

# McDermott Will & Emery

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Lisa A. Linsky  
Attorney at Law  
llinsky@mwe.com  
+1 212 547 5587

January 25, 2013

## VIA FIRST CLASS MAIL

Federal Bureau of Investigation  
Record/Information Dissemination Section  
Attn: FOIPA Request  
170 Marcel Drive  
Winchester, VA 22602-4843

Dear FOIA Officer:

This is a new request pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

In connection with this request, please provide copies of all communications, personnel or investigative files created in association with **Executive Order 10450**, which was signed by President Dwight Eisenhower in April 1953 and made effective on May 27, 1953. This request includes any and all internal FBI correspondence or communications regarding Executive Order 10450 and also specifically includes, but is not limited to, all files created by and communications to or from Warren E. Burger. The date range for this request is **1950-1990**.

To assist you in locating the documents and information related to this request, Executive Order 10450 authorized federal agencies, including the U.S. Civil Service Commission and the Federal Bureau of Investigation, to investigate current and potential federal employees for security risks. Notably, the order expanded criteria for determining a security risk to include “Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, sexual perversion.” In this regard, Executive Order 10450 authorized the FBI to expand its “Sex Deviate program,” which systematically collected information on suspected homosexuals employed in the federal government, law enforcement agencies, and institutions of higher learning. In addition, Warren E. Burger was in charge of enforcing Executive Order 10450 as an Assistant Attorney General in charge of the Civil Division at the Department of Justice, for the approximate period **1952-1957**. Information collected in the course of the program was forwarded to designated officials in the executive, legislative, and judicial branches of government.

Please advise if the administrative fees associated with this request will exceed \$500.00.

January 25, 2013

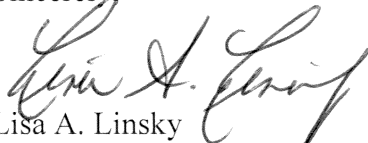
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The information sought pursuant to this request is not for commercial use but rather in connection with the work of the Mattachine Society, a non-profit education and research organization.

Please feel free to contact me or my colleague, Lisa Gerson, via phone or email with any questions. Our contact information is listed below.

Your prompt attention to this request is appreciated.

Sincerely,



Lisa A. Linsky  
McDermott Will & Emery LLP  
340 Madison Avenue  
New York, New York 10172  
llinsky@mwe.com  
(212) 547-5587

Lisa Gerson  
lgerson@mwe.com  
(212) 547-5769



Jason Raymond  
2122 P Street NW  
Washington, D.C. 20037  
248.767.4740  
jasonmraymond@gmail.com