

CARTON 5:33

FREEDOM OF INFORMATION ACT REQUEST  
FBI

1994-1998

2017/193





U.S. Department of Justice

*me*

Federal Bureau of Investigation  
935 Pennsylvania Ave., N.W.

Washington, D.C. 20535

Mr. Lee Brown  
810 Fulton Street, Apartment #F  
San Francisco, CA 94117

JUL 30 1998

Subject of Request: Lee Brown

FOIPA Request Number 384976

Dear Requester,

The records which you requested have been processed, and the documents are available for release.

Pursuant to Title 28, Code of Federal Regulations, Sections 16.10 and 16.47, there is a fee of ten cents per page for duplication. No fees are assessed for the first 100 pages. Upon receipt of your check or money order, payable to the Federal Bureau of Investigation, these documents will be forwarded to you.

(To insure proper identification of your request, please return this letter or include the FOIPA request number with your payment.)

Number of pages: 620

Amount due \$62.00

☒ See continuation page for additional information

Sincerely yours,

*J. Kevin O'Brien*

Chief  
Freedom of Information-  
Privacy Acts Section  
Office of Public and Congressional Affairs

*8/7/98*

*Money order enclosed for \$62  
please send remaining pages*





Mr. Brown: This request for fees from you is for the remaining 620 pages of File No. 132-473. We have already provided to you the first 218 pages of this file and have received your payment for those documents.



# CUSTOMER'S RECEIPT

DO NOT SEND THIS RECEIPT FOR PAYMENT  
KEEP IT FOR YOUR RECORDS

69034646801 980807 941091 \*\*62\*00

SERIAL NUMBER	YEAR, MONTH, DAY	POST OFFICE	U. S. DOLLARS AND CENTS
PAY TO U.S. Dept. of Justice		CHECKWRITER IMPRINT AREA	
ADDRESS 935 Penn Ave, NW FBI Washington DC		FROM Lee Brown	
COD NO. OR USED FOR		ADDRESS 810 Fulton St. # F San Francisco, CA 94117	

This receipt is your guarantee for a refund of your money order if it is lost or stolen, provided you fill in the *Pay To* and *From* information on the money order in the space provided. No claim for improper payment permitted 2 years after payment. If your money order is lost or stolen, present this receipt and file a claim for a refund at your Post Office.

An inquiry Form 6401 may be filed at any time for a fee. A replacement will not be issued until 60 days after the money order purchase date, provided the money order has not been paid.



DATE 23-9011000875-01  
08/07/98

TIME  
15:55

U S POSTAL SERVICE #0567830009  
1400 PINE ST  
SAN FRANCISCO, CA 94109

TOTAL \$62.85

DEBIT SALE

ACCT. NUMBER  
7704

EXP  
0999

TRAN #	CLERK ID	SYS TRACE #	AUTH
826	8	737270	602356

REFUNDS ONLY PER DMM P014

WE DELIVER FOR YOU!

TOP COPY : U S POSTAL SERVICE  
BOTTOM COPY: CUSTOMER



810 Fulton Street., Apt. #F  
San Francisco, CA 94117  
April 8, 1998

Mr. J. Kevin O'Brien, Chief  
Freedom of Information - Privacy Acts Section  
Information Resources Division  
Federal Bureau of Investigation  
U.S. Justice Department  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

Ref: Request No. 384976

Dear Mr. O'Brien:

Thank you for your letter of March 25th with regard to my FOIPA request.

This letter is to indicate that I wish to have my file sent to me in interim releases. I understand that the total file consists of five volumes of approximately 900 pages, and that interim releases would consist of one or two volumes at a time.

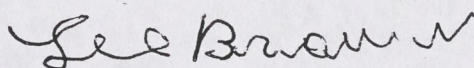
Please note that the files should be sent to my post office box at this mailing address:

Lee Brown  
P.O. Box 42-1031  
San Francisco 94142-1031

Please inform me as to when I may expect the first interim release and whether there is any cost involved.

Thank you for your assistance in this matter.

Sincerely,

  
Lee Brown





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

MAR 2 5 1998

Mr. Lee Brown  
810 Fulton Street, Apt. #F  
San Francisco, CA 94117

Request No: 384976  
RE: Yourself

Dear Mr. Brown:

This is in further reference to your Freedom of Information-Privacy Acts (FOIPA) request.

The documents responsive to your request have been duplicated and assigned to a Paralegal Specialist for processing. Processing has begun on the main file identifiable with you, which consists of five volumes and approximately 900 pages.

Due to circumstances beyond our control, such as court orders, litigation and special projects, we are unable to provide you with a specific time within which the material you requested can be released.

You may request that the file be sent to you in interim releases (one or two volume(s) at a time) rather than as a single release of the entire file. This procedure may help expedite the processing and review of your request.

Please use the above number assigned to your request in all correspondence with us concerning this matter.

Sincerely yours,

*J. Kevin O'Brien*

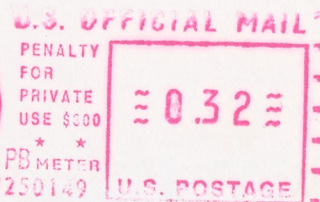
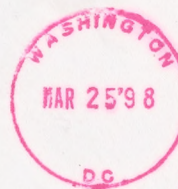
J. Kevin O'Brien, Chief  
Freedom of Information -  
Privacy Acts Section



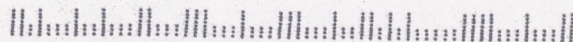
U.S. Department of Justice  
Federal Bureau of Investigation

*Washington, DC 20535-0001*

Official Business  
Penalty for Private Use \$300



94117-1739 07





810 Fulton Street., Apt. #F  
San Francisco, CA 94117  
March 4, 1998

Mr. J. Kevin O'Brien, Chief  
Freedom of Information - Privacy Acts Section  
Information Resources Division  
Federal Bureau of Investigation  
U.S. Justice Department  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

Ref: Request No. 384976

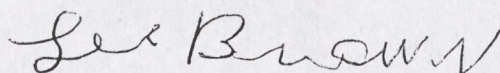
Dear Mr. O'Brien:

I am writing again with regard to my request above. It has been four years since I made my original request for release of records. I was told that 900 pages of records are available. Why is it taking so long to have them copied?

I want to reiterate my interest in obtaining this material as soon as possible. Please advise as to the status of my request, and when I may expect to receive this material. Last year I returned the enclosed form indicating my continuing interest in obtaining the material.

Thank you for your attention to this matter.

Sincerely,



Lee Brown

P.S. Please send the material to my mailing address:

P.O. Box 42-1031  
San Francisco 94142-1031





U.S. Department of Justice

Federal Bureau of Investigation

*Mr. Lee Brown  
Post Office Box 42-1031  
San Francisco, CA 94142-1031*

Washington, D. C. 20535

FEB 14 1997

Request No. 384976

Re: yourself

Dear Requester:

Your Freedom of Information-Privacy Acts (FOIPA) request for one or more subject matters is one of many thousands still pending in the FOIPA Section.

In view of the lengthy period of time which has elapsed since you made your request(s), we are recontacting you to determine your continued interest in this material.

If you are interested in pursuing your request(s), please complete the attached form and return it. Unfortunately, you may expect a continuing delay due to the tremendous volume of work on hand in the FOIPA Section.

If we do not receive a response within thirty days from the date of this communication, we will conclude that you are no longer interested and close your request(s) administratively.

Thank you for your cooperation.

Sincerely yours,

*J. Kevin O'Brien*

J. Kevin O'Brien, Chief  
Freedom of Information-  
Privacy Acts Section  
Office of Public and  
Congressional Affairs

Enclosure



Date March 3, 1997

Mail to:

FOIPA Section  
FBI  
935 Pennsylvania Ave., N.W.  
Washington, D. C. 20535-0001

Request No. 384976  
Re: Lee Brown

YES I am still interested in the material requested.

Name

Lee Brown

Address

P O Box 42-1031

San Francisco, CA 94142-

Daytime phone no. (415) 441-3061

1031





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

APR 11 1996

Mr. Lee Brown  
Apartment #F  
810 Fulton Street  
San Francisco, CA 94117

Request No. 384976

Re: Yourself

Dear Requester:

We are in receipt of your letter dated March 5, 1996, regarding your Freedom of Information-Privacy Acts (FOIPA) request.

Your request is still pending with us. Unfortunately, due to the many thousands of requests and millions of pages awaiting review, we are unable to give you a definite date regarding the completion of your request.

Our analysts handle cases of all degrees of complexity and it is virtually impossible to estimate when a particular request will come up for review. To process your request out of turn would be unfair to the other requesters who submitted their requests prior to yours. You will be advised only after the processing of your request has been partially or fully completed.

We regret the unavoidable delays we are experiencing and want you to know we have recognized our increased workload demands. Repeated efforts by the FBI to obtain additional FOIPA resources through the annual budget process have not been successful. We, therefore, do our best with the resources available to us.

Sincerely yours,

*J. Kevin O'Brien*

J. Kevin O'Brien, Chief  
Freedom of Information-  
Privacy Acts Section  
Information Resources Division



810 Fulton Street., Apt. #F  
San Francisco, CA 94117  
March 5, 1996

Mr. J. Kevin O'Brien, Chief  
Freedom of Information - Privacy Acts Section  
Information Resources Division  
Federal Bureau of Investigation  
U.S. Justice Department  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

Ref: Request No. 384976

Dear Mr. O'Brien:

I am writing again with regard to my request above. It has been more than two years since I made my original request for release of records. I was told that 900 pages of records are available. Why is it taking so long to have them copied?

I want to reiterate my interest in obtaining this material as soon as possible. Please advise as to the status of my request, and when I may expect to receive this material

Thank you for your attention to this matter.

Sincerely,

Lee Brown

P.S. Please send the material to my mailing address:

P.O. Box 42-1031  
San Francisco 94142-1031





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

SEP. 12 1995

MR LEE BROWN  
APARTMENT #F  
810 FULTON STREET  
SAN FRANCISCO, CA 94117

Request No. 384976

Re: Self

Dear Mr. Brown :

This is to acknowledge receipt of your letter dated August 19, 1995 regarding the Freedom of Information-Privacy Acts (FOIPA) request noted above.

We received this request on February 16, 1994, the date we have it filed in our backlog of unassigned requests. Due to our limited resources and thousands of requests on hand, we are unable to give you a definite date of when it will come up in the queue. We are currently assigning cases we received in April, 1992 and to assign this request out of turn would be unfair to the other requesters who submitted their requests earlier.

In recent years, the FBI has experienced a general increase in the level of new FOIPA requests. At the same time, we have not had sufficient resources to address this increase or the backlog of work on hand. Repeated efforts by the FBI to obtain additional resources through the annual budget process have not been successful. The FOIPA Section has also been obligated to comply with court deadlines and other legislation, requiring the expenditure of a large number of resources on a limited number of requests. This has further exacerbated the backlog situation, causing additional delays in the assignment of work.

We have enclosed a copy of the guidelines issued by the Department of Justice that set forth criteria for accelerated processing if a requester can demonstrate exceptional need or urgency. The circumstances surrounding this request do not appear to qualify for expedite handling.

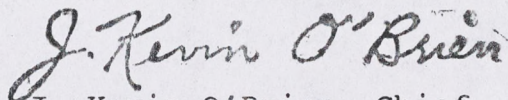


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You may submit an appeal from any denial contained herein by writing to the Office of Information and Privacy, United States Department of Justice, Flag Building, Suite 570, Washington D. C. 20530, within thirty days from receipt of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the Freedom of Information-Privacy Acts (FOIPA) request number assigned to your request so that it may be easily identified.

We regret the delays we are experiencing and hope you will be understanding and patient while waiting for this request to be handled in turn. Rest assured it will be processed in due course.

Sincerely yours,



J. Kevin O'Brien, Chief  
Freedom of Information-Privacy  
Acts Section  
Information Resources Division

Enclosure



## OIP Guidance

# When to Expedite FOIA Requests

An issue bound to be confronted sooner or later by all federal agencies is whether to give certain requesters expedited treatment under the Freedom of Information Act. Because the granting of a request for expedition necessarily works to the direct disadvantage of other FOIA requesters, the merits of such requests should be assessed carefully.

The FOIA requires that federal agencies determine whether to release requested records within 10 working days, but that period may be extended for an additional 10 working days whenever any of three statutorily defined "unusual circumstances" exist. 5 U.S.C. §552(a)(6)(B). Many agencies are often unable to meet these deadlines due to such factors as the number of requests received, the volume of records sought, decentralized recordkeeping procedures, and limitations on resources—often coupled with the need for a line-by-line review of sensitive documents. The U.S. Court of Appeals for the D.C. Circuit has recognized this problem and has specifically approved the equitable practice of handling requests on a "first-in, first-out" basis. See *Open America v. Watergate Special Prosecution Force*, 547 F.2d 605, 614-16 (D.C. Cir. 1976), citing 5 U.S.C. §552(a)(6)(C).

At the same time, however, the D.C. Circuit in *Open America* recognized that some FOIA requests necessarily involve a far greater degree of urgency than others and that when a requester can show "exceptional need or urgency," his request should be processed out of turn. 547 F.2d at 616. The *Open America* decision did not specify any particular circumstance which might constitute "exceptional need or urgency," so decisions on whether to grant expedition have been left for agency FOIA officers to make on a case-by-case basis. Several years of administrative practice in this area, though, together with at least some specific judicial precedents, have served to develop the following guidelines and considerations.

### Threat to Life or Safety

First, FOIA processing should be expedited whenever it is demonstrated that an individual's life or personal safety would be jeopardized by the failure to process a request immediately. Of the handful of court decisions to have ordered expedited processing, almost all have fallen into this category. See, e.g., *Exner v. FBI*, 443 F. Supp. 1349, 1353 (S.D. Cal. 1978) (plaintiff obtained expedited treatment after leak of information exposed her to harm by organized crime figures), *aff'd*, 612 F.2d 1202 (9th Cir. 1980); *Cleaver v. Kelley*, 427 F. Supp. 80, 81 (D.D.C. 1976) (plaintiff faced multiple criminal charges carrying possible death penalty in state court). At the administrative level, the Department of Justice has expedited a request to facilitate disclosure of medical information about a child's father vital to the child's emergency medical treatment. Another agency agreed to process immediately a request from the parents of a young woman believed to be facing a serious threat to her life in the custody of a cult. To be sure, FOIA requests involving substantiated "life-or-death" matters are rare, but no more

compelling justification can exist for special FOIA treatment.

### Loss of Substantial Due Process Rights

As a general rule, a request also should be expedited if it is shown that substantial due process rights of the requester would be impaired by the failure to process immediately and that the information sought is not otherwise available. Indeed, the practices of many federal agencies reflect such concern for the due process rights of requesters. At the Justice Department's Drug Enforcement Administration, for example, the portion of a drug offender's file that is relevant to an upcoming parole hearing is routinely processed for release out of turn under the FOIA. Similarly, other agencies regularly expedite FOIA requests for information needed in contract award protests so that filing deadlines can be met.

It is not sufficient, however, for a requester merely to allege that requested records are "needed" in connection with some judicial or administrative proceeding; rather, the immediate use of the FOIA must be shown to be critical to the preservation of a substantial right. See *Rivera v. DEA*, 2 GDS ¶181,365 at 81,953 (D.D.C. 1981) ("A pending civil suit does not generally qualify a FOIA demand for expedited processing."). Indeed, in *Mitsubishi Electric Corp. v. Department of Justice*, 39 Ad.L. Rep.2d (P&F) 1133, 1140-42 (D.D.C. 1976), the court pointedly refused to order expedited processing where a requester had not availed itself of existing civil discovery mechanisms for obtaining the records sought. In connection with criminal proceedings, weak "due process" claims have likewise been found inadequate. See, e.g., *Gonzalez v. DEA*, 2 GDS ¶181,016 at 81,069 (D.D.C. 1980) (use of FOIA as discovery tool to aid standard post-judgment attack on criminal conviction held insufficient); *Bubar v. United States Department of Justice*, 3 GDS ¶183,227 (D.D.C. 1981) (need for documents for preparation as witness in criminal trial held insufficient).

### Other Considerations

Beyond these two narrow categories, it is unclear to what extent agencies have the discretion to grant requests for expedition under any other circumstances. Only one judicial decision has ventured beyond these categories—*Schacter v. IRS*, 3 GDS ¶182,515 at 83,302-03 (D.D.C. 1982), where a court somewhat perfunctorily ordered immediate disclosure of a record related to imminent action by Congress. Moreover, agencies should not forget the interests of all requesters in having their requests treated equitably, as well as the public interest in the integrity of FOIA processing. See *Mitsubishi Electric Corp. v. Department of Justice*, *supra*, 39 Ad.L. Rep.2d (P&F) at 1142 (Expedited processing, "if granted, will adversely impact upon the conflicting interests of numerous individuals whose requests and appeals were filed [earlier]."). Because a decision to take a FOIA request out of turn necessarily entails further delay for other requesters waiting patiently in line, simple fairness demands that it be made only upon careful scrutiny of truly exceptional circumstances.





# Department of Justice

## ATTORNEY GENERAL RENO MOVES TO EXPEDITE EXCEPTIONAL FOIA REQUESTS

WASHINGTON, D.C. -- Attorney General Janet Reno said today that she has authorized a change in Justice Department procedures to expedite the handling of Freedom of Information Act requests in certain cases of extraordinary interest to the news media.

Current law permits only two exceptions to normal first-in, first out processing: when information is needed to prevent a threat to life or safety, or when a delay would result in the loss of substantial due process rights such as the chance to file a claim.

The Justice Department's Office of Information and Privacy began studying whether a third category could be added after the Attorney General in December and January inquired why it was taking so long to process FOIA requests for the U.S. Park Service and FBI reports on the death of Vincent Foster? The reports were completed in August.

Under the new procedure, approved on February 1, <sup>1994</sup> FOIA requests can be moved to the head of the line whenever the Justice Department's Director of Public Affairs expressly finds two things:

- there exists widespread and exceptional media interest in the requested information; and
- expedited processing is warranted because the information sought involves possible questions about the government's integrity which affect public confidence.

A memorandum communicating the Attorney General's new policy said "The goal of such expedited processing is to permit the public to make a prompt and informed assessment of the propriety of the government's actions in exceptional cases." However, it also cautioned that in some situations, especially involving active law enforcement investigations, the law may still prevent immediate disclosure no matter how quickly the request is processed.

The policy was implemented by a directive to Justice Department FOIA and Privacy Act coordinators from Richard L. Huff and Daniel U. Metcalfe, Co-Directors of the Office of Information and Privacy. They were assisted by Peggy Irving.

\*\*\*\*\*



810 Fulton Street., Apt. #F  
San Francisco, CA 94117  
August 19, 1995

Mr. J. Kevin O'Brien, Chief  
Freedom of Information - Privacy Acts Section  
Information Resources Division  
Federal Bureau of Investigation  
U.S. Justice Department  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

Ref: Request No. 384976

Dear Mr. O'Brien:

I am writing again with regard to my request above. It has been eight months since I last heard from your office, and over a year since I made my original request for release of records.

I want to reiterate my interest in obtaining this material as soon as possible. Please advise as to the status of my request, and when I may expect to receive this material

Thank you for your attention to this matter.

Sincerely,

Lee Brown

P.S. Please send the material to my mailing address:

P.O. Box 42-1031  
San Francisco 94142-1031





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

FEB 14 1995

Mr. Lee Brown  
Apartment #F  
810 Fulton Street  
San Francisco, CA 94117

Request No. 384976

Re: Self

Dear Requester:

We are in receipt of your letter dated January 19, 1995, regarding your Freedom of Information-Privacy Acts (FOIPA) request.

Your request is still pending with the Bureau, unfortunately, due to the many thousands of requests and millions of pages awaiting review, we are unable to give you a definite date regarding the completion of your request.

Our analysts handle cases of all degrees of complexity and it is virtually impossible to estimate when a particular request will come up for review. To process your request out of turn would be unfair to the other requesters who submitted their requests prior to yours. You will be advised only after the processing of your request has been partially or fully completed.

We regret the unavoidable delays we are experiencing and want you to know we have recognized our increased workload demands. Repeated efforts by the FBI to obtain additional FOIPA resources through the annual budget process have not been successful. We, therefore, do our best with the resources available to us.

Please be advised that requests can be expedited and processed out of turn if the requester can demonstrate "exceptional need or urgency." Enclosed for your information are guidelines issued by the Department of Justice that set forth criteria for accelerated processing.

Sincerely yours,

*J. Kevin O'Brien*

J. Kevin O'Brien, Chief  
Freedom of Information-  
Privacy Acts Section  
Information Resources Division

Enclosure



## OIP Guidance

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## Department of Justice

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The policy was implemented by a directive to Justice Department FOIA and Privacy Act coordinators from Richard L. Huff and Daniel J. Metcalfe, Co-Directors of the Office of Information and Privacy. They were assisted by Peggy Irving.

\*\*\*\*\*





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535

JUL 12 1994

Mr. Lee Brown  
Apartment #F  
810 Fulton Street  
San Francisco, CA 94117

Request No. 384,976

Re: Lee Brown

Dear Mr. Brown:

This is to acknowledge receipt of your letter dated June 26, 1994, regarding your Freedom of Information-Privacy Acts request.

Enclosed is a copy of our letter to you dated May 2, 1994, acknowledging receipt of your correspondence expressing your willingness to pay estimated fees of \$90.

Sincerely yours,

*J. Kevin O'Brien*

J. Kevin O'Brien, Chief  
Freedom of Information-  
Privacy Acts Section  
Information Resources Division

Enclosure



Federal Bureau of Investigation

MR. LEE BROWN  
APARTMENT #2  
510 FULTON STREET  
SAN FRANCISCO, CA 94117

Washington, D.C. 20535

MAY 2 1994

Request No. 384976

Re: *Self*

Dear Requester:

This is to acknowledge receipt of your correspondence expressing your willingness to pay the estimated fees of \$90.00.

The FBI has over 200 employees assigned full time to comply with the disclosure provisions of the FOIPA. Despite this commitment, a significant increase in the number of requests received has strained our resources and resulted in a tremendous backlog of requests awaiting review. At the end of March, 1994, our total requests on hand in various stages of processing numbered over 11,300. These requests will require the review of an estimated 4.8 million pages.

In fairness to our thousands of requesters, we handle requests based on approximate order of receipt consistent with sound administrative practices. In view of the large volume of requests on hand, delays in excess of one year are not uncommon.

In order to reduce unnecessary correspondence, we will notify you only after the processing of your request has been partially or fully completed. Thank you for your anticipated patience and cooperation.

Sincerely yours,

*J. Kevin O'Brien*

J. Kevin O'Brien, Chief  
Freedom of Information-  
Privacy Acts Section  
Information Resources Division







U.S. Department of Justice

Federal Bureau of Investigation

MR LEE BROWN  
APARTMENT #F  
810 FULTON STREET  
SAN FRANCISCO, CA 94117

Washington, D.C. 20535

MAR 30 1994

Request No. 384976

Re: Self

Dear Requester:

This is in further response to your Freedom of Information-Privacy Acts (FOIPA) request.

Documents which appear to be responsive to your request consist of approximately 1,000 pages. If all pages are determined to be releasable, duplication costs of \$ 90.00 could result, representing a charge of ten cents per page. No fees are assessed for the first 100 pages of duplication. It is emphasized that this is only an estimate; and that the actual charges, after completion of processing of these records, will most likely be less. No duplication fees will be charged for pages that are withheld in their entirety pursuant to any FOIPA exemptions.

Department of Justice regulations (Title 28, Code of Federal Regulations, Section 16.10 and 16.47) require notification to a requester when anticipated charges exceed \$25. This letter constitutes such notification.

Please indicate in writing your willingness to pay the estimated fees so that further action can be taken on your request. No payment should be submitted at this time. If you wish to reduce the scope of your request to meet your needs at a lower cost, please advise this office at your earliest convenience.

Sincerely yours,

*J. Kevin O'Brien*

J. Kevin O'Brien, Chief  
Freedom of Information-Privacy  
Acts Section  
Information Resources Division



810 Fulton St., #F  
San Francisco, CA 94117

Mr. J. Kevin O'Brien, Chief  
Freedom of Information - Privacy Acts Section  
Information Resources Division  
Federal Bureau of Investigation  
U.S. Justice Department  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Mr. O'Brien:

With regard to my Request No. 384976, please send me a copy of the approximately 1,000 pages of material you have located. I understand there will be a charge of 10 cents per page (after the first 100 pages) to have this material duplicated, and I am willing to pay this fee.

Please send the material as soon as possible.

Sincerely,

Lee Brown





## U.S. Department of Justice

## Federal Bureau of Investigation

MR LEE BROWN  
APARTMENT #F  
810 FULTON STREET  
SAN FRANCISCO, CA 94117

Washington D.C. 20535

MAR. 01 1994

Request No. 384976

Dear Requester:

- ☒ This acknowledges your Freedom of Information-Privacy Acts (FOIPA) request submitted to the FBI.
- ☐ Based on the limited information you provided, we cannot make an accurate search of our records. Please furnish your complete name, alias, date and place of birth, prior addresses, employment, and any specific data that would permit us to locate the documents you seek.
- ☐ Please submit your notarized signature. This procedure is designed to insure that documents, if located, are released only to an individual having right of access to the information.
- ☐ If you want a search of our Identification Division records for any arrest record that might pertain to you, please comply with the enclosed instructions set forth in Attorney General Order 556-73. Fingerprint impressions are needed for comparison with records in the Identification Division to insure that individual's record is not disseminated to an unauthorized person.
- ☐ We are currently searching the indices to our central records system files at FBI Headquarters for any documents which may pertain to your request. Upon completion of this search you will be notified of the results.
- ☐ Provide the complete name, date and place of birth for the subject of your request. If subject is deceased, give date of death and any proof of death you have.

Your request has been assigned the number indicated above. Please use this number in all correspondence with us.

Sincerely yours,

Chief

Freedom of Information-

Privacy Acts Section

Information Resources Division

☐ Enclosure



The large number of FOIPA requests received by the FBI has caused delays in processing. The FBI has allocated substantial resources, including manpower, to insure that delays in responding to FOIPA requests are minimized. We solicit your patience and understanding and assure you that we will process your request(s) in due course.





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

1/28/94

MR LEE BROWN  
APARTMENT F  
810 FULTON STREET  
SAN FRANCISCO, CA 94117

Dear Requester:

Your letter asking for information maintained by the FBI concerning yourself is being returned to you. It did not contain all of the items required by law and regulation to be a valid request. You must provide the following information:

Your Complete Name: LEE BROWN  
First Middle Last  
Your Current Address: 810 Fulton St # F  
Number Street  
San Francisco, CA 94117  
City State Zip Code  
Your Date of Birth: 5 / 28 / 21  
Mo. Day Yr.  
Your Place of Birth: NEW ORLEANS, LOUISIANA  
City State

☒ In addition, you must provide your notarized signature, using the reverse side of this letter or a separate form.

☐ The notarized signature you have already provided is sufficient.

The above information is necessary to conduct an accurate search of FBI records, as well as to insure that documents are released only to an individual with a right of access to the information. Furnishing false information will subject a requester to criminal penalties. See 5 U.S.C. 552a(1)(3) and 18 U.S.C. 1001.

You may, at your discretion, furnish additional identifying information which you believe may assist the FBI in locating the documents you seek.

Providing your daytime phone number is not required but could assist the FBI's efforts to promptly respond to your request:

415 441 - 3061  
Area Code

Sincerely yours,

*J. Kevin O'Brien*

J. Kevin O'Brien, Chief  
Freedom of Information-  
Privacy Acts Section  
Information Management  
Division

YOUR PREVIOUS CORRESPONDENCE MUST BE RETURNED TO THE FBI WITH THIS LETTER.



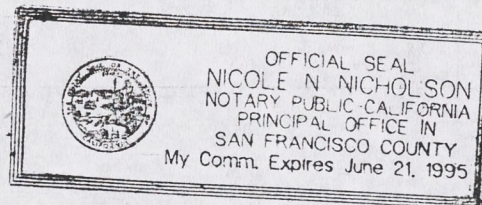
NOTARIZED SIGNATURE

Your Signature: Lee Brown  
(To be signed in the presence of a Notary)

Subscribed and sworn to before me, this 7 day of  
February, 19 94

Signature of Notary: Nicole N. Nicholson  
Date of Commission: 6-21-95

Notary Seal or Stamp





FREEDOM OF INFORMATION ACT REQUEST

Requester:

January 19, 1994

Lee Brown  
③ 810 Fulton Street, /#F ②  
④ San Francisco, CA 94117  
(SS# 466-10-9205)

Federal Bureau of Investigation  
Records Management Division - FOIA/PA Office  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

I, Lee Brown, hereby request one copy of any and all records concerning myself in your files under the provisions of the Freedom of Information Act. Please check all indexes.

I was born on May 28, 1921 in New Orleans, Louisiana. I have lived and worked in Galveston, Texas, Houston, Texas, Los Angeles, California, New Orleans, Louisiana, and San Francisco, California.

I am especially interested in files related to the following:

1. The period of 1942 - 1945 when I was active in the National Association for the Advancement of Colored People (NAACP) in Los Angeles, California

2. The years 1945 to 1958 when I was active in the International Longshoremen's and Warehousemen's Union and the United Packinghouse Workers union in New Orleans. In 1957 I was investigated by the House UnAmerican Activities Committee in New Orleans, LA. I was subsequently indicted by a federal grand jury under the Taft-Hartley Law. I was placed on trial on November 4, 1957 in Judge Skelly Wright's court in New Orleans. I was found guilty and sentenced to serve three years in the federal penitentiary in Texarcana, Texas. I would also like to obtain a copy of the trial transcript.

3. The period after 1960 when I was active in the Hotel and Restaurant Workers Union in San Francisco.

Although the above periods are of special interest, I would like to have copies of all documents related to me in your files.

Sincerely,

*Lee Brown*  
Lee Brown  
⑤⑥⑦



FREEDOM OF INFORMATION ACT REQUEST

Requester:

January 19, 1994

Lee Brown  
810 Fulton Street, #F  
San Francisco, CA 94117  
(SS# 466-10-9205)

Federal Bureau of Investigation  
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3. The period after 1960 when I was active in the Hotel and Restaurant Workers Union in San Francisco.

Although the above periods are of special interest, I would like to have copies of all documents related to me in your files.

Sincerely,

Lee Brown



810 Fulton Street., Apt. #F  
San Francisco, CA 94117  
June 26, 1994

Mr. J. Kevin O'Brien, Chief  
Freedom of Information - Privacy Acts Section  
Information Resources Division  
Federal Bureau of Investigation  
U.S. Justice Department  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

Ref: Request No. 384976

Dear Mr. O'Brien:

I am writing again in response to your letter of March 30th. In my previous response I indicated my willingness to pay duplication costs of 10 cents per page for the approximately 1,000 pages of material that had been located in files pertaining to my request above.

Since I have not heard from your office, I am writing to reiterate my interest in obtaining this material as soon as possible. Please advise.

Thank you for your attention to this matter.

Sincerely,

Lee Brown



810 Fulton Street., Apt. #1  
San Francisco, CA 94117  
January 19, 1995

Mr. J. Kevin O'Brien, Chief  
Freedom of Information - Privacy Acts Section  
Information Resources Division  
Federal Bureau of Investigation  
U.S. Justice Department  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

Ref: Request No. 384976

Dear Mr. O'Brien:

I am writing again with regard to my request above. It has been six months since I last heard from your office, and almost ten months since I made my original request for release of records.

I want to reiterate my interest in obtaining this material as soon as possible. Please advise as to the status of my request, and when I may expect to receive this material

Thank you for your attention to this matter.

Sincerely,

Lee Brown



FREEDOM OF INFORMATION ACT REQUEST

Requester:

January 19, 1994

Lee Brown  
810 Fulton Street, #F  
San Francisco, CA 94117  
(SS# 466-10-9205)

Federal Bureau of Investigation  
Records Management Division - FOIA/PA Office  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

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I was born on May 28, 1921 in New Orleans, Louisiana. I have lived and worked in Galveston, Texas, Houston, Texas, Los Angeles, California, New Orleans, Louisiana, and San Francisco, California.

I am especially interested in files related to the following:

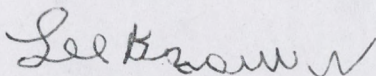
1. The period of 1942 - 1945 when I was active in the National Association for the Advancement of Colored People (NAACP) in Los Angeles, California

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3. The period after 1960 when I was active in the Hotel and Restaurant Workers Union in San Francisco.

Although the above periods are of special interest, I would like to have copies of all documents related to me in your files.

Sincerely,

  
Lee Brown



1/25/97

Clerk  
U.S. District Court  
500 Camp Street, Room C 151  
New Orleans, LA 70130

To Whom It May Concern:

I am a researcher working on a history of black labor activity in the New Orleans area in the 1950s. I am writing to request a Records Search with regard to the court case of Mr. Lee Brown. Mr. Brown, then a resident of New Orleans, was indicted on March 7, 1957 by a federal grand jury for violations of the Taft-Hartley Act. Lee Brown was brought to trial on November 4, 1957 in Judge Skelly Wright's court in New Orleans. He was found guilty and sentenced to serve three years at the federal penitentiary in Texarcana, Texas. Lee Brown's social security number is 466-10-9205.

I would like to obtain a copy of Mr. Brown's trial transcript.

Enclosed is a check for \$15.00 to cover the cost of the records search. Thank you for your assistance.

Sincerely,

Robert L. Allen  
Senior Editor



## FREEDOM OF INFORMATION ACT REQUEST

Requester:

January 19, 1994

Lee Brown  
810 Fulton Street, #F  
San Francisco, CA 94117  
(SS# 466-10-9205)

Federal Bureau of Investigation  
Records Management Division - FOIA/PA Office  
9th & Pennsylvania Avenue, NW  
Washington, DC 20535

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3. The period after 1960 when I was active in the Hotel and Restaurant Workers Union in San Francisco.

Although the above periods are of special interest, I would like to have copies of all documents related to me in your files.

Sincerely,

Lee Brown



**E&P**

James Wright Brown, Chairman of the Board, 1912-1959

Robert U. Brown, President  
Ferdinand C. Teubner, Publisher  
D. Colin Phillips, General Manager

# Editor & Publisher

® The Fourth Estate

## Earnings show growth

NEWSPAPER EARNINGS ARE bouncing back from recession lows faster than anticipated. Quarterly figures for most of the publicly traded newspaper companies report earnings increases in double digits. It is safe to conclude that the privately held newspaper companies have done as well or maybe even better. These figures reflect increases in advertising volume, which indicate a healthy economy as well as a healthy future for the newspaper business. It supports our belief that newspapers in print will continue to be a primary medium, in spite of the allure and promises of electronic delivery systems.

This bright picture is in contrast to the decline in circulation figures reported in *E&P* last week. This unwelcome news comes on top of the last six-month FAS-FAX report (*E&P*, May 14), which also showed declines for most of the 25 largest newspapers. The generally accepted rationalization at that time was that Mother Nature had given newspaper deliveries the old one-two punch with winter storms, floods and earthquakes. It is possible that the declines in the latest period (many of them small) are a hangover from the troubles that beset deliveries last winter. In fact, nine of the circulation losses are under 9,000.

It is possible, as some have contended, that the baseball strike was responsible for some of the drop in readers and buyers during the late summer, but it is an explanation upon which circulation managers cannot rely.

## Secret files opened

PRESIDENT CLINTON HAS made good his promise to declassify millions of secret papers, with an executive order opening up nearly 44 million pages of documents — some of them kept secret in the name of national security since World War I.

This is a giant step forward, but it is not the end to official secrecy in this country. This represents only one-eighth of the secret documents held by the National Archives. The opposition of military and intelligence officials has been so strong that nearly three million pages of documents about Vietnam are still being withheld.

Unless President Clinton, his successors and the press continue a crusade against secrecy, it is a safe bet that the space once occupied by the 44 million pages of documents just released will soon be filled up by new papers labeled "classified."

## Wisconsin ad tax

IN 1987, THE state of Florida demonstrated how damaging a tax on advertising could be. It resulted in a 12% drop in national advertising. The law was repealed pronto. Now legislators in Wisconsin seem intent on making the same mistake. All media in the state, including newspapers, have formed a "No Ad Tax Coalition" that deserves the support of media in other states. They should not believe complacently that this can't happen to them.

Charter Member,  
Audit Bureau  
of Circulations  
Member,  
Newspaper Association  
of America

**N**  
**ABP**

### The Oldest Publishers and Advertisers Newspaper in America

With which have been merged: *The Journalist*,  
established March 22, 1884; *Newspaperdom*,  
March 1892; *The Fourth Estate*, March 1, 1894;  
*Editor & Publisher*, June 29, 1901;  
*Advertising*, Jan. 22, 1925.

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**General:** 11 West 19th St., New York, N.Y.  
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THE WHITE HOUSE

Office of the Press Secretary

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COPY

For Immediate Release

November 10, 1994

EXECUTIVE ORDER

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DECLASSIFICATION OF SELECTED RECORDS WITHIN THE  
NATIONAL ARCHIVES OF THE UNITED STATES

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. The records in the National Archives of the United States referenced in the list accompanying this order are hereby declassified.

Sec. 2. The Archivist of the United States shall take such actions as are necessary to make such records available for public research no later than 30 days from the date of this Order, except to the extent that the head of an affected agency and the Archivist have determined that specific information within such records must be protected from disclosure pursuant to an authorized exemption to the Freedom of Information Act, 5 U.S.C. 552, other than the exemption that pertains to national security information.

Sec. 3. Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.



WILLIAM J. CLINTON

THE WHITE HOUSE,  
November 10, 1994.

# # #



THE WHITE HOUSE

Office of the Press Secretary

COPY

For Immediate Release

November 14, 1994

STATEMENT BY THE PRESS SECRETARY

In an important step towards creating a more open and accountable government for all Americans, President Clinton signed today an Executive Order authorizing the National Archives to declassify a selected group of record amounting to 43.9 million pages. This bulk declassification represents approximately 14 percent of the National Archives' holdings of classified material.

The documents represent almost all the classified holdings dating from World War II and before. In addition, nearly 23 million pages of documents relating to the Vietnam War, Naval Operating Forces, and the records of the Headquarters, U.S. Air Force also have been declassified by this Order.

The declassified documents offer a wealth of insight into some of the most important military events of our recent history, and will be of great value to military historians, researchers, veterans, and ordinary citizens alike.

The Executive Order underscores the President's commitment to address the backlog of some 325 million pages of records now stored at the National Archives and hundreds of millions more held in agencies throughout the Executive branch.

# # #