

Box 82 Squankum Road
Howell, New Jersey 07731
December 6, 1975

By Certified Mail No. 821801

Mr. Clarence M. Kelley, Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C. 20535

Dear Mr. Kelley:

Thank you for your letter of November 28, 1975 and the fifty-seven pages of material concerning the Neutron Activation Analysis of certain bullet fragments. A check in the amount of \$5.70 is enclosed in payment of the requested fee.

The request set forth in my letter of September 30, 1975 pertained to three particular areas of interest which were the Spectrographic examination comparison samples, the content of the spectrographic material provided to Dr. Guinn by the Federal Bureau of Investigation and certain NAA examination results. You were kind enough to supply me with copies of the pages contained in the latter of these and I appreciate the consideration shown by your doing so. However, you now say that because my requests do not come within the purview of the FOIA, you can not be of further assistance. I am a bit puzzled by the position which you have now taken.

First of all, recalling the many books about the FBI which I read as a young lad, it would be doubtful that the bullet comparison samples would constitute a document or would be a part of a file. Such bullets and ammunition are, in fact, maintained by the Laboratory Division for testing purposes. If my questions concerning these comparison samples do not come within the purview of the FOIA, then I would assume that they or their identity could not be withheld because of any one of the several exemption categories contained in the FOIA. I do not really see how the identity of these samples could compromise any law enforcement function or be a part of an investigatory file! The letter and numerical codes assigned to those samples prohibit the lay reader from fully comprehending the results and value of the entire examination. It would be of great assistance to me in my research, if I could know just exactly what these samples are and I would again ask you to please supply me with this information.

Secondly, you did not specifically refer to those materials furnished to Dr. Guinn and I am still interested in them. In my correspondence with Dr. Guinn, he did not state that a FOIA suit was necessary to obtain them and I seriously doubt that such was the case. What he does state, is that there are differences in the results reported in the material given to him and myself. Since Dr. Guinn was freely given those results and since he was not conducting any test for you in which he used them,

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I do not understand why they should be withheld from me. Therefore, I would very much like to receive a copy of those materials sent to Dr. Guinn, for which I will be glad to pay you. Should they include any items which would be costly to reproduce, I desire that you notify me beforehand.

Finally, since Item Q-3 is entirely absent as concerns the NAA examination, may I correctly assume that it has never undergone any NAA examination? Thank you.

Sincerely,

Emory L Brown, Jr.

SENDER: Be sure to follow instructions on other side

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