

January 26, 1970

- 1 - Mr. B. C. Rachner
- 1 - Mr. T. N. Goble

Airtel

To: SAC, New Orleans (89-69)

From: Director, FBI (62-109060) - 6911
 REC-22 EX-109 EX-100
 ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
 DALLAS, TEXAS
 11/22/63
 MISCELLANEOUS - INFORMATION CONCERNING

ReNOairtel 12/29/69 and its enclosed LHM which indicated that on 12/22/69, Chief Assistant District Attorney Alcock, Parish of Orleans, State of Louisiana, New Orleans, furnished the New Orleans Office a letter received by his office from [REDACTED]

Enclosed for each office is a copy of Department of the Treasury letter dated 1/9/70 received by Bureau Liaison 1/21/70, wherein Bureau is requested to furnish the Secret Service the original letter from [REDACTED] to District Attorney Garrison or a 1:1 (equal size or as is) photographic copy.

Secret Service has investigated [REDACTED] which investigation discloses [REDACTED]

New Orleans is requested to furnish the original letter from subject to District Attorney Garrison to the Bureau in response to Secret Service's request. New Orleans should duplicate the letter and retain the copy in its files. If, in fact, Alcock furnished a copy of the letter rather than turning over to your office the original letter, New Orleans should request Chief Assistant District Attorney Alcock to make available the original of the letter to be furnished to Secret Service.

Enclosure

- 1 - Dallas (89-43) (Enclosure)
- 1 - Sacramento (Enclosure)

- Tolson
- DeLoach
- Walters
- Mohr
- Bishop
- Casper
- Callahan
- Conrad
- Felt
- Griffin
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Gandy

BST:mkl
 (7)

SEE NOTE PAGE TWO

26 JAN 29 1970
 398 / 4

TELETYPE UNIT

UNRECORDED COPY FILED IN 62-112571-786

Airtel to SAC, New Orleans
RE: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
DALLAS, TEXAS
11/22/63
MISCELLANEOUS - INFORMATION CONCERNING
62-109060

NOTE:

[REDACTED]

[REDACTED]

HIS-207/cle
5520
Ser 2414
26 May 1969

MEMORANDUM FOR THE RECORD

Subj: [REDACTED]

Info: [REDACTED]
SSN: [REDACTED]

W. J. ...

1. On 23 May 1969, Special Agent L. E. MCCULLAH, Special Operations, DANVERS, received a telephone call from Duluth, Minn., from a person identifying himself as Subject. As additional identifying data, Subject claimed graduation from [REDACTED] in 1961, and service as [REDACTED]. He gave his present address as [REDACTED].

2. Subject stated that he had formerly worked "undercover" for District Attorney Jim GARRISON in New Orleans on the Clay SHAM investigation. In connection with this, he wished to report an incident which occurred in September 1967. At that time, he was questioned by a Special Agent Bob WALTER, FBI-Minneapolis, who said that he was doing so at CMI request. The questions concerned "events in Chicago", and then switched to several "key" questions concerning GARRISON, which he, Subject, refused to answer. Subject stated that he was reporting this to CMI for information as he felt that the FBI had used CMI as the origin only in an attempt to gain information on GARRISON. He then made several remarks concerning a "CIA conspiracy" against GARRISON.

3. Subject mentioned being in contact concerning this matter with FBI-Duluth; U. S. Secret Service, Chicago and Duluth; and CMI, Chicago. The conversation was terminated shortly thereafter.

4. A DCII check re Subject disclosed dossier [REDACTED] which, in part, contains evidence of letters initiated by Subject in 1964-65 to various Naval, federal and city agencies, the tenor of which seems to indicate some question as to Subject's emotional stability. No further action is contemplated.

J. F. DONNELLY
Assistant for Special Operations
Naval Investigative Service

Copy to:
FBI-HQ
DANVERS (1. IS-43)
DANVERS CHICAGO

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TREASURY DEPARTMENT

CO-2-34030

WASHINGTON 25, D. C.

OFFICE OF THE CHIEF
U. S. MARSHAL SERVICE

Protective Research Section
November 26, 1963

Receipt is acknowledged this date, Nov. 26, 1963, of the following items from Dr. George G. Burkloy:

One piece of bronze colored material inadvertently broken in transit from casket in which body was brought from Dallas.

One letter - Certificate of Death of John F. Kennedy - State of Texas - dated Nov. 22, 1963.

One carbon copy of letter dated November 26 from Commanding Officer, U. S. Medical School, concerning law and regulations regarding confidential nature of the events.

One receipt dated Nov. 22, 1963, for bed sheet, surgical drapes, and shroud used to cover the body in transit.

One receipt dated Nov. 22, 1963, regarding a carton of photographic film, undeveloped except for X-rays, delivered to PKS for safekeeping.

An original and six pink copies of Certificate of Death (Nav. Med. N)

One receipt from FBI for a missile recovered during the examination of the body.

One letter from University of Texas South West Medical School including report from Dr. Clark and summary of their findings of treatment and examination of the President in the Dallas County Hospital. Said letter of transmittal states that three carbon copies have been retained in that area.

One copy of autopsy report and notes of the examining doctor which is described in letter of transmittal Nov. 25, 1963 by Dr. Callaway.

Transmittal letter and 7 copies of the above item (autopsy report)

Authorization for post mortem examination signed by the Attorney General and dated Nov. 22, 1963.

Robert L. Bouck

62-109060-6932

ENG

United States Attorney
District of Columbia

September 2, 1970

1000 17th Street, N.W.
Washington, D.C. 20540, Civil Division
Attn: Assistant Attorney General

MEMORANDUM FOR THE ATTORNEY GENERAL
62-109060

1000 17th Street, N.W.
Washington, D.C. 20540, Civil Division

1000 17th Street, N.W.
Washington, D.C. 20540, Civil Division

Mr. Tolson	
Mr. Sullivan	
Mr. Mohr	
Mr. DeLoach	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

Enclosed are 1) copy of memorandum from the FBI dated August 10, 1970; and 2) original and four copies of an affidavit executed by Special Agent Nathan E. Williams. For the reasons given below we suggest that you file a motion to dismiss or, in the alternative, for summary judgment pursuant to Rules 12(b)(1)(C) and 56 of the Federal Rules of Civil Procedure, supported by Mr. Williams' affidavit, before our time to respond to the complaint runs.

The sole basis of jurisdiction alleged in the complaint is 5 U.S.C. 552. (Complaint, para. 1). However, 5 U.S.C. 552(b)(7) excepts from 5 U.S.C. 552 "investigatory files compiled for the enforcement purposes of any law or regulation, or for the conduct of any law enforcement program." (Emphasis added). Thus, the plain meaning of the exception renders it applicable to all information files compiled for law enforcement purposes. The purpose of the exception is to protect from disclosure all files which the Government compiles in the course of law enforcement investigations which may or may not lead to formal law suits. In the Court held in Harper & Row, Publishers, Inc. v. DeLoach, 471 F. Supp. 551, 552-553 (D.D.C. 1974):

"In general, then, I agree with the Attorney General's analysis of the purpose and scope of the exception, including its reliance on the public interest. Section 552(b)(7) of the Administrative Procedure Act, 5 U.S.C. 552(b)(7), therein is quoted as follows:

"The purpose of this exception is to protect from disclosure all files which the Government compiles in the course of law enforcement investigations which may or may not lead to formal law suits. In the Court held in Harper & Row, Publishers, Inc. v. DeLoach, 471 F. Supp. 551, 552-553 (D.D.C. 1974):

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In any event, it is clear that the plaintiff could obtain the contents of statements taken by the Board if the company were called to testify -- in fact, the plaintiff is given access to the statements of the employee who did so testify. However, the plaintiff is not entitled to employ statements obtained from the...

Moreover, the records plaintiff seeks have not been made part of the present discovery proceedings, plaintiff may not obtain them "without such use." 1/11/70: Williams v. United States, 339 F. Supp. 2147 (D. Neb. 1970).

Unlike Prigal-Singer v. FBI, supra, there can be no serious question that the FBI records plaintiff seeks are exempt from disclosure: they are part of an "investigative file, which was compiled for law enforcement purposes and is maintained by the Federal Bureau of Investigation concerning the investigation of the assassination of President John F. Kennedy." (Williams' Affidavit, Par. 3). This investigative file is not publicly disclosed (Williams' Affidavit, Par. 4). Disclosure of such files would seriously hinder the operations of the FBI (Williams' Affidavit, Par. 5). Thus, the above analysis establishes that exemption 7 to 5 U.S.C. 552 applies to exempt the material plaintiff seeks from disclosure. In addition, the legislative history to 5 U.S.C. 552 confirms that "files FBI would be protected under exemption No. 7 prohibiting disclosure of 'investigatory files.'"
House of Representatives Committee on Government Operations, 91st Cong., 2nd Sess., Cong. Record, p. 13026.

1/11/70 Williams v. United States, 339 F. Supp. 2147 (D. Neb. 1970).
1/11/70 Williams v. United States, 339 F. Supp. 2147 (D. Neb. 1970).
In Prigal-Singer v. FBI, supra, the court held that the records sought by the plaintiff were not exempt from disclosure under 5 U.S.C. 552, and that the records were not exempt from disclosure under 5 U.S.C. 552, and that the records were not exempt from disclosure under 5 U.S.C. 552. It is significant that the language Congress chose, "compiled for law enforcement purposes" was criticized at hearings on the proposed legislation as being too restrictive. 91st Cong., 1st Sess., Hearings on H.R. 900 Before the House Committee on Government Operations, pp. 47-48. Notwithstanding this criticism Congress enacted exemption 7 as amended to cover because it thought the broad prohibition against disclosure contained therein necessary to effective operation of the agencies which compile investigative reports. In any event, the records plaintiff seeks are presently "maintained by the Federal Bureau of Investigation" as investigatory files. (Williams' Affidavit, Par. 3).

United States Attorney
District of Columbia

Sept 21

WALTER D. INSUBOLICUS
Assistant Attorney General, Civil Division
By: [Signature]
Chief, Criminal Investigation Section

115-12

Walden v. [unclear]
U.S. District Court, D.C.

Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan, C.D.	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Our memorandum to you dated September 1, 1970 pointed out, inter alia, that the records plaintiff seeks in this action are not to be disclosed because they are part of FBI investigation files. The correctness of our position has been reaffirmed recently by Judge Sirica. Black v. American Com. of Justice, 50 F.R.D. 130, 132-133 (D.C. 1970). We suggest you incorporate citation of this case in the brief in support of the motion suggested in our prior memorandum.

cc: Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation

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10/2/70

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160 SEP 22 1970 6961

55 OCT 15 1970

[Handwritten signatures and scribbles]

Memorandum

TO : J. Edgar Hoover
Director
Federal Bureau of Investigation

DATE: OCT 2 1970

FROM : William H. Rehnquist
Assistant Attorney General
Office of Legal Counsel

SUBJECT: Appeals to Attorney General from denials of access
to FBI records under the Freedom of Information Act.

Mr. Tolson	
Mr. Sullivan	
Mr. Mohr	
Mr. Bishop	
Mr. Brennan	CD
Mr. Callahan	
Mr. Casper	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

I.

Appeal of [redacted] On September 8, 1970, [redacted] appealed from the Deputy Attorney General's August 6, 1970 denial of [redacted] request for records concerning "suspect individuals mentioned in Warren Commission Exhibits 705 and 1974." The requested records are further described in 8 excerpts from the radio-log transcript of the Dallas Sheriff's Office and Dallas Police Department for November 22, 1963.

Attached hereto are copies of all the papers furnished us in connection with this appeal. These papers include your memorandum of August 3, 1970 stating that compliance with [redacted] request would involve excessively time-consuming research into voluminous FBI files on the Kennedy assassination. The Deputy's August 6, 1970 letter of denial merely stated that the requested records are covered by the 7th exemption in the Freedom of Information Act.

At the end of [redacted] current letter of appeal, he strongly implies that he is planning to sue under the Freedom of Information Act if his request is finally denied. In such a suit, two important factors would be likely to work against the government: First, under a number of court decisions interpreting the 7th exemption, that exemption only protects investigative files from compulsory disclosure when there is some possibility

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that a law enforcement proceeding (e.g. a prosecution, administrative compliance proceeding, etc.) may be instituted on the basis of the files. Under this interpretation, a file which will not be used for any such proceeding is "closed" and no longer exempt. While we strongly disagree with this restrictive interpretation of the 7th exemption as being both unsound legally and often impractical in terms of proper governmental operations, we have not thus far been able to obtain a court decision rejecting this "closed" investigative file interpretation. We would welcome a test case in which we can show convincingly that an investigative file, even though "closed" from the standpoint of bringing any proceeding against the subject of the file, still deserves protection from mandatory disclosure in order to safeguard other significant law enforcement purposes. However, the papers now before us do not affirmatively indicate that [REDACTED] request involves such a file. If the withholding of the files here requested still serve law enforcement purposes in any ways, please advise us in what ways this is so. It should be borne in mind that a court may want to decide such questions for itself after an in camera inspection of the requested records.

Second, with respect to the fact, mentioned in your August 3 memorandum in this matter, that searching for the requested records would involve a burdensome process of going through voluminous files -- a process for which agency personnel cannot properly be diverted from their regular duties -- the Freedom of Information Act unfortunately does not provide for defending a denial on the ground of such a burden on an agency's manpower. Under the Act, the only direct way to deal with the burdensome character of a request is by charging appropriate fees, pursuant to agency regulations. Here, the applicable fee regulations are in 28 C.F.R. sec. 16.4, which basically sets a rate of \$4.00 per man-hour

for searching for requested records. This search fee is technically payable regardless of the extent to which the records thus located are actually made available to the requester.

We see no objection to asking the requester to make an advance cash deposit in the amount of the estimated search fee before the search is begun. If you believe that this course may be the one to follow here, please furnish us with some estimate of the number of man hours that might be required to locate the records which [REDACTED] seeks. Our plan then would be for the appeal to be remanded to the Deputy's office, with instructions to advise [REDACTED] of the advance deposit for an estimated search fee he will have to make, and also of the further fact that, after the records have been found, a determination will have to be made as to which records if any may be made available to him. As to this last, it would be made clear to [REDACTED] that while the Department still regards the records as legally exempt from mandatory disclosure, consideration will be given to the possibility of making part of them available as a matter of discretion. [REDACTED] might also be informed that the amount of the deposit would be subject to adjustment after the search is completed, to reflect the time actually consumed in search, and that this adjustment may have to be made before the records are reviewed with a view to possible discretionary disclosures.

One further general factor may be noted in connection with this matter, namely, that the courts are prone to take a critical view of agency action under the Freedom of Information Act if they feel the agency has not lived up to the statutory directive to act "promptly" on requests under the Act. We should therefore be in a position to communicate with [REDACTED] soon.

II.

Appeal dated August 22, 1970 of [REDACTED] This appeal, which also involves FBI records concerning the Kennedy assassination, is from the denial by the Deputy on July 22nd of the second and third items of [REDACTED] request. (This is not to be confused with another, separate request by [REDACTED] which we understand has been granted.)
The Deputy's action of July 22nd was apparently based on your memorandum to him of July 1, 1970.

Our preliminary study of the papers furnished us in connection with this appeal indicates that we will need more time to make our analysis of it. We shall probably get in touch with you about it shortly.

III.

The above two appeals represent only the latest in a continuing flow of requests under the Freedom of Information Act seeking access to FBI records. This Office, in conjunction with the Civil Division, reviews a considerable number of Freedom of Information matters arising in various agencies and involving risk of litigation, pursuant to procedures adopted ten months ago.^{1/} The volume and sometimes difficult nature of these problems, in conjunction with the limited time and staff available for the task of review, means that our procedures have necessarily become streamlined and informal. We have found that an informal meeting with agency representatives is often the quickest and most satisfactory way to arrive at a disposition of a troublesome Freedom of Information request.

Since the protection of FBI records from adverse court decisions under this Act is of great concern to us, we would like to handle problems involving requests for FBI records in a manner comparable in speed and

^{1/} See memorandum dated December 8, 1969, copy attached.

efficiency to the methods we use when records of other agencies are sought. In particular, we would like to minimize as far as practicable the time and effort required to prepare and exchange lengthy memoranda and related papers on these matters. Accordingly, we would appreciate it if you would designate one or more members of your staff with whom we might confer informally concerning the handling of pending and future requests under the Freedom of Information Act for FBI records.

Attachments

United States Attorney
Washington, D. C.

October 9, 1970

William D. Buckelshaus
Assistant Attorney General, Civil Division
By: Harland F. Leathers, Chief
General Litigation Section

WDR:JFAzelvnd:psf
145-12-1449

Harold Weisberg v. U.S. Department of
Justice, U.S.D.C. D.C., Civil #2801-70

William

Attn: Mr. Robert M. Verdig, Jr.
Assistant U. S. Attorney

F. Wright
10/13/70

Thank you for sending us copies of the motion to dismiss or, in the alternative, for summary judgment which you filed in these proceedings. Confirming the telephone conversation between Mr. Robert Verdig of your office and Mr. Jeffrey A. [redacted] of ours, we understand that you will file the affidavit transmitted under cover of our September 3, 1970 memorandum if plaintiff files any opposition to the motion to dismiss or, in the alternative, for summary judgment.

Kindly continue to send us copies of all papers filed and keep us informed of all developments.

cc: Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
(Encl.)

6-11-70
T. J. [redacted]

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OCT 22 1970

MJ

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5-

ENCLOSURE
ENCLOSURE ATTACHED

EXP. PROC. 4D
OCT 12 1970
NOV 5 - 1970

FEDERAL SERVICES ADMINISTRATION
National Archives and Records Service
Washington, D.C. 20409

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
Tele. Room	
Miss Holmes	
Miss Gandy	

December 10, 1970

Encl.

John F. Kennedy

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D.C. 20535

Handwritten notes and signatures in the right margin.

Dear Mr. Hoover:

As you are probably aware, the Archivist of the United States is responsible for arranging successive reviews of the records of the President's Commission on the Assassination of President Kennedy. We are now proceeding with such a review. In this connection, a letter of August 28, 1970 was received from Mr. Thomas J. Kelley, Assistant Director, United States Secret Service, in which he states: "Concerning Secret Service Control No. 193, since the information contained therein is that received for the most part by the FBI, should the FBI declassify it, it could be then made available."

Enclosed is a copy of the document, Secret Service Control No. 193, which is also designated as Commission Document 498, dated November 27, 1963. A review of this document by your agency and an indication as to whether it can be made available to the public would be appreciated.

Sincerely,

James B. Rhoads

JAMES B. RHOADS
Archivist of the United States

Enclosure

1- ENCLOSURE

EX-112
REC-54

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EXP. PROC.

DEC 11 1970

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JAN 12 1971

Keep Freedom in Your Future With U.S. Savings Bonds

Chief
Att.: Deputy Chief Paterni

November 27, 1963

Acting SAIC Martinenu - Chicago

Homer S. Echevarria
@ Homero Samuel Valdivia Echevarria

Reference is made to my office memorandum to you, dated November 26, 1963, subject, "Confirmation of Phone Call," relating to information received from 2-1-266. This information concerns a group of Chicago Cubans, allegedly anti-Castro, who may have had a connection with the assassination of President Kennedy.

After conferring by telephone with Deputy Chief Paterni on November 26, I telephoned Special Agent in Charge Marlin Johnson, Chicago office of the FBI, and advised him that a confidential informant of this office had reported that he had knowledge of a group of Chicago Cubans, allegedly anti-Castro, who were bitterly opposed to President Kennedy and a member of which group had made a remark to the informant, "We now have plenty of money -- our new backers are Jews -- as soon as 'we' (or 'they') take care of Kennedy"

I further told Mr. Johnson that this informant had worked with us in a recent counterfeiting case and had proved to be reliable.

I also told Mr. Johnson that I had been instructed by my Washington Headquarters Office to provide this information to the FBI; and, inasmuch as this group would constitute a threat to President Lyndon B. Johnson, that it was the feeling of my Headquarters Office that the FBI and the U. S. Secret Service should conduct a joint investigation with a complete exchange of information and reports. Mr. Johnson requested that he be allowed to call me back later in the afternoon.

I subsequently received a return telephone call from Mr. Johnson, in which he stated that he was assigning Special Agents Bob Baker and Walt Rogers of his office to this investigation. I then told Mr. Johnson that the informant, together with Special Agents Edward Z. Tucker and Joseph E. Noonan of my office, would meet with his agents at 6:30 p.m. on Tuesday, November 26, at the intersection of Marine Drive and Lakeside Place, Chicago, Illinois.

OFFICE OF THE CHIEF

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Acting under my instructions, Special Agents Tucker and Noonan met with the informant at 6:00 p.m. at the above location, at which time they explained to him that he should keep this office advised of any contacts made with him by any other agency. This he agreed to do.

The meeting was held at the appointed time and place, at which time Special Agent Bob Baker stated that the reason he had come on this interview was because he had spoken to the informant before. In this regard, the informant had previously told me that shortly after the robbery of a Brink's truck in Chicago he had gone to the FBI with what he thought would be pertinent information relating to that robbery. It appears that it was on that occasion that Special Agent Baker had interviewed the informant.

After conversing with Special Agents Tucker and Noonan and with the informant, FBI Agent Baker stated that this was primarily a protection matter and that the continued investigation would be left to the U. S. Secret Service. He requested that his office be kept advised of any developments produced by our continued investigation. As nearly as Special Agents Noonan and Tucker can recall, FBI Agent Baker's words were, "This is primarily a protective matter -- we'll let you guys carry the ball -- let us know of anything you learn."

During this meeting, in the presence of the FBI agents, 2-1-266 was instructed to contact Homer Echevarria, who is a co-worker with the informant as a driver of a Chicago Transit Authority city bus. Both the informant and the suspect work out of Keeler Station, 4221 West Diversy Avenue, Chicago, Illinois. The informant had stated that Echevarria is a displaced person who departed Cuba after the Castro take-over. He has been employed as a bus driver for some two years.

For a considerable time Echevarria has been condemning the United States and has spoken extensively on forceful recovery of Cuba by anti-Castro groups. In early September, Echevarria had indicated to the informant an interest in buying machine guns to be used in a Cuban revolution. The informant stated that he would be in a position to provide arms of this type, and Echevarria presumably relayed this information to higher authorities in the Cuban group of which he is a member. He subsequently told the informant that others in the group were interested in purchasing machine guns, but that they would first have to satisfy themselves that the informant was trustworthy and was not a CIA agent.

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U. S. SECRET SERVICE
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On Thursday, November 21, 1963, Echevarria told the informant, "We now have plenty of money -- our new backers are Jews -- as soon as 'we' (or 'they') take care of Kennedy" The informant was unable to continue this conversation with the suspect because of the presence of other bus drivers.

Acting under instructions given to him, to continue his association with the suspect, the informant has arranged to meet with him at 12:00 o'clock noon on Thursday, November 28, 1963, for the purpose of being taken to Echevarria's associates for discussions as to the purchase of machine guns.

On November 27, I interviewed the informant, at which time he assured me that he had not gone to any other agency with this information prior to coming to this office.

Special Agents Noonan and Tucker have been instructed to make a background investigation of Echevarria, the details of which will be incorporated in a memorandum to be submitted by them.

It will be noted from the above that the FBI agents apparently had information as to the identity of our informant prior to their meeting him, as described above. On November 27, Deputy Chief Paterni verified that the identity of the informant had not been given to the FBI at the Washington level.

On November 27, after my telephone call to Deputy Chief Paterni, Agents Tucker and Noonan again interviewed Special Agent Walter Rogers, FBI, at his office. Rogers was asked if he or Baker knew the identity of our informant prior to their meeting with him, and he stated that they did not. He further stated that the reason he was accompanied by Special Agent Baker when he interviewed the informant was because Baker, being attached to the major theft section of the FBI, has had extensive experience in interviewing informants.

On further discussion of this matter with Agents Tucker and Noonan, I am informed that at the time of this meeting Agent Tucker joined the FBI agents in the latter's car prior to taking them to the automobile in which the informant was waiting. It is now Agent Tucker's recollection that he mentioned the informant's name to the FBI agent prior to taking them to the automobile where they were introduced to the informant.

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FBI

However, after the interview and out of the presence of the informant and Agent Tucker, Special Agent Noonan was discussing this matter with FBI Agents Rogers and Baker, at which time Agent Baker made the comment, "I'm along because I knew ----- (informant's name)." From this it would appear that the identity of the informant was known to the FBI prior to this meeting, which explains why a special agent of the FBI assigned to the major theft section was present for this interview.

On the occasion of the interview with Agent Rogers by Special Agents Noonan and Tucker at the FBI office on November 27, FBI Agent Rogers stated that he knew the father of the suspect, Evelio Carlos Echevarria, who introduced FBI Agent Rogers to suspect Homer S. Echevarria as an agent of the FBI.

Attached hereto are clippings requested by Deputy Chief Paterni, taken from Chicago newspapers and containing comments about the activities of Cuban groups and their possible connection with the assassination.

Further details will be incorporated in a memorandum report to be submitted by Special Agents Noonan and Tucker.

It is requested that Chief's office assign a CO number to this matter.

SGM
Maurice G. Martineau
Acting Special Agent in Charge

Attachments

OFFICE OF THE CHIEF
OFFICE OF THE CHIEF

NOV 27 1951

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NOV 27 1951

ELR:RGD:DRE:sew

cc:

Assoc. Dir.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Files & Com.	<input checked="" type="checkbox"/>
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	<input checked="" type="checkbox"/>
Cong. Serv.	
Corr. & Crm. Research	
Press Off	
Tele. Rm.	

AUG 21 1973

John F. Kennedy



Dear [Redacted]

This is in response to your letter of June 14, 1973, appealing the denial of your request for a FBI memorandum dated September 10, 1964.

Upon careful consideration I have concluded that the decision of Acting Director William D. Ruckelshaus should be affirmed. As he pointed out, the memorandum is specifically exempted from disclosure by the seventh exemption of the Freedom of Information Act, 5 U.S.C. 552(b)(7), as an investigatory file compiled for law enforcement purposes. This memorandum was the product of an investigation by the FBI into possible violations of federal law, and its release could jeopardize that investigative process.

REC-8

62-109060-7094

Furthermore, this memorandum also is exempted from disclosure by the sixth exemption, 5 U.S.C. 552(b)(6) which exempts "personnel and medical files and similar files the disclosure of which constitute a clearly unwarranted invasion of personal privacy." This memorandum contains information in the nature of a "similar file" which, if released, would constitute just such a "clearly unwarranted invasion of personal privacy."

Sincerely,

Elliot L. Richardson

Elliot L. Richardson
Attorney General

20 AUG 29 1973

ENCLOSURE

SEP 27 1973

EXP. PROC.

AUG

cc return of index

AUG 17 1973

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Freedom of Information Appeal of [REDACTED]

[REDACTED] of documents dealing with the investigation of the death of President Kennedy. In this instance he is appealing from a denial by William D. Ruckelshaus, then Acting Director of the FBI, of a request for a FBI memorandum concerning one Sylvia Odio, who claimed to have information about Lee Harvey Oswald.

Attached is a proposed letter to [REDACTED], which affirms the denial. This denial accords with the general policy of the Justice Department to protect the files of the FBI as coming within the seventh exemption of the Freedom of Information Act, 5 U.S.C. § 552(b)(7), which protects investigative files. (This file does not come within the historical file exception. See 38 Fed. Reg. 19029 (1973).)

In this case we have what is called a "closed file", that is, there is no law enforcement proceeding contemplated. In cases involving other agencies there has been a split of authority over whether such files are exempted from disclosure under exemption seven, but there has been no case to date which has compelled the FBI to disclose such a file. However, the Weisberg case, (Weisberg v. Department of Justice, No. 71-1026 (D.C. Cir., Feb. 28, 1973)) which is pending after a rehearing en banc, suggests that the government, in order to withhold material in a "closed file", must demonstrate that harm would result from the release of the information there sought.

In this case, the nature of the memorandum makes it likely that the denial would be upheld even if a showing of "harm" were necessary. This is because this memo-

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Memorandum contains an interview of a [redacted] by the FBI. [redacted] relates the life history of [redacted], including details of a private nature concerning [redacted]. This information if released would clearly constitute an unwarranted invasion of [redacted] privacy.

It is for this reason that the enclosed letter also claims the sixth exemption, 5 U.S.C. § 552(b)(6), as a basis for this affirmation of the denial. The Attorney General's Memorandum on the Public Information Section of the Administrative Procedure Act (1967), states this exemption also covers

all private or personal information contained in other files which, if disclosed to the public, would amount to a clearly unwarranted invasion of the privacy of any person, including members of the family of the person to whom the information pertains. Id. at 36.

The information related by [redacted] falls within this exemption.

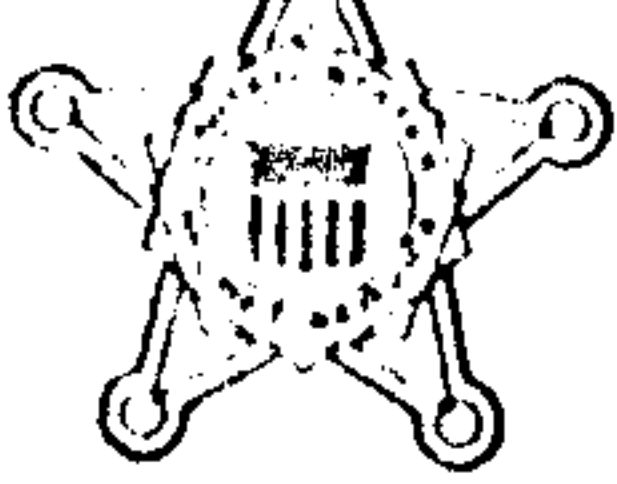
A problem might arise because, in addition to [redacted] information, there are also several pages of names of persons who were interviewed by the FBI with negative results, evidently in an effort to check out a report that Oswald had been in the vicinity of a bus station. It is conceivable that a court, utilizing the "harm" test, might order such names released.

However, there is an interest in protecting the persons named from public disclosure both to protect the privacy of the individuals involved and to protect the integrity of the FBI investigative process. The release of names of persons interviewed might cause persons to hesitate to name other sources of information, and might cause persons interviewed to be resentful if they knew the fact of their being interviewed would be made public, subjecting them to harassment by other "investigators", both legal and literary.

An additional reason to withhold this memorandum is to maintain a position consistent with that taken by the Department of Justice in the Welsberg case, which also involves material from the President Kennedy Assassination Investigation file.

In short, it is our conclusion that this denial is meritorious and defensible both from a policy and a legal standpoint.

Robert G. Dixon, Jr.
Assistant Attorney General
Office of Legal Counsel



DEPARTMENT OF THE TREASURY

UNITED STATES SECRET SERVICE

OFFICE OF THE DIRECTOR

WASHINGTON, D.C. 20223

March 14, 1975

Mr. Clarence M. Kelley
Director
Federal Bureau of Investigation
Department of Justice
10th and Pennsylvania Avenue, N.W.
Washington, D. C. 20535

Attn: Freedom of Information Act Unit

Dear Director Kelley:

Assassination of President

J. F. Kennedy

Reference is made to the attached request from [redacted] for information pursuant to the Freedom of Information Act as amended (5 U.S.C., Sec. 552). This request was received by the Secret Service on February 28, 1975, and a 10-day extension invoked on March 13, 1975.

As you know, the original documents pertaining to the Kennedy assassination are in the possession of the National Archives. However, certain documents remain under the control of the Secret Service. Since some of these documents (which are enclosed) concern the FBI, we would greatly appreciate your advice on their disclosure as soon as possible since our 10-day extension expires on March 27, 1975. If it is your determination that these documents should be withheld, please cite the particular exemption and categories.

7/12

EX 104

Sincerely,

REC-74

62-109060-782

John W. Warner, Jr.
John W. Warner, Jr.
Assistant to the Director

MAY 6 1975

Enclosures

*ack 5/1/75
THB:DW*

11-24

9- ENCLOSURE

February 26, 1975

U.S. Secret Service
U.S. Treasury
Office of General Counsel
15th and Penn., NW
Washington, D.C. 20220

250

Dear Sir:

This is a request for information pursuant to the Freedom of Information Act as amended (5 U.S.C. Sec. 552).

I request access to the following files for purpose of inspection, and if I so choose copying:

- 1) All data, reports, files, photographs, films, interviews, transcripts, tapes, video tapes, memoranda, computer printouts, drawings, diagrams, and all other information now maintained in the National Archives or elsewhere, under your control or jurisdiction, relative to the work of the President's Commission on the Assassination of President John F. Kennedy including all material prepared for that investigation whether or not it was shown to members of the President's Commission; and all other material arguably relevant to the investigation into the deaths of President Kennedy, Lee Harvey Oswald and police officer J.D. Tippit and the surrounding circumstances.
- 2) All files, documents and other information made available to any staff member, counsel or member of the President's Commission regarding my own activities.
- 3) All material relevant to Lee Harvey Oswald maintained in the National Archives or elsewhere, under your control or jurisdiction, in anyway arguably relevant to the study by the President's Commission into Oswald's background including the CIA computer printout consisting, I have been informed, of some twenty-six pages regarding Lee Harvey Oswald.
- 4) All material relevant to Jack Ruby, a.k.a. Jack Rubenstein, maintained in the National Archives or elsewhere, under your control or jurisdiction, in anyway arguably relevant to the study by the President's Commission into Ruby's background.

As you know, the amended Act provides that if some parts of a file are exempt from release that "reasonable segregable" portions shall be provided. I therefore, request that if you determine that any

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portion of a requested document is exempt you provide me immediately with access to the remainder of the document. I, of course, specifically reserve my right to appeal any decision on your part which denies to me access to any document or to any portion of any document and an examination of a portion of a document may not be taken by you to be a waiver of my right to examine all portions of all of the requested documents.

If you determine that some of the documents or any portion of any document is exempt from release I request that you specifically advise me as to which exemption you believe to be applicable and the specific reasons therefor regarding any material you refuse to make available.

I believe that since it is likely that all of the requested material may have been collected and maintained by you in one location there should be no fee charge.

If you determine that a fee might be involved since the Act permits you to reduce or waive the fees if that "is in the public interest because furnishing the information can be considered as primarily benefiting the public" and since it is apparent that this request is made in the public interest I request that you waive any such fee. Should there be any question about fees or in any other area, please telephone me at [REDACTED]

I expect to receive a reply to this request within ten working days as required by the amended Act.

Sincerely,
[REDACTED]
[REDACTED]
[REDACTED]

cc. Office of the National Archives
Department of Justice
Central Intelligence Agency
Federal Bureau of Investigation

(7-7-50)

UNITED STATES SECRET SERVICE
TREASURY DEPARTMENT

Confidential

Winn

ORIGIN Field	OFFICE Chicago	FILE NO. CO-2-21,030
TYPE OF CASE	STATUS	TITLE OR CAPTION
Protective Research	Investigation Continued	LEE HARVEY OSWALD
INVESTIGATION MADE AT	PERIOD COVERED	Assassination of President Kennedy
Chicago, Illinois	11/26 - 11/29/63	
INVESTIGATION MADE BY		
Special Agents Edward Z. Tucker and Joseph E. Noonan		

SYNOPSIS

Informant 2-1-266 has advised that one Thomas Mosley has been in touch with a group of Chicago Cubans who may be involved in the assassination of the late President John F. Kennedy. Also, that this Cuban group is endeavoring to purchase through Mosley a variety of automatic weapons and explosives.

INTRODUCTION

Reference is made to the office memorandum to the Chief from Acting SAIC Maurice G. Martineau, Chicago, dated November 26, 1963, under file No. 2-1-511.0. That memorandum, confirming a long distance telephone call to Deputy Chief Paul J. Paterni, Washington, D. C., verified that this matter had been discussed with Deputy Chief Paterni, who had directed that inasmuch as this information related to the assassination of the late President Kennedy, and that this information also could involve the protection of President Lyndon B. Johnson, that all information developed by the U. S. Secret Service should be made available to the Federal Bureau of Investigation, and that a joint investigation should be conducted with an exchange of reports and a free flow of information.

For the information of all offices concerned, 2-1-266 advised on November 26, 1963, that he had heard that one Tom Mosley, allegedly had been attempting to negotiate a sale of machine guns to one Hector S. Echovarría and that Echovarría allegedly made a comment the day before the assassination of President John F. Kennedy that "we now have plenty of money -- our new backers are Jews -- as seen as 'we' (or 'they') take care of Kennedy...."

DISTRIBUTION

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REPORT MADE BY

DATE

see last page

Edward Z. Tucker

Special Agent

Joseph E. Noonan

12-3-63

APPROVED

DATE

Acting Special Agent

ENCLOSURE

12-3-63

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2.
CO-2-34,050

GENERAL INQUIRIES

On November 26, 1963, at the Chicago Police Department, inquiries were made regarding Thomas Mosley @ Tom, and Homer S. Echevarria @ Homero Samuel Valdivia Echevarria, however, no record could be found for either one of these men.

On November 26, 1963, 2-1-266 advised that he believed that Thomas Mosley and Homer Echevarria, described below, were going to attend a meeting in order to negotiate for the sale of automatic weapons to Echevarria's group.

On the evening of November 26, 1963, 2-1-266 met with Special Agents Joseph E. Noonan and Edward T. Tucker, U. S. Secret Service, and Special Agents Walt Rogers and Bob Baker, FBI, Chicago. 2-1-266 stated that Mosley allegedly had approached Echevarria some time in September 1963 on the possibility of Echevarria's being able to use some machine guns which Mosley could supply, in order that Echevarria's group of Cubans could invade Cuba. 2-1-266 advised that the day before President Kennedy was assassinated Mosley again had approached Echevarria about the purchase of these machine guns, at which time Echevarria allegedly stated, "We now have plenty of money -- our new backers are Jews -- as soon as 'we' (or 'they') take care of Kennedy...." 2-1-266 also alleged that Echevarria advised Mosley that before any deals could be consummated, Echevarria's superiors would have to approve Mosley and satisfy themselves that he was not a CIA agent.

2-1-266 advised that Mosley and Echevarria were going to have a meeting on the evening of November 26, 1963, for the purpose of introducing Mosley to Echevarria's superiors. However, it was subsequently learned that Mosley attempted to telephone Echevarria and it was determined that Echevarria was working and Mosley could not get in touch with him.

After 2-1-266 had departed, in a discussion between Special Agent Noonan, Secret Service, and FBI Agents Rogers and Baker, it was concluded by Special Agent Baker that inasmuch as this investigation reflected a threat to President Johnson, who has announced his intention of continuing the late President Kennedy's policies, the Secret Service should have primary jurisdiction in this case but that we should keep the FBI informed of our investigation.

Subsequently, on this same evening, 2-1-266 advised that Thomas Mosley had telephoned Echevarria, and that Echevarria had directed Mosley to meet him at Echevarria's house at 12:00 o'clock noon on November 28, 1963, at which time Mosley and Echevarria were going to meet Echevarria's superiors, who would confer with Mosley.

On November 27, 1963, Special Agents Noonan and Tucker proceeded to the Immigration and Naturalization Service, Main Post Office Building, Chicago, Illinois, to check the files of that agency in the name of Homer S. Echevarria. It was determined that Homero Samuel Echevarria had entered the United States on July 6, 1960 at Miami, Florida, via Cayman Airlines Flight No. 603. This file also reflected that Echevarria's alien number is A 12 266 1:50.

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The file showed that upon entry to the United States, Echevarria had indicated that he was going to work for the C. J. Simpson Drilling Company at Dallas, Texas, and that he intended to live at 10353 Denton Drive, in Dallas.

The file also reflected that Echevarria had been living with one Alejandro Piers, No. 159 Zoga Del Mexico, Las Villas, Cuba, and that Echevarria's wife's maiden name is Teresita Del Pino Jesus, Castellanos Gutierrez. According to the file, Echevarria has one son named Evelio Carlos Echevarria, and Echevarria's parents are listed as father, Evelio, and mother, Ofelia Valdivia. The file also reflected that Echevarria had belonged to the Union of Socio de Vocal y Numerario.

The file showed that Echevarria had moved from Miami to Dallas, Texas; from Dallas to 428 Wildwood Drive, Apartment 3, Jackson, Michigan; and then to 140 East Chicago Road, Jonesville, Michigan (while in Jonesville he allegedly worked for the J. E. Wagstaff Company). He then lived at 1204-A Quintard Avenue, Anniston, Alabama. On July 23, 1961, he allegedly was living at 1908 West Superior Street, Chicago, Illinois; he then lived at 2555 North Milwaukee Avenue, Chicago, Illinois. A confidential source advised that Echevarria now resides at 2301 North Albany Avenue, Chicago, Illinois.

Investigation has established that Echevarria's telephone, No. 273-2922, was installed on September 24, 1963. No toll calls have been made from that phone.

On November 27, 1963, Special Agents Noonan and Tucker proceeded to the Chicago office of the FBI and conferred with FBI Agent Walt Rogers. A copy of the photograph of Echevarria, appearing in the files of the Immigration and Naturalization Service, was given to Agent Rogers. During this interview Agent Rogers advised that he knew Evelio Echevarria prior to this date, and that that very morning he had been introduced to Homer Echevarria. This meeting took place at a grocery store located at 2351 West North Avenue, Chicago, Illinois. Agent Rogers advised that this grocery store was owned by Cubans and was a favorite meeting place for these people. He stated that the meeting with Homer Echevarria was by chance, and that he was introduced as an agent of the Federal Bureau of Investigation.

Agent Rogers believed that since he had met Homer Echevarria that very morning, he, Rogers, should probably stay in the background of this investigation.

Special Agent Rogers stated that from the information provided by the interview with 2-1-266 on the previous night, it was his belief that the organization to which Echevarria belonged was the 100% of November group; and that this group was primarily interested, at least in the Chicago area, in obtaining money and disseminating propaganda of an anti-Castro nature. From his conversation it appeared that the Bureau had reliable information

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CO-2-34,030

regarding the activities of this group. It was also felt by Special Agent Rogers that it was highly doubtful that this 30th of November group would be involved in illegal activities.

Special Agents Noonan and Tucker pointed out to Special Agent Rogers that, since they had not been briefed on the activities of Cuban groups in the Chicago area, it would be left to his agency to determine if and when this investigation involved matters of domestic security, and that the U. S. Secret Service should be notified if this developed. In the absence of such notification the investigation would continue, if warranted.

On the same date, a confidential source advised that Teresita Echevarria was employed at the Wells Gardner Company, 2701 North Aildare Avenue, Chicago, Illinois.

On November 28, 1963, Special Agent Tucker telephoned the FBI and advised that 2-1-266 was going to meet agents of this Service at approximately 3:30 p.m. to advise of any meetings between Tom Hosley and Homer Echevarria. Although Special Agent Rogers, FBI, could not be contacted at this time, Special Agent Tucker was subsequently advised that the FBI would not be at this meeting with 2-1-266 and that they would rely on this Service and its findings.

On November 28, 1963, at approximately 11:55 a.m., Special Agent Noonan observed suspect Thomas Hosley arrive in his personal automobile at the residence of Homer Echevarria. As previously agreed, the surveillance was discontinued at this point. This action was decided upon because the area in which Echevarria resides is heavily populated, and it is highly probable that if a vehicular surveillance had been attempted the investigation might have been jeopardized.

Subsequently on November 28, 1963, Special Agents Noonan and Tucker met with 2-1-266, at which time he provided the following account of the meeting between Echevarria and Thomas Hosley.

2-1-266 stated that Hosley had gone to Echevarria's residence, at which time Hosley and Echevarria discussed the policies of President Johnson. Echevarria allegedly described President Johnson as a common person who would get things done. Echevarria stated that President Kennedy was an intellectual, a rich man's son who "did not give a damn about people," while President Johnson would work with people. In any case, Echevarria stated that President Johnson would not stand in their way.

Echevarria made a telephone call which he could not complete. He allegedly then asked his wife for the correct number. When this was provided, Echevarria supposedly said, "Oh, I must have been walking the beauty shop." After completing the second call, Echevarria and Hosley departed in Hosley's car.

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Near the intersection of Milwaukee Avenue and Logan Square, Chicago, Illinois, Echevarria told Mosley to pull over and park. After parking, an unnamed Cuban, described below, entered the car. This party dominated the conversation from this point.

This unknown Cuban first asked Mosley what he could provide, to which Mosley stated that he had on hand 100 Stear machine guns, Model 2, 9 mm. parabolium. These he would sell for \$100 apiece. He stated he had ten P-38 machine pistols, 9 mm., which would sell for \$175 apiece, and seven 55 caliber anti-tank rifles. The cost of these also was \$175 apiece, and \$1 per round of ammunition.

The Cuban then asked Mosley if he could obtain material for sabotage, and Mosley told him to write down what he wanted and he would attempt to obtain it. This individual made the following list of items in which he was interested:

- Peutolite
- Detonators of all types
- C-3 explosives
- C-4 explosives
- Fountain pen explosives
- 20 mm. ammunition
- M-3 (it is not known what the Cuban meant by this designation).
- BAR (Browning Automatic Rifles)
- Garant (this might possibly refer to the Garand or the US M-1 rifle)

2-1-266 obtained this list from Mosley's person and it was turned over to this Service, to be processed for whatever fingerprints might be contained thereon.

The unknown Cuban then told Mosley that he was going to ask him two questions, the answers to which would determine whether or not his organization would do business with him. The first question was, "How do you feel about the assassination of President Kennedy?" to which Mosley shrugged his shoulders and said, "It's no skin off my nose either way." The second question was, "Who do you know from Cuba and how can we check up on you?" to which Mosley replied that he knew Michael Ponce (phonetic) and that he, Mosley, had been arrested by the Chicago Police Department for this very same activity in which he was now engaged, and that to verify this all that had to be done was to check the records of the Chicago Police Department. The unknown Cuban stated that he knew Michael Ponce and that the organization to which he belongs would check the records of the Chicago Police Department.

2-1-266 stated that Michael Ponce had formerly been a regular Naval officer in the Cuban Navy under the Dictator Fulgencio and that he knew that Tom Mosley had been involved in gun-running activities with Ponce in the early 1950's.

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CO-2-31,030

2-1-266 stated that the meeting produced the following results. Mosley informed Echevarria and the unknown Cuban that he was a member of a group of six persons, and that they had one "backer." Two of the members of the group owned a small screw machine factory. (It should be noted at this point that automatic weapons can readily be obtained as souvenirs if the barrels have been plugged, and that it is the practice of gun-runners to obtain these plugged weapons, take them to an unscrupulous screw machine operator, and have the barrels reamed out, since the plugging is merely lead.)

Mosley informed the two Cubans that since the assassination of President Kennedy a great deal of "heat" has been created, and that his party was willing to provide the guns to the Cubans for a nominal down payment if the Cuban group could provide them with a responsible party in the Chicago area who would vouch that the remainder of the money would be paid to them after the deal had been consummated. Mosley informed the Cubans that his group was saving six guns, and should they be double-crossed they intended to take retribution.

The unnamed Cuban stated that this deal sounded acceptable to him, and that if Mosley checked out at the police department their organization would get in touch with him through an attorney. This attorney would provide Mosley with a list of equipment which they desired, and all dealings from this point on, between Mosley and the organization, would be handled through the attorney. The unnamed Cuban also stated that the list of equipment would be written in a code which would be taught to Mosley by Homer Echevarria.

Mosley was asked how he could be contacted. He stated that in the past it had been his practice to enter an ad in the personal column of a local newspaper, using the code name, "Black Foot." It was agreed that should this group at any time in the future wish to contact Mosley they would run an ad in the personal column of the Chicago Tribune, which would read, "Black Foot call (a telephone number would be entered) after (a time would be entered)." The unnamed Cuban stated that the telephone number would be a pay phone, which would be covered by either him or a member of his organization for one-half hour before and one-half hour after the time stated in the ad. It would be Mosley's responsibility to contact them within this time. Mosley agreed to this.

Also discussed at the time was the subject of the backers. It is the feeling of 2-1-266 that at least some of the backers of this group are hoodlum elements, and that the backers are not restricted to Chicago.

2-1-266 stated that the unnamed Cuban allegedly is a member of the Student Federation of Revolutionaries.

On November 29, 1963, Special Agent Hoona was interviewed by Special Agent Walt Rogers, FBI, and Agent Rogers was briefed on the information received from 2-1-266 on the previous day. Agent Rogers stated that the

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CO-2-31,030

Student Federation of Revolutionaries may very possibly be the Student Revolutionary Directorate; and that the unnamed Cuban fit the description of one Francisco Blanco, a representative of this group whom he met at the grocery store located at 2351 West North Avenue, Chicago, Illinois, shortly after his introduction to Homer Echevarria on November 27, 1963.

It was learned from Agent Rogers that Lee Harvey Oswald had attempted to join the Student Revolutionary Directorate in New Orleans; that while Oswald was under consideration by this group, he was observed by members of the group distributing literature for the Fair Play For Cuba Committee; and that, in addition to this, Oswald had taken part in a debate of the Cuban problem against members of the Student Revolutionary Directorate.

Agent Rogers stated, in regard to an attorney who might be working with the Student Revolutionary Directorate, that one Paulino Sierra, an attorney in the Chicago area who became interested in the anti-Castro movement, could possibly be the contact for Tom Mosley. Agent Rogers stated that Sierra has claimed to have a great deal of financial backing and has attempted to organize the great number of anti-Castro movements in this country. There are allegations that the financial backing of Sierra is hoodlum money, but that Sierra has denied this and states that his backers are American businessmen.

Through a confidential source the name of anyone making inquiries at the Chicago Police Department regarding Thomas Mosley will immediately be made available to this Service. It should be noted that this source is extremely reliable and fully aware of the importance of secrecy in this investigation.

SUSPECTS

HOMER S. ECHEVARRIA @ Homero Samuel Valdivia Echevarria - white; male; Cuban; 32 years; born at Jatibonico, Caraguay, Cuba; 5'9"; 150 pounds; black hair; mustache; olive complexion; a bus driver for the Chicago Transit Authority; resides at 2301 North Albany Avenue, Chicago, Illinois; drives a 1957 red Chevrolet, 1963 Illinois license LP 1660.

THOMAS MOSLEY @ Tom - white; male; American; 40 years; 6 feet; 150 pounds; black hair; mustache; usually wears a bow tie; a bus driver for the Chicago Transit Authority; resides at 1400 West Sumnerdale Avenue, Chicago, Illinois; drives a 1960 black Thunderbird, 1963 Illinois license #2 958.

UNKNOWN CUBAN - white; male; about 30 to 32 years of age; approximately 5'7"; 170 pounds; black hair; dark, clear complexion; heavy build.

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CO-2-31,030

UNDEVELOPED LEADS

It is anticipated that an undercover special agent will be introduced by informant 2-1-265 to Tom Mosley, and that this agent will be present at whatever meetings may take place in the future between Mosley and the Cuban group.

Copies of this report are being sent to the Miami office for a check of Immigration files, as that was Honor Echevarria's port of entry.

Additional copies are being sent to Dallas, Detroit, Grand Rapids, and Birmingham with the request that investigation be made at Echevarria's places of residence and employment, as stated above, in the districts of said offices, and that background information on the suspect be obtained.

Copies of this report are also being forwarded to the Springfield office with the request that they make an investigation at the Bureau of Motor Vehicles regarding Echevarria's car. If at all possible, the entire history of this car should be obtained.

Investigation is continued in Chicago for further contacts with 2-1-265 relative to additional meetings between the several suspects.

DISTRIBUTION:

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FBI, Chicago	1 cc
Chicago	2 cc's

UNITED STATES SECRET SERVICE
TREASURY DEPARTMENT

304

ORIGIN Los Angeles
11/3 11-29-63 LEB
OFFICE Los Angeles, California
FILE NO. 44-3-601.0

TYPE OF CASE Protective Research	STATUS Closed	TITLE OR CAPTION George Lyman Paine, Jr.
INVESTIGATION MADE AT Los Angeles, California	PERIOD COVERED 12/2/63	<i>[Handwritten Signature]</i>
INVESTIGATION MADE BY SA's John Larson and Kazuo Yakura		

DETAILS

SYNOPSIS

Interviewed agents Sam North and Paul Mack of the Federal Bureau of Investigation. In regards to subject's affiliation in the Johnson-Forest Group, this information should be handled with the strictest of confidence.

DETAILS OF INVESTIGATION

Reference is made to memorandum report of ASAC Boggs, Los Angeles, dated November 29, 1963.

Other Investigations

On December 2, 1963, with SA Larson, interviewed agents Sam North and Paul Mack of the Federal Bureau of Investigation. They stated that subject's affiliation in the Johnson-Forest Group (JFG) should be handled with the strictest of confidence, as this is a very small group and the informant can be readily identified. Agent North stated that the last activity held by this group was on or about March 1962. Since that time, the group has been in a state of inactivity.

Mr. North stated that from a confidential source, it was learned that Paine is a divorcee and his prior wife's name is Ruth. By his first marriage to Ruth, he had two sons, Michael and Ronald; Michael being the older of the two. Ronald was 24 years old in December of 1956.

Mr. North stated that this file had just recently been reopened for investigation to verify the residence and employment of Paine; however, to this date, no investigation has been conducted.

DISTRIBUTION Chief ✓ Dallas Los Angeles	COPIES Orig. 2 cc 2 cc	REPORT MADE BY <i>[Signature]</i> KAZUO YAKURA SPECIAL AGENT	DATE 12/3/63
		APPROVED <i>[Signature]</i> GUY H. SPERAN SPECIAL AGENT IN CHARGE	DATE 62-109060-7182
NY:cl			

On December 2, 1963, Mr. North telephoned SA Larson and stated that he learned from a reliable source that the subject was employed at the same place, Continental Service Company, 1335 S. Grand Avenue, Los Angeles, a subsidiary of the Bank of America; and that he was on duty from November 18, 1963 to November 22, 1963. The only time he was away from work was when he arrived late on the morning of November 18, 1963, as he had to have his sports car repaired and came in at 11 a.m., whereas he generally comes in at 8 a.m. Place of residence remains the same, 2331 Holgate Square, Los Angeles.

DISPOSITION

Case closed Los Angeles unless additional investigation requested by Washington or Dallas.

ATTACHMENTS

Photograph of George Lyman Paine, Jr. taken in 1955 being sent to Washington and request PRS to make additional copies for Dallas.



ENCLOSURE 62-109060-7182

Report of FBI - Phoenix, Arizona
December 11, 1963

RE: 

578

ENCLOSURE

62-109060-7182

December 12, 1963

Chief
Attention: Protective Research Section

SAIC Anderson, Phoenix.

[REDACTED] PRS Subject

I am attaching a copy of a memorandum furnished me today by mail by the local office of the Federal Bureau of Investigation regarding [REDACTED]. According to the memorandum a confidential informant related to FBI Agent that according to a third person, [REDACTED] on November 23, 1963, stated he believed Lee Harvey Oswald assassinated President Kennedy for a large amount of money. [REDACTED] is said to have indicated that he could understand this because he needs money badly himself and that if someone gave him a large sum of money for it, he, [REDACTED] would assassinate the President. The memo indicates that subject resides at [REDACTED] Tucson, Arizona.

I talked by telephone with FBI Agent Paul Taylor at Phoenix who prepared the memorandum and who knows subject and advised they have been continuing investigation on subject for ten years as a communist and have a file on subject at Phoenix, which can be reviewed. FBI Agent Taylor declined to make known the name of the informant without authority from their headquarters, and he also asked that subject not be interviewed personally as this would compromise their informant.

SA Walters will be in Tucson next week and will conduct background investigation on subject and a report will be submitted.

It will be appreciated if a file number is assigned this case.

Sherwood M. Anderson
Sherwood M. Anderson
Special Agent in Charge

CR 87
378

May 5, 1975

REC 74 62-109060-7182

EX 10A

Mr. John W. Warner, Jr.
Assistant to the Director
United States Secret Service
1800 G Street, N. W.
Washington, D. C. 20228

Dear Mr. Warner:

This is in reference to your letter dated March 14th, with enclosures, and subsequent telephone contacts between Special Agent Thomas H. Bresson of the FBI Freedom of Information Act (FOIA) Unit, and Mrs. Jennie Maupin of your office, concerning the FOIA request of [redacted]

As you know, [redacted] has made an identical request for access to records of this Bureau relating to the John F. Kennedy assassination investigation, and his request is presently under consideration. With regard to information obtained by Secret Service during contacts with the FBI and set forth in Secret Service reports, copies of which were attached with your March 14th letter, the following comments are furnished:

Information furnished orally by Special Agents of the FBI was disclosed for official use and on a confidential basis. Review of the documents in question reveals that in certain instances it was stated that the information was furnished in circumstances wherein confidentiality was expressly requested by the original source. In those other instances, the circumstances were such that an assurance of confidentiality can be reasonably inferred. Basis for denying this information would be contained in Title 5, United States Code, Section 552 (b) (7) (D). With regard to references to written FBI reports and other documents these will be considered in connection with [redacted] request directed to the FBI, and it is suggested he be so advised in order to preclude duplication of reviewing efforts.

1. The Deputy Attorney General - Enclosure
Attn: Susan M. Hauser

THB:dw

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FBI

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

MAIL ROOM [] TELETYPE UNIT []

Mr. John W. Warner, Jr.

Our appeal procedures provide an appeal within thirty days may be directed to the Attorney General, Attention: Freedom of Information Appeals Unit, Washington, D. C. 20530. The envelope and letter should be marked "Freedom of Information Appeal." Additionally, judicial review is thereafter available either in the requester's district of residence or place of business, or in the District of Columbia, the location of the records.

In the event you have any questions concerning this, it is requested you contact Mr. Bresson at telephone number 324-4790.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

NOTE: Secret Service has a request from [redacted] which is a copy of his FOIA letter directed to the Bureau. Response is with regard to references to information originating with FBI and contained in Secret Service documents. Address per Mrs. Jennie Maupin.