



OFFICE OF INDEPENDENT COUNSEL

DONALD C. SMALTZ
in re Secretary of Agriculture Espy

P.O. Box 26356
103 Oronoco Street, Suite 200
Alexandria, VA 22313
(703) 706-0010
(FAX) 706-0076

CONFIDENTIAL

February 24, 1995

By Facsimile Transmission and U.S. Mail

The Honorable Janet Reno
Attorney General of the United States
U.S. Department of Justice
9th and Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear General Reno:

I write to apprise you of a concern that has just come to my attention this afternoon which I believe requires immediate investigation by the Department.

Today, my office received a call from a respected member of the press. During the course of the conversation with Charles Bakaly, Deputy Independent Counsel, that press representative inquired:

about a letter from me to you requesting an expansion of jurisdiction over Tyson Foods; and

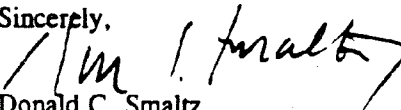
attributed to you a position similar to that expressed in your letter to me dated February 17, 1995.

Our office has gone to great lengths to maintain our original letter from Elizabeth Taylor to Lee Radek secret (indeed we labeled it with a 6(e) designation). We similarly maintained your response in secret.

You are undoubtedly aware that Tyson Foods has been engaged in a well orchestrated campaign to convince the public, Congress and others that I am acting in excess of my jurisdiction in the course of my investigation. The unauthorized release of not only the fact but also the nature of communications between my office and yours concerning jurisdictional issues when 6(e) materials are involved may well constitute a federal criminal offense. Accordingly, by this letter to you I am requesting the Department of Justice to undertake an investigation as to the source of the release of this confidential information.

I appreciate your prompt attention to this matter.

Sincerely,


Donald C. Smaltz
Independent Counsel