

To Quin Shea from Harold Weisberg JFK Assassination Records 3/2/79  
New Orleans Field Office, C.A. 78-0420

"Good Faith"  
"Due Diligence"  
Deliberate withholdings  
Questions of ex post facto creation of false records

This is appeal that will take a different form. In it I will attempt to inform you and the Department more fully about the character of FBI compliance with what the AG has found to be an historical case in the form of the actual notes I am making for my own uses.

Yesterday I received an inquiry relating to literature distribution in N.O. by Lee Harvey Oswald. This morning I began to examine a file provided separately from the N.O. files. It is captioned Fair Play for Cuba Committee, 97-74, Sections 1, 2, 3, Sub 1A.

I looked at the first page of the worksheets and was immediately confronted with these questions: <sup>where</sup> ~~now~~ are the rest of the records and why the unaccounted skips in the inventory?

It is to believe these worksheets there is no Serial before 65, that there was a skip in serialization beginning with 69, that there are others skips, and for the first time nobody has inserted an explanation that the numbers were accidentally skipped in the serializing. There are too many for this to be an accident. It means that for no explained reasons the FBI is withhold and not explaining the withholding *or claiming any exception*

So there can be no doubt about the significance, the first record under FPCC is dated 8/9/63. Yet Oswald made a record in about May when he picketed the carrier "Wasp" at the Dumaine Street ~~wharf~~ wharf. A harbor policeman named Austin obtained a ~~copy~~ copy of a leaflet, gave it to the FBI, which lifted a fingerprint of which it has said no more than that it was not Oswald's. One of my many FOIA requests to which there has been no response is for records relating to this fingerprint and to whom it was attributed by the FBI or of its failure to identify the print. The obvious reasons for this to be potentially important information will follow.

Serial 65 consists of a report by SA Stephen Callender of a woman turning in an Oswald leaflet and of his arrest with three Cuban who picked a fight with him. It does not include the fact that when arrested Oswald asked to be interviewed by the FBI. It does reference to Carlos Bringuier, 100-16739, a known and admitted FBI informer in N.O.

Serial 66 is dated 8/16/63 and is the report of a complaint by a Cuban student over this literature distribution. There appears to be a reference to an Atlanta file and to the sending of a copy to FBIHQ 11/25/77 with no explanation of why.

However, prior to this date <sup>of 8/16/63</sup> Oswald had entered a guilty plean and been interviewed by the FBI. Both should have been included in the file and are not. On that day Oswald had himself on the evening TV news, not mentioned. *maybe*

Although there is no Serial 69 on the worksheets <sup>it</sup> is here, dated 8/23/63. It is not an internal record of the NO FO and no relevant NO FO record is included. This is to FBIHQ and is in factual error.

the FBI to ask to be interviewed in jail. It is also a bit out of the ordinary for one who by all accounts was the victim of an assault to enter a guilty plea while the confessed assailant, the FBI's New Orleans informer Bringuier, ~~was~~ was acquitted. Even in New Orleans these are not usual events. I have difficulty believing that their absence from this file is usual.

Whether or not the Serials missing to this point include any of this information or the report of SA Quigley, he testified to the Warren Commission that he interviewed Oswald at the lockup. He did not testify to any other agent being with him. Neither the Commission nor the FBI had any interest in Bringuier's testimony that there was a second agent with Quigley. *JAN FD 302 only blank in this file. See below at X*

I believe that Bringuier is an essential part of the historical ~~case~~ <sup>case</sup> aspect in New Orleans and ask for all files on or about him. I believe that these should have been provided in response to my request and that this is not a new request. I also suggest that with regard to Bringuier the processors make at least a rudimentary effort to learn what is within the public domain. Bringuier was <sup>of and successful</sup> notorious publicity seeker. He was on speaking tours with Bill James Hargis, he finally wrote a book and he even provided the NO FO with pictures of me that it managed not to locate in its search for records under my PA request. I would hope its searching methods and successes improve.

Bringuier's beliefs and acts are such that conservative Cubans in New Orleans told me he was known in that community as "El Estupides." I am told this translates into "The Stupidity," *not "stupid."*

In any event he and Oswald has a broadcast debate over this FCC episode and there is no reflection of it in this FCC file ~~at~~ prior to this 10/15 report. The underlying N.O. internal records are withheld. Its synopsis managed not to mention Oswald's request for an FBI interview or the fact of it. The "Details" also avoid this. They suggest no prior contact by first dated reference to examination of arrest records being given as on 8/27 and omit reference to Lt. Martello's call to the FBI.

X However, Quigley's FD 302 in in this deBrueys report, p. 5. For so minor an event he dictated a 10-page report in which he forgot to say that Oswald asked for the interview. And in the five days before ~~he dictated this report~~ <sup>was</sup> his report ~~for~~ typed after he ~~dictated~~ dictated it it appears that Quigley did not consult FBI indices or the phone book or the city directory to learn that the name Oswald gave him of A.J. Hidell did not exist. Imagine <sup>N.O.</sup> an FBI that is investigating the FCC and makes no minimal check on its alleged chapter head Hidell!

Somehow this does not seem like the FBI of Dillinger fame and of so many thousands of pages of records I've read.

And in a 10-page report <sup>That</sup> no reference to ~~the~~ <sup>police</sup> Russian-seeking slip of paper or the commissioned officer's calling it to the FBI's attention?

The worksheets ~~indicate~~ represent that Serial 73 is "Photographs," four pages, and nothing

else. This is rather an odd way of describing the real Serial 73, which is a four-page handwritten letter from Oswald to the national office of the FECC. ~~It~~ It appears to have been unclassified as "Confidential" on 7/5/77 for the very first time, by that ever-diligent 2040 whose number I seem to recall from the past, ~~and~~ <sup>when</sup> it then was found to be exempt from the General Declassification Schedule for an "Indefinite" time under Category 2. I do not have the feeling from ~~that~~ that the FBI has protected the national security as well as perhaps Department people or reviewing authorities might - IF they find any classifiable content - because the letter was published by the Warren Commission in 1964. I doubt that even ever-diligent 2040 could point out any classifiable content. But it was not declassified until 1259 did it on 10/4/78 - 14 years after publication.

I suggest that the Department could save much time and money by talking to 2040. And looking into whether he provided <sup>"NATIONAL SECURITY"</sup> affidavits or the basis for affidavits of others, as somehow I seem to recall happened.

The story with Serial 74, which indicates that this particular copy was provided by an FBI source five days after the President was killed, has not needed classification at the least beginning with the demise of the FECC.

# 3002 was even more diligent than 2040 when after a lapse of 15 years, under an executive order that appears not to have this purpose, he upgraded the record to Secret, and exempt indefinitely under 2 and 3 both.

You may recall that I've asked for a review under the new E.O. of all withholdings from me of all records relating to the FFK and King assassinations where classification was claimed. I believe the foregoing is enough to make a special request, which I do make, for all classifications or classifications reviews by these numbers, <sup>names being withheld</sup> The one reported check under the new E.O., if that has not yet reached you, is not promising. It turned out that <sup>on worksheets</sup> this diligence persists, with an SA named Bradley Benson swearing that he had to withhold under national security claim what was in the public domain and in fact in most instances was disclosed in the underlying records. Of which I provided copies to the Court.

Serial 75 refers to the existence of more than a single index in each field office. You may recall my requests that ask for copies of all indices.

Serial 78 refers to a record that should exist in this file and doesn't in what was provided to me.

The next Serial is obliterated on the copy provided <sup>del</sup> From the worksheets it appears to be 79.

Before I go into what is of special interest to me I note that while the worksheets makes claim to (b)(7)(C) and (D) only the letter "U" appears <sup>on the record.</sup> There is no claim to either exemption at the portions withheld, which is true of Serial 80 also.

You will, perhaps recall that you asked me for further information that could be helpful in my appeal from the multitudinous withholdings of records under PA and that I made individual requests of all FOs. While I could not recount <sup>†</sup> all of my fairly active almost 66



years I tried to be fairly informative. I believe I included and amplified separately with San Francisco records of an FBI informant's effort to injure me in public <sup>I provided a fair</sup> amount of information relating to my San Francisco associations, all of people who had been ~~some~~ strangers. The subject of this report, who was covered by an informant, is Tom Sanders. I remember him fairly well. I don't know that I knew he was SWP but I do recall learning only after I got to San Francisco that the sponsors of my appearance were not the citizens' committee represented. <sup>They</sup> ~~was~~ could not raise the costs of the hall, apparently. <sup>The act</sup> but either the SWP or SWP people, I'm inclined to believe the local SWP. Not having the money for a hall <sup>original sponsor</sup> they naturally also did not have the money for accommodations for me. So they arranged several pads. I recall one was with a longshoreman. Tom Sanders and his wife were another. Only as I recall it was not in San Francisco but at a fairly distant suburb, a hilly area. Sanders was introduced to me as a minister. His wife was a college professor.

While my recollections of the organizational identifications are unclear I am also aware that I then learned that <sup>white</sup> Sanders was connected with militant black activities. I'd not be at all surprised if this was or turned into the Black Panthers. He was the or a sort of editor of a mimeographed publication.

So with all these and perhaps other FBI interests in Sanders that I do not recall if I knew and with all the coverage of SWP activities and people, I find it strange that none of this turned up when, supposedly, files were searched on me.

It would be nice if you could get the FBI to search the files where they know they have such information. I'm curious about all of this and perhaps other details of people with whom I crashed.

It is not that I have any reason to believe I was in any way contaminated by <sup>an</sup> SWP appearance, any more than from any other audiences I addressed. I doubt there are as many SWPers in the entire San Francisco area as were in my audience <sup>and</sup> I've addressed closed audiences of those who I investigated for the Senate, also without contamination.

It also comes back to me that there was an older man connected with a painters' union named Leon who I believe was SWP. I met him at that meeting and afterward he was among those with whom I ate. <sup>Ed Keating</sup> Also, the radical Catholic reported millionaire and founder of Ramparts magazine made the introductory speech. He and I did not get along well and I in no way hid this from the audience. (Except for a spoof and plagiarism I was also a non-person for Ramparts.) Oh, yes, there was also a Ramparts person whose name ~~was~~ I recall as Phillips about whom I had some wonder. Something about him suggested that he is the kind of person for whom the <sup>FBI</sup> would make "a" or (b)(2) claim today. <sup>F.O.</sup>

Several reports follow without the local memos, etc., required for their writing. Whether filed here or elsewhere, as under the names of informants, they are withheld.

Throughout what remains of this file, to Serial 104, ~~is~~ relating to Paul Hoch's information request about which FBIHQ phoned N.O. on 12/12/69, the cited information is not included. It belongs in this file. It is not even referred to.



That Division V would phone New Orleans about Hoch's request appears to be a bit out of the ordinary. Either N.O., taped and transcribed the Hoch 7/8/68 <sup>as read</sup> letter or NO had a copy and the file does not reflect ~~that~~ <sup>Mr. Hoch's letter</sup> is included verbatim in the text of the memo. Hoch sought information about an Oswald handbill. From the file FBIHQ's instructions were not followed because no response is in the file. This includes an account of all Serials "from 1A1 thru 1A5," copies of which were to be provided.

Serial 105 is dated 6/24/70. It reflect another call from FBIHQ on the subject of Hoch's request but without mention of it or him. It reflects that an undescribed "all serials" beginning 4/1/63 had been copied for FBIHQ. It ~~makes~~ <sup>makes</sup> no separate reference to any Sub, as Mr. Branigan had. But the last attached page refers to Serials 4462-5 as relevant and copied for the Bureau. None of this is at this point in this file, where it belongs.

Possibly it is elsewhere and provided. But there is no means of locating it elsewhere. ~~When~~ <sup>all</sup> when the FBI omits records from its pertinent files, or supposedly does, it is not asking the FBI to do research for a requester to ask it to provide complete files. <sup>or references</sup>

Five days later the Domestic Intelligence Division made another call about the same Hoch request, this time identified, Serial 106.

There is nothing further before the Sub, no record reflecting any mailing or the content of any mailing and certainly no explanation of why it took so long, if there was compliance with HQ's request, for there to be compliance. I'm surprised at no record of any complaint or criticism of FBIHQ over having to continue to make phone calls a half year after the presumed first of a series of phone calls. It is unusual if not without precedent, as in the JFK case I believe it is, that a FO would so appear to ignore HQ's command - without heads rolling in front of Hoover's desk.

The 1A Sub is next. It pretends on the worksheet that the first Serial is 4 and the last is 5. Who can believe this? Or that FBIHQ normally would not be asking any question about at least three unaccounted Serials. I assume they exist and I ask for them and an explanation of this misleading worksheet. You have or will hear more about misleading worksheets to which, in addition to the Beckwithian, the FBI and its counsel, by misrepresenting my request in C.A. 7800249, forced me to address some of the worksheets. You might be interested in the affidavit and attachments I finally filed after being foreclosed from filing them in time.

To this point the file should contain an investigation of Oswald's <sup>FPCC</sup> literature and where, <sup>FPCC</sup> how and by whom it was printed and obtained. It doesn't.

The FD 340 of 1A4, serialized in a ~~ini~~ different hand and with a different impliment, was originally in Vol 2, it says here. The person who provided the Serial used the same device to change the 2 to a ~~4~~ <sup>4</sup>. This does not appear to conform to FBI practice or rules. <sup>Contrary to the FD340</sup> And from what Jesse Core told me he did ask for the return of that handbill. It appears that an undated later note is with still another pen.

The attached handbill is not the one described to me by Core. He gave me a graphic

*account*

of how in anger he crumpled the handbill and then retrieved and flattened it. But creases remained that are not visible on this clear xerox.

While the earlier report says of Core no more than that he had a contractual relationship with the ITM the envelope is that of the ITM, with his name typed on the back. Again the renumbering of the FD 340 and making it 1A5 in a different hand and pen.

A note was added on the cover of the Corliss Lamont pamphlet reading "Note inside back cover." There is no other record in this bound file. The inside back cover has an encircling of the stamp Oswald added of "F P C C 544 Camp St., New Orleans, La." Apparently, as the FBI knew, this is the only case in which he used that address. I believe I have explained previously that the SA Supervisor whose name appears on the original FD 340s, Ernest Wall, managed to conduct an investigation of that address without including its second, side-door address on Lafayette Street, which provided the entrance to the offices of the late Guy Banister, former FBI SA who had a detective agency there. If one walked up the stairs at 544 (the rest of the first floor was taken up by Mancuso's cafe) right at the top of the steps for the period of its CIA subsidy there was the New Orleans office of the Cuban Revolutionary Council. The word written near ~~it~~ <sup>the secretment</sup> seems to be "check" but it is unclear. However, one did not have to tell the FBI to check. <sup>SA</sup> Wall knew all there was to know, <sup>I know</sup> as <sup>did</sup> other NO SAs <sup>did</sup>. I know.

It does appear to be an unusual thing for an ostensibly pro-Castro Oswald to give such an address as a return address and enticement in his supposedly pro-Castro activities. Any pro-Castros, of whom there appear to have been virtually none in New Orleans, who went to either place as of the time of Oswald's activity might not have been entirely comfortable on leaving. Banister had his own anti-Castro outfit, I think called the Anti-Communist Brigade of the Caribbean or something like it.

I bring these above matters and much more to light in my early 1967 Oswald in New Orleans, to which I've never seen any reference in any FBI records provided. Considering the foregoing encapsulation relating to SA Wall and his derring-do when his President was assassinated and he was an SA and the fairly extensive ridicule in which I indulged and the association of David Ferrie with that address and many other matters I regard these voids as other than typical for the FBI. *Also relating to Oswald's FPCC literature, in this book*

~~At the time~~ I ridiculed retired SA Regis Kennedy, who was in attendance upon federal district court the day of the assassination along with David Ferrie, <sup>who</sup> was the (I emphasize successful) investigator in the Carlos Marcello deportation case. <sup>J. A. BENNETT</sup> I took a week to write a short report of about six lines in which he said he'd seen Marcello's brother Joe there, not exactly an earthshaking event, but fails to say he saw Ferrie there - even though before then Garrison had arrested Ferrie and offered him to the FBI, (Before further explanations I remind you of my having told you or what amounted to parties in the NO FO with Ferrie and a number of SAs and reporters present and of my having reported

notes, detailed notes full of FBI names. If I did not tell you the FBI refused to permit the release of Ferrie records to me at the Archives late in 1966, early in 1967 or both. When I finally obtained copies there were no excisions and no basis for any withholding.)

*also having the address on Oswald's FPCC literature was*  
One of the heads of the NO CRC, ~~was~~ Sergio Arcacha Smith. There was a Logan Act charge against him so this does not show up in SA Wall's reports.

*N.O. CRC head*  
Another <sup>^</sup> was Frank Bartes, who flew planes for the CIA in the Congo. There have been some Bartes records provided under PA but they are not complete and do not faithfully represent his meeting with me in which he said quite explicitly that he was still under "Washington's " protection. (I recognize there is more than the FBI in Washington.)

In short, FBI diligence appears to have been concentrated on classification of what was in the public domain years after request was made and reclassified in the processing of the request into a higher classification rather than investigating either the assassination of the President or the connections of his only accused assassin *through the FPCC literature*

~~The literature at question in this file. The leaflet was printed at the Jones Printing Co. Douglas Jones, who I interviewed twice, was killed in Hurricane Camille. His plant was taken over, along with the 544 Camp St. bldg., for the new federal building in New Orleans. In Oswald in New Orleans I show how FBIHQ rewrote the NO reports to turn them around, to say that positive identification of Oswald was made as the one who got these leaflets when Jones and his assistant said no such thing. In my interview, taped with both together following an earlier interview with Jones alone,~~

they are quite explicit in stating that ~~not~~ *who got this FPCC literature.* ~~it~~ was it not Oswald ~~that~~ *both made* In going over about 100 miscellaneous pictures, including several of Oswald, ~~and~~ *both also made* independently ~~making~~ strong negative identification of Oswald ~~and~~ positive identification of several photos of a different person who looked quite different in several of the photos. As I recall it after each ~~and~~ had made these independent identifications I showed each the Oswald pictures again and called to their attention that it was Oswald who supposedly got these leaflets. Each repeated that it was not Oswald *who got that FPCC literature. (This is the FPCC file.)*

Now let me get back to those reports quoting Core as saying ~~there~~ *there* were only two men handing out the literature. What he told me he said and what other FBI interview reports reflect and Secret Service records make quite explicit is that the two men were in addition to Oswald.

*GIVING OUT FPCC LITERATURE*  
There is film footage of Oswald ~~with~~ *copies* with these two at the ITM on 8/16/63. What interested me most was WDSU <sup>TVs</sup>. It let me make ~~copies~~ *copies* with the agreement that I'd not give them to Garrison, as I didn't. Having had previous experiences with what would appear to a less suspicious person to be untoward events in an excess of caution I had two prints made of this <sup>FPCC</sup> motion picture footage. I immediately mailed one to a friend who was with me when I obtained the John Martin film that is the subject of one of my requests. On that occasion my luggage was intercepted, made into a shambles, my new tape recorder was



so worked over that Garrison's chief investigator, a "good cop" and an able man, could not get it repaired in New Orleans. My brand new Royal typewriter, which still had the original ribbon in it, was so rearranged, without a scar on the case, that I had to junk it. I got this machine instead and I'm certain the local dealer will recall what is entirely outside his extensive experience in the typewriter field. But the Martin film was not in my possession. I left it in Minneapolis for copying. On a talk show a photographer offered free services to me. So, wanting prints of the individual frames of the WDSU footage and having agreed not to let Garrison have it and not having any good New Orleans or Fr derick source, I mailed one print to my Minneapolis friend and retained the second. The only one that survived this was - you should have guessed - the one I kept.

Of course the world is full of strange coincidences.

So when I interviewed Jesse Core and he told me that he was in this WDSU footage (his then secretary was Delores Nealey, interviewed by the FBI) and that his secretary had lunched with the WDSU photographer, Johann Rush, and knowing that Rush had prepared 17 prints from the footage and given them to the Government, I asked ~~why~~ <sup>Core</sup> why he was no longer in the WDSU footage copied for me and examined by me. He then told me what I checked and confirmed, that immediately after Oswald was identified in Dallas after the assassination he and Ed Planer, then News Director of WDSU and the one who let me make copies, both looked at the WDSU footage. Jesse Core then was in it. Thereafter they loaned the film to the FBI, and since then, both told me, Jesse is not in it. Nor is this third man.

Remarkable coincidence between this and the FBI reports that eliminate the third man in this file but didn't get around to that when extra agents not cued in took prints around for identification. Those prints, by the way, remain withheld and I make a ~~renewed~~ appeal for them. (You may recall that there has been a year of ~~silence~~ <sup>silence</sup> since I asked Mr. McCreight to make a date for me to look at all photos, that when he never responded I asked for copies of all JFK assassination photographs, and failing to get acknowledgement, appealed this denial. I'd appreciate action on this old appeal.)

It is mail time and with the mail not here perhaps a few details might interest a confirmed history buff, if of a different period.

The name of Frank Bartes is in the Oswald addressbook. So is that if Vert ~~Sottman~~ <sup>e/</sup> of WDSU, ~~at~~ <sup>only</sup> with a number ~~Not~~ of that station or his home, as I recall ~~but~~ of an advertising agency not mentioned in the notebook. ~~So~~ <sup>as is in the notebook</sup> is the back door address of the building of the Ronnie Caire advertising agency to which Oswald applied for a job. (The FBI denies having any Ronnie Caire records in response to an old request and I do not believe it.) The address of Carlos Bringuier's store also is in it, and Oswald concentrated in that close neighborhood covering only a few blocks in his literature activities.

~~Bartes,~~ <sup>Bartes,</sup> of course, led to the CRC, as other entries could have. Bringuier picked the fight with Oswald that got Oswald attention as a pro-Castroite who directed interest into

anti-Castro turf for those who might be attracted to a pro-Castro appeal. Remarkably, none were except two FBI informants, this El Estupides and his associate and also FBI informant one Carlos Quiroga, <sup>who</sup> ~~what~~ Bringuier's behest after the fracas, went to see Oswald, with nothing coming of it.

In addition to the Bringuier files for compliance with the request under historical case standards the CRC and predecessor files should be checked, searched and provided. It may well turn out that SA deBrueys covered those meetings as well as the ITM and other points and places and people requiring Spanish-language knowledge, which he had. (So also did SA Logan, who took over when deBrueys <sup>was</sup> ~~was~~ loaned to ~~help~~ help Dallas.)

I had good New Orleans sources, including several who knew some of these SAs and dealt with them and informed to them. The predecessor organization of CRC was known as the Frente. In connection with it, Ferrie and his youthful associate Layton Martens (right) were associated when their offices were in the Balter Bldg., before 544 Camp. <sup>Martens</sup> ~~Martens~~ has an arrest record the FBI has. He then gave the information of his connections and it is included in the arrest report.

Charges were filed at the NO FO by one Orestes Pena, an informer who more recently flipped out. This was prior to his Warren Commission testimony. He then was represented, meaning in his complaint against deBrueys, by a lawyer whose name I recall as Tamborella. This was in connection with the FBI's JFK investigation, not any personal matter. It seems that Pena had and wanted to make known information not in accord with the official explanation/solution/preconception of the crime.

Pena, who became my friend for a while, phoned me after reading my second book. My wife told him I was at the Archives and not to call before a certain time. He did and she again told him that time. Hours later he phoned me from the hospital, between the time of the taking of head X-rays and the time they would be read, to explain his delay and that, not trusting his own phone, he was walking to another when he was lead-piped but not robbed. He is a spry man and told me he was lucky he did not pass out and could run fast. Pena was also active in the Frente. <sup>He</sup> ~~and~~ did not get along with his business neighbor Bringuier, who he regarded as ~~undependable~~ undependable, and crazy and <sup>anti-</sup> ~~anti-~~ US.

Oswald, real or counterfeit, staged a spectacular drunk in one of Pena's bars, <sup>which</sup> ~~which~~ was a few doors from Bringuier's store, which Oswald also visited. <sup>Oswald</sup> ~~and~~ made offers of anti-Castro help <sup>IN SAPPER'S</sup> ~~with~~ ~~training~~ training, hardly the <sup>am</sup> ~~am~~ marine expertise of a radar man. So Bringuier was more easily provoked to attack Oswald ~~when the~~ ~~\_\_\_\_\_~~ ~~\_\_\_\_\_~~ ~~\_\_\_\_\_~~.

I think there are many relevant New Orleans files that require searching under both FOIA and PA requests. I'm curious about the pictures of me Bringuier took while a N.O. detective was making shots <sup>of</sup> ~~of~~ Pena's bar for me. I've never had pictures taken by a man in a run and in a crouch before.

*Handwritten signature*