

JFK assassinations records appeals

Harold Weisberg 2/29/80

Leaks - Files not searched

garristh; (by Shaw) CA 75-0322

purposes

When it suits FBI ~~purposes~~ there are always leaks of FBI information and almost always it screams bloody murder in protesting that it did not leak. In the JFK and King cases the FBI generally delayed its leaking until some of the information had been distributed. It then complained that others had the information and these others ^e leaked it. In some instances it was true because the FBI arranged for it to be true. Sullivan has a classic case in his book, with Hoover personally pulling that stunt.

There is virtually nothing the FBI could have done clandestinely with its spying on Dr. King that it didn't do to get publication of what it wanted published. I know some of those who obtained such information from the FBI. (I don't know the FBI's ^a reaction to my publication of this in 1971 because in C.A. 75-1996 and in non-compliance with my RA request it withholds all such information.)

^gBiggest and most eloquent liar of them all with regard to leaks was the one responsible for most of the ^hsemi-detached because he had his staff do it, Cartha DeLoach.

I know some of those to whom his office leaked in advance the content of the FBI's report (CD1) to the Commission through the White House, which ordered that report before the Commission was reported. By this and similar means the FBI controlled what the Commission could and did do, to the degree possible, and this means to an extraordinarily high degree. (You might want to read the executive sessions on this.) It also tended to fix the public and the official minds. Yet the FBI's stomping and raving of denials was spectacular in its own phoney paper that, as usual, it prepared in advance as "proof" of its innocence.

From time to time, as I read JFK records, I made copies for a file on the FBI's leaks. These are quite important in any impartial study of the investigation and the functioning of our basic institutions. These indicate the need to search files that have not been searched, like 94 and 80, which are identified in prior appeals of long ago. References to these records that follow are not in any structured way.

62-109060-5962 is a copy of a letter to the White House in which Garrison's medical record, obtained from the St. Louis Records Center rather than by the more general reference to the Army, is referred to, with his widely-leaked "diagnosis" withheld. The leak was to the lawyer for the former PCI, Gordon Novel, and to the old favorite, the Chicago Tribune. Garrison was the subject of other leaks. You have not responded to my appeals for the withheld records and for a search of identified files, including 94 and 80. With regard to the New Orleans files, the request was not for the same files to which FBIHQ limited its general disclosures.

While it was leaking its head of the FBI preserved an official "no comment" position. After appearing before the Senate committee considering his nomination to be Attorney General Ramsey Clark was asked about Clay Shaw, who had just been charged by Garrison. He told the press that the FBI had investigated Shaw. My information within minutes is that he had been told this by the FBI. DeLoach's 3/3/67 memo to Tolson, Serial 4744 in what is probably 62-109060 (not visible on record), has the usual non sequitur and the usual effort to blame the leak on others. The question is not had the FBI discussed this with the press, as I was told at the time it had ~~with~~ by one with whom it had. ("I told the AG that FBI personnel had emphatically denied discussing this matter with the press." All "FBI personnel" were interrogated by DeLoach?) The FBI was the AG's source.

three-digit

There is duplicate filing in a file the-number of which begins with 17. There appears to be no possibility of appropriate filing in any number beginning with 17. Given the nature of the information provided by the FBI, in a sense 175, "assaulting the President," might be regarded as having a kind of appropriateness, however. This raises the question, does the FBI use that file for some of its records pertaining to the White House or what it provides to the White House? I have seen no such file category on the general list.

Serial 5251, on the same Clay Shaw matter, does not involve the White House and has no visible indication of any duplicate filing. It does seem to have indication of a file on Clay Shaw rather than a mere indication of a see reference. No such file has

been provided. Any such file is pertinent and in both New Orleans and Dallas is clearly within those later requests.

It also seems to be entirely unlikely that DeLoach would unload himself in such great detail and with such passion (I add also error) without being able to ~~SEEK~~ lay his hands on a copy immediately. He would not want to await the searching of and delivery from Central Records if another question came up. This indicates the need for an office file, for retention with an ongoing and sensational matter in which the FBI could be greatly embarrassed.

In addition, this is self-serving paper, created for possibility of later retrieval and use, particularly because it misrepresents considerably.

Whatever the rights and wrongs of the AG's initial statement and his later rectification, which does not seem to justify the strength of the DeLoach reaction to simple justice with an ongoing criminal prosecution, the FBI was not detached from the Garrison fiasco but fed one side of it, as I indicated to you long ago with knowledge obtained from a participant in what amounted to parties in the N.O. office at which David Ferris also was present. The FBI also leaked to the Shaw defense, such things as sex pictures of Mark Lane. Many reporters also were shown these photos. Garrison attacked the FBI and it fought back in its own way. I have already identified several file numbers to you in appeals on which you have not acted.

An error is on page 3, end of first paragraph, where the FBI's records are represented as confirming that Dean Andrews was so sick and so medicated that he could not even use the phone. In fact the FBI's records hold confirmation of his having made several phone calls. I don't know why DeLoach was prompted to this but the fact is other than he represents. (He had some personal N.O. involvements because he was once paged there at a place I was.)

His representation of "an extensive investigation in order to locate an individual by the name of Clay Bertrand" is not reflected by the disclosed records. They indicate perfunctory inquiry, followed by inadequate reporting and a failure to follow up on positive leads.

My interests did not coincide with Garrison's but as I followed up on mine, which did not include any Shaw investigation, I came upon such Shaw information. (My New Orleans main interest was Oswald.) For example, Shaw was an FBI source. There is nothing wrong with this. Rather was it entirely proper and necessary, especially considering the character of some of those who visited New Orleans under the invitations of the Trade Mart that Shaw ran, like Samozza. It was necessary for the FBI to have such information and other information properly obtained from the Trade Mart, and not from Shaw alone.

Shaw also was a CIA contact, at least, and again that is normal.

But once Garrison charged him, the federal agencies were pretty uptight about it.

DeLoach also states that "Dan Andrews testified "with emphasis" to "the unlikelihood of his having had any contact" with Oswald. This is contrary to his testimony.

There was confirmation to the FBI by an investigator Andrews used. He just happens to have the name of an FBI informer.

If I have no information that enables me to state why DeLoach includes these factual errors in an obviously self-serving record that he does, along with other information, indicates strongly that there are non-immune records not searched and not provided, both FBIHQ and field office.

The denial of ever having investigated Shaw as reflected in attached 62-109060-5046 is not unequivocal, although it seems to be. The language limits the statement by the Domestic Intelligence Division (it was more a General Investigative Division case) to an FBIHQ investigation. The investigation could have been by New Orleans and other field offices. (Shaw lived in New York for some years.) This was a month after the beginning of the flap.

Sixteen days after 5251 (5403, attached) DeLoach was still writing memos about still new conferences with the AG. (See references indicate for Shaw and Bertrand.) The AG identified DeLoach as his source and DeLoach disputes it. His suggestion of Clark's confusing Shaw and Bertrand would still mean that the FBI had cleared Bertrand, which appears unlikely. It also appears unlikely that Clark would have described any

statement by the Department's information officer as "pulled this stunt."

What is not clear in this is why, if the FBI later counselled the AG not to make any statement because there was a pending local prosecution, it did not make the same recommendation initially.

There are several illegible notations between paragraphs. If they indicate filing they could be of interest.

FBI, Clark did issue a short statement and the world did not fall apart.

These records deal with only part of one of the ^{many} matters of media manipulation that are a major element in this major historical case. Those that are known do not figure in the disclosed records unless there was some kind of flap.

The world turns. One of the AUSA's who admittedly overrode the AG's instructions ^{SA} when Regis Kennedy testified before the New Orleans grand jury went on to replace Garrison as DA and one of Garrison's assistant became USA. Clay Shaw has been dead for some years.

No records of the supposed internal investigation of this matter have been disclosed. (De Loach refers to his intensive inquiry.)

SA Kennedy was not on the Oswald investigation. The agent who was, who also covered the Shaw TradeMart, Warren ~~WARREN~~ De Bruys, was transferred to Washington and was out of reach of Garrison's subpoena.

There are many indications of unsearched and undisclosed FBIHQ records. There is positive proof I have already provided of unsearched field office records. I believe more than enough time has passed for you to have acted on these appeals.