

Dear Jim,

3/5/78

To be able to give you something besides copies of McCreight's 3/2/78 w. attachments I got up earlier than my usual early this a.m., Sunday or no Sunday. I did not particularly like hearing the WRC announcer give the time at 4 a.m. after I was harnessed up, dressed and shaving. But a foreign TV crew is coming for supper and conferring afterward, I'm to get \$200 for that, the forecast is for a warmer afternoon, and I have no choice if I'm to get any more dictating done today.

The weather has given me much work on the one hand and considerable satisfaction on the other. It takes a great amount of time to cope with it. Much of yesterday was taken up with shovelling snow. I'm delighted to find that I was able to do as much as I did. However, it takes more time than the mere act of shovelling. My physical capabilities have improved to the point where I stop not from fatigue but from numbness, the limited circulation being reduced by that much by the moderate cold. Gloves and extra pairs of thick socks do not deter it.

While you were away we had an 8-inch snow. Half the lane was still coated with ice before it fell. Then at night, after I had spent much of Friday shovelling and had cleared all around the house, it drifted and we were snowed in again. This also means that those who have to come to see Lil this time of the year were blocked out.

Unless it drifted again during the night my lane work today will be on the ice again. If as I expect there is a good sun and the temperature gets up to freezing or higher I'll be able to chop more of the ice out and shovel it away. There is no alternative. The situation was so bad yesterday morning Lil phoned around to see if we could have someone come in with a snow blower. The only one nearby was occupied clearing the approach to a cemetery and a gravesight for a funeral.

A tractor going along the road before it was cleared by the county skidded and damaged my new battleship steel mailbox! I'll have to have the welder come with portable equipment to repair it, probably make a new door for it. But this illustrates why it is necessary for me to keep working on the ice because people, including a high percentage of women, come to see Lil. I must make it as safe for them as I can, not assume all are experienced in driving under such adverse conditions.

The judge and the DJ people may not understand it but I have spent an inordinate amount of time just preserving access and trying to make it as safe as I can for people to use our lane, which is as long as a football field. We have had nine or ten snow storms, more here than down there, and it gets a little colder here. The lane is shaded by pines so it thaws less readily. For a total of about two weeks we could not get a car in or out. I had a friend come and take me to and from the lab for blood-testing, walking to and from the road. (The test was off last week and the doctor reduced the anti-coagulant because he was concerned that it was getting too thin. But the last test was back where he wants it.)

This is in case you get some flak over my progress and to explain that what I'll give you will probably be unread, uncorrected. As soon as Lil is awake I'll go out and see if we have the Sunday paper, inspect the condition of the lane, and then get to dictating until the sun is up enough for tackling the ice again.

McCreight's 3/2/78 is the first I recall in which there is no claim to exemption.

However, with it he sent me four records all of which should have been provided in FBI HQ compliance. none of which were and none of which were after I complained about obvious and unexplained withholding.

Please not that they have not withheld the identification of Paul M. Rothermel, Jr., as their source where clearly withholding would have been justified under both (C) and (D). Now the identical record had been provided earlier, with his name obliterated. The difference

may or may not be explained by my having twice sent him copies of earlier versions I received.

I am not at all that put out that Paul appears to have gone to the FBI with what I gave him. If he had asked me I'd have agreed. I don't like the idea of someone I trusted doing this kind of thing behind my back and I don't like the unfaithful representation of what I did and was doing.

I'd had an invitation to go see Paul for something like six months but had not. I had no occasion to. Until Farewell America. I'd been concerned about it since coming across that disinformation trail in February of that year. From the first the story lacked credibility. About that June Garrison gave me one chapter, I read it promptly and wrote him immediately that it was a fake. Not until right after the election of 1958 was I able to persuade anyone connected with Garrison to let me have the whole thing. Ivon then made a copy for me. As you know it has old H.L. Hunt as one of the conspirators. And I wanted to break that disinformation operate up. So I then for the first time had reason to accept Paul's invitation, and I did.

(Here I note the infidelity of the NO PD references to Ivon and Loisel. While they were "Garrison investigators" this formulation amounts a deliberate field office misleading of FBI HQ. All of Garrison's investigators except one, Boxley/Wood, the former CIA man, were all regular members of the N.O. police department. Not only is this not reflected in the report - but I was informing the NO PD about this threat against Garrison when I informed Ivon. I knew from the conditions of the call to tape it and I did. I awakened him as soon as that conversation was over, he got up and came to the motel and listened to the tape and agreed it was a threat to be taken seriously. I add also that Hood never spoke to me a second time. He left word with the DA's switchboard that they had informed Albuquerque and maybe NOFD. They never did what San Francisco, also informed, recommended, speak to me and learn all I could say. And I don't think I expressed any fear for myself. I am not aware of any reason why I should have.)

While I'm off on this I may as well jump ahead and inform you more.

My source was Harv Morgan, not any Mafia source of mine or to me. Harv then had the top talk show on the west coast, with the CBS-owned San Francisco station. He was then and is today a reporter, I believe anchor man now with the ABC-TV station there, KGO. He is a thoroughly responsible person and was then a close friend. I always spent some time with him and his wife Judy and their attractive little boy Mike whenever I was in the D.F. area. His source was unknown to me. Harv had spent some hours questioning his source before calling me. First he called Lil and then called me, after learning where I was. His source was Richard Rye, who I later came to know. Harv had the whole story checked out by what I think is called the California Bureau of Investigation, a state police agency. When I asked Art Levin to check because the person to whom this all was attributed was connected with a southern Calif. Mafia family Art's police sources came back with confirmation, too. I'm sure that Loisel's call to the FBI, probably to an agent he knew, was prompted by my getting further details and giving them to him. The address, which I do recall, is one. There are others I recall that the FBI does not repeat. Note that San Francisco FBI confirms the address as a Mafia address. Note also that this could mean a clever disinformation operation, possibly by those who had accurate info. about the Mafia. As you know I have never suspected any Mafia involvement in the JFK assassination. But Garrison suspected the entire world, including it, and the other nuts around him did theorize Mafia. That word undoubtedly did get around, providing motive for such a disinformation operation or distraction or attempt at intimidation, whatever it was.

Back to McCreight and the attachment to the form. He says that "The New Orleans Field Office has advised FBI Headquarters that these documents constitute all records identifiable with you in the files of that office." This is false. I know of other records and have proof in my possession.

Note first of all that there is no 190-34-1 provided. First is Serial 2.

My letter of January 28, 1978 is referred to but not included. There is no Serial Number on the 2/3/78 response, which is evasive in saying "There has been no attempt by this office to apply any 'limit' to your request." The FO's Serial 3 in the second paragraph does include such a "limit": "There are two main files..." My request was limited by the NO FO to whatever may be "main files," in this case I take it JFK and MLK only.

In his second paragraph McCreight says what is ambiguous: "All ~~JFK~~ John F. Kennedy Assassination investigation documents and Murkin investigation documents are duplicates of documents provided to you through the release of FBI Headquarters files pertaining to the John F. Kennedy Assassination investigation and the Murkin investigation."

However this is taken it is false. With regard to both assassinations and both investigations. This means that will all elements, including me, the response is false.

It is clearly meant to make a record that I have been given all FBIHQ documents relating to the JFK and Murkin investigations. With regard to the latter at the very least I have not been given all because of withholdings. With regard to JFK I have not been given the first 40,000 released because the identical deception was practised on Judge Gesell, that full compliance was effectuated, with all my requests, within the second release of about 58,000 pages.

It is further false to state that all the filed office files are no more than duplicates of HQ files. With Murkin we have hundreds of pages of proofs of this and we have testimony that most files are in FO, not in HQ cabinets. We have records from a number of FOs that are not in HQ files for further proof.

What this boils down to is that if there are 64 pages provided - and I'm not counting to determine - that is the one truthful representation in McCreight's letter.

If after giving you what I note in what was provided I do not consult my letter to the NO FO remind me to check to see if they responded on more than the Mafia threat.

McMahon's 2/3/78, par.2, does not state that I have all NO FO Murkin records. It switches from that to their records "concerning you," or me.

Some of the FO's have rewritten the request in the manner this suggests, records relating to me and limited to the King assassination.

197-1-1, also filed in 157-10673 Murkin, has noted "copy of request to 66-2355." 66-administrative matters. (The initials on it are not those of Clifford Anderson, who executed the affidavit, identification illegible on it, number identification.)

This record shows that we should expect the identical record from each of the FOs., Atlanta, Birmingham, Los Angeles, Washington, Chicago and St. Louis. None to date.

Page 2, line 5, uses these words, "all main files identifiable with Murkin." This limits to the one file, Murkin. It does not say all records relating to the King assassination, for example. It limits also to whatever is meant my "main files." It limits further to indices to this one Murkin file when there are other relevant files. All subsequent words are limited by these.

Where there are duplications encountered and I said I wanted the duplicate copies (for my own reasons, which include the leads they provide on non-compliance and being able to prove non-compliance) these instructions say that with what was sent to or from HQ or MFO not to send unless there is "a substantive, pertinent notation - other than an administrative type directive from a supervisor to an agent - that would not appear on the FBIHQ or Memphis copy."

This permits any FO to decide for me what I regard as substantive or pertinent. Anything they don't want to let me have or can be embarrassing they merely call not substantive or not pertinent. And the notes to agents can be important and can relate very much to what is withheld.

This is all carefully followed in the affidavits. There was a revision ordered by phone. A hasty comparison indicates retyping and the addition of a comma, which does not eliminate the unclarity. I've not made a word-by-word check.

On the copy I'll have with me the affidavit is marked up to indicate the method of facilitating if not of effectuating evasion and non-compliance ~~gain~~ represented as sworn compliance.

Matthews and FBI HQ did not merely tell the FOs that they were to comply fully and to execute a first-person affidavit on compliance.

Similar limitations are imposed upon Chicago and St. Louis with respect to the Rays, "only" those "exhibits as 10As, in the MURKIN files..." followed by the same added limitations on "substantive, pertinent notations."

(Thus we have no records on any kind of surveillance and black-bag jobs and there were such, despite the contrived appearance that there were not.)

The instructions that "one agent... should submit an affidavit" does not state that this agent has to know what he attests to. It does everything but order that one with first-person knowledge not execute the affidavit.

There is a duplicate copy on which the file number is illegible.

197-1-2 refers to Butel to "emphis of 7/7/77 and to other FOs of 8/10/77. They are not attached in this batch. I do not recall if we received the 7/7/77 from HQ or MFO. This one authorizes other than a first-person affidavit "executed by the Special Agent supervising (my emph.) ...requested indices search and file review..."

Two copies, both marked with the single file designation, are provided. One is signed by Anderson, the other isn't.

HQ's form affidavit is next. It is followed by 197-1-3, 8/29/77 NO Airtel forwarding affidavit. While the TT giving instructions says the records and the affidavits are to be sent in time for compliance under the stipulated date this does not report that NO FO sent the records along with the affidavit. (Did they attest to compliance prior to the completion of the search? And how do we know that HQ provided all that the FOs sent to HQ? All the firm affidavit attests to, if it does that, is the forwarding of records to HQ. It does not and cannot attest to what was provided to me.)

This airtel also lists a copy filed under 62-2855. This copy was not provided whereas two copies of the prior number were provided.

Next is the Anderson affidavit, the one I've marked up.

Next is 197-1-4, 8/29/77 Airtel. This one forwards 713 documents. (Do we have any way of knowing how many we received from HQ?)

It states that "Those 1-A exhibits which cannot be xeroxed are listed below." What is then listed, without a single exception, can be xeroxed.

There is a record of the FD302s that were submitted and perhaps more information on the indexing scheme but there is no mention of the ~~ix~~ basis of these 302s, like the notes of field agents or the written statements obtained from those interviewed. We have none of either that I recall.

This states that Subfile 2 is identical with Subfile 1 save that Subfile 2 is indexed. So Hartingh lied when he said the FOs have no indexes from which they can retrieve by name in the King investigation. You will remember that I raised this question a number of times in person. (I do not recall whether or not in writing.)

Ans does this explain why we never got the FO files lists from which we were to tell them which ones I wanted copied? It would disclose the lying in HQ to frustrate compliance, as with the existence of indices the existence of which Hartingh denied. (A copy of this one also to 62-2855, not provided, as to Murkin, which was also true of the above)

There is no 197-1-5. Next is 6. It says "enclosed are original and three copies of amended affidavit as per FBIHQ telephone call 9/7/77."

If one were to guess, the note on the phone call is 5 and is being withheld not to disclose what FBI HQ directed.

It appears quite unlikely that the 713 documents were processed by the time of the phone call, a week later. If they had been then they were delayed about two months in being given to me. So the affidavit also appears to have been "amended" prior to the completion of HQ processing.

And on this basis alone cannot qualify as an affidavit of compliance. (Again copies in 62-2855 and 157-10673, the Murkin NO file, not provided.)

The amended affidavit is next.

Neill E. Edwards sent SAC a memo on 9/21/77 attaching "xerox copy of all 1A envelopes and a xerox copy of any 1B 'Bulky Sheets' from the NO Murkin file. Perhaps they were given to me. I don't recall and had no list for checking.

No memo of the call is provided but there is another Airtel after the second copy of 197-1-7. It is 8 and forwards the copies of the 1-A envelopes, Items 1A<sup>1</sup> and 1A<sup>2</sup>.

Next is your 12/25/77 letter, JFK FOIA request, 190-33-1. Notes added include "open dead file 1-4-78," followed by illegible initials. Another is "Bureau let 1/11/78." Another seems to be "xerox cos sent." The Bureau letter is not provided nor are copies of records of phone conversations reported in addendum to 190-33-2, which is next. It is their copy of their 1/4/78 letter to you. The conversations were with Beckwith on 1/3 and McCreight on 1/4/78.

What is next is not with any covering letter of any kind or airtel, memo, etc. It is a NO TT to HQ of 5/16/67, 89-69-3066.

This one shows that they have Garrison indexed. (page 1) It recounts a news item by TT. Ferris and Shaw are in our request, I believe. Indexed. (No privacy considerations- both unmarried and both dead.)

89-69-3616, about me and my telling them of the Mafia threat vs. Garrison. Addressed earlier and separately. This record was not provided by HQ and is to be provided by Dallas.

Ditto for 89-69-3607, from SF. It should provide this and related records.

89-69-3837 is another TT on a news story/ It also was sent to Dallas, as was SF's, above. Both should supply copies. Albuquerque should have. I believe they claimed to have nothing. (This one, by the way, Sal Panzeca apologized for. Dymond was scraping the barrel and dragged me into it for a false allegation. He never asked for a subpoena.)

89-69-3930, Bartes, copy to Dallas and HQ did not supply. Ditto for 3929, which is in reverse order. Bartes stuff addressed earlier, separately.

89-69-4333, Rothermel record, only one. Should be more than one. HQ did not supply.

89-69A-630, 639, two long Gavzer-Moody stories.

These do not represent all the N.O. news stories mentioning me. They have or should have others, I suspect filed elsewhere or by different subjects.

If Bartes spoke to them it is probable others also did. I spoke to quite a few in N.O. It is also probable that other informers and sources reported on me. These records can't represent all the N.O. FO records mentioning me.

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