

UNITED STATES GOVERNMENT

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# Memorandum

- 1 - Mr. C. D. DeLoach
- 1 - Mr. W. C. Sullivan
- 1 - Mr. W. A. Branigan

TO : Mr. W. C. Sullivan *WCS/KAC*

DATE: December 15, 1969

FROM : W. A. Branigan

- 1 - Mr. K. M. Raupach *WCS/KAC*
- 1 - Mr. M. J. Rozamus
- 1 - Mr. T. N. Goble

SUBJECT: REQUEST UNDER THE FREEDOM OF INFORMATION ACT FOR RECORDS POSSIBLY CONTAINED IN THE FILES OF THE FEDERAL BUREAU OF INVESTIGATION

*Per WAB/mj*

This recommends advising Deputy Attorney General that compelling reasons exist for denying Paul Hoch's request for access to several serials in the Fair Play for Cuba Committee (FPCC) file of our New Orleans Office. Hoch's request is based upon his belief these serials pertain to Lee Harvey Oswald; in fact, they do not. Moreover, they were obtained in 1961 through an extremely sensitive, anonymous source of our New York Office directed against the offices of the FPCC.

Paul Hoch is the Berkeley, California, graduate student, who, as long ago as 2/4/65, expressed an interest in the assassination of President Kennedy. (He has directed numerous inquiries to the National Archives. In a letter to the Attorney General dated 9/19/69, he wrote of "some sort of hidden relationship between" Oswald and the FBI. On a memorandum dated 10/6/69 concerning Hoch, the Director noted, "I dislike the humoring of a character like Hoch who is obviously a 'smear' artist.")

HOCH'S REQUEST: Hoch, in a letter to the Department, has requested access under the Freedom of Information Act to four serials from a file of our New Orleans Office, and the Deputy Attorney General has sought our assistance in handling the request. Hoch's request is based upon FBI Exhibit D-25, available to the public in the National Archives. This is one of the handbills Oswald was passing out in New Orleans in 8/63 and is entitled "Hands Off Cuba." Hoch has noted that Exhibit D-25 is marked 97-74-1A5. Hoch wants to see the first pages of serials 1A1 through 1A4 of the file because he erroneously believes these are related to 1A5.

105-82555

Enclosure

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*WCS*

SENT DIRECTOR FOR APPROVAL  
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Memorandum to Mr. W. C. Sullivan  
RE: REQUEST UNDER THE FREEDOM OF INFORMATION  
ACT FOR RECORDS POSSIBLY CONTAINED IN THE  
FILES OF THE FEDERAL BUREAU OF INVESTIGATION  
105-82555

**REASONS TO DENY REQUEST:** The item which is the basis of Hoch's request, the handbill, should have been serial 1A4 of the file, although it bore the markings 1A5 when furnished to the Bureau. New Orleans explains this as attributable to a clerical error in marking. This error has no relation to the substance of this matter. There are three serials before the handbill serial; namely, 1A1, 1A2, and 1A3, and two serials following it, 1A5 and 1A6. There are no other 1A serials in the file. The first three serials were obtained by the New Orleans Office from the New York Office in 1961. The New York Office obtained them from [redacted] who is an anonymous source developed [redacted] to cover the New York Office of the FPCC. None of these items concerned Lee Harvey Oswald. They were of pertinence only to our investigation of the FPCC. Therefore, there was no reason to give them to the Warren Commission. They were obtained in 1961 when Oswald was in the Soviet Union. For these reasons, they should not be made available to Hoch, and his request should be denied since it involves items contained in investigatory files compiled for law enforcement purposes which are exempted from the compulsory disclosure requirements of the Freedom of Information Act.

Serial 1A5 is a pamphlet entitled "The Crime Against Cuba" by Corliss Lamont. Although this specific copy of the pamphlet was not furnished to the Warren Commission, a number of other copies were, and National Archives advises 21 copies on file there. A copy of the pamphlet was previously sent to the Department for furnishing to Hoch.

Serial 1A6 is material completely unrelated to Oswald and which was obtained by the New Orleans Office in 1964 in connection with its investigation of the FPCC. There was no reason to give this material to the Warren Commission.

**OBSERVATIONS:** Serials 1A1, 1A2, and 1A3 are not pertinent to Lee Harvey Oswald. They were obtained from an extremely sensitive source of the New York Office. For these reasons, Hoch's request should be denied. His interest in the Oswald case gives him no right to rummage through our files.

**ACTION:** Attached for approval is letter to Deputy Attorney General setting forth this position and the reasons for it and enclosing copies of the serials in question.