To Quin Shea from Harold Weisberg re JFK records, PA appeals 5/28/79
Doyle, Martin, WDSU-TV, WWL-TV film; Mary Moorman pictures
Oswald associates - "Third Man"
My FOIA requests - records of not provided; appeals not acted on
Warren Commission testimony and other records, FBI commentaries, analyses withheld

In prior appeals I have appealed continued withholdings of copies of the captioned photpgraphs and records relating to them and the photographers. To now the FBI has refused to provide copies of any of the photpgraphs and began by refusing to make the appointment it requires for any examination of any copies in its public reading room.

Subsequently I made for you copies of 105-02555 Serials 5655-9 inclusive. They are attached hereto. At this point in the files it appears that the request and DJ-118 form are not attached although I believe they have been disclosed. No response is attached at this ppint either.

Reference to these requests as being of 12/15/70 is not accurate. Almost three years ago I prepared a list of my ignored requests for use in C.A.75-1996, when I testified to them (without rebuttal) and gave a copy to the Department. A year of more ago I provided a copy to your office when I was told the FBI could not provide copies of my FOIA/PA requests. The first listing for 1969 follows:

> "January 1, FBI photos, reports filed, not given to Warren Commission, taken by Moorman, Powell, Doyle and Martin. Number of repetitions of this request. They include WDSU and WWL news film. No compliance."

Although the attached records make no reference to the Moorman pictures and the FBI and Secret Service went through elaborate rituals of returning them to her and then fetching them again for the Commission, the actuality is that the Dallas office made and kept copies and kept the fact secret. (I have had no compliance with this request)

As the incomplete list of requests states, to then there had been no compliance with the matters referred to in the attached records. There since has been no compliance.

It is faithful to my experiences with the FBI and my reading of many records for FBIHQ to have represented FOIA requests as "allegations." (5655).

It is faithful to the FBI's dedication to Orwellian practise for it to indicate to the field offices that they are not to inform it whether they have copies of the photos, which I did request:

"If the [redacted] field office did not have film, so state. If film in field office possession at one time, state date and circumstances of disposition." (5655)

As I informed you earlier, J. Pat Doyle and John Martin informed me that the film returned to them was not their original film and had been edited. I also informed you that the WDSU news director provided the same information. What is relevant to this follows where I will call it to your attention.

Please note that on 5656 the Portland office noted its filing of film on Oswald being arrested as a "Civil Rights" file, 44-225. Other filing for it follows. From this airtel it appears that 44-225 is "captioned 'JACK LEON RUBY..." There appears to be no basis consistent with normal filing practise, even for the FBI, to file an 8/16/63 movie of Oswald under Ruby's 11/24/63 killing of Oswald.

The concluding sentence on page 1 requires other records to exist and states the purpose of forwarding the original (or unmentioned copy) of the Doyle film to FBIHQ "in order that the Bureau might make copies of the pertinent scenes if it so desired."

Page 2 fails to state whether copies were made at HQ or Portland but does represent what would appear to be a long delay, from 1/31 until 3/10/64 "for return to J.PAT DOYLE."

The description of the Martin film matches neither the film nor Martin's representation of it. Minneapolis (5657) is consistent with Portland in masking the true nature of the movie. It is not "of a group of Cubans after Oswald was arrested" but rather is of OSWALD and three Cuban's being arrested, with many other persons also included.

The elapsed time with the Martin film was a month and 11 days, rather long for the examination and return of film allegedly of no value.

While the Commission was informed of FBI interviews relating to the Doyle film from the records in the Archives it appears that the FBI withheld all knowledge of the Martin film from the Commission.

Minneapolis provided an equally misinformative description of this film on 12/31/63, only as "apparently depicting OSWALD's presence in New Orleans."

None of the pages of this Serial or any other refer to the making or not making of any copy of this film either.

Serial 5658 reflects the inconsistency, arbitrariness and capriciousness of the withholding of the Pan American Films names, an earlier appeal that has not been acted upon. The names are not withheld from this record, which was processed by the same FOIA unit only much earlier.

(It is not unusual in both so-called historical cases for this FBI FOIA Unit to withhold in records processed later what it had already disclosed. This relates to specifics and generics both.)

Page 2 of 5658 refers to the WDSU photographer Johann Rush having provided copies of six different frames of his 16 mm movie film. Here the representation is of [redacted] "OSWALD and a person later identified as CHARLES HALL STEELE,JR." The representation is of knowing untruthfulness, as other attachments show and as I informed you earlier.

As I also informed you, Secret Service records place the number of individual photographs provided by Rush as 17 & The FBI gave the Warren Commission only two.

The initials of case Supervisor Robert P. Gemberling appear on 5659. It begins with complete fidelity to the infidelity of description by both Portland and Minneapolis as quoted above. It then provides an entirely different file number for the Portland records, 89-21. There is no explanation of how Dallas could have had this number if it had only the indicated records which bear the Portland number 44-225 only. Or, it appears that other records exist and other files should be searched.

The Doyle and Martin films are of an incident of exactly a week before those of the TV stations. In all official accounts Oswald was entirely alone when on 8/9/63 he was distributing FPCC literature of his own creation. However, Gemberling slipped up a bit in his description of the allegedly worthless Doyle film: "...motion pictures of <u>two</u> individuals on 8/9/63 on Canal Street, New Orleans, carrying signs bearing pro-Castro inscriptions with leaflets in their hands." (Emphasis added.)

To the best of my recollection any and all other references to an Oswald associate on that date was memory-holed from all other FBI reporting, regardless of the sources of the records and most importantly from any Warren Commission records I saw at the Archives. and all records provided,

My own inquiries in New Orleans leave no doubt that Oswald has other associates in

his literature operations. My sources includes FBI sources. I have and have read the FBI's reflections of its interviews with those I also interviewed. The FBI's versions do not include what I was told, which is to say than among their omissions is the foregoing about another person with Oswald on 8/9/63.

(In this connection I remind you that you have not acted on my appeal relating to the fingerprint not that of Oswald on a leaflet obtained by the New Orleans police on the occasion of an earlier Oswald literature operation, at the dock where the carrier Wasp was moored, Dumaine Street. If you consult the same list I provided you will find that on the 1/1/69 date of my request above I also made an FOIA request relating to this. I have appealed and re-appealed that denial. The information remains withheld as of today.)

On page 3 of 5659 there is reference to "a third white male" in what Steele allegedly told the FBI. I happen to have interviewed him as well as Jesse Core, mentioned above on this page. It was not merely an unidentified other man, it was another Oswald accomplice. These two are not the only ones who reported this to me and I am sure to the FBI, which managed not to report it. Core was a regular FBI source and he identified the other supposedly unknown men in the pictures the FBI used. There are still other such reference but an important one (page 4) states what the FBI's pictures do not show of either the two named men doing, "passing out handbills." The covering up of this in the next paragraph states that the other two of these three are the two named above, (in the report, EHARA and ALICE) both of whom had offices in the building involved. They were not leafletting. They were observing it.

As I informed you earlier, the WDSU films were three separate films when given to the FBI. The bottom of this page identifies each of these three separately and does not even indicate that when the FBI received them, which it also does not state, they had been spliced together. Rather than stating that WDSU loaned the FBI the film for copying the top of the next pages says that Pan American "made available a duplicate copy" of all three in one. Pan American did not have WDSU's film, WDSU did.

These records raise questions about the Dallas index. Does it have a section on photographs? Is there a separate filing of them of which I have not been provided with copies, what I would assume to be a norm? Or a list or inventory? Neither is provided.

My requests include copies of the photographs. These records no not say the FBI does or does not have copies. I have not received any copies.

Six Rush stills are mentioned repeatedly. I have not been given copies of them or of the enlargements. This raises additional questions: did the FBI fail to give the Commission Presidential full-frame copies of the two photographs it did provided? The enlargements referred to appear to be of parts of those frames only.

The top one of the attached pages shows other distribution. Those of most interest to me are to W.C. Sullivan and Alex Rosen. Their Domestic Intelligence and General Investigative Divisions represent two of the many sources of information within my requests that have never been searched despite my many requests.

In this connection I remind you of the history of the Long tickler, a separate record that did not exist anywhere else in the FBI so far as is known and was in one of the places I asked to be searched back in 1976.

FBIHQ did not tell the field offices "Here is an FOIA request for photographs. Please send copies if you have them along with the other related information requested." That would have easy, direct and could have led to prompt compliance. Instead there was the elaborate means of telling the field offices not to let FBIHQ know it they had copies. There is no record reflecting whether or not FBIHQ had copies of the pictures and other information requested. Instead there is the also elaborate repetition of the earlier inaccurate information by which photographic proof that Oswald had accomplices in New Orleans is avoided. Their photographs also are withheld. There is no record showing what FBIHQ did with the picture it received. (Generally the Lab was included in routings and for examination of photographs.) There is no DI or GID record.