H/W

To Quin Shea from Harold Weisberg JFK assassination records appeals, 4/3/79
New Orleans and FBIHQ; Privacy Act appeals

It has been some time since I received what New Orleans Field Office records have been privided in C.A. 7800420. I went over them as soon as it was possible, which was not very long after receipt, indicating those of which I wanted copies for my subject files and for appeals. Thereafter much of my time was taken by checking out and responding to false, deceptive and misleading affidavits, an FBI speciality but alas, not [redacted] an FBI monopoly. It was not possible for me to return to these N.O. copies until early day before yesterday. During the past few days I have also reviewed some FBIHQ records based on which I also appeal denials. In most cases copies will be attached.

In general the searching and processing of these records reflects the traditional FBI mind-set, that FOIA is a withholding rather than a disclosing statute. There is totally unnecessary and unjustified withholding throughout. Some is mere arbitrariness and capriciousness. Some is of what the FBI itself testified to before the Congress withholding and also disclosed in these same records. Some is what the FBI agreed for the Warren Commission to publish. Some is of what is and always had been readily available in the National Archives. The content of newspapers and books also is withheld. FBI names are withheld willy-nilly while they are also disclosed. There is false claim to exclusive source or confidentiality of informant. Misuse of (b)(7)(C) and (D) is extensive and in most if not all instances without need of justification. (I will identify enough to make this point.) There is disclosure of what thereafter is withheld and is relevant, as notes made and files searched.

The withholdings are so extensive and in some cases adept that nowhere in these New Orleans files are the special Garrison files disclosed. Not even their existence, which I learned from other records. There are Garrison intecepts not included, even reflected, that have been disclosed to me in several ways prior to the processing of these files. (One is in C.A.75-1996.) I'll be surprised if there are no records relevant to my PA request within those Garrison files, one of which is an [redacted] 80 file. (I will provide and attached explain several/records relevent to my PA request and not provided under it.)

At the same time there is disclosure of what is withheld from all other searches I

recall in all other cases, such as how indices are searched as well as the existence of files on persons whose names were searched through the indices. (The FBI does not withhold where it does not agree with the political views of those [redacted] whose names are searched. For them there is no concern over privacy. Yet in other cases it claims the need to withhold existence of a file even when it discloses the names.)

The FBI provided information to the Attorney General relating to Clay Shaw that is not provided or even referred to. The information was later alleged to have been inaccurate and was apologized for in an official statement also not included or even referred to. (Garrison had Clay Shaw charged with conspiracy to kill JFK, with David Ferrie and Lee Harvey Oswald.)

The FBI also provided records to private persons, including commercial investigators, that it has not provided in this case. My knowledge comes from copies in my possession not from the FBI but from the files of these commercial investigative services with whom the FBI has its own traditional relationships and deals. I cite one illustration, information on and relating to the late David Ferrie.

(As a matter of fact during the days of the Garrison fiasco there were anti-Garrison meetings in the FBI NO FO. Virtually parties. These included Ferrie and the press. There is no indication of this in the records provided. Some of those present made notes I have.)

The extent of the anti-Garrison opertion is indicated in a few of these New Orleans records. One has to do with special overtime work by large numbers of employees. The FBI also had at least one inside source I've made no effort to identify.

There are virtually no records relating to the so-called "critics" who were in New Orleans, including me. I am certain that the FBI assumed I was in Garrison's pocket, which is not the case at all. This general attitude continued to the time of the Shaw trial, when despite its extensive coverage the FBI does not provide the published misinformation that I sat at the counsel table. In fact I was never in that court room and left New Orleans before trial began. I never laid eyes on Shaw.

However, I did speak to a number of informers and sources, which is not reflected in the records provided. (One instance was under PA. only

How the FBI has its information filed is not my concern. Limiting search to its so-called Oswald and administrative/investigative or 100 and 89 files automatically excluded information that is relevant and that the FBI knew and knows it has.

The existence of indices by means of which compliance could have been effected is disclosed in the records I have. They are not provided.

There is no reflection in the records provided of historical-case the processing of standards. ~~determination.~~ There are extensive ~~loose along~~ withholdings that are not normally justified. The clear intent is to withhold, not to disclose historically important information. Adequate samples will be attached together with the proof that the withheld information was public domain.

While on the one hand the FBI withheld even from the Warren Commission, which reflects a desire to continue to withhold, on the other hand, whatever the legality or propriety of its Garrison interest he was accusing it of everything under the sun. I am no longer certain whether he made more accusations against the FBI than the CIA but his accusations were many against both.

(While the FBI withholds the public domain by referral to the CIA and the names of FBI supervisory personnel and others it discloses the name of the CIA's "field office" chief in N.O. while simultaneously swearing to federal courts that it is forbidden to make such disclosures.)

There having been no federal law violation at the time the President was killed NO FO decided to make it an assaulting a federal officer case, thus the 89 file.

(1) The first Serial in this file discloses that SAs were instructed to make notes that have not been provided. The claims to privacy are not justified and the information to a large ~~xxxx~~ extent is public, including in Warren Commission records. There is inconsistency in disclosing and withholding fingerprint information on the same page.

(2) The Indices Search Slip referred to in Serial 35 is not provided. I believe the phone company source is also disclosed while here withheld. (Most search slips are withheld.)

(3) Serial 50 is the kind of information that does not meet standards for 7D and the name is public in any event, beginning with FBI records never withheld. This is hardly a full and complete account of what this man, known to me, told the NO FO if in fact he spoke

directly to the SAC, which I am inclined to doubt. Much other information about him is withheld. He is "Ricardo" Davis, whose name is Richard Rudolph. I have had several long conversations with him on his initiative after he read one of my books and phoned me. He is quite a blabber. He had then moved to Houston. He was involved in several FBI investigations that are historically important in this case and are in part in records available at the Archives, if not reflected at all in the N.O. records. He ran a New Orleans racket, an anti-Castro so-called training camp on the north side of Lake Pontchartrain. It was a means of getting money. He broke the camp up when warned by federal officials after a nearby one was forced to be raided by the FBI, of which there also is no reflection in the records provided, although it was in the newspapers and connected with high Mafia types. (Although this became an integral part of the Warren investigation and conclusions, no N.O. reads at all are provided.) I found the man whose report of carelessness with explosives led to the FBI raid and the girl friend who accompanied Davis on what she described as a very wild trip over shell roads to alert Davis' gang to scram. Two FBI sources named Carlos Bringuier and Carlos Quiroga helped get those men out of the New Orleans area. Again, not reflected in the records provided. Nor is the report of the Louisiana state police, which without doubt gave its report to the FBI. The investigation was by the Baton Rouge Barracks, not the nearby St. Tammany Parish barracks. Pictures also were taken by the police authorities. I had good sources in two of them outside Orleans Parish and have a set of pictures of that camp. Some information from the State police is indicated as withheld, I believe improperly. One (Known provider of records) was a Major Trosclair. There are other records in which Davis name is withhled in these so-called historical case releases where it was not withheld by the FBI in 1965, before there was a FOIA.

4) Serial 51, whether or not ordinarily properly, as I believe not, withholds the name of a postal inspector. This name is in the available Commission records and was the subject of published testimony.

5) Whether or not there is today a real b1 claim possible for Serial 77 and whether or not it was legitimately b1 at the time the record was made it is apparent that there is reasonably segregable information in the obliterated paragraph on page 1. If nothing else

it is the identification of Clark, who then was ASAC, There is no indication that this (and the other b1 records) was classified prior to my information requests. The first dated classification here is 9/78.

(6) (7) I have the same questions relating to Serial 79 in which Clark is identified.

Serial 84 is another of the records withholding Ricardo Davis' name. Too bad the FBI withheld the interview report referred to (and I ask for). I'd like to see how graphically Davis told the FBI about how he identified those he regarded as the right people for the New York City Police horses to trample. Or whether he told it all about his "camp" and its breakup and its importance in establishing what can be interpreted as an Oswald "cover." The name written on the bottom of the record is not that of either of the SAs whose reports are of less than an investigation of the Davis camp, connected with the so-called Christian Democratic Movement or CDM. I'm also interested if he gave the FBI a name that a decade later became well known, Jack Caulfield, as I believe he might have. Yes, Watergate Caulfield. Davis worked with that NYPD unit.

(8) Serial 95 is of interest for more than a claim to b1 when the rest of the record indicates no logical basis for the claim. I'm attaching the first two pages only. Two mythologies, both official and originating with the FBI, relate to this record. The record as provided to me is not complete, as in not indicating the other Ferrie records the FBI had and not stating how it came that Voebel "advised he knew OSWALD" in junior high, where they were indeed friends. There should be a prior record and other related records. Important on page 2 and probably a point at which the record was censored in its creation is the first sentence of the first full paragraph, that "he and OSWALD were members of the Civil Air Patrol with Captain DAVE FERRIE."

I have to enter a guilty plea to having been the one who brought the Ferrie name to public attention. I cannot assume responsibility for the mythologies that followed. They are a natural consequence of the improper official suppressions and misrepresentations which extended even to the censoring of the published Warren Commission testimony transcripts. These suppressions began with the FBI and they were congenial to its and the Commission's preconceptions.

It was pretended that Oswald was not a member of the CAP and that Ferrie then had no connection with it. The FBI has the same picture I have of Oswald in his CAP uniform. It had and for years withheld, without sanction in the Act or regulations, much other relevant information. It still withholds records it must have that ↓ obtained indirectly from its sources, including membership lists. 61 Of the possible explanations for this in addition to the foregoing connection with Ferrie is the fact that an FBI source recruited both Voebel and Oswald into the CAP. He was an FBI source as a member of the New Orleans Police Department vice squad. He was also a schoolmate of both. He is Frederick S. O'Sullivan. He lied under oath about Ferrie in Commission deposition, which is at the censored part. Relevant recoeds are among the very few compliances with my requests of the Department during the Mitchell-Kleindienst FOIA regime. Examination of those records discloses no basis for the years of withholding other than suppression of what officialdom wanted to suppress. Your own examination, of the FBI's set or mine, will establish this.

Another mythology is that one Jack S. Martin, 62 whose right name I think is Suggs, is responsible for the disclosure to Garrison of an alleged Ferrie-Oswald connection. This is not true although it dates to the time of the assassination. What this November 25 record (after Ferrie's arrest) does not disclose is the November 22 disclosures by Voebel on New Orleans TV. I doubt that for three days after the TV broadcast the FBI had no record. More appears to be involved from my personal investigations. O'Sullivan had other and later involvements.

Phillip Geraci III 63 was present when Oswald went to the store of one Carlos Bringuier, who picked the fight with Oswald that led to all the attention Oswald received in New Orleans and proof of which he took to Mexico allegedly to establish alleged pro-Castro credentials. He manufactured others by a "Fair Play for Cuba Committee" of his own creation (an area of FBI withholding in records I'll come to later). This an area of much lying, beginning with the FBI and extending to the alteration of the transcript of Geraci's Commission deposition, the typescript of which I have. Bringuier lied. The also-knowing Secret Service content itself with silence while presenting proof of the lying to the Commission. This all relates to the raid referred to above with Davis, used by Bringuier (MHS) to date his first

1. If these and other record to which I refer in this manner are in disclosed FBIHQ records they are beyond retrieval because of the FBI's own "previously processed" mechanism and lack of adequate worksheet description.

2. Martin was a NO FO source, for Regis Kennedy I know, whether or not for other SAs.

3. With his chum Bill Dwyer, whose mother I interviewed. No reference to either is in the NO FO records. The earliest in the Commission records, from 89-69, is dated 11/29/63. All three Geracis told me the FBI was there much earlier. Maybe it was another friend, Vance Blalock, I've forgotten and am not checking. Bringuier then managed Roca.
Casa Cuba. Later he moved a few doors and to the name Casa Cuba.

meeting with and alleged suspicion of Oswald. (Bringuier was an FBI and CIA source. It may help to recall his nickname among fellow anti-Castros, El Estupides, which I'm told means not stupid but The Stupidity.)

The Exchange Alley in the Voebel report (Serial 95) was behind the street (Decatur) on which Bringuier had his store. Exchange Alley is where Oswald lived when in junior high.

The FBI found Geraci, interviewed him, his parents and others, and provided him to the Commission. It also interviewed Bringuier and others often on the same matters.

Bringuier's false cover story, protected by the FBI and the Commission and by the alterations of the typescript, is that he first met Oswald when Geraci was first in his store immediately after the 7/31/63 FBI raid on the anti-Castro explosives in St. Tammany Parish, which was reported in the New Orleans papers. Bringuier dated this at August 2 and 5 at different times but never before the raid. In actuality it was in May or June, with no connection with the FBI's raid.

(Following this raid there was further hardening of national policy against dangerous anti-Castro activities.)

From my own inquiries I was familiar with Geraci's history, imcluding the Jefferson Parish juvenile record and report by a sergeant whose name I recall as Bourne. (I'm not searching old records.) A school-days friend of Geraci was a narcfink and a source for me. She figures slightly in other, earlier records, as she claimed she was more than [redacted]. Whether or not [redacted] narcfink this is without question and doubly confirmed.

My other sources include both of Geraci's parents before his father was killed, when the son was in VN, then Geraci, interviewed along with his mother, at my request in the presence of the family lawyer because I wanted to protect this very vulnerable young man. He had been subpoenaed by Garrison and had ignored the subpoena when the Red Cross returned him to the U.S. I was able to make a deal with the Garrison office to forget the subpoena if the kid talked to me and I told them anything relevant. The interview was taped with the family lawyer controlling the mike switch, at my suggestion. I have the tapes.

What follows is fact to which I pretend no meaning even though I see meaning in it. I also taped the interview with the parents and played it back to them before I left.

4. I recall no reference to the raid in the NO FO records. It was included in the investigation.

5. Because in this I am alleging lying and misrepresentation and withholding and motive for withholding I have located and attach 62-109060-6593. Some of it and the attachment is ~~are~~ true, some false. Turner's story is fabrication, with some limited contact with reality: she wrote Geraci for me to tell him I believed I could avoid his being called before the grand jury. And I did.

(9)

Both Bringuier and the FBI forgot their earlier misrepresentations about the first Oswald-Bringuier contact. Bringuier disclosed this about the middle of page 2 of the enclosure:"Bringuier related that he again saw Geraci on August 5, 1963"(emphasis added) Despite this the attachment closes with the FBI's re-iteration of the August 5 meeting only.

In this record the FBI is covering up for Bringuier. The Borne report was my original source of the homosexual assault on Geraci. It accounts in full for the incident, from Turner's meeting Geraci when he returned from running away from home to taking him to Bringuier and includes Bringuier's arranging for Geraci to stay where he was assaulted.

The NO report does not represent that it has no information on Turner. Only no information it interprets as derogatory.

Routing of a copy to Houston for no apparent reason is interesting because Turner had a Houston past, a more spectacular one subsequently, including jailing, and has regularly represented to me that she is being supported by a federal agency.

After the father's death and the Garrison subpoena the mother, who was very dominating of Philip even then, decided to tell me more. At that point Philip decided to tell them, the mother and the lawyer, what I already had told the lawyer but not the mother.

One of the times Philip had run away from home, during his Civil Air Patrol days and after his meeting with Oswald, Bringuier set him up for a gangbang. Philip was homosexual. The narcfink, my source referred to above, Dione Turner, met Philip and took him to Bringuier's, whence Bringuier sent Philip to where it happened instead of home. It was a joint called the Silver Dollar. It figures, if not in this connection, in FBI investigations, also not in these NO. records. In the Archives, however.

The actual time of the first of several Bringuier-Oswald-Geraci meetings, according to the mother and records the father gave me, was as soon as school was out for the summer, about May, when the mother took Phillip and a friend to that part of town to buy CAP stuff while she was at the dentist's.

In proof of the date the father gave me copies of receipts Bringuier gave Philip. He got Philip to sell anti-Castro "bonds" at 50¢ each.

Meanwhile, pixie or otherwise, Oswald got Bringuier in trouble over the unlicensed selling of bonds, as he later told Bringuier, after the fight Bringuier picked with him.

In early 1967 Philip was out of high school, working in New Orleans and living there, not with his parents in Jefferson Parish, which is a suburb. They lived on Green Meadows, in Metairie. Garrison is publicly after Ferrie of the CAP and other connections. Then Ferrie dies, with George Lardner the last known person to have seen him alive.

Then, suddenly, the FBI source/ Oswald CAP recruiter/Ferrie associate Vice Squad O'Sullivan and Jeff Parish Deputy Bourne in effect kidnap Philip, with his family's assent, take him out of Orleans Parish and hide him for a week with an uncle. The story is that they are doing this for Garrison and to "protect" Philip. Off and on for about a week they question him. I omit my opinions and report what the mother confirms, that it had to do with an alleged vice ring involving Ferrie, who was a well-known and charged homosexual. Actually, I believe the word does not fit the man.

In a very short time 4F Philip is in the Army and in VN.

None of this is in the records provided. There are some indications in other records of the b[illegible]nd sales but not the dates and the rest of it. Bringuier's false cover, of time, i[illegible] protected by the FBI still. What little was given to me elsewhere [illegible] is withheld in the "historical" records. That O'Sullivan recruited Oswald into the CAP is withheld from the N.O. Field Office records although it was in the Archives, where the FBI originally withheld it for years, until after the Garrison mess. The withholding also protected FBI Source O'Sullivan from his false swearing about Ferrie to the Commission. What I recall had to do with sex charges against Ferrie. O'Sullivan testified there were none. In fact there were, in his squad and to his knowledge also in the next Parish, Jefferson. Related charges were filed in New Orleans, where Ferrie tried to fix witnesses. And all of this was reported in the papers and in my 1967 book while it is withheld under b7c to the limited degree it is reflected in the NO FO records provided.

Garrison received many reports that Oswald was homosexual. Garrison interpreted these as a link to Clay Shaw, who was known as a homosexual and was respected in New Orleans and elsewhere. The NO FO records most recently disclosed include some such reports about Oswald but I'm confident not all of them. These relate only to [illegible] Exchange Alley and two gay bars, Wanda's and Society Page, about which I conducted my own inquiries years before these releases.

In 1967 the FBI told the AG it had investigated Clay Shaw and that he was the "Clay Bertrand" of Warren Commission testimony. This was later retracted. None of this is in the records provided. The FBI also conducted a "Clay Bertrand" investigation, which is hardly reflected in the NO FO records. The investigation was at the time of the Commission, in 1963 and 1964, whether or not repeated in Garrison's time. (The FBI knew in 1966 of his [illegible] probe which did not surface until February 1967 - and over the by-line of a "source" of the White House, as I recall the records, rather than of the FBI, to which the report was made, whether or not that person was also an FBI source, which is not unlikely.)

While I do not credit the homosexual involvement and never did it was from the first a part of the investigation. This was magnified in the Garrison adventures, which were enlarged upon by Mark Lane and others. The angle does extend to Jack Ruby, who was quite literally a sick man in these regards, more than Seth Kantor indicates in his current book.

In all aspects and angles, going back to the Voebel record and the initial misrepresentations of first source on Ferrie, there is withholding, in part and in toto. While I regret that the elements that allege homosexuality are an important part of the entire historical matter, they have become that. (This extends into the International Trade Mart, which Shaw ran, where Oswald staged a successful promotion and in which there were hidden CIA "assets". Again linking to later Watergate, also not reflected in the N.O. files that extend to a much more recent period.)

There are other Bringuier, Ferrie, Geraci and other records of persons related to them and their parts in the official story and investigations. How they are filed is not material. Whether they can be retrieved is material, which is one of the reasons I've provided records showing how - and how easily. There are files not searched, on Bringuier, where I have the number, and on others part of that part of the story, like Bringuier's then business neighbor but not friend Oreste(s) Pena.

This reminds me: there was an alleged Mexican involved. There came a time when Bringuier got his license number and gave it to the NO FO. No such record is provided. Earlier the number was withheld. He testified to this before the Commission. He testified that the FBI asked him to be alert to this, also not Now provided. Cover records are provided so the FBI could say it did speak to Bringuier about this alleged Mexican associate of Oswald's.

(10) Also connected with the Trade Mart (ITM) and Oswald's operation there and information withheld by the FBI is Serial 114, which is hardly a complete reflection of what is reported and is not the first time the FBI got the WDSU-TV pictures referred to. Again my sources are the best and I believe reason is on my side. When it was on coast-to-coast TV that Oswald had staged that operations on 11/22 do you think that the New Orleans FBI waited three more days to get those shots from the photographer, Johann Rush? There are other records that I believe follow on this. Through the language you will perceive indications of a never identified other associate or associates of Oswald. These prints are reffrred to in reports available at the Archives in which the NO FO sought this other person. (Yet The FBI withholds all records relating to a fingerprint not Oswald's that I've already

appealed ~~and~~ any reference to the 17 prints Rush made for the Secret Service and to its first access to ~~check at~~ the WDSU footage.) the FBI's

(11) While I question the withholdings of names from Serial 169 that is not the only reason I attach a copy. There is no privacy to protect, there is no confidential source or only source of secrecy involved.

The second paragraph is the first of the places there is reference to information not included in these files as provided to me. The content crosses over into records the FBI withholds but has provided to commercial investigators. Reference to flying planes into Central America by Ferrie had just then been of great interest to the FBI in the Carlos Marcello deportation case in which the mentioned G. Wray Gill had been a Marcello lawyer and Ferrie the investigator. Retired SA Regis Kennedy, also mentioned in this record, was involved in that case and failed to file a report(from what was provided) indicating that while in attendance upon the court he saw Ferrie there the day of the assassination. That was the day the case ended.

There are mistakes in the names. Correctly: Layton Patrick Martens and Alvin Beauboeuf, about both of whom there must be many records not provided. These include records relating to an earlier arrest of Martens, who with Ferrie was connected with Sergio Arcacha Smith. The arrest was at Arcacha's home and disclosed Martens' and Ferrie's association with CIA anti-Castro activities.

Page 3, paragraph 2 refers to the forwarding of what is not provided, the New Orleans Ferrie file, quite relevant. This is a pre-assassination Ferrie file.

The disclosure of two police names on page 4 makes other withholding of police names, as on page 1, at least inconsistent. (The DA's investigators, as the FBI knew and its records disclose, are regular members of the NOPD assigned to the DA by the PD.)

(12) Serial 190 apprently was revised. I recall no revised copy. It refers to indices not provided. I question the need to withhold what is obliterated on the third page. I'd be surprised if the information is not public domain.

The page headed "Misc." by hand includes homosexual references and references to the bars I referred to earlier. What is missing is later, relevant records. With regard to the

Wanda's bar this assumed later importance when a former FBI Department employee, Walter Sheridan, who was also active in New Orleans, Baton Rouge, in [redacted] and the Hoffa/Partin case, [redacted], did an NBC "special" and did other things at the same time that have relevance, misidentified as the "real" person known as "Clay Bertrand" one Gene Davis, then reportedly owner of Wanda's. He

(One relevance will come later in connection with an informer whose names include George Wyatt, the one used in the later record.) 6

This record indicates the existence of other records I do not recall seeing. It also indicates the need for other records to exist.

13 So does Serial 325a. I do not recall the teletype referred to in Paragraph 2, quoting Ferrie as saying the President should be killed, etc. This was earlier public knowledge. I include it in a 1967 book. I recall he made such a speech to a very conservative military group of which no report is included. I think it was the Military Order of the World Wars. The FBI can't have missed that one.

From paragraph 4 it appears that as of five days after the assassination the NO FO had not informed FBIHQ of what I report above, how "OSWALD got affiliated with the Civil Air Patrol." This was not because the NO FO did not know and had no records of it. Those records are not included in the NO FO files I received.

Please note that despite the fact that Voebel was a Commission witness, despite historical case standards [redacted] if not regular FOIA standards, in 1978 the FBI was going to withhold Voebel's name. And in connection with misinforming FBIHQ. (the earlier) of

14 b7D Were it appropriate to make any claim for Serial 323, as from prior disclosures of the period before FOIA it is not, the name of one person is certain and not secret and the other is the guess of a subject expert, if correct, also not secret. The certain name is that of Carlos Quiroga, who was also an FBI source. The second may be that of Edward Butler, an extremist of the far right and a commercializer and exploiter of right-wing causes. Butler had also been on WDSU with Oswald and Bringuier. (What appears to be

15 Serial 326 appears to be related. Manuel Gil worked for Butler at something called INCA. The longer name in this Serial could include the middle name, Scannell.) Butler

16 I provide Serials 384 and 386 together because they appear to be about the same matter,

6. Wyatt's sidekick was Morris Brownlee, David Ferrie's godson. The Jack S. Martin mentioned here and earlier was a source for SA Regis Kennedy. Martin was also a Garrison hanger-on and provider of very bad information. Wyatt and Brownlee both hung around the Garrison office, Brownlee much less than Wyatt.

with claim to classification made in 384 for the phone call that from internal content has to be from [redacted] FBIHQ. (There is in fact a series of records relating to the date 9/18/63 and the FBI's interest in it included in earlier disclosures.) Perhaps the actual explanation for what appears not to qualify for withholding lies in the directive "by whatever means necessary."

In its checking of tourist permits (Serial 386 elsewhere) the FBI disclosed the CIA connection of one, William George Gaudet, who just happens to be one who launched another assassination mythology, of Jack Ruby as "red." There should be records relating to this in the N.O. records provided but I recall none. There should also have been a rundown on Gaudet's interesting connections that would not end with his ITM office or his publication relating to Latin American with an Angletonian perspective. ITM is Shaw's place, which Oswald used for a successful "demonstration" in which the FBI quite properly had great interest that unfortunately did not include the reason Oswald picked ITM for his shot at TV.

(17) While I have no present recollection of why months ago I selected the two pages of Vol. 4 worksheets that are attached I presume lack of legibility was a factor in both. There is no need for copies of originals not to be clearly legible. There also is a referral that should been responded to long before the release of the records then being processed. If so the result could and should have been included in the releases at this point and reflected on the worksheets. (I know of no INS backlog.)

(18) With Serial 412 I question the b1 claim.

(19) The FBI has distinguished itself with gross misuse of the 7D claim but hardly more clearly and unjustifiably that with Serial 415, which withholds the name of Edward Voebel, almost withheld in an earlier record long after all of this was quite public, ranging from Voebel instantly on TV to his Warren Commission testimony and the records the FBI NEVER withheld at the Archives. This is part of the mind-set I refer to, of harassment by FOIA abuse, of creating phoney statistics and inflating costs - of all abuses. If it were justifiable, what is the need in an historical case? There was never any confidentiality, either, as this was not the only source.

7. The 9/18/63 date, appear to refer to a known fake report of Oswald having been seen in Mexico City then. There is continuing withholding relating to this fake. I believe claiming national security for a known fake is unjustified and that a faker is not entitled to protection by the exemptions, particularly when his name is not and has not been secret or unpublished.

8. While I do not presume that this is Mexican Government information there was widespread disclosure of this official information, much of which has been readily available in the Archives for years. There appears to be no basis for withholding any Mexican Government information. Meaning relating to Oswald in Mexico or in travel.

With regard to the Paines, both, there has been widest access even to political files and extending into both families, even to Trotskyite uncles and indication of being an FBI informant. The Paines are central figures in this case.

(20) I question both propriety and need for the same claim in Serial 479.

(21) With Serial 512 I question the classification and withholding. Note also that the reference to the earlier crash "do whatever necessary" 9/18 matter was based on a lie and not entitled to protection on that basis.

This record illustrates the importance, historically, for not considering field office copies to be exact duplicates of FBIHQ sent by originals from FOs. The withheld material should relate to Jack Ruby because the second file number is that of the NO Ruby file.

(22) Serial 569, Volume 5, refers to views of the WDSU footage I do not recall perceiving in the FBI's stills. If so, what frames of Johann Rush's film were used and from what source? This record is not as informative (to FBIHQ) as it could have been. Neeley also is in the pictures, as the report fails to state, and she also identified another person in them, an executive at the N.O. Roosevelt Hotel whose name escapes me for the moment. She told the NO FBI that Lawrence was renting the space in the new ITM building then underway. And then there is more to the Cross Country company and its ownership, the Bloomfield name that appears to have a CIA connection. Neeley worked in the ITM office, with Jesse Core.

(22) (Serial 569) Brady's middle name is Cuthbert, not Cuspert. He was a well-known homosexual, intellectual and gun fancier. He had what in New Orleans was known as a "discussion group," those of which I know being of rightist orientation. There were reports that Oswald attended his. (This reminds me of the total void in the New Orleans files of the established fact of Oswald's having been at the Ryder Coffee House, where there was such a discussion group. One of the operators was Jack Frazier, the other Howard Cohen, both of FBI interest, Cohen even in Mexico. I knew Frazier. It was the custom to have guests sign in. Somewhere I have the page Oswald signed. I'm surprised that the FBI, having spoken to both and to others who were there, provided no indication of its having obtained any of this information.)

(23) While I've forgotten why I made copies of the attached worksheets that begin with 910, and 1026 I presume with both it is the use of a ball-point blue pen for what is to be photocopied and is never clear when photocopied and the extensiveness of "previously processed" where there is error on the worksheets that can lead to identification problems. What is indicated as Vol 6 is actual 7, of which the second worksheet is part from 7A. Omission of dates, as

9. I have copies of other FBI prints and of investigative reports based on them - many - not included in these NO FO records. If in the FBIHQ release they can't be retrieved from that mass.

It comes back to me now that the name is Nick Palmisano and it was the Royal Orleans rather than the Roosevelt Hotel.

10. Here I mean to indicate withholding, perhaps by filing outside the 89-69 or 100-106601 files.

on the worksheets

they are omitted beginning with 910, making a total impossibility of finding them as "previously processed." Who can even estimate how many "Insert re: Oswald" records there are in FBI files? But that is the only information provided, no identification.

(24) That even the FBI was confused is indicated in Serial 1078. Please note on this the addition of indexing instructions for other than the regular index, the index that remains withheld. (New Orleans also provided index cards to Dallas.) VO

(25) On Serial 1084 there are four obliterations, with the single claim to exemption following the name of the NO SAC of all things! b2 and 7D are claimed for the SAC's name and no claim is made for anything else. If the identification of an informer is withheld I do not appeal that. If the symbol is withheld I do appeal that. Disclosing it discloses nothing that identifies the source.

If the FBI was and remains uptight about the 544 Camp Street address it would have behaved exactly as it did behave. This extended to refusing to provide the Commission with a copy of the literature on which Oswald stamped this address. When the Commission wearied of the FBI's stonewalling because it required a copy with that address it got one from the Secret Service. Meanwhile, this is precisely the area in which the FBI wanted to and did succeed in foreclosing the Secret Service, that address and the Oswald literature. The FBI huffed and puffed its files full of self-justification about the same pamphlet without that address stamped on it for all the world as though the records were identical because they were the same Corliss Lamont pamphlet.

Sam Newman was the owner of the building, since destroyed for the new federal building, I understand. He gave the Secret Service to understand that he put Oswald out of the building when he found him there without paying any rent. He gave me to understand that it was Oswald and it was the office that had been used by the CIA front, reference to Arcacha Smith in 1084. Nothing on this in the files provided.

Among the intelligence not provided to the Commission, or from any records I've seen, to FBIHQ is that there was a side entrance to the building and it was the office of a former FBI SAC named Guy Banister. He then had a private detective agency and an anti-Communist organization of his own. Ferrie worked for him from time to time and used his office. I

10. In effect this almo means that the NO FO became a subsidiary or auxiliary Office of Origin and submitted reports directly to FBIHQ rather than through the OO, Dallas. As it relates to Oswald and the Oswald file, this indicates the need for other files and records to exist. They have not been provided.

of this
go into the FBI's non-investigation in my early 1967 writing.

Another person who used space in the building and was connected with anti-Castro activities is shunned in the available FBI reports but not entirely by the Secret Service. His name is Arnesto Rodriguez. He had a language school on St. Charles, Oswald did go there, and Rodriguez had the New Orleans press reputation of being an FBI source. 11

While I am saying that this Serial relates to what it is known the Secret Service was doing, speaking repeatedly to Rodriguez about the subject matter of the memo, I am neither saying nor not saying that Rodriguez was a symbolled FBI informant and don't care either way and am not asking that it be disclosed. 11 (26) Serial 1107 [redacted] is an informant report by a different SA but the same SAC name is withheld along with other entries on the same claims. This record appears to relate to a Hoffa source, the best known of whom was Edward Grady "Whitey" Partin.

(27) While the same claims and withholdings are made on what appears to be Serial 1150 in this case the record includes the FCI's permission to disclose her name and FBI connection so there is no basis for withholding it as those who processed the record did. One of those to whom SA Kennedy then spoke was Betty Parrot (Parent). The record was disclosed years ago and I wrote about it in early 1967. She would have been a good French Quarter source.

This brief record begins "Attached is 302..." and adds "and also attached is a 302..." Neither is attached or in any way accounted for in the worksheets. Both are withheld without any claim to any exemption.

(28) What appears to be Serial 1391 makes such extended use of b2 and 7D that the date (line 1) is either a secret or only source or is solely a matter of FBI interest. Some date! I also appeal the other withholdings in this case. Obviously this person was known to the Garrison people from the content and from the date because this was prior to any public or published knowledge of that "investigation." 12

(29) Serial 1454 makes extensive use of 7C with regard to Arcacha. What is public knowledge about Arcacha that uninformed processors might consider should be withheld ranges from a Logan Act charge down to gypping his fellow anti-Castros. I believe that Orestes Pena

11. There is no reference to Rodriguez, who also figures in other aspects of the investigation, in any of these NO FO records. Nor is there reference to these other aspects and other persons. One of these other persons, Roger Lovin, lived at Rodriguez' school for a while. Lovin is also mentioned in the King assassination records. One of the other aspects has to do with a questionable transcription of an Oswald debate tape.

12. If Jack S. Martin's name is withheld then the withholding is ridiculous.

testified to some of this because his was some of the money Arcacha pocketed. Pena also went to the Miami HQ of the group to get Arcacha out of it. Arcacha also conned other refugees, including Quiroga, who was with him often, [redacted] money.

There are questions about the propriety of the withholdings compared with or balanced against really defamatory and false information the FBI has released about others plus the supposed standards of historical cases.

In 1434, under Serial 238 (on 29) you will note that in even its internal records the FBI avoided the fact that Banister was in the 544 Camp building.

In 1434, Under Serial 680 misleading internal records were also created or represent those already created. I doubt Ferrie misled the FBI. Or could in these matters. The CRF could not have had offices in the 544 building because it ceased to exist prior to the Bay of Pigs, when the CIA forced its consolidation with those the E. Howard Hunts and David Ferries considered dangerous "reds," the refugee unionists and others of similar views that are "left" only as related to the right extreme. Ferrie thus evades without lying. Following this there is inaccurate reference to what I refer to in my Ronnie Caire appeal, because as the FBI should have known Caire did organize what was known as the Crusade and used that building as an address to which contributions could be sent. At about the time of Serial 1434 a certain amount of this was in the papers. This Serial was not prior to public knowledge of the Garrison thing. Moreover, Arcacha and Caire had to go public to seek the money they longed for.

30 In Serial 1515, as with the others for which b2 and 7D claims are made for more than a name or a number, there is a question of whether anything is reasonably segregable. The withholding of the personal pronoun when only one can fit is ridiculous and unnecessary. (Also commonplace.)

I knew Brownlee, Ferrie's godson. I can't check Serial 702 (mentioned in 1515), because it is withheld as "previously processed." The content sounds remarkable like that of a record appealed above, where I go into O'Sullivan, who is the source in 702. Why withhold in one record and not in the other when the withheld identification is the same?

Brownlee was in with Wyatt on the Sheridan/Partin deal shortly after the time of this record. He was used in fact to pull the deal off. The time, after Garrison's operation was public.

(The same pair told me of being in Detroit at the time of Sheridan's involvement in coverage of racial disturbances that led to much criticism of NBC.)

(31) Serials 1664 and 165(?)7 seem to bear on JFK records indices.

(32) Unless there is an uncorrected error in Serial ~~1868~~ 1858 it reflects something that would appear to be radically wrong in the processing and providing of records from 89-69. This Serial is the first in Volume 2[illegible] as provided to me. Yet it refers to earlier records as in Volume 41.

(33) I provide Serial 1907 for comparison with other records in which FBI FOIA processors claim exemptions. Like the source, not withheld, nor his comment that the wife who left him is psychotic. Obvious political purposes are served by such disclosures without regard to truthfulness or dependability of their source. (Novel stayed in touch with the FBI.)

(34) Serial 1916A represents the initial classification of this 1967 record as of 8/22/77. Among the problems this presents, aside from the EO, is that ~~as of that time~~ by then the FBI had reviewed these records not fewer than three times without classifying them once. In addition, there is no other side in what was provided to me although this record states "over", which is typed on. (See p. 30)

(35) Serial 2063, which appears to be unreal in many respects, is a record I referred to earlier as disclosing the existence of a CIA "field office" in New Orleans and the head of that office, matters the Department has had sworn to as always necessarily withheld as a national defense requirement.

Why the New Orleans CIA "field office" did not read the sensational local paper headlines about the CIA, did not listen to radio or look at TV, is a mystery. Five of these six listed are among the most publicized names.

(36) This record makes me wonder why other internal FBI records were referred to the CIA, which has not acted on them. As Serial 2015, worksheet attached.

Can it be that the FBI actually believe the CIA pretense that it did not know that the charged Clay Shaw was a CIA contact in New Orleans?

(37) If one takes what appears to be Serial 3076 at face it appears that when someone walks into an FBI office and "insists" that it accept pictures of someone taking pictures

allegedly of his place of business the entire federal law enforcement machine bows to this insistence and for no apparent reason accepts and files these "insisted" pictures. Then the SA does not write a memo on it to the SAC, it being important enough for such a memo to be written, for more than a week, by which time he has been careful to learn where the "insisted" pictures are filed and informs the SAC of this, the SAC having nothing better to do than concern himself with "insisted" and unwanted pictures of a man whose name apparently means nothing to the FBI.

Meanwhile, the insister having been interviewed by the SA, the NO FO files would appear not to contain any report on the interview.

There being files on the persons interviewed, both office sources, this memo that is important enough for the SAC's attention, makes no reference to the files on those interviewed

And for no apparent reason, certainly none from the content of the memo, the SA directs it for filing in the JFK assassination file.

This record relates to me. With any kind of search the NO FO would have found it in compliance with my PA request despite its having me named Jack. (Interestingly enough, and I do not suggest this is the product of some FBI mind-control operation, when I farmed and had the occasional help of an old, retired farmer. he used to call me "Jack" but for a reason - from the weights he saw me lift and carry. He used jack as short for jackass because he was impressed that I could work like one.)

I don't know how many Weisbergs appear in the FBI's JFK assassination files but from the rather large number of records I've gone over there is no other. This one should not have been missed in NO, which raises the question, how many more were "missed"? And how else they are filed. I'm learning a bit about the subjects used for JFK assassination records the FBI does not want to surface in normal searchings.

Bringuier was incredible. I had no interest in him. This was the morning I was to return home after testifying before the grand jury. I had not gone sight-seeing. So when I accepted the offer of the police sergeant in charge of the police assigned to the DA's office to be taken to Oswald places of interest he had his oldest man, the about-to-retire Fenner Sedgebeer, take me to Oswald places of interest before taking me to the airport. I had my

own camera with me and had taken the pictures I wanted. As a last stop Sedgebeer, who had taken a Polaroid and used it for me, took me to not the Habana store run by Bringuier as this Serial states but the Habann Bar owned by Orest Pena in which Oswald allegedly threw a spectacular drunk. While Sedgebeer was photographing the front of Pena's place El Estupides Bringuier came dashing out of his store, Casa Roca, which was several buildings away, in a half-crouch shooting away with a 35mm. He took many more pictures than those he gave, rather insisted to the FBI, as he snaped with virtually every step while crossing the pavements and street. Had I been alone he'd have jumped me although we had never spoken or to the best of my knowledge even seen each other before. I know I'd not seen him.

It was a pretty crazy business I'm not likely to forget.

But I am interested in the missing interview report and notes and in any other misfilings, if this is what they are.

(Among the pictures I took are those of the wrong, meaning non-existing addresses in Oswald's address book and the porch of his residence where, in the official account, in the dark of night he practised sighting through the scope of his rifle. This also is when and how I learned of what the FBI appears not to have been able to learn, the fact in my Ronnie Caire request, that Oswald had the side entrance to the Cigali Building in which Caire had offices. I've noted Caire's connection with Arcacha and the CIA-funded anti-Castro people.)

38

Serial 3218 relates to Layton Martens and one of those at the phone company from whom the FBI obtains information. Martens became very much of a public figure. He had been Ferrie's "roommate," too. This record holds other interests, like how four years late the FBI learned that there were actual Clay Bertrands in New Orleans. Odd how Regis Kennedy and other SAs could not have asked this phone company source while they were looking for a Clay Bertrand in 1963 and did ask in 1967. And that FBIHQ did not order it asked in 1963. The appeal is not for the phone company source but for the other withheld information opposite which no claim to exemption is made.

39

Vol 28 - the worksheets are illegible. I'd appreciate a set that can be read. This can be done by overexposing for the content and not worrying about the over-exposure of the headings, which are black and legible. The FBI does know how to xerox.

(40)

Serial 4190 discloses what is withheld under privacy claim in other records, the names at Pan-American Films, well known names, too, because they did the film work for the local TV stations. (See page 25.) This is a cover rather than an actual record and while it may state what is factual it does not state what is actual. Supverisor Wall, as my 1967 writing specifies (without my having seen a single FBI reference to it) was adept at covering and non-investigations. He first devised the means of hiding the fact that the Banister(former FBI) Agency was in the 544 Camp Street building by using the Oswald address book device of the side street address. Wall managed to interview the CIA-type Frank Bartes without going into Bartes' name in Oswald's addressbook. He has other similar accomplishments that avoided giving FBIHQ troubles. (After Arcacha Bartes headed the HQ Cuban Revolutionary Council, which the CIA funded through 4/63, which happens to be the time Oswald returned to New Orleans. Bartes also later flew planes for the CIA in the Congo, well known in New Orleans but oddly not mentioned in any FBI records I've seen.)

Wall does not give the number of stills Rush gave the FBI. Other reports indicate six, which is no doubt why the FBI appears from the Archives to have given the Warren Commission only two.

The second paragraph hides other information. It gives as what one could take as the first date the FBI got these movies of Oswald distributing literature outside the ITM as 12/3/63. WDSU showed them and fed them to the net (NBC) on 11/22/63. It can't be believed and I do not believe that the FBI waited 11 days for this important evidence. I don't believe it because I know better from the man who was WDSU's news director, Ed Planer. Actually Planer and Jesse Core, who had been public relations director for the ITM and was in touch with the FBI in his complaints about this filmed Oswald demonstration, reviewed the WDSU footage as soon as Oswald was identified after the assassination. At that time both men told me Core was still in the WDSU footage. When the FBI returned the film he was not. My copy, also made at Pan-American, does not include Core. It also shows that whether or not the FBI spliced it all together, as Planer seemed to recall, what the FBI got was not one piece of film, as this reports states, but the three that WDSU had. The other two were of a debate Oswald had and scenes at the seemingly unimportant disturbing-the-peace trial where Oswald entered a guilty plea although he was not guilty and had a nice clipping reporting his $10 fine.

The FBI has and is withholding the information hidden by Wall. I appeal it. By this I mean more than will follow, from the San Francisco ~~at~~ Field Office and FBIHQ (See pp. 34ff.

(41) Serial 4225 withholds FBI names including HQ supervisory level. Appealed. (Other records have some kind of withholding

(42) 4234 withholds the name of the SA who wrote this report. There is no content relating to the caption, "ALLEGED EFFORTS TO INFLUENCE TESTIMONY OF EDWARD GRADY PARTIN," who I think you will recognize from his DJ role in the Hoffa conviction.

I've referred to this character, aka John George and other names, in connection with both Morris Brownlee and Walter Sheridan. Shortly after the King assassination, as this record does not mention, Wyatt was shot in the foot while working in a filling station and nobody was ever charged. Mention of the name Russo is not the only possible basis for filing a copy in the Garrison part of the JFK assassination file. Wyatt spent much time with the Garrison people. As this report fails to state Wyatt was a federal narcotics informant of such diligence that to make himself look good he framed some of his friends. He was also a blabbermouth, which Brownlee objected to. He spent a long night, all night, talking into my open tape recorder and turning it off only once. The day Sheridan/Partin made the deal with Brownlee/Wyatt to "defect" from the State legislative committee for which (who that committee was investigating,) they worked and go to work for Partin, Wyatt kept me informed from Baton Rouge by phone.

But the records relating to Wyatt and the JFK investigation are not provided. Nor any record of Wyatt's arrest in Texas with Brownlee, near Dallas as I recall, on a narcotics charge. Whether or not an informant on it Wyatt was part of the New Orleans JFK assassination investigation and should have been in the FBI's investigation.

(3) Serial 4270 is the Indices Searches slip on a man who was a good friend of mine, Matt Herron. (This reminds me, the Memphis Field Ofice provided no King assassination records relating to him and he did take information to the FBI there when he obtained it while on photographic assignment for Newsweek. (HS) the FBI knows from my book Frame-Up, he also provided me with information that I used and some I feared to use.) Matt was a friend of Garrison's, too. He was the Saturday Evening Post photographer on the Phelan interview of Perry Russo (relating to which no records have been provided) and for David Chandler then of Life magazine (no records of which have been provided), both in Baton Rouge.

It appears probable that this search slip was in anticipation of his testimony as a State's rebuttal witness if Phelan was used by the Shaw defense.

From the time of the King assassination through the Garrison-Shaw case when I was in New Orleans I stayed with Matt and his family. Now I find that the man who was so kind to me was then indexed 10 times by the NO FO on three different subjects and in six different "internal security" matters. (Of course I feel slighted that I was slighted, that none of these citations can be traced to my subversion of him and that there is no search slip on me.)

From his connections with Garrison and me and others, from his connection with the Shaw case, I believe Matt is properly part of the NO JFK assassination files and ask for copies of these and other records. I'll send him a copy of this searches slip and if necessary I'll ask for a privacy waiver. But I'd rather the processing begin with any necessary privacy excisions becuae there is no telling where he may be. (As of my last information he was engaged in the great subversion of navigating the ship Greenpeace. I'm sure he has taken it elsewhere since my last information, when he took it into a Pacific nuclear test zone. So you can see how dangerous a person he is. If he took it up to either the Canadian seal kill or the New England nuclear electric plant protest, which now seems less like even an FBI internal security matter, it would take a long time for any letter to reach him.)

If there had to be a searches slip on people like Matt I find it unusual that there are so very few in this entire file. From this I am led to believe that there are many others and that if not withheld from the files searched are in other files. Dallas, for example, had none in any of the files I received and I recall none from FBIHQ. Not even where I received the records resulting from searching by slips.

Matt also worked for Black Star. He had Dallas JFK assassination assignments at the time of the crime and once when I was with him, 11/68, on assignment for the largest British newspaper.

Not long after that he took his family and a friend just out of jail on a selective service charge on a two-year trip to and near Africa in his 32-foot boat. Some of his

letters did not reach me. I did receive some empty envelopes, I recall in one case mailed via our diplomatic service in the Canary Islands.

(44) I attach Serial 4428 because some of the claims to exemption appear to be unjustified. In what remains of the first page it seems unlikely that there was either a confidential or an only source for Layton Martens' address. The subject matter is a Presidential assassination and the letter is to a federal agencies with firearms responsibilities.

(45) In Serial 4433 the names of two supervisors are withheld. It appears obvious that the one in New Orleans is Ernest C. Wall. This is the perpetual FBI privacy claim for

(46) well-known FBI personnel. The same is true of Serial 4491. In addition, if search of the 97 or Registration Act file was appropriate as part of the assassination investigation the relevant records appear to be appropriate for includion in the historical case release. For your information the period covered is from the first of the month that Oswald returned to New Orleans until the day of the assassination. (For the first month CIA was still handling the CRL

(47) Serial 4448 again withholds known FBI names, names earlier released in exactly this connection. The pamphlet is the one to which Oswald added the 544 Camp Street address the FBI never would provide the Commission. 13.

(48) The withholding of Supervisors' names in Serial 456? in this case relates to the subject matter of a Congressional investigation to which, allegedly, the FBI made full disclosure. Only later to withhold under FOIA in an historical case?

In the immediately preceeding records the known and well-publicized name of the former clerk, Walter, who had been all over TV long before this processing, was not withheld. Nor was it in many other records. Only suddenly the FOIA processors found it necessary

(49) and apprently appropriate to withhold the name in 4580. 14

(50) Serial 4581, again withholding FBI names, begins with the same subject and asks for a search for possible assassination threats. The language of the SA whose names is withheld is ambiguous. It suggests that the search was limited to 62 files, which would be to eliminate many files that should have been searched if NO really believed that FBIHQ really wanted the nitty-gritty. Withholdings now extend to the stamp affixed to the

(51) lower right of the pages. With Serial 4592, on the same subject, there is added the futility of the withholding, if in an historical case there was need, that entended to clerks. 15

13. Earlier records and his Warren Commission testimony would seem to make it obvious that the obliterated name is of retired SA Quigley. But why would anyone think of withholding this when the entire roster of names of the FO is disclosed and this is an historical case?

14. If in this instance the name is not that of Walter, his name was withheld in other records.

15. A list of all employees of that period was disclosed.

The lower left quadrant of this stamp is for directions to serialize, hardly a 7C claim under any circumstances. This particular withholding is repeated a number of times on other records.

Again the withholding at the form typed on. The practise continues through Serials 4586, 4587 (where they forget and do not withhold William Walter's name) and 4590 (again not withholding the Walter name).

If 4589 is on the Walter matter and it does disclose exactly what the rest of the series withholds FBI names. Only it continues to withhold a Division VI name. (Consistency has not become an FBI vice.) It appears that Division VI was searching for a straw.

If there ever was any doubt about the real reason for the phony privacy claim for FOIA processors, whose names were not withheld until I pinpointed these kinds of abuses, I would hope the foregoing ends the doubt.

Volume 34, worksheet page 11 represents that all seven pages of both Serials 4710 and of 4711 are entirely withheld under b2, which is to say that even if the exemption is applicable, which I do not believe and appeal, there is absolutely nothing at all reasonably segregable, which I also appeal.

More on the Walter flimflaming of FOIA attached in Serials 4592a and b, 4594, which includes Walter's name and a transcript of a public interview (despite which these same FOIA personnel engaged in all the earlier withholdings from the same series of records) and 4594A.

The 5/17/77 airtel to all offices in C.A.75-1121 (Meerpol) is filed in NO without a serial in this 89-69 file because the instructions not to destroy any records with a case in court apply to my cases as well as those of others, if any. NO attached a list of serials under Walter's name, not withheld again. (I know of no Walter case in any court.) I believe it is obvious this also applied to such destructions as that of the original Long tickler in C.A.75-1996.

Above (re: Serial 4190) (pp. 40) in referring to the unjustifiable withholding later of the name of the man at Pan-American Films where the TV footage was copied (Milton LeBlanc) I stated that elsewhere the name is withheld although in that record it was not. The withholding is in the Subs, of which 1A65, 1A66 and 1A75 are attached.

Bearing on what I said about three different pieces of WDSU footage see Serial 1A66.

Further evidence of FBI open contempt for the Act, controlling decisions and the AG'S historical case determination is in the following 1A examples, which are not of either confidential sources or even unpublished. All that is withheld was made public by the Commission and I believe by the FBI itself.

(60) 68;69, where Oswald had his printing done, extensively reported by Commission and FBI and me, without any 9 excisions in 1964; 70, ditto; 71, the name is known and I think in this file, as I recall Bill Reed, and also in the Commission's public material;72 ditto; 73 (says from Memphis but probably error; recall no Memphis reports on Lawrence, referred to above, or related companies); 1A104 (inconsistently neither Bringuier's nor SA's name is withheld re "Jack Weisburg" photos);125 (inconsistely as possible, list of all FO employees re Walter case);and lily-gilding, 135, which withholds the name of the SA who interviewed Frank Bartes in 1976.

There is no Serial to a 1A list of seven entries the first of which is of November 1976. If there are accompanying main file reports, as there may be, I now do not remember them. On the list there is an utterly inappropriate 7c claim for an SAs name, particularly inappropriate now that the list of NO employees is added to my list of Dallas employees. In these underlying records the similar and related withholdings are more extensive and I appeal them. I do not attach the actual underlying records cited to save the really unnecessary copying. The [redacted] first (1A139) is an interview of one Loander D'Amy involving the Court of the Two Sisters, about which Garrison did not weave all the wild theories, and involving the same Gene Davis who sued NBC and Sheridan over being described as the real Clay Bertrand. This alleges [redacted] connection between Oswald and Ruby. The next (1A140) is an interview of a convicted felon who claims Oswald's admissions to him include serving the CIA and the FBI's Hosty getting him the job at the book depository. While I regard both as fakes, prism which I believe entitiles nobody to any protection, in the alternative, in an historical case, these would hardly appear to be approriate to any claim to exemption. (1A141 relates to 1A139 above.)

(68) I believe there are serious questions with regard to any fakery in historical cases. In addition to the withholding of FBI names in Serials 2008 and 3030, which relate to a black prisoner named Vernon Bundy, the name of the source, which is not secret, is withheld. Those processing the records probably have no way of knowing that the source's story was public in April 1967, when reporters in New Orleans told it to me, their source an anti-Garrison lawyer. There was doubt about Bundy's story but also about the source's. When those processing records in historical cases known little or nothing about the subject matter wrongful withholding is inevitable.

(69) It gets laughable with Serial 1922 and several pages I believe but now am not certain were with it and are from the same file. Whether or not on receiving the information the FBI believed it was new it wasn't and the source is very obviously Gordon Novel. I doubt very much that the NO FBI was misled into believing it was getting valuable and secret information. But the FOIA personnel have no way of knowing.

Without checking files I can't be certain that all of this was published. I believe it was and I know it is not secret, all was very well ~~or in any way not~~ known.

I doubt that in good-faith processing in historical cases the question would come up because the withholding is not appropriate to historical cases. Re Bundy, above.

The problems come from the FBI's determination to treat FOIA as a withholding rather than a disclosing law.

(28)

On the withholding of police and similar names

When I received a letter in which a stranger asked essentially pointless questions about some of my earliest work and the offer to tell me who NO T-1 really is I decided to learn and asked him. In response I received the attached two pages from the [redacted] Fair Play for Cuba Committee pre-assassination file, 97-4196-11. It is a copy of a record Paul Hoch made available to others.

(70)

This man actually believes that there was one and only one person identified as NO T-1.

Inevitably there will be confusion, some of it possibly embarrassing to a number of people. This is the potential of a number of variations of the kinds of unnecessary withholdings practised by the FBI in processing historical-case records, complicated and magnified by disclosures of what ought not be withheld, as in this case.

The FBI goes to court to refuse to disclose police sources, claiming it cannot and never does, when it fact the opposite is true and withholding is generally arbitrary and capricious. This also applies to information provided to the FBI, by police, investigators and various official bodies, including prosecutors. It is on rare occasions only that the information must be withheld.

If I had copied for you only those records I've read in the past two weeks in which police and similar names were disclosed, in and out of the United States, sheriffs, DAs and various other governmental components along with the information they provided to the FBI, it would require a large box if not a trunk to hold them all. Yet from the same FOIA unit and the records in the same and other historical cases the identical information is withheld and once withheld the FBI will waste everybody's time and much more to go to court to continue to withhold it.

I'll explain why this particular disclosure, which is of no interest to me in my work, attracted my attention.

More than one postal inspector provided information to the FBI in New Orleans, which was and is right and necessary. More than one name of New Orleans postal inspectors has been disclosed. I believe the last one I read prior to receiving this one was Zarza or something similar. And inspectors were not the FBI's only N.O. postal sources.

Now it happens that there remains a mystery over the postmark on a change of address card filed for if not by Oswald when he left N.O. on travels that began in Mexico and ended with the assassination. The cancellation was subsequent to the time of Oswald's departure from New Orleans. The Warren Commission was not helpful to either solutions or discouraging irresponsible weavings of conspiracy theories by the staff counsel's handling of this matter. He said that he'd just add this to the stack of similar matters. So how the card could have been mailed by Oswald when he was not in New Orleans to mail it remains a provocative mystery. I wrote about this more than a decade ago in the book about which

this stranger wrote me.

Obviously, like most of my appeals, in this matter I am not looking for information that is of personal interest to me.

My concern is with the historical record and confusion built in by arbitrary and capricious processing in which there is unjustifiable withholding that will plague the country, including government agencies, for years to come.

It is a rare occasion on which the name of a postal inspector is secret or the fact of his having provided information to the FBI must be withheld. (I recall no single instance of this in the Warren published and unpublished records which total some 300 cubic feet of records. It became an FBI device only after enactment of FOIA and its 1974 amending.)

These kinds of inconsistencies must account for a large part of the FBI's backlog, for many appeals and I know for much time wasted in litigation. It seems to me that if the FBI did not want this backlog, these wastes and costs and the needless litigation simple and comprehensible instructions to its FOIA personnel would eliminate the problems. From this I conclude that the FBI has created such problems because it wants confusion, waste and unnecessary costs in time and money, in part to discourage and mislead requesters and in part as an aspect of its campaign against the Act.

On page 18 I refer to Serial 1916 and 1916A, which is ex poste facto classification. Serial 1916 appears to be Serial 4961 in FBIHQ 109060. It is attached.

No classification markings appear on the record or an attached note although there is a withholding from each. The exemption claimed is not indicated but under the EO it cannot be b1.

The withholding on page 2 follows a comma in a sentence that refers to a broadcast. While a claim to some exemption may not be entirely impossible, b1 claim seems to be.

On the added page headed "Summary" a characterization of the easily-characterized Gordon Novel is withheld, no exemption indicated. If an unindicated b1 claim is made for such a comment as an allegation that Novel was associated with a federal agency that would merely repeat what Novel himself has proclaimed in public.

(The last of the never-flattering public references to him I recall in published form is the Colson/Novel plan to erase the Nixon tapes by some form of remote radiation.)

(72)

Serial 3004-A in Volume 22 is of 12-10-71. It is described as Memo, Hearn to SAC, NO. Of the 13 pages 10 are provided. Claims are made, in blanket, to b7c,b7d, with no copies of the three pages which are entirely withheld, not provided with obliterations. There are other obliterations in the 10 pages that are provided. This date is 8 years after the assassination, more than 4 years after the Shaw charge.

This record was added to the file because it relates to Serial 3004, of 5-8-67. That is a rather long teletype, of 20 pages, indicated as "Previously Processed." Because it was to FBIHQ I had a search made of the FBIHQ records provided for that time period. No 20-page teletype shows in the 105-82555 or 62-109060 files. From this it would appear that again "previously Processed" is FBI Orwellian usage for memory hole.

In an excess of caution I also had the Ruby and Commission (62-109090) files checked, along with the worksheets. Again no 20-page teletype. For the same date the Commission file (62-109090) holds a Not Recorded Serial reporting a news story that Garrison would seek a Senate CIA probe, hardly properly filed under the Commission. It is of seven not 20 pages.

The article is said to report Garrison's subpoenaeing of SA Regis Kennedy, not a Commission matter and not included in the proper files I've read, as best I can now recall. (The matter to.)

There is no reference in this teletype to the subject of 3004A, "Lt. RAYMOND COMSTOCK Information Concerning." However, the only NO SA connected in any way with Comstock in the 10 pages provided is SA Regis Kennedy.

The first page of the 12/10/71 LHM on Comstock notes only that he "SERVED AS INVESTIGATOR IN THE OFFICE OF District Attorney JIM GARRISON beginning May,1962" and that a "summary of the pertinent details found in the New Orleans Office files re. subject, Lt. RAYMOND CONSTOCK, New Orleans Police Department" follows. (Caps in original.)

The first page that follows is numbered 3. The first three paragraphs are obliterated under b7c and d claim. The 44 file number is not obliterated prior to the second paragraph. This leads to the belief that at least part must be reasonably segregable.

The next two file numbers not obliterated are 80-267. and 80-267-1376. The first is not attached, the second is. It is a news story reporting that among eight policemen transferred to the DA's office Raymond Comstock of the narcotics squad is one.

What is a news clipping doing in an 80 file when it signifies "Laboratory research [redacted]

matters"? Or a xerox be added to 67-4715 when that signifies "Personnel Matters," the * indicates "Applicant-related Classification?"

If Comstock applied for a job with the FBI there would be no privacy involved for all who knew him, including many police associates, would know it.

And then there is the D claim, which can indicate source or informant.

Which reminds me that on the first page, the printed form, there is added by hand "1cc-697," which does not signify any known FBI file.

Aside from several 89-69 citations there are next two 46 references. For 315 the claim is made to both exemptions, for 314 to C only. All else is obliterated.

After another 80 citation, the clipping attached as page 9, 7 and 8 being withheld, there are two more 76 references, 3600 (00:Dallas file #76-4261) and 76-3600-12, which is provided, an SAC letter to the COP praising Comstock's cooperation with Regis Kennedy. There is no other file indicated on the letter, [redacted] (76= escaped federal prisoner, etc.)

The page 9 clipping reports that Comstock was among "the next 24 in line for lieutenant.." There is a double vertical marginal line opposite his name and those close to it.

Next there is an indices searches slip from which there are three obliterations with the b7c claim made only for the third, the name of the fugitive Comstock helped the FBI capture. Page 2 of missing 3004 refers to Comstock in connection with the assassination. The prior entry is entirely eliminated.

The 10th page is 20 numbers higher in serialization. It is 3024A. By this slip, which is not included on the search slip, 3024 was classified for the first time on 8/22/77. (By 2040, who I've observed is willing to classify almost anything.) The 7/1/77 date is also used in this. The record is reflected as also 62-109060-5224. In its place in that file is a slip showing referral to the CIA, which has not acted. Nine pages are indicated. But for the NO copy, Serial 3024, the worksheets reflect that 7 rather than 9 pages are "previously processed." Not unusually, into another memory hole. With "previously processed" now extended by two pages.

While reading the NO files I became aware that the FBI had an inside source in the Garrison office. I also became aware that the records provided, which may not be all and of course, there could have been more than one source, show that the source was not fully aware of the assassination operation of the DA's office. This could fit one whose major responsibilities were a specialty, like narcotics. Which was Comstock's.

And it may indeed have been FBI practise to write fine letters to the COP even if this is the only one I've seen in these many thousands of pages. Perhaps Comstock's aid to the FBI was that unusually significant and helpful.

If Comstock by any remote chance were an FBI informer inside of Garrison's office I would ~~expect~~ expect the FBI to consider withholding of the fact proper although in such an exceptional situation I think the rights and wrongs can be argued. I am not saying that the foregoing makes a case that Comstock was the or an FBI informer. However, I am saying that the excessive and I believe unjustifiable withholdings require suspicion, even though such abuse of FOIA is FBI SOP.

The use of the 80 file allegedly research (as by Orwell?) in the Lab for a newspaper clipping is pretty far out, as is the hidden existence of a Garrison file I've already reported as an "80" file. And asked for.

So also would be such use of a personnel file for non-personnel if not an actual applicant, not a Nixon/FBI/Danny Schorr type non-applicant.

This entire thing, even with fudging on the numbers of pages and ex poste facto classifications, requires the appeal I do make.

It now also appears to be necessary to look in 80 and 67 files for what can't be found elsewhere if the records have anything to do with the assassinations or those who raised questions about them, like me. After all, did I not find records on me filed as government-employment candidate when I wasn't and wouldn't be? Which is to say that the FBI did not begin Orwellian practise in justifying and filing with Schorr.

(73) The attached ~~worksheet~~ referral slip from FBIHQ 105-82555 appears to relate to Serial 4175 from the next Volume of the same file, where all the information withheld in the referral is provided.

If I am correct in this and the passport is that of Orest Pena then the FBI withheld what was placed in the public domain in ~~1964~~ 1964 by Warren Commission publication.

The paranoids (FBI, Commission and Garrison,) appear to have believed that this man, who led a hard life and periodically travelled to relax, was travelling because he was some kind of foreign agent.

He could well afford to travel.

The matter, however, was of interest to the Commission, Pena was questioned about it. The transcript (details of his travels) and many FBI records were made public. (He had been an FBI source, too.)

With this an historical case why the referral?

What was the need?

What kind of ~~[redacted]~~ FBI processing is there when the processors have to know Pena was a Commission witness and they still withhold the public domain, still waste all this time and money and extend the wastes to other agencies?

I knew the man well. He claims he was threatened by the FBI. There is substantiation in his Commission testimony. Without contradiction or response it includes his going to the NO FO with his lawyer to complain about the threat. No FBI records relating in any way this and other such matters of which he told me have been provided. And there were David Ferrie and Cuban anti-Castro organizations complications. I believe there is deliberate withholding.

Johann Rush withholdings - Oswald in New Orleans.

(74) An important New Orleans matter not reflected in any NO FO file I've seen is a Not Recorded Serial in 105-82555 and was indicated for filing in another FBIHQ file at the time the memo was written on 11/8/68, 62-109060. This involves me in two different ways, which I'll explain. The withholding is of the public domain and is laughable because the same information is repeatedly disclosed in NO FO files. I made subject copies and can cite two of these many, 89-69-114 and 186. The withholding is of the name Johann Rush.

Throughout this memo Branigan refers to Rush not as the source but as the "informant." This has many meanings, one that many relevant records are withheld. This means FBIHQ, NO and San Francisco, perhaps also the Shreveport office.

It also tends to add meaning to how Johann Rush was at the ITM to make movies of Oswald that later had such great significance and how Oswald had unlisted phones for personnel of the TV station in his address book, as I recall also a connection with an advertising/public relations agency.

What it seems to add up to is that the same Oswald was has long been suspected of having an FBI connection, a matter supposedly investigated by the Commission, just happens to know how to get himself TV coverage and of all things by an FBI informant. This then is withheld by the FBI from the Commission, which was to investigate and report on all, with the FBI as its major investigative arm.

Explanations: whatever the official mythologies, if any, my work in New Orleans included no investigations of Clay Shaw. My interest was Oswald. I considered what I later learned, that it was inevitable for Shaw to have been an FBI and CIA source (if not more). I regard this as proper for one in his position, given the nature of the ITM. Suppose for example that someone had tried to assassinate Somoza when he came to N.O.? The ITM also was a first-rate source of important and legitimate commercial and industrial intelligence.

Having no means I stayed where I could. I've told you about Matt Herron. There was also a college lit. professor, also a political informant for the FBI, named John [redacted] Joerg. I knew he was an informant when I used his hideaway, not his home. It was on Robertson Street, uptown N.O. (No records provided from N.O. FO files although Commission records leave without doubt he is in them.) I also stayed on Jackson Avenue with a Mrs.

Marge Kirkpatrick, whose son Godfrey had managed to escape an insane assylum with a weapon owned by a doctor and with the intent of killing Garrison. (Instead he assaulted his mother and was captured and placed in a maximum security institution at Jackson, where I interviewed him 7/4/68 or 69.) The last of Godfrey's voluntary hospitalizations followed his having been in touch with Washington officials, claiming assassination knowledge. (No records of this provided.) When he was hospitalized a CIA phone number and name were found in his pocket. I have a copy of this and many other records, provided by the mother but not included in or referred to in any records provided from any files by any agency. It is my recollection that these records include the numbers called in Washington.

There are provocative elements of mystery in all of this. For example, the narcfink I've referred to, Dione Turner, knew all about the Kirkpatrick home, even prior furniture arrangement, about tenants and their personal lives and subsequent careers. (Marge had a very large house and rented rooms, including to N.O. policemen. She reserved a former slave quarters for a first violinist of the N.O. Symphony for the season beginning Labor Day. It was available to me without charge at all other times.) Accurate information, as I learned when I taped recorded the first conversation between these two women, beginning, alas, only after Joerg left. Turner even knew the kind of pistol Godfrey had obtained at the assylum, a make I'd not heard of before. It was a Walthers PPK. Later Marge showed it to me. The doctor never reclaimed it.

It is difficult to avoid the suspicion that Godfrey is among those who may have been used in some of the mind-bending work that has since become public - and not he alone in New Orleans and the area. I was fascinated by the voids in his recollection of his life. For one example, his knowledge of anti-Castro activity in the New Orleans area. I have some of his preparations for writing on it. (His poetry was pretty good.) He recalled none of this.

Because Turner had claimed to have known him I asked her if she would care to go to Jackson with me.

(My transportation was a Fiat sports car provided by the Fiat dealer and art fancier if not also a man of other parts, J.B.Vela. This was because I had befriended his former sales manager, Douglas Lethbridge, an authentic CIA type who was also a Bay of Pigs

prisoner. He claimed to have been a Castro government official and a boyhood neighbor of Castro's. When I phoned Lethbridge to ask for a cheap rental car, not knowing of his mental illness, Vela remembered me and would not accept payment for the use of the Fiat. This was very helpful, considering that in those 15 days I had only four real meals, on other days being able to afford only a skim milk and vitamins breakfast and a 19¢ hamburger for supper.)

Just before lunch time Godfrey told me lunch time was approaching, that after lunch they were required to rest, and not to return until that period was over. I asked him if I could bring him anything. His response was that he'd like a malt. Turner interjected chocolate. The mother later told that from boyhood malted milkshakes were a virtual addiction with him - and only chocolate.

Godfrey was homosexual but he married a prominent woman, reputedly then with child. The marriage didn't last, whether or not the mother's account is dependable. I spoke to the not-since-remarried wife, who happened to have been friendly with Shaw or friends of his, one of whom gave her marriage party. The wife told me she had been interviewed by the FBI. I've seen no such reports and no reference or indication of any such interviews.

Garrison and his chief investigator thought I was crazy to move in with Marge and tried to talk me out of it. But they were the best accomodations I ever had in N.O., a convenient location and thanks to the CIA, even a nice sports car. Moreover, Marge was very informative. Although a bit flakey and of the ultra right and with a sign reading "Register Communists, Not Guns" at her front door. I checked out some of her information.

In the course of this I came upon a lead to Johann Rush. He had left N.O. and the people at WDSU said they'd lost track of him. In this checking I obtained the names and address and I think phone number of his parents, as I now recall, at Shreveport.

You will recall my interest in his footage and in the six prints he provided the FBI and the 17 he gave the Secret Service almost none of which are with the Commission records at the Archives.

For your better understanding of this I repeat that the FBI was looking for a third man, refused to provide the identification of the fingerprints not Oswald's on his literature

and in the N.O. records seeks to withhold the names of the printer and his assistant. (Douglas Jones and Myra Silver.) Both are not secret. Jones died in Hurricane Camille. Before then I interviewed him twice, the second time with Mrs. Silver and on tape. Each denied that Oswald was the man who picked the printing up. Each separately selected a number of different views of a man other than Oswald (Kerry Thornley) as the one who did. He was an FBI source. I told you I have a "Third Man" file. When I was able to get the Secret Service to deposit its copy of the Rush/WDSU footage at the Archives it had an identification it required much effort to get from the Archives after I saw it. The wrapper said that Oswald and two other men were shown distributing literature outside the ITN, as Jesse Core and others told me. (One of the others was the NO leader of an anti-Castro group who was service manager for the Fiat agency. This man even identified an automobile he saw involved. Remember, I told you Bringuier had given the FBI a license number and the FBI withholds it still, even after Commission testimony to it?) So, I wanted to see the stills, especially because both Jesse Core and the then WDSU news director both told me the footage had been reduced by the time the FBI returned it.

When I obtained the lead to Rush through his parents and the misinformation that he had left all his film with his parents when he went to San Francisco I asked one of the New Orleans Assistant DA's to get the pix. He wanted me to go to Shreveport, for which they offered to pay. I regarded this as something they could accomplish by a phone call and refused, urging them to call first and then send an office hand.

I then left for Dallas, with a ticket privided by a former FBI SA who figures in these records but not in the N.O. files and in some of the records provided under PA, Paul Rothermel, Jr. He remained an FBI source when he became chief of security for H.L.Hunt. I had a copy of the manuscript of a spook "black book" originally titled L'Amerique Brule, retitled by Garrison's suggestion into Farewell America. (He wanted. It was) I have a full account of the leaking of this black book to Garrison. It includes persons who are mentioned in the records provided but no single reference to or indication of this is provided. One is Richard Case Nagell. Another used the name Rose and appears to have served the CIA. (If the FBI has Warren Hinckle's account it is not dependable and is self-serving. The former and disliked SA William Turner was the chief dupe, a real sucker.)

I had been away from home for a month. I was tired and unwell. The day before I was to leave Dallas Garrison phoned and insisted that I had to return to N.O. on my way home because of a major "find" or "discovery" of his. He insisted to the point where I had little choice.

My luggage managed to get lost, although that was the first stop of the plane after it left Dallas. Fortunately Herron met me and I was able to get spare clothing. The embarrassed airline provided a toilet kit. And when I finally got my luggage, it was in bad shape, as had happened before. I recall in particular the time I had made the first public use, in Minneapolis, of the picture and sketch the FBI still has not returned in the King case and immediately after I got the John Martin (Minneapolis) film no copy of which the FBI has yet provided.

When I got to N.O. late Friday night and had no luggage it was too late to see Garrison and his supposedly exciting material. I did this the next morning, Saturday, and left for home Saturday evening. The excitement was over a print of the WDSU footage. It was not a good print, a remote generation. Mine, made from the WDSU file copy at Pan-American, was much better. (As protection I'd had two prints of the footage made, desiring to have stills made from it. The copy I mailed for the stills to be made never got there. I have the other print.)

It turned out that Rush's parents had been phoned and that they had given Rush's San Francisco address and phone. Garrison or his people had phoned Bill Turner and asked him to get the stills from Rush. Instead Turner had had a poor copy made of the movie and gave it to Garrison, who was quite excited, imagining he saw Clay Shaw in it.

That day I also interviewed Charles Hall Steele, Jr., the known second man in the Oswald literature operation at the ITM. Steele then was a marine lieutenant. I have the tape. He confirmed there was a third man, not known to him. That day I also got wind of a coming Garrison insanity with which he intended to mark the 10th anniversary of the assassination and in time and with some effort was able to prevent it. That day also I initiated two independent investigations of the so-called "tramp" pictures the face of one of which is the picture that goes with the sketch in the King case. So I recall the day well enough.

When I left N.O. I knew how to reach Rush.

Long before this I held the opinion of Turner I have since seen in FBI records. Whether or not he was as he later claimed, a "black bag" operator for the FBI, he is the one former SA of whom I know I can easily believe was fired for both incompetence and character flaws. As an investigator he is incompetent. As a writer he is a heavy-handed plagiarist who adds only error to the work of others, which is readily identifiable.

What this incompetent had not done was so simple I asked a subject expert, Paul Hoch, to interview Rush. Hoch had never interviewed anyone and was uneasy about it but he did see Rush and learned that Turner's interview consisted of boasting how great an investigator he was and not asking anything. As I recall, and I'm not digging out old records, he told Hoch that he had made no still for himself but that he had duplicated the 16 mm film before leaving WDSU.

The date of this Branigan memo (No. 74) coincides exactly with my recollection of that trip because I left Los Angeles for New Orleans on election day, having voted by absentee ballot much earlier. (Because I was in association with those on whom I know the FBI has records I'm surprised that neither the San Francisco nor Los Angeles nor San Diego nor any other field office has provided any relevant records in response to my PA requests. I made numerous appearances of the kind that have interested the FBI, even on radio and TV in Dallas, which has provided no records relating to them. Some were quite critical of the FBI's work as reflected in my C.A.75-226, which is past oral argument before the appeals court this trip for it.)

This 11/8/68 memo also reflects the existence of other relevant records not provided. If they are not in NO files as they should be they have to include San Fransciso records. If Branigan made any other record of the call from San Francisco I have not seen it in either of the FBIHQ files.

The mention earlier of the person Oswald phoned at WDSU is in his addressbook, p. 69, as Burns Rottman, 5235033. I believe it is Vern, nor Burns. I believe that was not the WDSU number.

The addressbook is in facsimile in Commission Vol 16, Exhibit 18, pp. 37 ff.

Many interesting entries. Like micro dots on 16H53, Communist and Trotskyite names and addresses, even Nazi party leaders outside the south. The phone and license number of SA Hosty, originally withheld by the FBI on the ground that it knew Hosty, is on 64. An entry on 67 would have led to the side door of the building in which Ronnie Caire had his office at that time and where Oswald applied for a job, according to the Commission. The "David Crawford" on this page is actually David Chandler, who confirmed it to me. These minor deviations characterize Oswald's entries.

To go back to the withholding relating to Pan-American Films, if there was a legitimaacy to any claim of a confidential source then the FBI should have known that I had had copies of the movie made there. Some one also just might have had reason to be interested in my mailing of a package that looked like it could hold a roll of film. A source at WDSU or inside a narrow area of the Garrison office, the small one in which Comstock was, could have known. Or the disappearance in the mail could have been accidental

In any event, unlike many of my appeals, which are in the interest of the historical record and of no personal interest to me in my work, this entire matter is of both characters, important in my work from the first and to a complete and accurate historical record.

My intent to restrict myself to the responsible and non-conjectural in this area changed all that followed a decision I had to make in early 1966. After sitting on the manuscript of my first book for months a major publisher wrote me that if I would do some rewriting around what begins on page 138 line 4 it would be an extraordinarily important work they would be glad to publish. Doing this required that I charge the Government with conspiracy. I was not prepared to do that for wealth or fame and instead at that point decided to bring the book out myself, the first book, which then existed in a limited and copyrighted edition.

In connection with that citation I also had written that Oswald's career in New Orleans was consistent with what in intelligence is called establishing a cover.

Part of this establishing of a cover was his literature and related operations and the attention he was able to draw to them. The official investigation and the records I've been provided do not include most of his known operations and no basis for such entries

in the addressbook as Rottman of all the people at WDSU (incidently, the right one and not one who appeared on the tube) and Chandler at the newspaper.

I have turned up many other such picketings by Oswald, all designed to attract the attention of the Bringuiers and others of that anti-Castro bent. My sources included the FBI's sources, but the FBI's records do not include what they told me. If the information remained in New Orleans it is not in the records provided. If the FBI ignored it that would appear to be quite unusual, there was that much of it. It was all in the same general area, near Bringuier's place. There was no one more certain to rise to that bait than El Estupides Bringuier.

Not long after Oswald got this attention and the proofs of it to take with him he was off for Mexico and the mysteries about it that the FBI and CIA perpetuate by their withholdings under "national security" claim. There has been no response to my appeal

A tragic event not in the files relates to one Brian Ampolsk, of whom there is scant mention. Shortly after his experience with Oswald he was sent to an assylum. His father told me he was just out of it about the time of the Branigan memo so even though I knew where Brian was and was working I did not seek to interview him. The father connected his flipping out and his Oswald experience.

The FBI's failure to make unequivocal response, that it does not have copies of the Doyle and (John) Martin (Minneapolis) films of Oswald being arrested in New Orleans during the incident he provoked with Bringuier while providing copies of records stating what can't be believed, that there was no interest in these films, plus its failure to offer the films to the Commission or even inform it of Martin and his film, all are relevant and tend to suggest motive for withholding. My Doyle and Martin requests are more than a decade old.

Any new view of Oswald, which is in the Martin film, and any possibility of an associate, which can be in both films, obviously had some value. Considering all the filed junk and all the pursuit of insane stuff by the FBI ignoring any photographs of or relating to Oswald is suspect, if they were ignored.

With Rush an FBI informant this becomes much more provocative. I believe the entire matter should be researched, without limit to the Oswald and assassination file designa-

tions. It should include 134 files, 80 and 67 and any other possible Orwellian number or caption.

What makes this even more provocative is checking the worksheets covering the other file, 62-109060, for that copy of this Branigan memo. That time period is included in Section 163. It begins with 9/26/68, the next Section with 11/25/68. There is but a single entry for the date 11/8/68, and conveniently it is for a Branigan to Sullivan memo of a single page. Only in 62-109060, this file it is withheld entirely under 7D claim.

Assuming the obvious, the withholding is 100% unjustified and 100% unjustifiable.

Assuming what else is obvious, this is not an accident but is deliberate withholding of what can be embarrassing to the FBI.

If the FOIA processors were without subject matter knowledge and if they did not exercise due diligence and did not process in good faith the most examination of the record itself discloses then could have been withheld is that Rush was an informant. There is reasonably segregable information and it is relevant.

There is much junk made available by the FBI about Oswald in New Orleans and there is much that this junk covers up, what is not junk that the FBI has not disclosed about his career there. A major part relates to his manufacture of a pro-Castro record, part of which is this getting of public attention, which is consistent with establishing a cover and nothing else.

A major search remains to be made, and not limited to the NO FO records not searched.

In FBIHQ there are many Branigan to Sullivan memos relating to this part of Oswald's career. Any coming from my FOIA requests I saw so long ago I do not recall them. However, recently I made copies of quite a stack of them relating to Hoch's and sent them to him. (At the time of his initial requests he was still in graduate school.)

If you wonder about the 134 number it appears in this Branigan memo below the list of the names of those to whom copies were sent and to whose files search should be extended: 134-17762

With Rush and informant at the least there should be his report on the Oswald operation and his footage of it.

It is my recollection that after he shot the film Rush had lunch with one of those appearing in his film, the previously mentioned Neeley.

She worked with the previously mentioned Core, who was quite upset over what Oswald had done, believing it reflected badly on the ITM.

Whether or not she did, Neeley could have provided the account available from Core and not in any records I've seen.

What I've referred to as the least may be that. Only a real search, with due diligence in looking for out-of-the-way filing, can determine.

There is also what else Rush may have said in San Francisco, whether or not it may be elsewhere at FBIHQ. I believe it should be provided as part of the historical record.

JFK cross-over into PA request:

Kerry Thornley had been a friend of Oswald's in the Marines. Oswald broke off with him when he red-baited Oswald, from Thornley's own Commission testimony. As soon as Oswald's name was connected withe the assassination Thornley was interviewed by the FBI and Secret Service, after which Thornley offered to be of more "service" to the FBI. The week after the assassination Thornley moved to suburban Washington. From letters he then wrote, which I obtained during an investigation he and his friend, a strange one named David Lifton forced on me, he claimed that the FBI "pissed down their legs" when they learned he was that close to Washington. Maybe it was the Commission, not the FBI. Again, I'm not checking.

This was the poet in Thornley, who fancied himself a writer.

Thornley had a friend named Osborne. As I've informed you, both of the people at the printer's selected pictures of Thornley as most resembling the person who picked up the printing - which was done under the name of Osborne, not Oswald.

The NO reports to FBIHQ, not included in the N.O. files provided, are clear enough on saying that neither Jones nor Silver identified Oswald as the man who got the printed leaflet Oswald later distributed. These understated reports were rewritten into a LHM that said (the opposite, that) Oswald, using the name Osborne, got the printing. The Warren Report uses virtually the identical false representation of this rewrite into a LHM rather than the negative identifications of the underlying records. I brought this to light in 1967.

My first interview with Jones was before the time I taped an interview. When he and Silvef both independently selected a number of radically different pictures of Thornley from a mixture of about 100 pictures I showed each independently (Thornley even had a heavy beard in one) I wanted to see if Thornley could be made up to look like Oswald. I wrote a memo to an artist I knew in Los Angeles asking him to see if he could add the equivalent of makeup to a Thornley picture to make it look more like Oswald. Lifton saw these at the home of this artist and blackmailed him into providing Lifton with copies, which were then distorted and misused by Lifton and Thornley, who had been indicted for perjury by Garrison.

Thornley was then pumping gas in Tampa.

(75)

The Tampa FO responded to my PA request, on 1/9/78, claimed in the evasive way that is

customary not to have any records. But on 4/10/79 my attention was drawn to 62-109060-6618, page 1 of which is attached without the distorted news accounts that are with it. It is a 12/5/68 Tampa memo to FBIHQ, Tampa 62-455, and it does refer to me. Copies were sent to Dallas and New Orleans from neither of which I recall getting copies or any related records. In addition, there is other reason to believe that Tampa has other records on and relating to me, related to these stories from the local papers and Thornley and not relating to them, as I'm sure I told the FBI long ago without response, even acknowledgement.

I did a number of broadcasts by phone to a radio station in that area. As I recall Thornley also did and on one we had a confrontation. In fact the last one of these broadcasts I recall making was on the phone provided by a former close Garrison friend who was then an informant, Persing Gervais, He was later equipped with a false identity and a new life he chucked in Canada to return to Louisiana. That phone is one of those that were tapped in the Government effort to get Garrison on a tax charge of which he was acquitted. Unless there was only selective tapping of that Gervais phone I was picked up on it. That was in New Orleans.

The Tampa stories are defamatory. I did seek to exercise my PA rights and was foreclosed. This was long before the FBI's releases. The attached record, whether or not indexed in Tampa, Dallas or New Orleans, is marked for indexing at FBIHQ. A check at FBI HQ would have disclosed the existence of these records in three field offices which withheld them.

(77) This part of my appeal comes from a section of worksheets to which I have added a contrasting identifying note. The cover of the section is unlike that of others in lacking section identifications of any explanation of the separation of these worksheets from the rest, which are sequentially by Section or Volume. This was a miscellaneous collection from which I have selected some and added the miscellaneous description. All are of Enclosures Behind File, from 62-109060.

All of Serial 3130 is withheld not under b6 but 7Cand D, the latter inapplicable and "privacy" inappropriate. It is deceased Dallas Pttm. J.D. Tippit's personnel record.

The deceases Tippit is much more of a public figure than I. He managed not to get promoted in 10 years on the force, according to the Warren Commission. His family has been involved in a number of sordid events that got extensive public attention since his death. At first his wife refused to touch any of the estimated 3/4 million dollars contributed to the family, refusing to spend any although there was need to. Later she married a police lieutenant who was quoted as saying he would be patient about her requiring him to brown-bag. He was also quoted as being tolerant and patient when one of Tippit's sons assualted him. There were other such incidents.

Reports about Tippit include his extreme right views, his moonlighting for one of such perspectives, even that a woman not his wife was carrying his child.

While these may or may not figure in the withheld 133 pages described as his personnel file (for which the proper claim to exemption is not made) the murder of Tippit was one of charged responsibilities of the Commission and thus of the FBI as its investigative arm. Such records are not withheld in other cases, not even with Marina Oswald alive and a mother. This is an historical case. Many mythologies have already attained prominent attention.

For these and other reasons I believe the record should be disclosed.

Serial 3808 is described merely as "Information from source." If the source is in fact a confidential one then the FBI is required to disclose all but what would identify the confidential source. I recall no claim that there is not a single word reasonably segregable in these 36 pages. I therefore ask for them.

Serial 3875 is the first of a series for which a b3 claim is made under copyright allegation. This claim for copyrighted material is relatively new. I first encountered it

well into C.A.75-1996, when the FBI wanted to withhold certain King assassination pictures for which it never produced any proof of copyright and no registration. Throughout that and the JFK cases many thousands of pages of copyrighted materials are provided. There is a great quantity in the FBIHQ JFK releases. In fact there is one that attracted my attention in this Section. Serial 6004 is the "January 1968 issue of 'Ramparts' magazine." It is of 29 pages, 29 of which are released with a single 7c claim. I digress and do not follow numerical sequence to address this because of its pertinence to the whimsicality of the copyright exemption claim.

The record is actually a single unnumbered section. It is not merely the article. It begins with one of the multitudinous political Branigan to Sullivan memos, this one of 1/4/68. The first obliteration, in the first paragraph, follows former SA William Turner's name as author. No claim to exemption is noted on the page.

On the second pages there is another obliteration, after my name. (I did file a PA request.) The withheld information has no exemption noted on the page and is in the context of my demand for release of records improperly withheld in the Archives. The volume of subsequent releases more than justifies my early and continued request that this be done.

After this there is a xerox of the copyrighted article.

Yet with 3875, "French magazine," all 133 pages are withheld.(Dated 10/28/64.)

Except where there is special information I will not repeat these many and I believe unjustified b3 claims. I also believe that there is no reason to believe there was a balancing test or any consideration of historical case standards and on these bases also appeal

If 3934 is as the description states, merely a "document" not otherwise described except by title there is no proof of publication, which I believe is required for copyright and no reason to believe there is or was any copyright. 109 pp. 12/3/64.

The actual Serial is an SAC, Los Angeles memo to FBIHQ to which is attached " a copy of a document entitled 'How President Kennedy Really was Killed,' furnished...by GEORGE C. THOMSON..."(spelling not changed.) Rather than disclosing any claimed request to withhold the memo states Thomson gave it to the FBI for use "in the event of possible inquiries received by the Bureau."

The FBI has made much of Thomson's other nutty stuff available.

Serial 4034,6/25/65 is "Book called 'L'Affaire Oswald;" 233 pp. This is silly. It is the French edition of a book by Leo Sauvage, a French newspaper correspondent in the U.S. The book was translated and reprinted in the U.S. with an added chapter about 1967, maybe a little earlier. Sauvage's other and copyrighted writing are made available by the FBI when it had ulterior purpose, slandering him. Like what he wrote for "New Leader." (Ant-Communist, so the FBI indicates he is believed to be Communist. Figures.)

Serial 4037 consists of cover page, information provided by source, negatives and photos, cover page and "letter provided by source (2 copies)" for a total of 68 pages for each of which the claims to b1 and b7d are made.

I believe some must be reasonably segregable. That information came from a "source" is not within any exemption. For a source to fall within the exemption it must be a confidential source. In addition, this exemption has another provision and I recall no representation that its requirements are met by this or any other record for which the claim is made.

From the time period, while there is no indication of the nature of the information or the source, it is not impossible that this represents an interception, as of a part of a manuscript or article. There were also cozy deals with publishers as there was with the CIA on mail, here and abroad with others than only the CIA. I do not allege this is applicable. I am merely saying that it is possible and the claims are not justified because no reasonably segregable information is provided, which requires suspicion.

There is more than the single underlying record at this point in Section 98. By later reference to this communication from London Legat it appears that there is no privacy, that the subject is disclosed as Thomas Harvey and the suspicion of the claim to b1 being made to cover an illicit act appears justified. I would like this entire matter and others like it reviewed, in part to obtain the withheld information and in part to establish whether the FBI is making improper claim to exemption to cover illegalities, if not also intrusion into Constitutional rights.

In the course of checking the underlying record I noticed that Serial 4035 makes no b3 claim for extensive xeroxing and disclosure of the published work of Morris Beale. A book is included in toto in Serial 4035.

While I regard Edward J. Epstein's Inquest as a pygmie among books I think it has been diminished much too much by the worksheet description of 4142,"Book by Edward J. Epstein, 'Inquest.'" It is described as of but four pages and for it a b3 claim is made. This is all phoney.

The four pages, not all of which are withheld, reflect a phoned request from the HQ to NY FO, apparently that it obtain a pre-publication copy. That date was 5/26/66, and the pub date, as I recall, was about 6/30/66.

The date of the call to NY FO roughly coincides with the obtaining of an advance copy by the Washington Post, which then jumped the release date to diminish its attention to my Whitewash, about which it had already spoken to Department and FBI people. The Post's story appeared in the 5/31/66 edition, accross the top of page 1.

By the time the NY FO got and sent the copy the publisher was giving them away at the annual convention of the booksellers' association in Washington, so that money was wasted, not an uncommon FBI practise.

However, it is not possible that the added explanation is applicable,"(copyrighted and may not be reproduced)". Besides, what happened to fair use?

Serial 4177 is the first of a series of entirely undescribed "Laboratory File" listings for which there are varying degrees of total withholding of pages. This also also includes referrals. If the claims made to withhold are justified I do not believe the descriptions can be withheld in what is disclosed of the underlying records. There are other records, so it is not necessary to generate new records to provide descriptions. However, those disclosed are meaningless references to entirely undescribed bulkys, of which I have made copies from another part and provide them. (78)

Serial 4183 is of a nature that requires suspicion because it makes b1,b2 and b7D claim for 11 pages of "photos or various documents." Generally documents obtained illicitly were photographed rather than xeroxed. In the JFK case there also is the question, has the means of obtaining them and documents themselves already been disclosed? With a number of organizations and publications it has been disclosed along with the documents.

Serial 4184 is described as a 9/1/66 "Laboratory Folder" of 381 pages, which would

be quite a "folder" One page is withheld under ~~b1 and b7C~~ b1 and b7D. But with the next item of this nature, description: 4188, of the 332 pages of the same date only ~~16~~ 163 are disclosed. The claim is to b7C. I suspect the FBI is interested in its own privacy. Nothing on any one page reasonably segregable? (In general the nature of the other Lab withholdings I'm not itemizing also is appealed.)

Serial 4232, dated 10/26/66 is the subject of a prior appeal. It is the providing of a transcript of the "Minority Report" ~~transcript~~ TV show slipped to the FBI in advance of broadcast first which was followed by syndication. The copyright claim is inapplicable and the transcript was in any event later given away by WNEW-TV.

It would require galley proofs outside my experience for it to take 140 of them to include the Look excerpting of Manchester's Death of a President. Both book and excerpting are readily available and there is no need to withhold anything except in the FBI's interest. The copyright claim is spurious. Besides, with such operations there is a waiver in the advance distribution is quest of attention in other media to sell copies of the magazine and of the book.

Serial 5474, 6/20/67, is described as "Material from Briefcase," of 119 pages, all withheld under claim to b7C and D.

Consultation with the underlying records, and there are two memos with this number, makes it apparent that the privacy claim cannot extend to the very public figure, Gordon Novel, who had apparently forgotten his attache case in a rental car on 6/18 or 19/67.

The attache case included tapes, wire recordings, etc., all connected with the JFK assassination and the Garrison games with it and his backers (at least one of prominent) The material is largely public in a partisan manner, having been made public in a number of appearances by Novel, his lawyer and other partisans. It appears that Novel was taping phone conversations.

The controversy between Garrison and Novel ~~extended to the~~ involved several governors, the CIA and major media elements. Before it quieted down there was extensive treatment in Playboy, which led to multimillion dollar lawsuits and further extensive public attention to all kinds of details. So it appears that with the possible exception of some phone conversations of which I have no knowledge there is really nothing appropriate to the privacy claim.

There is no appropriateness to the 7D claim despite the uniquenews of the recordings because with the possible exception noted above their content has been bruited about extensively, including by Novel and later by the FBI itself and in its HQ releases. This really extends to the Government leaking of Garrison's medical records, Novel's broken marriage to a former beauty queen and details of normally more private nature. The amount of sex stuff that came out in public id hard to exaggerate. (See 52A)

Relating to the date 9/1/66 above and the shifting of Lab records, so many pages of undescribed nature on that date, while it may have been normal it also coincides with the FBI's knowledge that there was to be an executive order requiring transfer of information to the National Archives and its general availability there.

There is a series of claims for withholding relating to Jim Bishop and his treacle, "The Day Kennedy Was Shot." First I noticed is Serial 6106. There also are 6202,6314,6255, and 6333, with varying descriptions of manuscript, installment, etc. Copyright claim.

What the FBI is covering is its involvement with Bishop, his book and its flattering content, as I believe I have already provided in prior appeals, including in C.A. 75-1996.

The FBI want over his book and, while creating false paper to indicate the opposite, was helping him. It even arranged for him to get put up without cost in the suite of Fort Worth hotel rooms in which President and Mrs. Kennedy spent their last night, allegedly because it would be good public relations for the city. This is a nonsensical cover for a cheap bribe of a known sycophant.

Serial 6872, 9/25/69 is 29 pages of "materials provided by source." B7C and D are claimed for all, withholding total. There is no representation of confidential source or of nothing reasonably segregable. I believe the source must be confidential or the information not be otherwise available, hard to imagine except in terms of illicit activity, and that for the most part there is little genuine privacy in what relates to the investigation of the JFK assassination. From this worksheet all 29 pages are withheld.

On checking Section 171 I find a single page that appears to cover these 29 pages. No claim to exemption is noted on the page, which does have two obliterations. The first refers to Potential Security Informants and is entitled to exemption. (62-109060-6872)

52

When the FBI saw an opportunity for [redacted] mischief-making it passed around some of Novel's more extreme nonsense, with out regard to hurt to anyone and without concern for misleading and misinforming the President, the Attorney General or anyone else. It also disclosed 62-109060-6840 and 5545, which are attached.

(79) (80)

If it disclosed the records based on which it provided this misinformation I have no recollection of having seen them.

Novel did not have to have a symbol. He was in regular touch with the FBI, which has provided no record I've seen of anyone in the FBI - anywhere - refusing to accept a call from him or refusing to talk to him. Even when he was a fugitive, when it sheltered him by not dislosing his whereabouts. For mere mortals this is a crime the FBI charges and based on suspicion of which it makes threats.

(81)

I came accross 62-109060-6864 and 6859 by chance while preparing this so I attach them for a facet of the larger Novel/FBI picture.

I also appeal the withholdings.

Next there is reference to one Hal Verb, of whom I have written you in connection with my PA appeals and non-compliance by the San Francisco Field Office, which I knew had to have a file on Hal because of his SWP activities. I asked that such files be searched for JFK and PA information. I have had no response.

With the 1969 date on this record the first paragraph seems to me to be inaccurate in reflecting that in connection with a Mark Lane speech on ~~group concerned with~~ the JFK assassination ~~those~~ these PSI's attended a meeting of Verb's group. There are two reasons. The Verb group initially was part of Mark Lane's self-promotion called "Citizens' Committee of Inquiry." He had abandoned his support of it when in 1966, or three years earlier, it invited me to speak in San Francisco. In addition, by this date Lane was not sponsoring any JFK group. After the Shaw case decision he looked for other cows to milk.

The obliterated third paragraph appears to refer to the 29 pages. So first of all I appeal the denial of what is reasonably segregable in it.

The last paragraph begins, "A copy of these papers is forwarded for your information..."

If these are papers distributed by Verb or the group there is no protection for them. If they were stolen then absent something quite unusual there also is no exemption that is appropriate.

Meanwhile, were these among the informants whose identities were disclosed in the SWP case or are they and these records withheld in the SWP case?

And if the informations relates to the assassination should it be withheld?

If it relates to members of the Verb group, is it not known? I have spotted references to some of them in other disclosed records and some was not otherwise secret.

The worksheet for 7654 gives its date as 2/1/77 and describes "Enclosure to Pedlman to Gallagher" memo of 53 pages, 33 withheld under an illegible claim and claim to b7C and D and referral of a single page to DOJ and 19 to CIA. "Senate documents" is added.

Section 189 has an entirely inconsistent description in the single referral slip that replaces 7654 - of two pages only and those referred to the CIA. No DOJ reference.

(Which reminds me of the failure to respond to my earlier appeals from all denials of all DOJ referrals. ~~withholdings.~~) There is no backlog and more time expired than if there were the largest

backlog in government.)

(83) There is further inconsistency in the Bulky, which has a single referral slip of general nature, not identifying either the agency or the number of pages referred. There is reference to a single agency only. (See 54)

(83) What appears to be the present cover refers to a [redacted] set of files, "Excised Encls. Drawer at end of Warren Commi[redacted]" followed by some illegible writing. Do I have these

This file is not a Commission file. It is the assassination file, 109060 rather than 109090.

What follows relates to the Senate Select (Church) Committee and in theory only to JFK assassination records, so there should be a separate claim for each withholding.

FBI names are withheld on the second page, claim to 7C. Also 3rd page, which identifies the information as relating to the assassination.

Next is a WFO record of the day after the assassination with withholdings the need and legitimacy of which I question. There is little with which Andy St. George has not gone public relating to Castro and anti-Castro plots.

The next record has withholdings for which no claim to exemption is noted. It also is of the day after the assassination. It holds information Congressional investigations allege was withheld from the Commission. I believe all such information, as the allegation Castro would have JFK killed, should be disclosed in keeping with FBI and Department representations about the nature of the releases and in response to my requests.

No claim to exemption is noted on the next record, a DeLoach memo of the day of the assassination. It is about a call to him by the leader of an anti-Castro group offering alleged information on Oswald. All such information was disclosed without any excisions prior to FOIA and should be now. In addition, given the disinformation role played by the anti-Castro organizations, many of which were connected with the CIA, there should be no protection for them and their misleading operations and allegations. They did launch persisting mythologies.

Most of the following pages relate to the Citizens Committee for a Free Cuba, well known as CIA and CIA funded. The withholders get so carried away with their withholding function they even withheld the registration required by law under the registration Act so

The FBI appears to have a new referral slip from which it has eliminated space for indicating the agency to which referral was made.

In court the FBI and its counsel claim that if there is a referral the requester/plaintiff has no recourse from the court or the FBI, only from the agency to which referral was made.

If the requester/plaintiff decides there is no choice but to follow the FBI/DJ Catch 22 Exemption the switch to this kind of referral slip makes it impossible because the FBI withholds the identification of the agency to which it made the referal that was not acted on - in this case for going to two years.

people would know. Then, after not withholding the CCFC name, it is withheld on the 8/9/63 record. Here the names of those prominent people it used in solicitations and advertising and public relations are withheld.

Serial 7755 is described as "Report of Interview," no date given, of 62 pages of which only 15 are disclosed. Again, copyright claim.

In Section 191 there is none of this Serial. Even the worksheets ignore the Serial intirely. It is listed NOT in them.

However, there is the Blky. The interview is of the nut Thomson and his wife on 10/8/74, but it is represented only by a cover page that does not even indicate the source. "Federal Government" is stamped on it but no claim to exemption is made, therefore it must be disclosed. (I have no interest but historically all this nutty stuff is important. As is the agency that would at that 1974 date waste that kind of time and effort.) What is not withheld is in the same typing, has no origin indicated and is a transcript of what is called an interview but is more of a speech by Thomson on KOY radio, Phoenix, Ariz.

In the course of checking for 7654 I came upon 7653 and the entirely improper and unjustified withholdings in it. The garbage is from the mind of one Howard Donahue. As those processing the records much later had to know from the content, all was being published in the Baltimore Sun and as Baltimore FO ~~should have~~ informed ~~the~~ FBI HQ, it was published.

This is a monstrous ~~monstrous~~ and entirely baseless - in fact impossible - fabrication of a self-important gun nut who is a crack shot, with a head to match. It is as terrible a defamation of the Secret Service as is possible, that it killed the President.

Now the FBI's files overflow with the allegation that "public source material" is provided. (Naturally, only public material.) But knowing this was about to appear and would be very ~~[illegible]~~ hurtful to individual Secret Service personnel and others the FBI failed to offer from its files "public source material" that would have ended this monstrous business once and far all - photographs and other records proving the impossibility of the Donohue concoction.

I believe this is enough to question the legitimacy of every FBI claim for the protection of the rights of its own personnel if not of all others. It cannot consistently make such claims when it knew of this wretched business in advance and made no offers.

56

I would like to have every relevant FBI records, wherever ~~it~~ there may be, in a single file for historical purpose relating to this assault on the Secret Service. I say this because Donohue was also involved in testing for a CBS TV special and because I know of other records.

I regard this as an appeal, not a new request. The FBI here has made partial and knowingly partial and defamatory disclosure.

This reminds me of records not provided by the same Baltimore Field Office relating to my PA request, records I believe WFO and FBIHQ should have.

William Manchester had a variant of Donohue's frightful mishmash in his book. I regarded it as a ~~[redacted]~~ rotten business, too, and I made some effort to counter it then, in the interest of history, of the Secret Service personnel who I am sure were dedicated men and of their families. My comments, defense if you will, appeared in the Baltimore Sun, I believe were picked up by a wire service and were broadcast in Washington. Having seen the nature and extent of the FBI's records of my public statements, real and ~~[redacted]~~ as altered by the FBI, I believe it has records relating to my comments about Manchester's attack on the Secret Service escort and has not provided them. I now also recall that earlier CBS News broadcast me on Manchester, originating in Los Angeles.

Beginning at page 54 above after the attachment numbered 83 the records I refer to are not attached. I have mislaid the copies. If I find them before sending this package I will provide them. If I do not and your staff needs them to save time please let me know and I will provide the copies by replacing them from the originals that as you know are stored separately in the basement.

After making copies of the Donohue/Baltimore Sun record I come across quite a few other pages of relevant records I did not copy.

I believe you have some knowledge of that matter from seeing the Sun.

It became more apparent to me in reading the other records that the FBI, by saying a single "public record" word, could have avoided that large deception of the country through the syndicated attention to that entirely unjustified and wrong-headed writing and the injury to the Secret Service and its named personnel and made a conscious decision not to do so.

There may be no available records bearing on this but I would like your staff to be alert to the possibility of their existence because the Donohue articles coincide in time with Congressional and other attention to the agencies involved in JFK assassination investigations. The more attention was devoted to other agencies the less there would be to the FBI.

Other and much earlier records of similar nature exist and I have interest in them and have established a separate file of related records.

These two records duplicate records I provided earlier. They are copies I made for you and forgot I'd made. The note I mde for myself when copying 62-109060-4192 is that at that point there were eight other similar meaningless records. I believe these were made to be meaningless so that a normal search of the files would not disclose what they relate to. I have had a search of the records provided to me made to see if it is possible to determine which records were enclosed by the Lab and it is impossible. Yet the records must exist somewhere or the forwarded records are lost forever. Please note that as with Item 78 above the date here also is 9/1/66, which appears to be the time of a Lab unloading if not hiding.

Some Lab records are relevant in some of my litigation. Before this date I had made FOIA request for Lab records.

(85) Serial 62-109060-6594 was changed to 62-112771-1 on March 10, 1969. The reason cannot be irrelevancy. This is not a usual practise. Duplicate filing is. I believe this record should be provided, & I have in the past asked for others also removed from the so-called assassination file.

(86) Also duplicating earlier appeal relating to referrals is the attached several worksheet pages relating to Serials 168,169 and 238 of the so-called "Commission" file, 62-109090 and to the FBI's having both tape and film, not merely stenographic transcripts, of the Hoover and Belmont testimony before the Commission. From what to now has been made public I recall no disclosure that this was even possible. However, I regard the demeanor evidence of the Director as he gave this testimony to be quite important as history and would like copies.

There is another aspect of deliberate waste and escalation of FOIA costs in these worksheets. (86.) This is the referral to the CIA of the 29 pages of the already-printed CIA testimony. This is to say that more than a decade after it became part of the public domain by Government publication the FBI referred/withheld 29 pages it to the CIA. As a matter of fact the FOIA people even obliterated the formalities of witness introduction at the bottom of the last page of the Director's testimony. And for almost two years the CIA has accommodated the FBI by not acting on the referral of the public domain.

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Three attached records relate to FBI contact with Oswald and Oswald's with the FBI prior to the assassination and to my earlier appeals relating to now safely retired and atypically vocal SA James P. Hosty. These are a worksheet for 105-82555-4313 [redacted] EBF; page 5932 of the typescript of the Commission testimony of also retired SA John Fain; and a page of an interview log from 62-109060-7314X2 Part 1. (The retired SA then being questioned is Urial E. Horton, Jr.)

I have placed an X in the margin of the worksheet, to which I also added its identification. With the exception of the cover page all/except 3 of the records listed preceed the assassination. One in particular, of 10-18-63 is withheld in its entirety, as are others I also appeal, on claim to b7C and D. (I also appeal the b1 and b2 claims and the denial by referral.)

As I have indicated earlier, there is reason to have doubt about the Commission testimony by Hosty, particularly about when he received the Oswald file. There is testimoney to his having prepared this 10-18-63 memo, I believe, and there are references to it in other records. The claims to exemption are, I believe, quite inappropriate, particularly if Hosty gave any testimony relating to its content. There is no apparent need to withhold if he wrote about only what he testified to, before the Commission, in the subsequent FBI internal investigation of the later Congressional inquiries, of which there were several. Withholding is also inappropriate if there is content to which he did not testify or about which he was not asked in the internal investigation.

I do not appeal the entry referring to alleged communists, of 5/28/64.

The testimony of Fain (88) states that he made handwritten notes that have not been provided and I believe should be, as also should any remaining Hosty notes of Oswald family and/or related interviews, memos, etc. The Fain testimony seems to establish the existence of the information I seek. (Hosty told the Commission he destroyed his notes a month after the crime.)

Nothing caused more total silence within the FBI, where many knew of it, that Oswald's going to see Hosty just before the assassination and leaving a note allegedly threatening in nature, which Hosty then destroyed after many others knew of it. The withholding of any relevent information, as on the log, I believe is inappropriate.

(90) Serial 236 of the 62-109090 file, dated 9/29/64, is of interest from its content and from added and I believe important notations. I therefore provide an explanation in more detail for this part of the appeal.

The memo was written two days after the release date of the Report. The date the first copies reached the FBI is the date the Report went to press, which is pretty fast service on a 900-page volume.

As the note I've added indicates this copy comes not from the main file but from the bulkys, an EBF.

In its entirety the memo and its recommendations were approved by the Director.

Of these of most interest to me and a significant historical record to which I have seen no prior reference is the last typed material, that the Files and Communications Division "thoroughly" indexed both the Report and the subsequent volumes.

Of course this is an invaluable record and I do request it, I do not regard this as a new request, but I ask you to forward it as one if you disagree, It is part of the promised disclosures by the Department and the FBI. and my requests included indices

Once extra copies of the Report were obtained five were provided to this Division.

Sixteen copies were made of the memo. All are accounted for in the distribution noted.

But not until 1972 is there any record of any destruction of any copy. Then it is noted that four copies only were destroyed. The other 12 therefore should exist and I would like copies of them. This gets to what I have asked of the FBI often, a search outside Central Records for important records sent to the various Divisions. The FBI's reaction to the Report is important, historically important. The purpose of the distribution of the memo and the printed copies was to inform and to obtain information as well as to prepare for what requires other records to exist.

Aside from the leaking - and the FBI did leak coinciding with the release time of the Report, of which no records have been provided - the preparation of memos and other records was right and proper, in some senses necessary. I would regard as necessary any explanation the FBI made to the Attorney General, for example, of (what I regard as) unfair criticism of the FBI by the Commission.

A notation relating to the destructions on the first page refers to a record not provided, from another administrative file I believe should be searched and I ask that it be searched. The citation is 66-3206-1119.

This notation, of more than eight years after creation of the original record, notes that the original appears not to be in Central records but in another place not all of which can be made out on this copy. If so this confirms my repeated appeal that Central Records searches only are knowingly incomplete and cannot comply with my requests or permit truthful affidavits of compliance in my law suits.

There is another partly legible notation indicating an index as of 11/64, on page 1.

I believe it would be helpful to have an earlier generation copy on which the notations are legible. They appear to be significant and important. This appears to be a remote generation copy of a General Investigative Division copy. If so then the notations added by those to whom copies were sent likewise are important to have and understand, including as a guide to still withheld records.

The second page appears to be of a different copy from its greater clarity. It also has different numbers stamped on it.

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Serial 6642 of 62-109060, of 1/7/69, also requires some explanation because it is in part a self-serving record and in part because it is written in a manner that masks actualities and provides a cover for the existing records not provided.

In a context that does not limit it to his Division but includes the entire Bureau Branigan states the FBI "never investigated Clay Shaw nor did his name come up in the course of our investigation."

He could get an argument from Attorney General Clark, who told the press what the FBI had told him on leaving his confirmation hearing, that Clay Shaw and Clay Bertrand were one and the same person. I was sought out about this by the press at the time it happened and remember it clearly. The FBI can, I am certain, provide you with a copy of the Washington Post's front-page story and of other accounts.

Moreover, were this not true it is true that the FBI could not have conducted any investigation to identify Clay Bertrand without considering the possibility it was Shaw.

It was approved that FBI personnel not cover the actual trial proceedings from the court room. However, this does not mean that there was no life person there observing and reporting. It is my information that the service was rendered by the office of the United States Attorney, who did have an observer present. (No records of any kind in any way relating to this have been provided from any FBI or Departmental source.)

FBI records indicate that aside from news sources, the published stories, it would obtain its information from established sources. No such records have been provided. The simplest explanation of which I can think is that the information was filed in a different file than the three searched in New Orleans, Dallas or FBIHQ.

Dallas, by the way, had a considerable interest in the Shaw trial, especially because the judge ruled that Dealey Plaza evidence was admissable. I have personal knowledge of this because while I had no association with the Shaw part of the case and never investigated him I had agreed to be the prosecution's Dealey Plaza expert. However, when I learned the nature of the Shaw case for the first time the Sunday before the case began I withdrew, never entered the courtroom and within a few days, before the jury was selected, left New Orleans, not to return for several years.

Once again, FBI coverage or Department coverage of the trial is not improper. Quite aside from the propriety if not necessity of learning anything new relating to the assassination and being able to observe demeanor and similar matter it is a fact that Garrison had made a multitude of wild charges against more than the FBI and had subpoenaed FBI personnel. I therefore believe records were created that have not been provided, again possibly by filing outside the files reportedly searched.

Clay Shaw is now an essential part of the assassination history and of the FBI's investigation, whether or not it investigated Shaw. Whether or not the FBI considered him as a possible Clay Bertrand the Garrison prosecution and Shaw's trial and acquittal as well as Garrison unsuccessful effort to prosecute him further were of moment to the FBI. Although the records provided indicates FBI detachment from the Shaw defense it was not that detached from it. I have reported meetings in the field office and I have informed you of the retraction relating to Shaw as Bertrand, if it can be called a retraction.

I believe all records relating to Shaw, including but not limited to what was told to the Department, particularly the Attorney General, are a significant part of the historical case. I believe all should be disclosed now.

If you regard this as a new request I also ask that you forward it to the FBI. But if the official promises with regard to disclosure have any meaning I believe this is not a new request.

Full disclosure is important to the memory of Clay Shaw also. He was acquitted and he did defeat an effort to prosecute him for alleged perjury at his trial. (Which just happens to be an area of continued FBI withholding from the files I've read and from the N.O. files as provided, unequivocally.)

There is little if anything of a personal nature about Shaw that is not public knowledge, ranging from his homosexuality to his military career to his being at least a source for both the FBI and the CIA. There are published accounts of his performing other services. One of his plays made a movie. He was regarded as a man of culture and local distinction. He was also much maligned by Garrison and by others.

As I believe I told you my investigations in New Orleans did not include him. When I learned of the case Garrison was going to take to court, for the first time the Sunday before the questioning of prospective jurors began, I had nothing more to do with the matter and left New Orleans. I had agreed to be the prosecution's "Dealey Plaza" expert but I never enetred the court room and never laid eyes on Shaw.

This is not of interest to me for my own work but I believe it is an important part of the historical case and would like it to be in the archive I leave and otherwise public by availa

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92 62-109060-6588 is not the only record relating to monitoring my and other appearances on WAVA and other radio and TV stations. If I have not provided you with other copies [redacted] I can. However, given the age of my PA request and the fact that long ago I took this matter, in particular and in general, up with the FBI, I believe it would be [redacted] right and proper for them to make a belated diligent search and provide the records.

The Lab is among the means by which the FBI did this and made transcripts.

Among the customers for FBI purpose was its Crime "ecords, meaning propaganda chief, to whom this record was addressed. While his contacts have been careful to keep their word not to disclose the source the workings of the DeLoach operation have been visible for years. Earlier I referred to the "inority Report matter at WTTG as one illustration. (I have also provided records reflecting the same operation in the New York Field Office and a similar one in San Francisco.)

This record discloses the keeping of a tape and the possibility of intending use of it. I would like copies of this and other tapes and/or trans ripts, both being [redacted] pertinent to the assassination and PA requests.

There is a hand notation indicating another relevant record.

80, 66, 67 and others such files should be searched as well as those of the various Divisions.

Several appeals I wrote earlier and had not mailed follow.

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To Quin Shea from Harold Weisberg JFK Assassination appeals 3/28/79

A set of 62-109060 worksheets, for Section 25 although the cover does not so indicate, reminds me that the mail intercepts by the Postal Service and the CIA for the FBI is well known, having been testified to before and reported at great length by the Senate Intelligence Committee. I've read that testimony.

Moreover, well over 15 years have passed.

I see no reason for any b1 claims for such records. I assume some of thise in these bulkys are intercepts.

In more than a year and a half there has been no action on those referrals. (Some are also to CIA).

There is a problem not within any exemption: the CIA has not been forthright about this. I believe it has failed to acknowledge all the copies of intercepts it has.

Was there not an E.O. provision requiring action by the referring agency if after 30 days there is no response on a referral of classified material?

Harold

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To Quin Shea from Harold Weisberg JFK assassination appeals 3/30/79

1) "Privacy" vis historical cases for newspaper editors who write page-1 articles
2) Oswald's visit to the FBI and alleged threats against it and an SA

Previously I have written to ask where the records relating to the above-captioned subject ~~material~~ are. From the "previously processed" notations in the Dallas files and the absence of any index or guide it was impossible to locate any such records.

By accident I have located some but not all in the voluminous records, not in consecutive Serials. As of now I have not located the FBI's own final report or all the materials it gathered for its internal investigation. I have found many of what the FBI regards as affidavits I have and references to the results of investigations of the matter that are not included in the statements.

(93) I attach page one only of 62-109060-7226X. It typifies all that is wrong, wasteful and entirely unjustifiable in the FBI's attitude and processing of these records which are so embarrassing to it.

Make any kind of bet you want: the withheld information is the name Johnson and the newspaper The Dallas Times-Herald. Now this is not an educated guess from a subject expert. It is because all is public domain. This clearly is in the FBI files. It is in many if not most of the statements. It is in, very prominently in, the 8/31/75 issue of that paper, which made a big front-page splash. The extensive attention includes Johnson's taking the entire matter up with FBIHQ, in a separate box as I recall. (I have since found this story in FBI)

But were none of this true, how can these withholdings possibly be justified? And what need could have been served? Given the subject matter, carefully obscured in this self-serving FBI cover-the-ass paper, how could the withholding be justified under any conditions? Is there anything that better fits the description of the Congress of what can not be withheld? Of course, this is an historical case. So you and through you the Department and perhaps in time the courts will have this view of the FBI's performance in historical case maximum disclosure.

There also was a public House hearing and televised on the matter, about 11/75. This also is long before the processing of the records. In fact, one of the records I have found is the transcript of Adams' testimony, so the processors did not have to have any other knowledge to know this was all public domain. However, the FBI statements I've read to now include no specific references to the extensive press attention. Radio, TV, the Dallas papers, Time magazine, the wire services - all in the statements taken from various FBI people. All also read by those who perpetrated these withholdings.

If by chance claim to 7D was made, that also is fraudulent, obviously. I'm not taking time to check the worksheets.

You will recall that recently I've noted how unusual it is that some FBI people were sounding off to the press, one James Patrick Hosty, Jr., in particular. He has since

retired but his blabbing of what is not even good propaganda preceeded his retirement. It is not often that the FBI tolerates a public attack on a Congressional committee by a Special Agent and I can't imagine that many Special Agents within days of retirement have ever done this. Nor can I imagine that Hosty endangered his retirement by doing it.

What is involved is the suppression by the FBI of an extraordinary matter for almost a dozen years. Dozens if not more FBI people of all ranks knew about it and not one said a word until, by one of those remarkable coincidences, the retirement of the Dallas SAC was safe and secure. Then only was there a leak to the Dallas paper less inclined to publisy any criticism of the official account of the JFK assassination.

It seems that the only official candidate for assassin, officially elected to that ~~position,~~ distinction, went to the Dallas FBI office two or three days before the assassination. He asked to see Hosty, who was not in. So, without bothering to seal it, he left a note or letter for Hosty. With it sticking partly out of the envelope the receptionist read it.

Then the President was killed, Hosty heard Oswald's name and recognized it as a case he had, and with what is described as "the memory of an elephant," never once gave thought to this letter. It turns out that in all the varying accounts the one consistency is that it was a threat. The more common versions of the threat have to do with the bombing of the FBI office and/or the police headquarters. Naturally the FBI assured the Warren Commission and the country that Oswald had no history indicative of any tendency for violence. And said nothing of this. And after Oswald was it. Lone assassin destroyed note/me

Even when Hosty was rushed over to interview Oswald, he claims, this note "never entered my mind."

That this was widely and apprehensively known throughout the entire Dallas Field Office is clear in the affidavits I've read. It was known on high level in FBIHQ.

There is more. Like Hosty's complaint prior to the leak to the paper. His complaint was made in person to Director Kelley, who then made some inquiry no records of which I've yet seen. (What does this do to any 7D claim?) But I think you need no more. (There are other 7D claims written on some of the Hosty blab pages I've read.)

Until Watergate I never believe that any number of Americans could conspire and not one of them let a word out. This was years before Watergate. And oddly enough the Commission was supposedly investigating a report of Oswald's having an FBI connection, which the FBI and its Director assured the Commission was false. Only several of the SAs whose statements I've just read state they understood Oswald was a source or informant. So it is only natural that elephantine memories should fail and that none of these people would think of providing any information to what after all was only a Presidential Commission. Or to the FBI's own inspectors, one of who my was assigned to Dallas immediately.

In this connection you might find appropriate the content of the Commission's 11/22/64 executive session transcript, the one they decided to destroy. It is in Post Mortem.

In fairness to the FBI I must tell you that two witnesses informed the Commission about Oswald's visit to the DFO and of his leaving a note there. So the Commission did know and it had ultimate responsibility. (Marina Oswald & Ruth Paine.)

However, as you now know from the earlier attachments and as I knew all along the FBI did have the Commission's testimony and did go over it carefully, in FBIHQ as in the FOs. So the FBI also knew, aside from all the silent employees never censored for their silence, that Hosty had received a note from Oswald and that Oswald had been to the DFO.

Unless records are withheld the FBI made no record of this matter at the time it went over the Commission's transcripts or at any time prior to the leak to the Dallas paper. Quite exceptional, I think. I therefore assume there is withholding, perhaps by storage in other files, and appeal the withholding. (One of my earlier requests includes this kind of information.)

60.

To Quin Shea from Harold Weisberg JFK assassination records appeals 3/30/79
Misuse of FOIA to withhold what was not withheld before FOIA ; No law enforcement purpose

The caption should remind you of a number of additions to my appeals in which I have provided proof over and over again that the FBI is now misusing the Act to withhold information that was not withheld prior to the Act. The published 26 volumes of the Warren Commission and its available records, stored in the National Archives, hold countless examples.

Recently I have given you copies of worksheets reflecting the identical malpractise plus the FBI's awareness of it.

(99) Attached are the first four cover pages of one of the records covered by those worksheets, FBIHQ 105-82555, Serial 456.

In particular I direct your attention to the penultimate paragraph on page C. There, as of 12/10/63 or a decade and a half ago, it is stated by the FBI that

> due to the gravity of this matter and the fact that President LYNDON B. JOHNSON requested the FBI conduct investigation and the Governor of the State of Texas was also wounded at the time the President was assassinated, it is felt that the sources can be revealed without embarrassment in anticipation of possible dissemination of this report.

Despite this those kinds of sources are/~~were~~ now ~~been~~ being withheld although contemporaneously they were not withheld. I've marked a few illustrations in orange crayon.

The first such marking, at the top of page C, relates to the absence of law enforcement purpose, a matter I recall writing about recently. Here there is reference to the fact ~~explosion~~ that the case was originally regarded as AFO. I take it this means assasulting a federal officer. (The president then was not included in the law.)

FBIHQ records are explicit in stating that the statute was inapplicable. I believe this is included in the DeLoach memo on the Director's conference with William Manchester which I sent you recently.

However, the FBI had to have some cover for immediately seizing a purely local criminal case. The Director himself placed the time of seizure at 1:10 p.m. It was not until 7:25 that night that the new President phoned the Director and asked for a Presidential investigation. As the Director testified to the Warren Commission, that lacked any law enforcement purpose.

It being clear that there was no law enforcement purpose those FOIA exemptions requiring a law enforcement purpose are not properly claimed with regard to these records and all others like them.

Harold Weisberg

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To Quin Shea from Harold Weisberg JFK assassination appeals 3/30/79
"National Security" claims

75-98 Enclosed are four samples of a number of instances of "national security" claims being made for evidence in the JFK assassination investigation. [redacted] also "national security" was claimed for an anonymous letter[redacted].

Because of the withholding it is not possible to be certain that the claims are unjustified. However, they do appear to be inapporpriate, given the subject matter, the FBI's pretensions relating to its investigations and the Attorney General's historical case determination.

I regard this as particularly true of the very first evidence and the obliteration in the 11/23/63 record. (96) This was the day after the assassination.

The name Cadigan is written on the copy. I believe he was a questioned documents expert. Jevons was head of what was known as the physics branch of the Lab.

Some Lab records of this period are the subject of litigation.

Harold

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To Quin Shea from Harold Weisberg JFK assassination records appeals 3/30/79
Misuse of Exemption (b)(7)(c)

While I have come to understand that to the FBI neither Acts of Congress nor court decisions mean anything ~~to him~~ and having seen earlier and appealed this misuse of the claim to a "secret" method I provide a copy of Dallas "Oswald" record 100-10461- 8501 from Section 72.

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In this case it is also stupid for there could be no secrecy from what else is disclosed.

Because I do not regard the FBI as stupid I regard this as its harassment and more of its contriving of false statistics to deceive and mislead the Congress while making unnecessary work to deter all FOIA compliance.

While the name Beck does not trigger certain recollection after more than a decade it reminds me of the name of a Detroit area woman who was supposed to have taken motion pictures at the time of the assassination.

My interest more than a decade ago was in the photographs the FBI managed to avoid, an area in which it has established diligence.

I presume there are many women named Beck in the Detroit area.

But I do not presume that there was need or right to withhold in this record under claim to Exemption e.

71

More "national security" withholding.

The withholding under national security claim for the total contents, even the subject of the attached page, is so total I cannot provide a citation now. It, too, is withheld. This page appears to have come from one of the FBIHQ records but it could have been provided in the King case and of 62-109060 despite the added notation be withheld in the JFK files.

I believe there must be some reasonably segregable content and appeal its denial.

From the internal evidence this record was not classified until long after my initial requests and after several FBI examinations of the entire assassination file. This is to say that the lack of classification cannot be attributed to a general failure of the FBI to classify its classified or allegely classified records and that the E.O. was violated.

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Garrison and what the Attorney General was told by the FBI:

~~[redacted]~~

(101) 89-69- 3137, 3140 and 3141, attached; 62-109060- 5374, not attached.

62-109066-5374

The lengthy report, given as of ~~[redacted]~~ 124 pp but actually of 130 in all, of which 22 are withheld, is the FBIHQ file above. It is not in the N.O. records provided. It is a record of separate historical importance in terms of Garrison and the functioning of the FBI when faced with the AG's request. In #3137. While it has historical inportance as it exists what also is important is the existing information the FBI had and has not disclosed to me or to the AG himself, whether or not FBIHQ had the information.

report has included

There ~~[redacted]~~ content from FBI interviews not in the New Orleans files provided, as with Dean Andrews and Layton Martens and others, I think Bringuier and Quiroga among them.

Some of the information under the Houma raid heading was not provided.

In this report (from the pages provided)

There are fewer but still unnecessary and unjustified withholdings ~~[redacted]~~ if I have time I'll include a couple of samples. These withholdings are of information disclosed by the FBI itself and of the public domain. One I believe I've addressed earlier related to the source on Vernon Bundy. Another withholds the name of John "The Baptist" Cancler," a well-known burglar and a story all over the newspapers including those provided by the FBI.

Under the Cuban "Training Camps" (pp. 96 ff) the FBI omits its own reported part in a 7/31/63 raid on one, its own investigations, including of Ricardo Davis' camp and those involved in it and information, not secret for years, that it obtained from other police.

In selection from what was not provided, records relating to what Hugh Aynesworth

(102) provided, the FBI withholds the name of Jim Phelan although all of that, from the FBI's own files, was extensively public. (pp 91-2) This began with Phelan's important Saturday Evening Post article and the extensive ancillary treatment it extended to Phelan's open part in the Shaw defense.

Omitted in the report and from the N.O. records provided is the FBI's own "Clay Bertrand" investigation, to which I've made earlier reference. Ditto for its investigation of the 544 Camp Street address, which Oswald used and it investigated.

The withholdings illustrate the FBI's concept that FOIA is a withholding statute and in general are of information that is not properly from necessity withheld.

Throughout this report what the FBI arbitrarily and capriciously withholds elsewhere is not withheld, such information as the complete identifications of police and prosecutorial and other officials of various ranks and positions, aside from the Garrison people. Until FOIA such information was not withheld. Once the FBI spotted the possibility of misuse of FOIA it siezed upon it to make spurious claims to need, to withhold and harass and to burden the courts while inflating everyones costs. But in this report the information was not withheld and the news papers have held no accounts of calamatous consequences. You will find examples under the Houma raid and elsewhere in this report.

(103) In the same section but not part of the report is Serial 5355, attached. When the FBI had political motive, getting licks in against Garrison, it did not withhold this private source and there were no dire results. This also is the kind of information never within my experience withheld until the FBI wanted to misuse FOIA. It has always been known that such persons as the heads of private security organizations always cooperated with the FBI. But the FBI, arbitrarily and capriciously, has with some consistency and persistence made spurious (b)(7)(C) and (D) claims to withhold this kind of information and identification.

With regard to its alleged concern for privacy I call your attention to the note added by the Domestic Intelligence Division. It not only identifies Ferrie as a homosexual, which amounts to a defamation of all homosexuals, but it also identifies both of his companions as homosexuals. At least one either is not homosexual or is also heterosexual. Alvin Beauboeuf was married years ago, as I recall by 1967 or 1968. I have no recollection about the other, Melvin Coffey. But if the FBI can disclose this without claiming privacy, what can it legitimately withhold in an historical case on privacy claim?

With regard to Gordon Novel, who takes up much space in this report, there are repeated references to his being a source and to regular FBI contact with him not limited to the NO FO. I believe there is reference to reports not provided by NO FO. I have appealed some of the (104) withholdings relating to him. I told you he claimed to have had CIA connection. The attached page from this section repeats that and refers to the litigation in which I said so much

became public knowledge. It is interesting that when the alleged Garrison record of psychiatric problems while in military service (which followed his brief period as an FBI SA) was leaked, it was done through Novel's lawyer. Obviously these are confidential records and were available from some official who could tap the St. Louis GSA files. There was an immediate announcement that the Government would investigate itself. I have seen no report of this self-investigation of the leak, through Novel, who was fighting being called before the grand jury, as this record shows, and was involved in a large civil suit.

(105-106) In connection with my appeal relating to the Novel tapes I attach from the same Section Serial 5366 and the related LHM of 6/9/67. You will see the disclosure of sources, by name and address and among other information for which claim to exemption if frequently made a list of those taped by Novel. These include the then Governor and close assistants and associates, a judge, the one who sat on the Shaw case, and police of varying ranks. (If I am not mistaken these and other similar records plus the tapes themselves and the records with them constitute proof of illegal acts. The FBI placed no charges and the Department did not prosecute. This I take it is standard practise for those who have no connection with the FBI or CIA.)

Not relating to this report or those mentioned in it but related to other unjustified withholdings from New Orleans record is the attached inventory page identified by a copy of the cover of that volume. Item 415 verifies what I told you in an appeal above, that the identification of the printer was known and public and that the name Osborne was used in having the printing done. (Osborne is the name of a Thornley friend.)

107) Item 421, which reports Oswald's specialized radar training, as with his security classification the FBI managed to avoid in reporting examination of Oswald's military record, has managed not to provide the records of this specialized training either in the Dallas or Now Orleans records or those I've examined from FBIHQ files or the Warren Commission records. I assume the FBI obtained them and appeal the denial. Oswald had a high security clearnace. No FBI record I've seen mentions this.

For your information and addressing possible motive for withholding: the records

provided to the Warren Commission and published by it reflect that Oswald had only a Confidential clearance, upon completion of his earlier and initial specialized training at Jacksonville. The end of 1966 I received information that Oswald in fact had Top Secret and Crypto clearances, remarkable for an alleged "red" who received Russian and allegedly subversive literature openly and also was studying Russian. I immediately confirmed that he had to have had at least Secret clearance, the word of his then commissioned officer superior in the Marines, a Lieutenant Dohovan the FBI found and interviewed. (I do not recall that, or if, the FBI reports I've seen include this.) Since then I have obtained, not from the FBI, proof that Oswald did have to have Top Secret clearance at the least, which is what I published in 1967. After which the military file on the JFK assassination was destroyed. So for both reasons, the clearance and the destruction, I regard the withholding of any Keesler Field records as quite important and appeal it and any related withholdings.

Related to my earlier appeals regarding Bringuier and Pena I attach a page from 62-109060 Section 135 from which the last two lines are withhold without noting of the exemptions claimed alongside of the withholding. I appeal it. The records of all these people are public. ("Riley" is Reily; "Santanana" is Emilio Santana.)

Serial 4199 EBF is a multi-part bulky of the 62-109060 file. In Part 3 there is reference to photographs I do not recall seeing and am certain I did not see at the Archives when I asked to examine that photo file years ago. Attached for identification is the August 7, 1964 letter to the Commission.

In more than a year my appeal relating to all the photographs has not been acted upon. The FBI did not make the required appointment for me before I appealed so I could arrange to examine the photographs. I therefore have had no opportunity to examine any of the photographs other than those I saw at the Archives or the few that have been provided.

With regard to these, which the FBI does not identify as to time or place or what they include, I would appreciate xeroxes. I do not want to ask for color prints until I see if the photographs have research or historical values.

In the course of reviewing records recently I learned what I believe had been kept secret relating to slides made from the Zapruder motion picture. It was known that Life magazine made 35 mm. slide for the Commission, and the Commission's record shows no more. However, Life also provided the FBI with a set, made from the original film, which means they are the clearest possible photographs of the assassination and thus quite valuable.

I would like this part of my appeal acted upon because of the value and clarity of these stills. (The printed versions show printing screen on magnification and are black-and-white copies made by the FBI.) While I would prefer color prints if the FBI can provide them good copies of the slides will be acceptable substitutes.

I have an adequate print of the entire movie and thus do not ask for it.

I will not reproduce these photographs (as I could from my movie if I desired). I have printed selected frames from the Commission's printed copies without protest from Zapruder, who was then alive, any of his ~~heirs~~ heirs, of Life, which has surrendered its rights. (Exhibit 885, Volume 18.)

I do want the pictures to include the material between the sprocket holes, which is not included in the original FBI copy, made from a copy made in Dallas.