

FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
JUN 19 1964
TELETYPE

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. DeLoach	
Mr. Evans	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

57
FBI WASH DC
8-24 PM CST URGENT 6-19-64 WSW
TO DIRECTOR /105-82555/
FROM NEW ORLEANS /100-16601/

LEE HARVEY OSWALD, AKA/ IS DASH R DASH CUBA.

RE BUREAU TELETYPE, SIX SIXTEEN LAST.

ON SIX SIXTEEN LAST, JOHN D. TAMBERELLA, ATTORNEY
FOR OREST PENA, WAS CONTACTED AND INFORMED IT WAS DESIRED
THAT PENA BE MADE AVAILABLE FOR REINTERVIEW BY BUREAU
AGENTS, AS THERE ARE POINTS IN PENA/S INTERVIEW OF SIX NINE
LAST WHICH CONFLICTED WITH INFORMATION FURNISHED BY PENA ON
TWELVE FIVE SIXTYTHREE. TAMBERELLA WAS ALSO ADVISED IT
WAS DESIRED THAT PENA/S PASSPORT BE MADE AVAILABLE FOR
REVIEW FOR CONFIRMATION OF THE DATES WHICH PENA DEPARTED
AND SUBSEQUENTLY RETURNED TO THE UNITED STATES IN AUGUST
SIXTYTHREE.

TAMBERELLA STATED HE WOULD CONTACT PENA REGARDING
THESE REQUESTS, HOWEVER, HE DID NOT THINK IT POSSIBLE TO

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END OF PAGE ONE
JUN 24 1964

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MR. BELMONT FOR THE DIRECTOR

18 JUN 22 1964

177

PAGE TWO

REINTERVIEW PENA PRIOR TO SIX NINETEEN SIXTYFOUR, AS TAMBERELLA WOULD BE IN COURT EVERY DAY UNTIL SIX NINETEEN SIXTYFOUR. TAMBERELLA SAID HE WOULD ADVISE OF PENA'S DECISION. ON THE EVENING OF SIX SEVENTEEN LAST, TAMBERELLA ADVISED HE HAD BEEN UNABLE TO CONTACT PENA ON THIS DATE. ON SIX EIGHTEEN LAST, TAMBERELLA ADVISED HE HAD CONTACTED PENA AND HAD BEEN ADVISED BY PENA THAT HE DID NOT CARE TO ENGAGE IN ANY ADDITIONAL INTERVIEWS WITH AGENTS OF ANY GOVERNMENT AGENCY AND THAT PENA WAS TIRED OF BEING INTERVIEWED BY NUMEROUS GOVERNMENT AGENCIES AND THE ONLY WAY PENA WOULD BE WILLING TO BE INTERVIEWED WOULD BE IN RESPONSE TO A SUBPOENA FROM THE WARREN COMMISSION.

TAMBERELLA WAS INFORMED THERE WERE ONLY TWO POINTS NEEDING CLARIFICATION, IN THAT ON TWELVE FIVE LAST PENA TOLD FBI AGENTS THAT OSWALD AND ANOTHER MAN, EITHER MEXICAN
END OF PAGE TWO

PAGE THREE

OR CUBAN, CAME INTO HIS BAR SOMETIME DURING THE SUMMER OF SIXTYTHREE, WHILE ON SIX NINE LAST, PENA SAID HE HAD NEVER TOLD ANYONE, INCLUDING CARLOS BRINGUIER, THAT OSWALD HAD BEEN IN THE HABANA BAR WITH A MEXICAN PRIOR, TO THE ASSASSINATION OF PRESIDENT KENNEDY.

TAMBERELLA STATED HE DID NOT FEEL THE LATTER STATEMENT OF PENA WAS CONTRADICTIONARY TO THE FORMER IN THAT IT WAS HIS APPRECIATION THAT PENA MEANT THAT HE HAD NOT TOLD ANY QUOTE LAY PEOPLE UNQUOTE PAREN THAT IS, OTHER THAN A LAW ENFORCEMENT OFFICER SUCH AS THE FBI PAREN THAT OSWALD HAD BEEN THE HABANA BAR PRIOR TO THE ASSASSINATION OF PRESIDENT KENNEDY.

TAMBERELLA WAS REQUESTED TO RECONTACT PENA TO CLARIFY THE APPARENT DISCREPANCY OF PENA/S STATEMENTS OF TWELVE FIVE SIXTYTHREE AND SIX NINE SIXTYFOUR. TAMBERELLA SAID HE WOULD CONTACT PENA ON EITHER SIX EIGHTEEN OR NINETEEN TO DETERMINE IF PENA IS WILLING TO CLARIFY THIS
END OF PAGE THREE

PAGE FOUR

DISCREPANCY. IT WAS SUGGESTED TO TAMBERELLA THAT PERHAPS BUREAU AGENTS COULD CONTACT PENA PERSONALLY REGARDING THIS MATTER, AND TAMBERELLA SAID THAT PENA HAD INDICATED THAT HE DID NOT WANT TO SPEAK TO THE FBI AND TAMBERELLA WOULD OBJECT TO ATTEMPTS BEING MADE BY THE FBI TO CONTACT PENA DIRECTLY.

IN REGARD TO PENA/S PASSPORT, TAMBERELLA SAID THERE WOULD BE NO POINT IN HIS RECONTACTING PENA REGARDING THIS IN THAT PENA HAD STATED HIS PASSPORT HAD BEEN REVIEWED BY INS BOTH AT THE TIME OF HIS DEPARTURE AND RETURN TO THE UNITED STATES AND FOUND TO BE IN ORDER AND THAT PENA WAS UNWILLING TO MAKE HIS PASSPORT AVAILABLE FOR REVIEW BY BUREAU AGENTS WHATEVER THE REASON MAY BE.

ON SIX NINETEEN INSTANT, TAMBERELLA WAS RECONTACTED AND ADVISED THAT PENA STATED HE HAD NOT CHANGED HIS POSITION IN THIS MATTER AND ID NOT CARE TO DISCUSS THE MATTER ANY
END OF PAGE FOUR

PAGE FIVE

FURTHER.

THE BUREAU MAY DESIRE TO SUGGEST TO THE WARREN COMMISSION THE POSSIBILITY OF HAVING PENA SUBPOENAED. THE WARREN COMMISSION MIGHT ALSO DESIRE TO CONTACT THE STATE DEPARTMENT FOR THE PURPOSE OF HAVING PENA/S PASSPORT PICKED UP.

IN VIEW OF THE FOREGOING, NEW ORLEANS IS SUBMITTING ADDITIONAL THREE ZERO TWO/S COVERING INTERVIEWS WITH ATTORNEY TAMBERELLA AS SET FORTH HEREIN. NEW ORLEANS ALSO SUBMITTING AMENDED PAGES AS INSTRUCTED BY REFERENCED BUREAU TELETYPE.

AIR MAIL COPY FRUNISHED DALLAS.

END AND ACK PLS

WA WBS

FBI WASH DC

CC-MR. SULLIVAN

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