

ST. MARY'S UNIVERSITY



SM Ref. CD.OAG1

DAG 95-R0613  
RLJ

August 18, 1995

Margaret Ann Irving  
Deputy Director  
Office of Information and Privacy  
Office of the Attorney General  
Washington, DC 20530

OFFICE OF INFORMATION  
AND PRIVACY  
  
AUG 29 1995  
  
RECEIVED

Re: Agency Records Concerning Michael DeVine

Dear Ms. Irving:

The undersigned have been retained by Carol DeVine to represent her in obtaining documents related to the murder of her husband, Michael Vernon DeVine on June 8, 1990 in Guatemala.

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, *et seq* (as amended), we hereby request any information in connection to any investigation undertaken in regards to the murder of Michael DeVine, as well as any information on Captain Hugo Contreras. Documents relating to this request include but are not limited to cable traffic, notes, letters, memos, memoranda of conversations, reports, analyses, interviews, briefings, or correspondence. We request that all documents be reviewed in their entirety, and that no information be omitted on the grounds of non-relevance.

Furthermore, if you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, we request that you nonetheless exercise your discretion to disclose them. As the FOIA requires, please release all reasonably segregable nonexempt portions of documents which contain information you regard as exempt. To permit us to reach an intelligent and informed decision whether or not to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

Please waive all fees in connection with this request. Disclosure of the documents that we have requested is clearly within the public interest, and therefore, constitutes an appropriate circumstance for the waiver of fees.

Our request involves information bearing on the extent of our government's knowledge of/or involvement in the murder of Carole DeVine's husband, Michael DeVine. As evidenced by the extensive media coverage of this case (for example, numerous reports in the New York Times, Washington Post, and other national newspapers, AP and UPI wire stories, and programming by all three major television networks), the subject of our request is very much in the public interest. Ms. DeVine and her legal team continue to receive regular requests from the media for new information on the case. The role of various U.S. agencies in the case was also

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the subject of hearings by the Senate Select Intelligence Committee held on April 5, 1995, and the case remains under investigation by the Committee and the Executive branch.

The information that we are seeking goes to the heart of our government's operations and activities abroad and will provide the basis for scholarly and other analytical work. In addition to distributing information we obtain through our network of media contacts, St. Mary's University Human Rights Clinic, in conjunction with the Lawyers Committee for Human Rights and other members of Ms. DeVine's legal support team, will archive and analyze the records Ms. DeVine receives, and disseminate the information they contain to lawyers, human rights advocates, policy makers, and academics. The information requested, will allow the American public to benefit by gaining a better understanding of our government's intelligence operations and its relationship with Guatemala and its military.

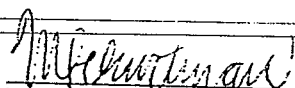
Should you decline to waive the fees on our requests, please notify us immediately and describe your specific reasons in writing.

The Central Intelligence Agency has already granted Mrs. DeVine a fee waiver on the FOIA requests she made. We also ask that you please take that into consideration when processing our requests.

To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please call Monica Schurtman at (210) 436-3752. We look forward to receiving your response within the ten-day statutory time period. Documents should be sent to: John J. Stana, Immigration & Human Rights Clinic, International Legal Studies Center, St. Mary's University School of Law, One Camino Santa Maria, San Antonio, TX 78228.

Sincerely,

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Monica Schurtman  
Immigration & Human Rights Clinic  
St. Mary's University School of Law

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Mary Kenney  
Lynn Coyle  
Lawyers Committee for Civil Rights  
Under Law