

2/6/76

Dear Emory, Brown

Your FOIA approach to LHO's having taken Russian language training at Monterey is exactly the right one.

If I do not see in the attached papers proof that he did take this training at the Defense Language Institute, as your 2/4/76 note indicates, it remains the right approach and you are doing fine. It should be followed up and exactly as you are doing.

Do not be discouraged by either my telling you that I know of no such record or if you get a negative response. The records at Keesler Field seem to have disappeared, too.

Diligence and persistence may pay off. I do think it is worth taking the time. If when I see the later communications I can make suggestions I will.

If you get no interest from Church, the life of whose committee is now short, there is new interest in the House, from those who have not yet destroyed their own credibility.

Unless you have other plans, I'd suggest that you let this proof, if you get it, await that use, which I think I can arrange, or consider the exclusive sale of it, which I think I can arrange for you, so that you can recoup some of your costs.

I would recommend, if you ask my opinion, which you have not, giving credibility to those whose record is one of destroying the credibility of those who try to do responsible work. The end product would be counterproductive.


- I'll await hearing further from you, as your note says I will, before mailing this.

Thanks and keep it up! This is the right way.

Sincerely,

Most recent developments on LHO and Language training.  
Would appear that your hunch was wrong. Oswald attended  
Defense Language Institute, Presidio of Monterey.  
Previous Government and Military reply were false.  
Records apparently exist. Military now stalling.

Will sent reply to your 1-20-76 later date, maybe  
next week. Good luck

  
Emory  
2-4-76



DEPARTMENT OF THE NAVY  
OFFICE OF THE SECRETARY  
WASHINGTON, D. C. 20350

3 September 1975

Mr. Emory L. Brown, Jr.  
Box 82, Squankum Road  
Howell, New Jersey 07731

Dear Mr. Brown:

On behalf of President Ford, I am replying to your letter of August 23 regarding an allegation that Lee Harvey Oswald had received instruction in the Russian language while a member of the United States Marine Corps.

Officials have reviewed Mr. Oswald's service records thoroughly in regard to your question of Russian language studies. Mr. Oswald never attended a language school of any sort while a member of the United States Marine Corps.

I am sorry my reply could not be more informative. However, there is simply nothing in Mr. Oswald's service record to indicate he ever received any instruction in Russian.

Thank you for writing to the President.

Sincerely,

A handwritten signature in cursive script, reading "J. McCullen, Jr.", is written over the typed name.

Joseph T. McCullen, Jr.  
Assistant Secretary of the Navy

Box 82 Squankum Road  
Howell, New Jersey 07731  
October 4, 1975

By Certified Mail: 821791

The Adjutant General  
Department of the Army  
Washington, D. C. 20310

Dear Sir:

This request is made pursuant to the provisions of 5 U.S.C. 552 also known as the Freedom of Information Act and sub section 518.5 of said act.

I would like to know if the late Lee Harvey Oswald, a former Marine Corps private, serial number 1653230, ever received any foreign language instruction at an Army installation. Particularly, I would direct your attention to the Defense Language Institute located at the Presidio of Monterey and suggest that the sought after records may have been generated at this facility. If any such records are located, I would wish to be provided with electrostatic copies of such. Thank you.

Sincerely,

Ernest L. Brown, Jr.

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)  
(Additional charges required for these services)

Show to whom, date and address where delivered.

Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.  
821791

1  
2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



FROM: See return address on reverse.		DATE 9 Oct 75
WRITER'S NAME/TELEPHONE NO. Mr. Fraker - 693-1847		
<input checked="" type="checkbox"/> YOUR <input type="checkbox"/> OUR COMMUNICATION (Kind, reference symbol, date, subject, or other identification) Freedom of Information Act request of 4 October 1975 was received in this office on 8 October 1975.		
ACTION TAKEN OR REQUESTED		
<input type="checkbox"/> REPLY WILL BE FURNISHED ON OR ABOUT _____ <input type="checkbox"/> REQUEST DATE WHEN REPLY MAY BE EXPECTED		<input type="checkbox"/> RECEIPT ACKNOWLEDGED <input checked="" type="checkbox"/> FOR DIRECT REPLY
<input checked="" type="checkbox"/> WE HAVE SENT YOUR COMMUNICATION TO (See below)		<input type="checkbox"/> TO OBTAIN INFORMATION
Director, Defense Language Institute, ATTN: DLICP, Presidio of Monterey, CA 93940.		
<input type="checkbox"/> OTHER INFORMATION <input type="checkbox"/> SUPPLIED OR <input type="checkbox"/> REQUESTED		
TYPED NAME, GRADE, AND <b>CYRUS H. FRAKER</b> Ch, Access & Release Br Records Management Div		SIGNATURE <i>Cyrus H. Fraker</i>

DA FORM 209, 1 Jan 70 REPLACES EDITION OF NOV 66, WHICH WILL BE USED. DELAY, REFERRAL, OR FOLLOW-UP NOTICE (AR 340-15) GPO: 1972 O-487-197



DEFENSE LANGUAGE INSTITUTE  
PRESIDIO OF MONTEREY, CALIFORNIA 93940

REPLY TO  
ATTENTION OF: DLIMB-A

29 OCT 1975

Mr. Emory L. Brown, Jr.  
Box 82 Squankum Road  
Howell, New Jersey 07731

Dear Mr. Brown:

To process your Freedom of Information Act request, concerning Lee Harvey Oswald would take one clerk approximately twelve hours of research at \$6.50 per hour or an approximate cost to you of \$78.00. If you would forward a check or money order in this amount payable to "The Treasurer of the United States," the research can begin. The time limits for processing your Freedom of Information Act request (10 working days) will not commence until payment is received. Should the final amount of fees assessed at the completion of processing your request be greater than the estimate, an additional fee will be assessed. You are cautioned, however, that this fee will be assessed even though no record may be found.

Sincerely yours,

KIM A. SMALLHEER  
CAPT, USAF  
Adjutant

Copy furnished:  
HQDA (DAAG-AMR-S)



Mr. Smallheer  
November 15, 1975

Box 82 Squankum Road  
Howell, New Jersey 07731  
November 15, 1975

By Certified Mail No. 821793

developed which indicates that Mr. Oswald maintained some kind of contact with one or more federal agency involved  
**Captain Kim A. Smallheer, U.S.A.F.** more, that Mr. Oswald was in the  
Adjutant of one or more such agency at the time of the Assassination.  
**Defense Language Institute, Presidio of Monterey, California, 93940**  
Attention: DLIMB-A

The most convincing evidence is the fact that the Warren Commission  
Dear Captain: stated in what is now a matter of public record  
(page 101 of Commission Executive Meeting on 27 January 1964)  
Reference is made to your letter dated October 29, 1975.

4. Your letter implies that the fees for processing my FOIA request, based upon your \$6.50 per hour search rate, could possibly run into several hundred dollars, should the research extend beyond the estimated twelve hours and with dubious results at best. Also, I infer from your letter that even though the name and serial number of the individual in question is known (a rather noteworthy one to say the least) that your agency is not aware of whether or not there are presently or were formerly any records generated at the Defense Language Institute concerning Mr. Oswald. Accordingly, I am hereby requesting a waiver of such fees, in accordance with Title 5 U.S.C. 552 (a)(4)(A) 1974 Ammended, based upon the conditions set forth below.
5. THE RELEASE OF THE REQUESTED INFORMATION WOULD BE PRIMARILY BENEFIT THE GENERAL PUBLIC AND IS THEREFORE DESERVING OF PUBLIC PAYMENT.  
The information concerns the individual who was accused of assassinating John F. Kennedy who at the time, held the public office of President of the United States. Close examination of available records, by members of the public, have shown that the Government's official inquiry into the events surrounding the Assassination leaves many unanswered questions in the public mind and that a number of such questions concern themselves with the military background of Lee Harvey Oswald. In particular, his study of foreign languages during that time can not take for granted that the records of its federally appointed or elected officials.
6. THE SIZE OF THE PUBLIC TO BE BENEFITED WOULD BE SIZABLE.  
Public polling by the major organizations which have conducted such surveys, has shown that the majority of the American public entertains serious doubts as to both the completeness and the validity of the Warren Commission Report. As late as September 1975, on a nationally televised CBS program, the David Suskind Show, this figure was set at 72%.
3. THE SIGNIFICANCE OF THE BENEFIT WOULD BE SUBSTANTIAL.  
Almost immediately following the weekend of the Assassination and up to the present time, strong circumstantial evidence has

Emory L. Brown, Jr.

Supt. Smallhere  
page 2  
November 15, 1975

developed which indicates that Mr. Oswald maintained some kind of clandestine relationship with one or more federal agency involved in intelligence activities. Furthermore, that Mr. Oswald was in the service of one or more such agency at the time of the Assassination. A requirement of individuals working in the intelligence fields, is a knowledge of foreign languages.

The most convincing evidence is the fact that the Warren Commission General Counsel stated in what is now a matter of public record (page 101 of Commission Executive meeting of 27 January 1965) that Mr. <sup>W</sup> had indeed studied at the Defense Language Institute.

4. TANGIBLE PUBLIC GOOD WOULD BE REALIZED.

Obviously, the public good is dependant upon the actions of the government under which they live and if the public can be confident that their best interest is being served, such would greatly lead to the stability of the Nation. However, recent history has shown the public that their trust in government has been betrayed and the requester feels that the Warren Commission Report is an outstanding example of a stumbling block for public trust. The release of the requested information would assist members of the public in dealing with the issues of the case.

5. THE PRIVATE INTEREST OF THE REQUESTOR WOULD NOT BE FUTHERED.

The requestor has been conducting private research on this matter and related matters for approximately eight years, during which time he has neither sought nor recieved any financial gain from or for his labors. So it is at this time, that the requestor continues to shun any interest in financial gain from his work.

6. THE USEFULNESS OF THE MATERIAL TO BE RELEASED WOULD BE TO INFORM THE PUBLIC.

The highly questionable activities of the past Administration have clearly shown that the American public can not take for granted, that the conduct of its federally appointed and or elected officials is beyond reproach or above suspicion. In a representative democracy the people have a right to know about the governments activities which is the reason why the FOIA was written. The public therefore has a right to know if the Warren Commission Report is accurate on all points, including the one with which the requestor is presently concerned.

I understand that a determination of waiver in this case would be entirely discretionary on your part and I would therefore hope that because of my preceeding argument for waiver, you might make the information availble with out the charging of search fees.

Sincerely,

Emory L Brown, Jr.





DEFENSE LANGUAGE INSTITUTE  
PRESIDIO OF MONTEREY, CALIFORNIA 93940

REPLY TO  
ATTENTION OF: DLIMB-A

1 DEC 1975

Mr. Emory L. Brown, Jr.  
Box 82 Squankum Road  
Howell, New Jersey 07731

Dear Mr. Brown:

In order to provide you with the information you requested at no cost to you, it must be determined if the information will be used in the public interest, and not as a private venture for monetary or personal gain. Request you forward a notarized statement declaring what you intend to do with the information; DLI will then make a decision concerning the propriety of your request.

Sincerely Yours,

KIM A. SMALLHEER  
Capt, USAF  
Adjutant



Box 82 Squankum Road  
Howell, New Jersey 07731  
December 18, 1975

By Certified Mail No. 821800

Captain Kim A. Smallheer, U.S.A.F.  
Adjutant  
Defense Language Institute  
Presidio of Monterey, California 93940  
Attention: DLIMB-A

Dear Captain:

This is in reply to your letter of December 1, 1975, in which you requested that I furnish you with a notarized statement declaring what my intentions are regarding the information that I am seeking from the Defense Language Institute under the provisions of Title 5 United States Code 552, (a)(4)(A), 1974 Ammended.

STATEMENT

The transcript of the January 27, 1964 Executive meeting of the President's Commission on the Assassination of President Kennedy shows that one Lee Harvey Oswald, a former Marine, serial number 165 32 30, received training at the Defense Language Institute, Presidio of Monterey, California. However, records pertaining to this training which Mr. Oswald received are not a part of his official military service record, as reproduced in the twenty-six volumes of hearings and exhibits comprising the published report of the President's Commission.

In view of the recent public disclosures which have shown that the employees of at least one Federal agency, namely the Federal Bureau of Investigation, knowingly and willfully destroyed certain evidence concerning Mr. Oswald and the Assassination, the Requester is concerned that records being sought, have not also vanished or undergone alterations. Because the existance of these records has been suppressed from public knowledge and they are presently being withheld from disclosure, the Requester is very much interested in the content of such records and what affect, if any, this information might have upon the official findings of the President's Commission.

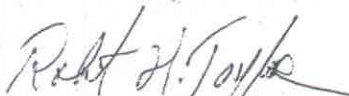
The matter of the Public Interest was discussed in detail in the Requester's letter to you dated November 15, 1975 and it is felt that this aspect was given adequate coverage. It is not the intention of the Requester to use the sought after information for any personal or monetary gain. The information will be evaluated and then made available to the Public by means of the news media and members of Congress who have expressed an interest in the investigation of the Assassination.

Sincerely,



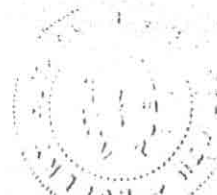
Emory L. Brown, Jr., Requester

Sworn to and affirmed before me this eighteenth day of December, nineteen hundred and seventy five.



ROBERT H. TAYLOR  
NOTARY PUBLIC OF NEW JERSEY

My Commission Expires February 17, 1976



Box 82 Squankum Road  
Howell, New Jersey 07731  
January 16, 1976

By Certified Mail No. 821799

Honorable Frank Church  
Senate Select Committee to Study Governmental Operations  
with Respect to Intelligence Activities  
G. 308 Dirksen Senate Office Building  
Washington, D. C. 20000

Dear Sir:

Subsection (f) of the Freedom of Information Act, states that the seven categories of exemptions are not to be as authority to withhold information from Congress. Because of that, along with the fact that your committee is looking into certain aspects of the J.F.K. Assassination, I bring the following matter to your attention. Hopefully, various federal agencies will no longer be allowed to withhold from the American Public, vital evidence which will give the people the true circumstances surrounding the murder.

The enclosed file copy represents an up to date report on my inquiry into the allegation that Lee Harvey Oswald received special training from the military prior to his "defection" to the Soviet Union. From the very outset, those I contacted, have denied that Oswald had ever received any instruction in foreign languages, during the time he was in the Marine Corps. That official position was maintained even after, in July 1974, a Warren Commission Report transcript containing a statement that Oswald did receive such training, was made public. This training was given at the Defense Language Institute, Presidio of Monterey, California. This information is completely suppressed from his official service record and is not to be found among the twenty-six volumes of the Warren Report.

I have been in touch with the Defense Language Institute which is presently stalling me off, after they blew it and admitted that they do have records on Oswald. All of the previous officials who knew about this or had access to it, did in fact lie to me. This information is being sought under the provisions of the FOIA but due to recent revelations that some of this evidence (general) has been destroyed by the Federal Bureau of Investigation, I fear for the DLI records and their fate. I implore you to act quickly in securing these records before they are "misplaced" or re-written. Their value is, I am sure, self evident.

Sincerely,

Emory L. Brown, Jr.