SWP

Dear Jim, 1/20/79

In today's mail I have a copy of the New York Times story of 1/16 headed, "Ex-agent Accuses F.B.I. Executive of Perjury in Suit Over Informants."

There is a direct quotation from Mr. Adams in this story that from my experience is not truthful, "...an explicit promise of confidentiality in all cases."

As with the records I received recently in response to my Privacy Act request of 1975 I believe the information I have might well be before that court, SWP case.

Just before I had to suspend what I was doing and prepare a memo for C.A. 75-1996 I had gone over the New Orleans Field Office JFK assassination records I received recently. In one of them there is a record in which the FBI itself stated that the informant said her name could be disclosed. It was not disclosed but was obliterated in the record provided to me. I have had a copy of this record made and as soon as I can Im will go over those copies and provide it to you.

To my knowledge the FBI made not fewer than three of its informants available to the House Select Committee on Assassinations. I have provided the proofs relating to these three in affidavits in C.A. 75-1996 of which, of course, the Department of Justice received copies.

The House committee turned one of these three over to Mark Lane.

In another case I have the record with which the FBI made the informant's name known to the committee. This man told me that the FBI sought him out and told him that the committee desired that he work for it. (Not, of course, as a regular staff member.) When he said he didn't want to do this he was told he'd be subpoenaed and would thus be exposed.

These are symbolled informants. The FBI has made the same representation in my cases with regard to "sources," who may be other than symbolled informants and may not be considered informants at all by the FBI.

Years ago it was disclosed to Paul Hoch that one Carlos Quiroga was an FBI informant, whether or not with a number or for pay. This was prior to the SWP suit. After that suit, this past year, the FBI disclosed to me that one Carlos Bringuier was a source for it.

There are probably other such cases.

This story quotes the former FBI agent as saying that the confidentiality-pledge line was "invented" after the filing of the SWP suit. I have no knowledge of that. I do know that I never encountered that, extended to "sources," until after the 1974 amending of the Freedom of Information Act. Once that amending became effective the FBI started to withhold information identical with what it permitted to be printed in facsimile in innumerable cases by the Warren Commission. It then began to make an explanation like is quoted from Mr. Adams.

Distinguished from the foregoing is the disclosure of the identities of informants where the FBI may claim it was accidental. This has happened in my FOIA cases, the disclosure, not the claim. There was no occasion for the making of the claim then.

Counsel in the SWO case may want to look into the matter of the affidavits relating to Clyde Tolson's will. I have some news accounts.

Best,