

JFK appeals - Tena

To Guin Shea from Harold Weisberg Re prior FOIA appeals 1/14/79
New Orleans 100-16601; referrals; "previously processed"; informants

There are vast gaps in this supposed "Oswald" file from the New Orleans Field Office. It is impossible to determine whether or not the missing records exist in any other file or have or have not been disclosed by any other means. I have enough subject matter knowledge to be unequivocal about the omissions. The processing was arranged to be confusing enough to make any determination a total impossibility. This was not necessary. I therefore believe it was intended. Considering the enormous possibilities for "embarrassment to the Bureau" there is pre-existing basis for this belief.

Some of the worksheets are such poor copies, supposedly of originals, that they are again illegible.

There is no consistency in the references to "previously processed." Some say this only, some refer to FBIHQ, some to Dallas, some to nothing. In files of the enormity of these the citation is worse than meaningless.

Moreover, there is no way in which there can be good-faith compliance without a comparison of these New Orleans records with those allegedly processed. Without a comparison all the processor appears to be saying is that there is a record reflecting the fact that the record was provided to FBIHQ earlier. He does not even state that it was not then withheld. This denies me the right of appeal I have under the Act.

I suggest that it will be informative to you if you ask the FBI to do something for you. If it refuses I will take the time.

There ^{is} a large proportion of these records that consist of large compiled reports, some of close to 1,000 pages each. There is the single worksheet and the single item and the single allegation of prior processing. Without a page-by-page comparison there is no way in the world for anyone in FBIHQ to know that significant information has been added, including by hand, as is not at all uncommon. So we are talking about many thousands of pages that nobody has even looked at, for all I can know. I do believe this to be the case.

Now where some of these are delicate matters for the FBI there is no reason to believe that there was no added comment. I'll give you some examples of this and other consequences of the failure to provide either the records themselves or a citation to them (which still would not provide any withheld information but at least would let the record concerned be consulted, even located).

There are repeated references to written questions submitted to the FBI by the Warren Commission. In no case is the Commission's communication provided, although the records state they are attached. The FBI's responses are to numbers on the Commission's communication, not to the substance of the questions. Because of the large

number of such inquiries I can conceive of no way of first knowing where in any file to find any of them and then how to identify this particular one with any certainty, without a high degree of error and the potentially serious consequences, may I say also for the Bureau at some future time from such misunderstandings that I believe the Bureau is well aware will be and will become inevitable.

While I cannot be certain that what follows caused a note to be made I believe the possibility is at least reasonable and under ordinary circumstances is certain.

A bi-lingual FBISA (I have seen no record of this added qualification) named Warren C. DeBruys was detail^{ed} from N.O. to Dallas. (I have gone over the Dallas files as provided to me.) Under date of 12/18/63 the MOGAC received a memo from Supervisor Paul R. Alker relating to the SAC's phone conversation with DeBruys, from Dallas. As is the rest of the file, this is captioned ~~XXX~~ "IS - R - CUBA." Item 4 reads, "With reference to LAWRENCE FOX no investigation is being conducted since there is no indication OSWALD had any contact with him of the Cuban Revolutionary Front... SA DEBRUYES was telephonically advised of this on 12/17/63 and advised we know no reason to contact FOX."

How would you like to guess who covered the organization in question in New Orleans? I have seen not a single FBI record that indicates it but it was DeBruys. So when the office expert makes the request he is told "no reason" and in addition with a case captioned "CUBA". While I recognize this will seem like an argument, I just can't conceive of this being all there is or of there^{be} being no note of any kind. For this kind of contortion, whether or not covering paper is required, there are too many problems to have been ignored. (Volume 8, Serial 303.)

DeBruys did not forget the need. When he returned to N.O. he charged out a large number of Cuban files, including this one. I have received no other record, including nothing he wrote or did after reviewing these Cuban files. So there also was no purpose in his extensive examination? Or all of it stayed in his head only?

This group was known as the Frente. The CIA knocked heads and forced it to combine with a more or less labor-oriented group of exiles, which led E. Howard Hunt to quit the Bay of Pigs and subsequent projects in which he was in political charge. Oswald used the return address of this group in New Orleans and the FBI got the proof and steadfastly refused to let the Commission have it. In its extremity the Commission turned to the Secret Service and obtained a copy. One of those involved in both groups, the Frente and the successor Cuban Revolutionary Council is ~~Ab/Ab/Ab~~ Oreste Penna, my former friend and on a number of occasions host and chauffeur. Now nothing in this file reflects it but there came a time when Penna, who had been an FBI informer, whether or not numbered, on Cuban matters, considered that this same SA DeBruys had threatened him. Penna's account to me is that he invited DeBruys into the alley and DeBruys left by

by the front door. This does not depend entirely on Oreste's account to me. But there is NO record on it and nothing that anyone could recognize as relating to it.

Other than subject experts, that is. Perhaps no one in the FBI today.

There is an exquisite delicacy of cover-the-posterior paper in this file. It reflects that for no~~f~~ apparent reason, none being provided, Pena insisted on having a letter from the FBI setting time and date for an interview he was told was for the Commission and that he could have counsel. ~~I~~ It was at the field office. As I recall the lawyer's name was TASSO Tamberella. And the purpose was to make official complaint against harassment. This IS in the Commission's testimony, if not in FBI records.

I find it impossible to believe that those raised in the glorious tradition of "no embarrassment to the Bureau" would run the risk of leaving no identifiable record, no justification, no commentary - not even on the unquestionably emotional makeup of Pena, who I am satisfied is now and for several years has been paranoid.

It also happens that it is in Pena's Habana Bar and Grill that a person said to have been Oswald staged as super-spectacular drunk in which he drew all kinds of attention to himself in a scene that no observer was likely to forget. No reference to this, naturally, or to the efforts, if any, to identify the person with "Oswald."

Now there is a report saying that one Carlos Bringuiar, ~~identified in his paper~~ ~~source~~ reported seeing Oswald with a person in an auto, rather an SAC comment, not a report, and giving Bringuiar as Pena's source. SAC Harry Maynor was accurate in pointing out that both are emotional men, not his word but true. What no record provided reflects is that this happened twice and the second time Bringuiar also gave the FBI the license number. (That Bringuiar was an informer, a source if not numbered, also is not reflected but I have this from other files and knew it before.) And it appears to have been the same person who was along on the alleged drunk. To whom there are other references to slights.

If this entertains you that is not my purpose. I'm addressing whether or not with all these links to it, regardless of what Serial 303 says, there has to have been some look at the Frente and successor and people in them in connection with Oswald. ^{Believe} ~~Believe~~ me, extensively also to Ferris.) The case is not captioned with the assassination. It is Internal Security, Russia and CUBA.

I note that my request was not for any information by file number but for identified information. While there may be more elsewhere in a large carton I cannot now safely take apart, these first 26 Volumes having been flatwise on top of the others, all that I refer to is of date prior to the end of Volume 26.

Speaking of informers, the name of one is removed. I happen to believe it is one whose identity the FBI disclosed voluntarily to a friend of mine. If the FBI checks I think it will find the withheld name is Carlos Quiroga, who was in fact self-

identified to others. ~~Serial 303~~

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Speaking of Secret Service, there are in these worksheets references to the withholding of records that were referred to the Secret Service. Three months ago that is. The Secret Service is one agency that has made no public claim to any backlog. It also is an agency to which I made an all-inclusive request in 1971, and by coincidence it also happens to be the agency to which at that time the FBI sent a vicious, basely ^{ISS} records from Los Angeles that had the Secret Service conspiring with me to - I'm sure you guessed - ~~the Secret Service~~. ^{Hurt M. FBI.}

I think three months is adequate time for action on referrals. I know that in the past the FBI has had what give the appearance of reciprocal arrangements to stonewall referrals until the last moment, as the moment of court action, as you may recall happened in the King case. Where I believe some referrals have not yet been acted upon.

As a generality what I here say about "previously processed" also relates to that case. I do not collect scraps or second-hand records or paper. I seek information. Compilations of other records have an importance of their own, as is even recognized in copyright law relating to anthologies. As the long ticket reflects, for example. So in this sense any withholding attributed to an alleged previous processing is an actual withholding of information.

In connection with Oswald and the Oswald investigation there is elliptical reference only to disciplinary action in which there is no name secrecy. Except in these records, which are void on that. It is immaterial to me where any information is filed or how arbitrarily numbered because, as I state above, my request is for information. This particular information has been the recent subject of House assassins committee testimony, including by the FBI. The few records in this file refer to publication of the names but do not include these clippings. Not in a single case.

There is incomplete and entirely inadequate reference to Oswald's arrest (with one Carlos Bringuier referred to above, who as I stated was also an FBI informer); and to Oswald's having asked to be interviewed by an FBI agent; and some rather extraordinary FBI convolutions to have a New Orleans employee ordained as a notary that very instant so that so dangerous a person as the clerk of federal court would not know of the execution of the affidavits that were to be entered into evidence and published and how at no little cost the crisis was resolved in time's nick (copies if you'd like); and to a Lieutenant Martello of the New Orleans police. But what I published years ago and all other details are entirely lacking, as are all copies of what Oswald had and Martello provided to the FBI. From the "Oswald" file? (You don't have to wait for the last chapter. This included a slip of paper that would lead immediately to Moscow, which you can understand every pickster carries in his pocket, the same every picksters who always ask to be interviewed by the FBI when they espouse causes the FBI doesn't.

In saying "lead" I mean almost by the nose. Oswald, as I discovered by a patient, tedious check, copied some entries out of his pocket addressbook, the same one the FBI left some pages out of for the Warren Commission, the pages that happened to hold Oswald's information about SA Hosty, the destroyer of the note Oswald later wrote him. He left the book home on this expedition. He had instead those names and telephone numbers and other entries that without any exception point to the USSR. Which is to say the subject captioned in this file. Martello, whose New Orleans reputation is of a dudum, saw the significance, which he could not, it appears, convey to the FBI. And neither in this record nor any other have I seen the FBI's checking of that slip, which Martello forced on it, as these records avoid saying, against the notebook. Maybe it didn't do it but I'm inclined to believe it can see and understand what I do, more easily after it is spelled out by dudums, so there must be withheld records.

With so many fewer records there are fewer unreasonable withholdings. Not that a date was not withheld under (7)(C) claim early in this file.