

*Cliffhous, DEAN*

JFK assassination records appeals

Harold Weisberg 8/16/79

Searches, field offices and FBIHQ

Improper withholdings - inconsistency, arbitrariness and capriciousness

Clay Shaw/Clay Bertrand; Frontina Davis; Andre Shaw; Marie Bernanos

In another appeal dated today I advised Davis and Andrews in connection with Clay Shaw and records not provided and searches not made.

Attached are two copies of the same record from different files reflecting improper and unjustified withholdings from one version that are not withheld in the other version. I regard this as more than mere inconsistency, as arbitrariness and capriciousness with the intent of obfuscating and confusing in an area of some sensitivity of not potential acute embarrassment to the FBI.

Here also I want to report that Clay Shaw and his FBI and associates there were regular FBI sources (I believe properly and necessarily so although I also believe that because of this the FBI feared embarrassment once Shaw was charged) and that the CIA had admitted a seemingly innocent relationship with Clay Shaw prior to the processing and providing of the attached records.

I will also provide a separate but related appeal having to do with Jesse Gore, in addition to similar prior appeals.

For your information, the FBI-AFM relationship involved retired Lt. Warren G. De Bruoy who is involved in a case filed in New York. As I have told you, Mr. Lear has a copy of that complaint if you do not.

Attached are 62-109060-4606 and the first page of the not recorded copy from 105-32555 62-109060-4612. (I have already provided a San Antonio record that is relevant and perhaps a copy of two of the attached in connection with an earlier related appeal.)

If you require more of an explanation relating to Clay Bertrand than I have provided I can offer more information.

I have provided the first page only of the duplicate record because there are no withholdings from the subsequent pages. Also, they disclose what I withheld from 4606.

The second and a later withholding from 4606 <sup>W4</sup> the name of Aaron Kohn. There is no

exceptionally well known as the manager, director of the Crime Commission, including extensively outside of New Orleans, and was so much an activist against Communism I am surprised that the FBI even thought of withholding his name, as it did. In addition, by any standard, he is a public personality.

Consistent with this withholding is the editing on the telegram to Sullivan memo of the fact that John is a former FBI man, which is well known and is in other records. John's name is not withheld from the duplicate copy.

Part of the first withholding, not withheld on the duplicate, is the date, March 19.

Do you know of any exception for the date? Particular if as I recall the record was disclosed if it is the San Antonio record referred to?

While the file identification of the duplicate copy indicates on 4000 is too unclear for certainty some of the numbers do not appear to be those of that file.

The so-called "facts" that follow the first page are neither accurate nor complete. One is proven to be false, that Andrews was not able to use the phone. He did, several times, as the FBI knows but omits from this record. Among the inaccuracies is the fact that Lewis's consultation with Andrews also included how to get into Mexico - and Oswald appears to have used this service. Others are that Oswald was accompanied by another person and that some of Andrews' personal aliases also were omitted. From what Andrews told me and is not in any FBI records I've seen there was still more.

Serial 4812 appears to be exceptional. No copies are indicated for New Orleans or the Office of Origin, Dallas. The brevity and omissions in the FBI memo the omission of that would be of interest that Mario Hernandez knew. And I recall no Mario Hernandez records being provided by either office. But the fact of the Hernandez-Burns relationship and associations were well and publicly known in New Orleans. Hernandez certainly was one the FBI should have questioned about Clay Bertrand.

Reportedly both also served on the board of the Corbell Hall Foundation, one of the aims of the CIA's Foundation activities. The lawyer who told me he investigated the allocations of the Foundation's funds also told me that they went to Latin Americans

who could not be located.

If either of the above names were available to them's personal files, no looking for his name in the 1967 directory. This could mean to indicate a close personal relationship, close enough for it to have his address number.

Get the FBI info even an identification of what they, what he does, for the time, etc.

Neither is listed as a 1967 member of the FBI, also interesting.

The first contact with the MI base FBI was the day of Jones's arrest. It does not seem probable that Jones would have made a contact the next day merely to say he was not related to flag man.

When there is the MI file in MI base, separate from its association file. I have found some odd "administrative matters" in other MI files.

In short, I believe a more diligent search is required, including in the field offices.