value to the field of forensic science.

The Department subsequently requested a study by the Federal Bureau of Investigation Technical Services Division of the acoustics work performed for the Committee. The Department also contracted through the National Science Foundation for a National Academy of Sciences study of the acoustics issues related to the John F. Kennedy assassination. The National Academy of Sciences study, conducted by the Commission on Physical Sciences, Mathematics, and Resources of the National Research Council, was a more thorough effort (at our request) and was the only effort which involved significant review of the actual acoustical evidence -- a Dallas Police dictabelt recording. The Department was able to avoid direct involvement in decisions regarding the scope of that study and the composition of the panel conducting the study by arranging for the National Science Foundation to oversee the study. The results of both studies were provided to former members of the Committee immediately upon their conclusion.

The Federal Bureau of Investigation Technical Services Division concluded that there was no conclusive proof provided by the Select Committee's experts to support their determination that the sound patterns on the Dallas Police Department dictabelt recording represented gunshot blasts rather than some other sounds or electrical impulses produced internally by the police radio system. The Bureau experts further questioned the basis for the Committee experts' conclusions that the impulsive sounds originated near Dealey Plaza (the site of the Kennedy assassination). The Federal Bureau of Investigation report raised numerous other concerns regarding perceived inadequacies in the Committee's experts' methodology, which methodology led to the conclusion of a conspiracy.

The National Academy of Sciences made some startling findings, which it announced to the public at the time of the completion of its study. According to that panel of experts, "the acoustic impulses attributed [by the experts who performed the acoustical analyses for the Select Committee] to gunshots were recorded about one minute after the President had been shot and the motorcade had been instructed to go to the hospital." The panel concluded that "reliable acoustic data do not support a conclusion that there was a second gunman."

The Select Committee's goal of advancement of the application of the principles of acoustics to forensic questions was advanced by both acoustical analyses. Both of the studies were reported to the law enforcement community in a two-part article entitled "Acoustic Gunshot Analysis: The Kennedy Assassination and Beyond" published in the FBI Law Enforcement Bulletin (November and December 1983, Volume 52, Numbers 11 and 12, respectively).

C. Committee Recommendation: "The Department of Justice should review the committee's findings and report in the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr., and after completion of the recommended investigation enumerated in sections A and B, analyze whether further official investigation is warranted in either case. The Department of Justice should report its analyses to the Judiciary Committee."

Result of Department of Justice Activity: As the Department advised the former members of the Select Committee on October 7, 1980, Departmental attorney and investigative personnel reviewed the entire Select Committee report as well as all relevant Federal Bureau of Investigation reports. The Federal Bureau of Investigation was asked to further investigate any aspect of the assassinations which Departmental attorneys felt had even an arguable potential of leading to additional productive information. The Federal Bureau of Investigation completed those tasks and, as reported previously, developed no information of value.

The Department has continued to carefully review incoming unsolicited correspondence related to the assassinations, without regard to whether such correspondence was generated in response to the Department's acoustical review. While, as a result of the limited resources available for this activity, the Department has advised frequent writers that individual responses were not possible for most submissions, each letter had been reviewed by at least two attorneys and those letters raising either scientific or investigative issues have been referred to the appropriate Department components for further consideration. The flow of such unsolicited correspondence has been the primary cause of our reluctance to formally advise the Judiciary Committee of our "completion" of the Department's response to the Select Committee's final report, since, despite the resolution of those specific tasks sought by the Select Committee, we have considered the review of all correspondence to be potentially productive.

The Department has carefully reviewed the National Academy of Sciences report on the acoustical evidence related to the John F. Kennedy assassination. Based upon the panel's methodology and factual conclusions as well as lack of any persuasive criticism of that report following its public release, the Department accepts its conclusions.

The Department has also reached the conclusion that all investigative leads which are known to the Department have been exhaustively pursued either during the Department's response to the Select Committee's report or in one of the previous investigations of the assassinations of President Kennedy and Dr. King.

Finally, the Department agrees with the conclusion of the National Academy of Sciences that "because of the strength of the demonstration that the [Kennedy assassination] acoustical evidence for a grassy knoll shot is invalid, the Committee believes that the results to be expected from such [further acoustical] studies would not justify their cost."

Accordingly, the Department of Justice has concluded that no persuasive evidence can be identified to support the theory of a conspiracy in either the assassination of President Kennedy or the assassination of Dr. King. No further investigation appears to be warranted in either matter unless new information which is sufficient to support additional investigative activity becomes available. While this report is intended to "close" the Department's formal response to the Select Committee final report, it is the Department's intention to continue to review all correspondence and to investigate, as appropriate, any potentially productive information.

Please do not hesitate to contact me if you desire any additional information regarding the activities undertaken by the Department in response to the Select Committee report.

Sincerely,

WILLIAM F. WELD
Assistant Attorney General
Criminal Division