

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOHNSON, J.

JUL 22 1983

BERNARD FENSTERWALD, JR.)
811 Prince Street)
Alexandria, Virginia 22314,)

Plaintiff,)

v.)

WILLIAM FRENCH SMITH,)
Attorney General of the United States)
Department of Justice)
Washington, D.C.)

and)

THE DEPARTMENT OF JUSTICE)
Washington, D.C.)

Defendants.)

83- 2116

Civil Action No. _____

COMPLAINT

For Declaratory and Injunctive Relief

1. This case is brought under the Administrative Procedure Act, 5 U.S.C. 301 and 701-706, as amended; Department of Justice Order No. 528-73, 38 F.R. 19029, July 17, 1973, 28 C.F.R. 50.8 (see attached as Exhibit 1); the Freedom of Information Act, 5 U.S.C. 552; and under 28 U.S.C. 1331.

2. This Court has jurisdiction over this cause of action pursuant to 5 U.S.C. 701-706; 5 U.S.C. 552(a)(4)(B); and 28 U.S.C. 1331.

3. Plaintiff Bernard Fensterwald, Jr., is an individual residing at 811 Prince Street, Alexandria, Virginia 22314, and he is also Executive Director of the private, non-profit Committee to Investigate Assassinations (with offices at Suite 900, 1000 Wilson Boulevard, Arlington, Virginia 22209).

4. Defendant William French Smith is the Attorney General of the United States. Defendant Department of Justice is the agency of the United States over which the Attorney General presides, and it has the possession of the records to which plaintiff seeks access as an historical researcher.

FACTS

5. On July 17, 1973, the Attorney General issued Order No. 528-73. The order states in part:

In response to the increased demand for access to investigatory files of historical interest that were compiled by the Department of Justice for law enforcement purposes and are thus exempted from compulsory disclosure under the Freedom of Information Act, the Department has decided to modify to the extent hereinafter indicated its general practice regarding their discretionary release.

Persons outside the Executive Branch engaged in historical research projects will be accorded access to information or material of historical interest contained within this Department's investigatory files compiled for law enforcement purposes that are more than fifteen years old and are no longer substantially related to current investigative or law enforcement activities, subject to deletions to the minimum extent deemed necessary to protect law enforcement efficiency and the privacy, confidences, or other legitimate interests of any person named or identified in such files. (See Exhibit 1 hereto)

6. On March 29, 1983, plaintiff made a formal application as a serious researcher into the circumstances surrounding the several major assassinations of the 1960s. (See Exhibit 2 hereto)

7. In the application, plaintiff stated, as evidence of his seriousness as an historical researcher, that he had published a book on the assassination of President Kennedy.

8. The application indicated that plaintiff was Executive Director of the Committee to Investigate Assassinations.

9. Attached to the application was a curriculum vitae of plaintiff. (See Exhibit 3 hereto) It was indicated that he had had several high security clearances, beginning in 1942.

10. Having received no reply and no acknowledgment to his March 29, 1983 request, plaintiff sent a follow-up letter on June 14, 1983. (See Exhibit 4 hereto)

11. This follow-up appears to have sparked a form letter which was a non-response from the Department of Justice on June 22, 1983. The application under 28 C.F.R. 50.8 was treated as a routine request for information under the Freedom of Information Act and not as an application for access to records as an historical researcher. (See Exhibit 5 hereto)

12. Since June 22, 1983, nothing further has been forthcoming from defendants.

13. Plaintiff has exhausted his administrative remedies, having written twice to the Attorney General without substantive reply.

LEGAL WRONG

14. Continuing delay by an Agency to the taking of final agency action, in violation of the requirement that every agency proceed with reasonable speed, constitutes a legal wrong within the meaning of 5 U.S.C. 702.

15. Plaintiff is aggrieved by the denial of his application because of the impediment which it poses to the continuation of his historical research of the deaths into the circumstances/ of President John F. Kennedy, Senator Robert F. Kennedy, and Dr. Martin Luther King. Without access as an historical researcher, plaintiff must rely exclusively on the Freedom of Information Act, which is both costly and time consuming. Further, the exemptions under the Freedom of Information Act have been applied to assassination records in such a way as to make large blocks of material unavailable under the Freedom of Information Act.

RELIEF REQUESTED

The Court is requested to declare that defendants are acting arbitrarily and capriciously by denying plaintiff's application, and, further, order that such application be promptly granted.

Respectfully submitted,



BERNARD FENSTERWALD, JR.
Fensterwald & Associates
1000 Wilson Boulevard, Suite 900
Arlington, Virginia 22209
703-276-9297

dures for implementing this policy. Where it is clear that the public interest in the policy hereby established is not compromised, the Assistant Attorney General may permit an exception to this policy in a specific case where extraordinary circumstances require a period shorter than 30 days or a procedure other than stated herein.

(28 U.S.C. 509 and 510; 5 U.S.C. 301)

[Order No. 529-73, 38 FR 19029, July 17, 1973]

§ 50.8 Policy with regard to criteria for discretionary access to investigatory records of historical interest.

(a) In response to the increased demand for access to investigatory files of historical interest that were compiled by the Department of Justice for law enforcement purposes and are thus exempted from compulsory disclosure under the Freedom of Information Act, the Department has decided to modify to the extent hereinafter indicated its general practice regarding their discretionary release. Issuance of this section and actions considered or taken pursuant hereto are not to be deemed a waiver of the Government's position that the materials in question are exempted under the Act. By providing for exemptions in the Act, Congress conferred upon agencies the option, at the discretion of the agency, to grant or deny access to exempt materials unless prohibited by other law. Possible releases that may be considered under this section are at the sole discretion of the Attorney General and of those persons to whom authority hereunder may be delegated.

(b) Persons outside the Executive Branch engaged in historical research projects will be accorded access to information or material of historical interest contained within this Department's investigatory files compiled for law enforcement purposes that are more than fifteen years old and are no longer substantially related to current investigative or law enforcement activities, subject to deletions to the minimum extent deemed necessary to protect law enforcement efficiency and the privacy, confidences, or other legitimate interests of any person named or identified in such files.

Access may be requested pursuant to the Department's regulations in 28 CFR Part 16, Subpart A, as revised February 14, 1973, which set forth procedures and fees for processing such requests.

(c) The deletions referred to above will generally be as follows:

(1) Names or other identifying information as to informants;

(2) Names or other identifying information as to law enforcement personnel, where the disclosure of such information would jeopardize the safety of the employee or his family, or would disclose information about an employee's assignments that would impair his ability to work effectively;

(3) Unsubstantiated charges, defamatory material, matter involving an unwarranted invasion of privacy, or other matter which may be used adversely to affect private persons;

(4) Investigatory techniques and procedures; and

(5) Information the release of which would deprive an individual of a right to a fair trial or impartial adjudication, or would interfere with law enforcement functions designed directly to protect individuals against violations of law.

(d) This policy for the exercise of administrative discretion is designed to further the public's knowledge of matters of historical interest and, at the same time, to preserve this Department's law enforcement efficiency and protect the legitimate interests of private persons.

[Order No. 528-73, 38 FR 19029, July 17, 1973]

§ 50.9 Policy with regard to open judicial proceedings.

Because of the vital public interest in open judicial proceedings, the Government has a general overriding affirmative duty to oppose their closure. There is, moreover, a strong presumption against closing proceedings or portions thereof, and the Department of Justice foresees very few cases in which closure would be warranted. The Government should take a position on any motion to close a judicial proceeding, and should ordinarily oppose closure; it should move for or

COMMITTEE TO INVESTIGATE ASSASSINATIONS

SUITE 900, TWIN TOWERS BUILDING
1000 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22209

COPY

BERNARD FENSTERWALD, JR.
EXECUTIVE DIRECTOR

(703) 276-9297

March 29, 1983

The Attorney General
Department of Justice
Washington, D.C.

Dear Attorney General:

For many years, I have been a serious researcher into the circumstances surrounding the several major assassinations of the 1960s. As many of the records with respect to these events are more than fifteen years old, under Executive Order 12356 (Sec. 4.3) and 28 C.F.R. 50.8, I hereby wish to apply for access to Departmental (and FBI) files as a historical researcher.

A copy of my biographical summary is attached.

During my career, I have held numerous high security clearances. During World War II, I was a Navy cryptographer and continued to hold security clearances until my Navy reserve service ended in 1962. From 1950-1956, I was an employee of the Department of State, with appropriate security clearances. From 1957 to 1969, I was an employee of the U.S. Senate and held clearances during this period.

To indicate my seriousness as a researcher into assassinations, it might be noted that I have published several articles and one book on the subject, Coincidence or Conspiracy?, Zebra Books (N.Y.), 1977. Currently, I am Executive Director of the private Committee to Investigate Assassinations.

Would you be kind enough to inform me of what I must do to qualify for access as a historical researcher.

Respectfully submitted,



Bernard Fensterwald, Jr.

BF/is
Enclosure

BERNARD FENSTERWALD, JR.

CURRICULUM VITAE

Current Employment: Private Practice of Law
(Since 1969) Fensterwald & Associates
1000 Wilson Boulevard, Suite 900
Arlington, Virginia 22209
703-276-9297

Home Address: 811 Prince Street
Alexandria, Virginia 22314
703-548-8479

Place of Birth: Nashville, Tennessee

Date of Birth: August 2, 1921

Education: Grammar and High School, Nashville, Tennessee
Harvard College, B.S., 1942, Magna Cum Laude
Harvard Law School, LLB, 1949
School of Advanced International Studies,
Washington, D.C., MA, 1950
Cambridge University, England, 1954-1955,
Postgraduate Research on American Isolationism

Family: Wife and four children

Military Service: Lieutenant, USNR, 1942-46, SW Pacific Area

Past Employment: 1950-56 Assistant to Legal Adviser, Dept. of State
1956 Adviser on Foreign Policy to Vice Presidential
Candidate, the late Senator Estes Kefauver of
Tennessee
1957-58 Administrative Assistant to the late Senator Thomas
Hennings, Jr., of Missouri
1959-60 Chief Counsel, Subcommittee on Constitutional
Amendment, U.S. Senate
1961-63 Staff Director, Subcommittee on Anti-trust and
Monopoly, U.S. Senate
1964-68 Chief Counsel, Senate Subcommittee on
Administrative Practice and Procedure, U.S.
Senate

Teaching Experience: School of Advanced International Studies, Instructor in
International Law

Publications: Coincidence or Conspiracy, Zebra Press, New York, 1977
Articles in Harvard Law Review, Federal Bar Journal,
Arbitration Journal, The Journal of Conflict Resolution,
etc.

Member of Bar: Massachusetts, District of Columbia, several U.S. Courts
of Appeal and U.S. Supreme Court

COPY

LAW OFFICES
FENSTERWALD & ASSOCIATES

SUITE 900, TWIN TOWERS BLDG.

1000 WILSON BOULEVARD

ARLINGTON, VIRGINIA 22209

(703) 276-9297

NEW YORK ASSOCIATES

BASS, ULLMAN & LUSTIGMAN

747 THIRD AVENUE

NEW YORK, NEW YORK 10017

(212) 751-9494

BERNARD FENSTERWALD, JR.
BERNARD FENSTERWALD, III
JAMES H. LESAR (D.C. ONLY)

GORDON F. HARRISON (D.C. ONLY)
OF COUNSEL

June 14, 1983

The Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Attorney General:

On March 29, 1983, I made a request for access to Departmental and
FBI files as a historical researcher.

To date, I have received neither an acknowledgment nor a reply.

Would you be kind enough to see that some action is taken on my request.

Thank you.

Respectfully yours,



Bernard Fensterwald, Jr.

BF/is



U.S. Department of Justice

Washington, D.C. 20530

June 22, 1983

Mr. Bernard Fensterwald, Jr.
Fensterwald & Associates
Suite 900
Twin Towers Building
1000 Wilson Boulevard
Arlington, Virginia 22209

Dear Mr. Fensterwald;

Re: Assassinations

Your Freedom of Information/Privacy Act (FOI/PA) request was received by this office which serves as the receipt and referral unit for FOI/PA requests addressed to the Department of Justice. We have referred your request to the Department component(s) you have designated or, based upon descriptive information you have provided, to the component(s) most likely to have the records. Components to which your request has been forwarded are indicated on the enclosed listing. All future inquiries concerning the status of your request should be addressed to the component(s) which now has your letter for response. This office does not participate in the decision to grant or deny access to records.

We have referred your request as indicated above. In addition, we have enclosed, for your review, Form DOJ-392 which describes the responsibilities of the various Department components and the records they keep. You may send a request directly to any additional components you believe appropriate.

Your request designated organizations outside of the Department of Justice as indicated below and will have to be resubmitted by you directly to them.*

Other:

Sincerely,

Vincent A. Lobisco
Assistant Director
Administrative Services Staff
Justice Management Division

U.S. Department of Justice
Freedom of Information/Privacy Act
Referral/Action Slip

Date: 6/22/83
Organization: MMGS:JMD
Room & Building: B-113 Main

TO FR

- THE ATTORNEY GENERAL
- Deputy Attorney General, Office of
- Associate Attorney General, Office of
- Antitrust Division
- Bureau of Prisons
- Civil Division
- Civil Rights Division
- Community Relations Service
- Criminal Division
- Drug Enforcement Administration
- Executive Office for United States Attorneys
- Executive Office for United States Trustees
- Federal Bureau of Investigation
- Federal Prisons Industries, Inc.
- Foreign Claims Settlement Commission
- Immigration and Naturalization Service
- Immigration Appeals, Board of
- Intelligence Policy and Review, Office of
- Justice Assistance, Research, and Statistics, Office of

TO FR

- Justice Management Division
- Land and Natural Resources Division
- Legal Counsel, Office of
- Legal Policy, Office of
- Legislative Affairs, Office of
- Pardon Attorney, Office of
- Professional Responsibility, Office of
- Public Affairs, Office of
- Solicitor General, Office of
- Tax Division
- United States Marshals Service
- United States National Central Bureau (Interpol)
- United States Parole Commission
- FOIA/PA Referral Unit
- _____
- _____
- _____

Requester Bernard Fensterwald, Jr.
on behalf of _____
Date of Request 6/14/83
Received by FOI/PA referral unit on 6/16/83

Remarks: **FOIA request
Requester advised of this referral.**

You are encouraged to write directly to the addresses provided below to expedite your request. However, if you will name the Department component(s) most likely to have the records, you may send your request to the Freedom of Information/Privacy Act Referral Unit, Department of Justice, Washington, D.C. 20530. In either case please mark the envelope "Freedom of Information/Privacy Act Request."

OFFICE OF THE ATTORNEY GENERAL - Requests for Attorney General records should be addressed to:

Director
Office of Privacy and Information Appeals
Office of Legal Policy
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Attorney General is responsible for the overall supervision and direction of the administration and operation of the Department. The Attorney General represents the United States in legal matters generally and furnishes advice and opinions on legal matters to the President, the Cabinet, heads of the executive departments, and other agencies of the Federal Government.

OFFICE OF THE DEPUTY ATTORNEY GENERAL - Requests for Deputy Attorney General records should be addressed to:

Director
Office of Privacy and Information Appeals
Office of Legal Policy
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Deputy Attorney General advises and assists the Attorney General in formulating and implementing Department policies and programs and in providing overall supervision and direction of all organizational units of the Department. The Deputy Attorney General also administers the attorney hiring program of the Department and maintains the following official personnel files: appointed Assistant United States Attorneys; Assistant United States Attorney applicants; Presidential appointees; Department Presidential appointee applicants; Honor Program applicants; Department summer intern applicants; and Department attorneys (for all Offices, Boards and Divisions).

OFFICE OF THE ASSOCIATE ATTORNEY GENERAL - Requests for Associate Attorney General records should be addressed to:

Director
Office of Privacy and Information Appeals
Office of Legal Policy
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Associate Attorney General assists the Attorney General and the Deputy Attorney General in formulating and implementing policies and programs of the Department pertaining to criminal matters of the Department and provides general supervision and coordination for those organizations dealing with criminal matters.

OFFICE OF INTELLIGENCE POLICY AND REVIEW - Requests for Office of Intelligence Policy and Review records should be addressed to:

Counsel for Intelligence Policy
Office of Intelligence Policy and Review
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Office of Intelligence Policy and Review provides formal and informal legal advice to the Attorney General and the United States intelligence agencies regarding questions of law and procedure that relate to United States intelligence activities; performs review functions of certain intelligence activities; and prepares and presents applications for electronic surveillance to the United States Foreign Intelligence Surveillance Court. This office maintains copies of legal memoranda; applications presented to the Foreign Intelligence Surveillance Court; correspondence from persons who have written to the office and/or indices to individuals who have been referred to the office; and indices to the legal memoranda, applications, and correspondence.

OFFICE OF LEGAL COUNSEL - Requests for Office of Legal Counsel records should be addressed to:

Assistant Attorney General
Office of Legal Counsel
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Office of Legal Counsel prepares the formal opinions of the Attorney General and renders informal opinions and advice on questions of law to the various executive agencies and to other components of the Department of Justice. This office maintains an index of legal memoranda and an index of individuals who have written to or been referred to the office within the last two years.

OFFICE OF LEGAL POLICY - Requests for Office of Legal Policy records should be addressed to:

Director
Office of Privacy and Information Appeals
Office of Legal Policy
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Office of Legal Policy (OLP) assists the Attorney General and the Deputy Attorney General in the formulation and development of policies governing law enforcement; assists in the examination and enactment of legislation relating to the administration of justice; and assists in the selection and appointment of Federal judges. OLP serves a coordinating role with respect to the Federal Government and State and local governments. OLP coordinates Department participation in the Federal Legal Council. It handles administrative appeals of denials of Department of Justice records under the Freedom of Information and Privacy Acts, promotes Government-wide compliance with those Acts, and administers the Federal Justice Research Program. OLP maintains administrative files for the Federal Justice Research Program, background files on OLP policy, files on legislative proposals, working files for its staff support activities, and internal administrative files.

OFFICE OF PROFESSIONAL RESPONSIBILITY - Requests for Office of Professional Responsibility records should be addressed to:

Counsel
Office of Professional Responsibility
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Office of Professional Responsibility oversees investigations of allegations of misconduct by Department of Justice employees; receives and reviews information or allegations concerning conduct by a Department employee that may violate the law, Department orders or regulations, or applicable standards of conduct; and makes preliminary inquiries into such allegations. Those cases in which there appears to be a violation of the law are referred to the agency that has jurisdiction to investigate such violations. Other matters are referred to the head of the agency to which the employee is assigned or to the agency's internal inspection unit. Investigative records are maintained in the office of all ongoing and closed matters received since December 1975.

OFFICE OF PUBLIC AFFAIRS - Requests for Office of Public Affairs records should be addressed to:

Director
Office of Public Affairs
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Office of Public Affairs answers questions from the media and advises the Attorney General and other officials of the Department on dealing with the media. The office keeps copies of press releases, speeches and testimony.

OFFICE OF LEGISLATIVE AFFAIRS - Requests for Office of Legislative Affairs records should be addressed to:

Legislative Counsel
Office of Legislative Affairs
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Office of Legislative Affairs provides or arranges for testimony by Department witnesses at congressional hearings and receives for assignment in the Department requests from congressional committees and subcommittees for information relating to congressional investigations and requests from Congress on behalf of constituents.

OFFICE OF THE SOLICITOR GENERAL - Requests for Office of the Solicitor General records should be addressed to:

Office of the Solicitor General
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Solicitor General is responsible for authorizing all Government appeals and petitions for rehearing en banc or mandamus in the courts of appeals and petitions for a writ of certiorari in the Supreme Court. In addition, the Solicitor General is responsible for briefing and arguing the Government's cases in the Supreme Court. The Office of the Solicitor General maintains records relating to appeals and petitions for which authorization to file has been sought, and maintains records on Supreme Court cases to which the United States or a Government agency was a party.

OFFICE OF THE PARDON ATTORNEY - Requests for Office of the Pardon Attorney records should be addressed to:

Office of the Pardon Attorney
5550 Friendship Boulevard
Suite 280
Chevy Chase, Maryland 20815

The Office of the Pardon Attorney receives and reviews petitions for Executive clemency, initiates the necessary investigations, and prepares the recommendations of the Attorney General, or his designee, to the President in connection with the consideration of all forms of Executive clemency, including pardon, commutation (reduction) of sentence, remission of fine, and reprieve. This office maintains case files on individuals who have applied for or received Executive clemency.

UNITED STATES PAROLE COMMISSION - Requests for United States Parole Commission records should be addressed to:

General Counsel
United States Parole Commission
5550 Friendship Boulevard
Chevy Chase, Maryland 20815

The United States Parole Commission has sole authority to grant, modify, or revoke paroles of all Federal prisoners and is responsible for the supervision of parolees and mandatory releasees. The Commission maintains records on Parole Commission hearings, the work and rehabilitation of Federal prison inmates, and the probation of parolees. It also maintains various administrative files.

ANTITRUST DIVISION - Requests for Antitrust Division records should be addressed to:

Freedom of Information/Privacy Act Control Officer
Legal Procedure Unit
Antitrust Division
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Antitrust Division is charged with the general enforcement, by criminal and civil proceedings, of Federal antitrust laws and other laws relating to the protection of competition and the prohibition of monopolization and restraints of trade. This division maintains files of its investigations and legal cases, stores documents utilized during such investigations and litigation, develops statistical analyses of antitrust concerns, and keeps records pertaining to the administration of the division.

CIVIL DIVISION - Requests for Civil Division records should be addressed to:

Attorney-In-Charge
Freedom of Information/Privacy Act Office
Civil Division
Department of Justice
550 11th Street, N.W.
Washington, D.C. 20530

The Civil Division represents the interests of the United States in cases not within the specialized fields of the other divisions of the Department. It is responsible for the general litigation of the Federal Government in cases both initiated by or brought against the United States or against Cabinet members and other Federal employees in their official capacities. The cases arise out of both the commercial and Government business of all Federal departments, agencies, and instrumentalities and the acts of civilian and military

CIVIL RIGHTS DIVISION - Requests for Civil Rights Division records should be addressed to:

Assistant Attorney General
Civil Rights Division
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Civil Rights Division conducts the litigation of cases to secure equal opportunity in the areas of employment, education, housing, voting, public accommodations and facilities, and Federally assisted programs. It also prosecutes criminal violations of Federal civil rights statutes. The division maintains records of all its legal cases, correspondence, and memoranda, as well as records on certain individuals protected under civil rights statutes. It also keeps files relating to the administration of the division.

CRIMINAL DIVISION - Requests for Criminal Division records should be addressed to:

Assistant Attorney General
Criminal Division
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Criminal Division is responsible for the enforcement of all Federal criminal statutes except those arising under the antitrust, civil rights, income tax, and environmental protection laws, and it exercises general supervisory jurisdiction over the United States Attorneys in criminal matters and litigation. This division maintains records of criminal proceedings necessary to the exercise of its supervisory role and case files where it has assumed direct responsibility for prosecution; records of the granting of immunity from Federal prosecution; various files pertaining to electronic surveillance, fraud, protection of witnesses in cases where their safety has been threatened, foreign agents and espionage, and prisoner exchange treaties; and records relating to the administration of the division. It is also responsible for the conduct of certain civil litigation, particularly that involving prison and parole matters, and civil litigation involving electronic surveillance.

JUSTICE MANAGEMENT DIVISION - Requests for Justice Management Division records should be addressed to:

Executive Secretariat
Justice Management Division
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Justice Management Division serves as the management arm of the Department of Justice, establishing internal administrative policy, providing administrative support services to Departmental organizations, and developing and directing administrative management programs. This division keeps Department of Justice personnel records, accounting and budget records, and property, motor pool and parking records. In addition, this office maintains an index to classified documents and has custody of an inactive file on civil disorders.

LAND AND NATURAL RESOURCES DIVISION - Requests for Land and Natural Resources Division records should be addressed to:

Chief
Policy, Legislation and Special Litigation Section
Land and Natural Resources Division
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Land and Natural Resources Division supervises suits and matters of a civil nature relating to land, water, marine resources, and other interests in real property in which the United States itself, or as a trustee for Indian tribes or individuals, has an interest. The division also handles civil and criminal suits and matters relating to the protection of the environment. This division maintains case files, correspondence files, and lists of appraisers, abstractors, attorneys, and title insurance corporations.

TAX DIVISION - Requests for Tax Division records should be addressed to:

Assistant Attorney General
Tax Division
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The Tax Division's chief activity is to represent the Internal Revenue Service in civil and criminal litigation. It also represents other Federal agencies which may have problems with State and local taxing authorities. Consequently, information which is maintained by the Tax Division pertains mainly to civil and criminal tax litigation, either actual or contemplated. This information is stored in files which are indexed in central classification systems under the names of the individuals or entities who are parties to the litigation. In addition, there is some information maintained by the Tax Division which relates to various procedures and guidelines relevant to the processing of tax cases, as well as files on its administrative functions.

EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS - Requests for United States Attorney records should be addressed to;

Director
Executive Office for United States Attorneys
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The 95 United States Attorneys in the field are responsible for handling all litigation affecting the interests of the United States, including the prosecution of criminal cases and the defense of civil cases, and for the conduct of grand jury proceedings. These offices maintain records on their legal cases, criminal investigations, and citizen complaints, as well as records relating to the administration of the office. Legal case files are not indexed or centralized in Washington, D.C. but are located in the office of the United States Attorney who handled the case. Accordingly, requests for United States Attorney records should indicate a particular judicial district, city or state.

EXECUTIVE OFFICE FOR UNITED STATES TRUSTEES - Requests for United States Trustee records should be addressed to:

Deputy Director
Executive Office for United States Trustees
320 First Street, N.W.
Washington, D.C. 20534

In 18 pilot districts, the 10 United States Trustees are responsible for the effective administration of bankruptcy cases arising under Chapters 7, 11 and 13 of the Bankruptcy Code (11 U.S.C.). Responsibilities include monitoring and supervising private (panel) trustees and debtors-in-possession to ensure that the interests of all parties are protected. The offices of United States Trustees and three of the offices of Assistant United States Trustees maintain duplicate copies of certain court pleadings and material relating to specific cases or entities. Case files are not centralized in Washington, D.C. Accordingly, requests for records, if made to the Executive Office for United States Trustees in Washington, D.C., should indicate the particular judicial district.

COMMUNITY RELATIONS SERVICE - Requests for Community Relations Service records should be addressed to:

Director
Community Relations Service
Department of Justice
Room 330
5550 Friendship Boulevard
Chevy Chase, Maryland 20815

The Community Relations Service (CRS) is an arm of the Department of Justice that helps citizens settle their race-related differences voluntarily, rather than in the courts or the streets. Created by the Civil Rights Act of 1964, it is the only agency to which Congress has assigned the task of providing direct help to communities in the resolution of "disputes, disagreements or difficulties relating to discriminatory practices based on race, color or national origin" CRS helps communities at the request of State or local officials, or local citizens and organizations, and may also assist on its own motion when it suspects that peaceful relations among citizens are threatened. CRS maintains case files by city, state, and CRS case number. The CRS system of records under the Privacy Act contains the names of CRS employees, their case assignments, and the time allocated to each assignment. In addition, information reflecting the current status and handling of the cases is included in the system.

FOREIGN CLAIMS SETTLEMENT COMMISSION - Requests for Foreign Claims Settlement Commission records should be addressed to:

Executive Director
Foreign Claims Settlement Commission
1111 20th Street, N.W.
Washington, D.C. 20579

The Foreign Claims Settlement Commission adjudicates claims of United States nationals for loss of property compensation as a result of nationalization and for prisoner of war or civilian internee compensation pursuant to specific statutory authority. The Commission maintains files on all such claims, on inquiries about such claims and similar claims, and on the administration of programs during which such claims are considered. The Commission also maintains records pertaining to its administration.

INTERPOL-UNITED STATES NATIONAL CENTRAL BUREAU - Requests for INTERPOL-United States National Central Bureau records should be addressed to:

Chief
INTERPOL-United States National Central Bureau
Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

The INTERPOL-United States National Central Bureau (INTERPOL-USNCB) liaison with the International Criminal Police Organization (INTERPOL) has enabled domestic law enforcement agencies to participate in an international exchange of criminal justice information. INTERPOL was created to promote mutual assistance among criminal police authorities in the prevention and suppression of international crime. The INTERPOL-USNCB maintains investigative files of criminal activities and noncriminal files concerning matters of humanitarian assistance. It also maintains various administrative files.

UNITED STATES MARSHALS SERVICE - Requests for United States Marshals Service records should be addressed to:

Legal Counsel
United States Marshals Service
1 Tysons Corner Center
McLean, Virginia 22102

The United States Marshals serve as both law enforcement agents of the executive branch of the Government and as executive officers of the Federal courts. The Service maintains files on individuals for whom Federal warrants have been issued, background information on State and Federal witnesses, records on prisoners in the custody of the United States Marshals, and records on seized property and evidence. It also maintains various administrative files.

OFFICE OF JUSTICE ASSISTANCE, RESEARCH AND STATISTICS - Requests for Office of Justice Assistance, Research and Statistics records should be addressed to:

Director
Office of Public Information
Room 1242
Office of Justice Assistance, Research and Statistics
633 Indiana Avenue, N.W.
Washington, D.C. 20531

The Office of Justice Assistance, Research and Statistics coordinates responses under the Freedom of Information and Privacy Acts for itself, the Law Enforcement Assistance Administration, the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Statistics, and the National Institute of Justice. These agencies supply financial assistance and technical aid to State and local criminal justice agencies as well as conduct research studies and statistical surveys in matters concerning the administration of criminal justice. The agencies maintain records to monitor and manage their programs. In addition, they maintain files on civil rights compliance investigations.

BUREAU OF PRISONS - Requests for Bureau of Prisons records should be addressed to:

Director
Bureau of Prisons
320 First Street, N.W.
Washington, D.C. 20534

The Bureau of Prisons is responsible for the care and confinement of offenders who are committed to its custody. The Bureau maintains records on current and former inmates of Federal penal and correctional institutions concerning sentence computation; institutions of confinement; criminal, social, educational and occupational background; identification data; institutional work and housing assignments; educational, disciplinary, health and work data during incarceration; actions of the United States Parole Commission; and

reports relating to release planning, furlough, institutional adjustment, and parole violations. The Bureau of Prisons also maintains records relating to the administration of the agency.

DRUG ENFORCEMENT ADMINISTRATION - Requests for Drug Enforcement Administration records should be addressed to:

Chief
Freedom of Information Division
Drug Enforcement Administration
1405 Eye Street, N.W.
Washington, D.C. 20537

The mission of the Drug Enforcement Administration (DEA) is to enforce the controlled substances laws and regulations of the United States by bringing to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations involved in the growth, manufacture or distribution of controlled substances appearing in or destined for the illicit traffic in the United States. DEA maintains investigative and intelligence files of criminal activities related to illicit drug traffic and drug abuse, rosters of legitimate drug distributors and manufacturers, and records of security investigations. It also keeps various records pertaining to the administration of DEA.

FEDERAL BUREAU OF INVESTIGATION - Requests for Federal Bureau of Investigation records should be addressed to:

Director
Federal Bureau of Investigation
J. Edgar Hoover Building
9th and Pennsylvania Avenue, N.W.
Washington, D.C. 20535

The Federal Bureau of Investigation (FBI) investigates violations of certain Federal statutes, collects evidence in legal cases in which the United States is or may be an interested party, and performs other duties specifically imposed by law or Presidential directive. The Bureau maintains files of its criminal, legal and security investigations; a nationwide index of wanted persons, stolen property, criminal histories, and missing persons; fingerprint identification records; personnel records of FBI employees; and records of investigations of applicants for sensitive positions in the United States Government.

IMMIGRATION AND NATURALIZATION SERVICE - Requests for Immigration and Naturalization Service records should be addressed to:

Freedom of Information/Privacy Act Reviewing Officer
Freedom of Information Act/Privacy Act Unit
Immigration and Naturalization Service
425 Eye Street, N.W.
Washington, D.C. 20536

The Immigration and Naturalization Service is charged with the administration and enforcement of the immigration and nationality laws. The Service maintains files on all immigrants into the United States, transient visitors, undesirable aliens, violators of immigration and naturalization laws, petitioners for naturalization, and enemy aliens. It also maintains records pertaining to the investigation of illegal entry, smuggling, and fraudulent documents, as well as various records relating to the administration of the Service.

BOARD OF IMMIGRATION APPEALS - Requests for Board of Immigration Appeals records should be addressed to:

Executive Assistant
Board of Immigration Appeals
2 Skyline Place
Leesburg Pike
Falls Church, Virginia 22041

The Board of Immigration Appeals is a quasi-judicial body which is delegated certain power and authority to hear and determine appeals in cases arising under the Immigration and Nationality Act. Records are kept of these cases which cover deportation of aliens, relief from deportation, and the exclusion of aliens applying for admission to the United States.