

USDOJ/OIG Special Report

**The FBI Laboratory: An Investigation into Laboratory Practices  
and Alleged Misconduct in Explosives-Related and Other Cases (April  
1997)**

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## **The FBI Laboratory: An Investigation into Laboratory Practices and Alleged Misconduct in Explosives-Related and Other Cases (April 1997)**

### **RESPONSE/REPLY APPENDIX DOCUMENTS**

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#### **Documents in the Response/Reply Appendix**

Dr. Frederic Whitehurst has responded to the final version of the OIG's FBI Lab Report. His response is located on the Internet homepage of [www.forensicjustice.org/oigrebuttal.htm](http://www.forensicjustice.org/oigrebuttal.htm) and is available by mail on request to Forensic Justice Project, 3238 P St., NW, Washington D.C. 20007.

Dr. Whitehurst's response is entirely his own product and does not in any way reflect the views of the Inspector General. The OIG has not read or reviewed Dr. Whitehurst's response and is not responsible for its content.

This reference to Dr. Whitehurst's response is being provided pursuant to a settlement agreement between Dr. Whitehurst and the Department of Justice. Because of the OIG's policy of limiting disclosure of the draft report to individuals and entities with first-hand knowledge of the underlying facts, Dr. Whitehurst was precluded from discussing the draft report with counsel. Dr. Whitehurst, therefore, declined to respond in February 1997.

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(Disclaimer: Because the pagination of these documents in hypertext format is different than the pagination in hardcopy, the page numbers reflected in the text will not be accurate.)

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1) The Federal Bureau of Investigation's (FBI) Comments dated February 12, 1997, on the Office of the Inspector General's (OIG) draft report titled, "The FBI Laboratory: An

Investigation into Laboratory Practices and Alleged Misconduct in Explosives-Related and Other Cases."

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- 2) The FBI's Comments dated March 24, 1997, on Part Three, Section H11: Higgins' Alleged Alteration of Dictation.

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- 3) The FBI's Comments dated April 4, 1997, on Part Three, Section D: The Bush Assassination Attempt.

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- 4) FBI Supervisory Special Agent Roger Martz's reply dated February 4, 1997, to the OIG's draft report.

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- 5) FBI Supervisory Special Agent David Williams' reply to the OIG's draft report.

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- 6) Comments dated February 11, 1997, from Stanley Rothstein, Terrorism and Violent Crime Section, Criminal Division, on Part Three, Section B: The VANPAC Case.

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- 7) Comments dated February 27, and March 10, 1997, from the United States Attorney's Office Southern District of New York, on Part Three, Section C: World Trade Center Bombing.

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- 8) Comments dated February 13 and March 7, 1997, from the United States Attorney's Office Eastern District of New York, on Part Three, Section E: Avianca Bombing.

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- 9) Comments dated February 20, 1997, from the United States Attorney's Office District of New Jersey, on Part Three, Sections H1 and H6: Yu Kikumura and the Conlon Case.

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- 10) Comments dated March 3, 1997, from Robert Cleary, Special Attorney to the United States Attorney General, on Part Three, Section H9: The UNABOM Article.

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- 11) Comments dated February 3, 1997, from the United States Attorney's Office Middle District of Pennsylvania on Part Three, Section H12: Tobin Allegations.

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12) [Comments dated February 7 and 13, 1997, from Attorney John Doar on Part Three, Section H12: Tobin Allegations.](#)

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13) OIG's Replies to responses to the draft report.

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## Information Concerning Other Released Documents Related to the OIG Investigation

The U.S. Department of Justice has released over 53,000 pages of documents relating to the U.S. Department of Justice Office of Inspector General's 1997 Report titled *The FBI Laboratory: An Investigation into Laboratory Practices and Alleged Misconduct in Explosives-Related and Other Cases* and other matters in response to certain requests under the Freedom of Information Act and the Privacy Act from Dr. Frederic Whitehurst and the National Association of Criminal Defense Lawyers ("NACDL"). Information on how to obtain copies of these documents from NACDL and Dr. Whitehurst is located on the Internet homepage of [www.forensicjustice.org/oigdocuments.htm](http://www.forensicjustice.org/oigdocuments.htm).

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This reference to NACDL's and Dr. Whitehurst's offer of documents is being provided pursuant to a settlement agreement among NACDL, Dr. Whitehurst, and the U.S. Department of Justice.