

Dear Jim,

Sciambra

2/5/91

Thanks for the Boxley and Masferrer pages. Before I get into them I'd appreciate knowing whatever you and AARC can tell/ give (for file) me on Greg's suicide. And about any provision for his work. (As you know, I've not done much on the R&K assassination but aside from curiosity I'd like my files to hold a reference for the future)

I'm inclined to agree with State, that the Cubans would have at the least tried Masferrer because of his many atrocities when he was still there and known as El Tigre.

While Plaine may have had some of the connections he mentions, and his name sounds familiar, I think most of it is bull. Sciambra's memo on his interview would disgrace a freshman law student in anything above a diploma mill. He neither asked nor thought of what is obvious. I therefore assume that he knew what Jim wanted and didn't give a damn about anything else. He was not incompetent or dumb. The opposite. He does not even ask for dates. And some is impossible, like Castro's moving money to Switzerland. Cuba never had a spare penny to move.

It also can't be believed that Plaine had any contact with any CIA agent named of all things, Dulles.

It is just too pat for Ferris to have visited Plaine. I don't believe it, not at least in the sense used.

The direct and indirect references to Oswald can't be believed and are out of character.

The Fair Play for Cuba committee did not work the way Plaine says and that also can't be believed.

There was no way in which any Cubans could know that Oswald was a terrible shot.

This represents the worst of the Garrison fiasco. And those catering to him.

Boxley gives no basis for connecting the Rothermel in his 9/15/67 memo with the Paul who worked for Hunt. With regard to Otto being his father, Paul was PR II and his son is PR III.

Again, Garrison and his sycophants at their worst, fabricating what they thought or knew he wanted.

You may remember that I broke up one of those fabrications and saved Garrison's ass thereby. Not that you'd know it from his book!

Checking my files, I have one on Plaine, including Archives check, negative.

Thanks, tho, and best. Hope someday you send something worthwhile! !!!

Harold



United States Department of State

Washington, D.C. 20520

Case Control No. 9003394

JAN 23 1991

Mr. Mark A. Allen
c/o James H. Lesar, Esquire
918 F Street, N. W.
Suite 509
Washington, D. C. 20004

Dear Mr. Allen:

I refer to your letter of April 6, 1981 to the Federal Bureau of Investigation, requesting the release of certain material under the Freedom of Information Act (Title 5 USC Section 552). Your letter was passed to us for action because three of the relevant documents retrieved in response to your request originated with the Department of State.

After careful review of the documents referred to us, we have determined that two may be released in full, and one may not be released.

The material in the document withheld in full has been found to be specifically exempted from disclosure by statute, to wit, the Immigration and Nationality Act (Title 8 USC Section 1202(f)), and, as such, exempt from release under Paragraph (b)(3) of the Freedom of Information Act.

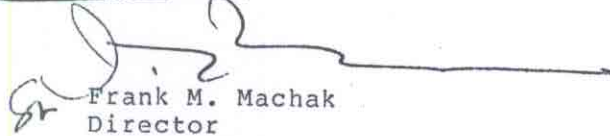
With respect to material we have withheld under the Freedom of Information Act, you have the right to appeal our determination within 60 days. Appeals should be addressed to the Assistant Secretary for Public Affairs, Department of State, Washington, D. C. 20520-6800. The letter of appeal should refer to the case control number shown above.

The enclosed material also includes documents from which the FBI has deleted its marginalia under Paragraph (b)(7)(C) which exempts from release records or information compiled for law enforcement purposes, the protection of which could reasonably be expected to constitute an unwarranted invasion of personal privacy.

- 2 -

If you wish to appeal these excisions, please write within 30 days to the Associate Attorney General, Office of Privacy and Information Appeals, Department of Justice, Washington, D. C. 20530, and cite FBI Case No. 211,326.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank M. Machak", is written over a horizontal line. The signature is stylized and somewhat cursive.

Frank M. Machak
Director
Office of Freedom of Information,
Privacy, and Classification Review

Enclosures:
Two documents.

Subpart G—Appeals Procedures

§ 171.60 Appeal of denial of access to records.

(a) Review of an initial denial of access to a record under the Freedom of Information Act (5 USC 552), the Privacy Act of 1974 (5 USC 552a), or Executive Order 12065 may be requested by the individual who submitted the initial request for access. The request for review (hereinafter referred to as the appeal) must be in writing and should be sent by certified mail to the Assistant Secretary for Public Affairs, Chairman, Appeals Review Panels, Department of State, 2201 C street, N.W., Washington, D.C. 20520. The appeal should be received within 60 days of the date of receipt by the appellant of the Department's refusal to grant access to a record in whole or in part.

(b) The time for decision on the appeal begins on the date the appeal is received by the Chairman, Appeals Review Panels. The appeal of a denial of access to records shall include any documentation, information and statements to support the individual's request for access and to refute the use of the exemption(s) cited in the Department's justification concerning the denial of access.

(c) The Chairman of the Appeals Panels or her/his designee and at least two other members chosen by her/him from a list of senior officers designated for this purpose by the various bureaus of the Department shall constitute a panel to consider and decide the appeal. There shall be a written record of the reasons for the final determination. The final determination will be made within 30 working days for Executive Order and Privacy Act appeals, and within 20 working days (excluding Saturdays, Sundays, and holidays) for FOIA appeals. For good cause shown, the Chairman of the Appeals Review Panels may extend such determination beyond the 30-day period in Privacy Act cases.

(d) The Chairman shall then notify the requester in writing of the panel's decision to grant access and of the Department's regulations concerning access.

(e) When the final decision of the Panel is to refuse to grant an individual access to a record, the Chairman of the Panel shall advise the individual in writing:

(1) of the refusal to grant the appeal and the reasons therefor including the exemptions of the Freedom of Information Act, the Privacy Act of 1974, and/or Executive Order 12065 under which access is denied;

(2) of her/his right to seek judicial review of the Department's decision, where applicable.

INCOMING TELEGRAM

Department of State

State

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SECRET

F0002

56-M

Action

Control: 7207

Rec'd: May 12, 1959

5:49 p.m.

L

FROM: Habana

Info

TO: Secretary of State

051

SS

NO: 1352, May 12, 4 p.m.

G

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PRIORITY

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RMR

Ministry of State has submitted documents for authentication in connection with request for extradition Rolando Masferrer Rojas for crimes falsification public document, irraw and accessory before fact. Masferrer one of several defendants. This case, originally brought in April 1956, dismissed at request prosecutr, and reopened January 30, 1959 at request special prosecutor Supreme Court. Masferrer not tried in original case due congressional immunity.

Embassy believes GOC may endeavor try Masferrer, if extradited, on more serious charges, with view to executing him. This would be violation Article 8 extradition treaty, and would place US Government in highly unfavorable position of appearing defend Masferrer if it objected to such procedure. Also, if extradition not granted on present charges, will certainly be vociferously accused by many Cubans including persons in official positions of protecting Masferrer.

I plan deliver authenticated documents to Foreign Minister Agramonte May 13, calling his attention to provisions Article 8. GOC will presumably transmit papers to US court through Embassy Washington and US law firm.

DEPARTMENT OF STATE A/GDC/MB

REVIEWED by Paul Conroy DATE 12/18/50 BONSAL

MGG: INK/9 (X) EXCISE (X) DECLASSIFY in PART
 () DENY () Non-responsive info.

NOTE: Miss Whiteman (L) Mr. Stevenson (CMA) notified
 () DOWNGRADE TS to () BY () DATE

5/17/59 CLASSIFY AS COPY TO THE FBI
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AGENCY 100-440000, Miami
 REC. COPY
 DATE REC. 5-20-59
 BY 66

MAY 13 1959

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67 MAY 20 1959

100-344127

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Action

Control: 8182

Rec'd: May 13, 1959
5:59 p.m.

Info

FROM: Habana

OS

TO: Secretary of State

G

NO: 1358, May 13, 4 p.m.

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PRIORITY

EMBTEL 1352:

sent to F.B.I. 5/13/59 (SECRET)
date 5/12

1135

CIA

RMR

On delivering authenticated documents in Masferrer case to Agramonte today I read him provisions of Article 8 and left with him text of Article in English and Spanish.

RECEIVED
DEPARTMENT OF STATE
MAY 14 AM 11 20
OFFICE OF SECURITY
BONSAL

UE/8

DEPARTMENT OF STATE A/CDC/MR

REVIEWED by Paul Caney DATE 12/18/90

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