

301/473-8186

Rt. 8, Frederick, Md. 21701

11/28/69

Dear Crestes,

When I wrote you the other day that soon I expected to have more of the FBI reports on you, I did not believe it would be this soon.

Now I begin by asking a small favor of you. I want you, please, to not let any of the people who were questioned about you know you have the FBI report of what the FBI says they said. It would not accomplish any good purpose, it might be unhelpful, and you might get angry. This also would not be any good. This means I am asking you not to tell anyone for the time being, because the word would get around in spite of promises. Also, my own experience with the FBI reports is that they are not always accurate. Many people, including Secret Service agents, swore they did not say what the FBI said they said.

As you will see, most are not really unfriendly anyway.

I think my suspicion was correct, however, that the FBI was trying to get ideas in Liebel's mind, to influence what he did and did not ask you about when you were a witness.

These came in the mail this morning, and I have had time to glance at them in a hurry only. Some of it should give you a laugh. Where you went to the FBI office to complain, they say you were there, but only "on another matter".

This is Warren Commission file No. 1349, all that is about you except the first two pages, which I sent you earlier.

Now one thing that might be helpful would be if you were to tell me what you can about those quoted.

I am writing this in a hurry to be able to mail it to you tomorrow. When I have time I will read a copy with more care and if there is anything I think I should tell you or ask you, I will then.

One thing I do want to add, and this also is about your saying not a word to anyone. In all the many thousands of pages of files I have gone over, there is only one other witness I can recall (not New Orleans), where they went to this much trouble to investigate him. I think this bears on the FBI's knowledge of the importance of what you know. Sometimes we know things and we do not, really, understand some of the ways in which they can be important. This sometimes takes knowledge we have not been in a position to get or understand. However, the great trouble they went to to investigate you is another reason I hope you will not mention anything about any of this to anyone, at least not until after we have a chance to talk. If you have any questions, ask. If you want to use tape, fine.

Best regards,

Harold Weisberg

advised that ORESTES PENA had presented his ticket at the Delta Airlines counter at the New Orleans International Airport at approximately 12:15 PM on May 1, 1964, and that the following cities which ORESTES PENA was to visit were listed as follows: Paris, Madrid, Rome, Munich, Berlin, Frankfurt, and New York. He advised that the aforementioned ticket was sold to PENA by the American Express Company, New Orleans, on April 29, 1964.

Mr. TWEEDLE also advised that inquiry made of the American Express Company on May 1, 1964, revealed the following additional travel information scheduled to be performed by the subject:

- Leave New Orleans, Delta Flight 970, on May 1, 1964, for New York City;
- Leave New York City for London, England, aboard Alitalia Flight 633, on May 1, 1964;
- Leave London on Air France Flight 813, on May 5, 1964, for Paris, France;
- Leave Paris, France, May 12, 1964, on IB Flight 161, for Madrid;
- Leave May 22, 1964, from Madrid on Flight TW 900 for Rome;
- Leave Rome on May 27, 1964, aboard Flight LN 341, for Munich;
- Leave Munich on May 27, 1964, aboard Flight BRA (?) 1972 for Berlin;
- Leave Berlin on May 30, 1964, on Flight AF 361, for John F. Kennedy Airport, New York;
- Leave New York, May 30, 1964, on Eastern Airlines, Flight 543 for New Orleans.

On May 1, 1964, ROSEMARY BARR, Records and Administration Section, Immigration and Naturalization Service (IENS), New Orleans, advised that she could locate no record in the name of ORESTES PENA.

Mr. LEO JOHNSON, Investigator, IENS, New Orleans, advised on May 1, 1964, that he believes ORESTES PENA is a naturalized United States citizen.

On May 1, 1964, Mr. CHARLES WYERS, Deputy Clerk, U. S. District Court, Eastern District of Louisiana, advised that a check of the Naturalization Records failed to reflect any naturalization information in the name of ORESTES PENA.

Set forth below are data previously received relative to ORESTES PENA:

HECTOR JOSE GARCIA, repairman, Sanborn's Hi-Fi Center, 5551 West Lovers Lane, Dallas, Texas, who resides 6518 Junius Street, Dallas, advised as follows:

One night about two years ago at the Habana Club, located in the French Quarter, New Orleans, GARCIA overheard a conversation between (first name unknown) ORESTES and two unknown persons at that club. The latter two unknown persons had made some comment about FIDEL CASTRO of Cuba and GARCIA overheard ORESTES reply: "Castro should have been notified about that as soon as possible." GARCIA assumed the two unidentified men talking to ORESTES were merchant seamen. When ORESTES saw GARCIA standing nearby, he asked GARCIA what he wanted and told him to move on. GARCIA refused to leave and was struck by ORESTES. GARCIA called the police, whereupon ORESTES told GARCIA if he did not leave he would kill him. GARCIA left. When the police arrived, according to information GARCIA received from friends, they were told by persons at the Habana Bar that a "drunk" had been there and had left. GARCIA advised that he was not drinking as he has an ulcer and is unable to do so.

GARCIA stated he saw a picture of ORESTES in a newspaper in New Orleans a few days later which revealed ORESTES as a leader of an anti-CASTRO organization. GARCIA stated that an unidentified waitress at the Habana Club was supposedly to have made a long distance call to FIDEL CASTRO personally about that time. He stated that the waitress had made comments to customers when GARCIA was there that she had done so. GARCIA is undecided as to whether ORESTES is pro or anti-CASTRO. He

described ORESTES as a Spanish-speaking male, who may or may not be a Cuban, age middle thirties, 5 feet 5 or 6 inches, light complexion, who has a brother named ERNAN.

The New Orleans States and New Orleans Item newspapers on December 22, 1960, contained a photograph of various delegates of the Cuban Revolutionary Front in New Orleans, among which delegates was included ORESTES PENYA.

The Cuban Revolutionary Council was an anti-CASTRO organization in New Orleans which ceased to exist approximately in December of 1961 and which had headquarters in Miami, Florida.

ORESTES PENYA, owner of the Habana Bar, 117 Decatur Street, New Orleans, located in the French Quarter, had, during the years 1961 and 1962, furnished information to the FBI Office, New Orleans, concerning persons who he claimed were pro-CASTRO in his opinion.

Sources cognizant of political group activities among Cubans in the New Orleans area, were contacted during the month of June, 1964, and each advised he had no information to indicate that subject is pro-CASTRO or that subject is sympathetic to communism.

Confidential Informant NO T-4 advised on May 7, 1964, that subject allegedly has been investing his money in the sugar business (company unknown) and this investment has been profitable.

During an interview of ORESTES PENYA in the presence of his attorney JOHN D. TAMBERELLA, in connection with another matter, PENYA furnished the following background and descriptive data in response to inquiry:

Name: OREST PENYA
Aliases: Orestes Farnicio Pena Alfonso
Sex: Male
Race: White
Born: August 15, 1923, Cuba
Citizenship: Naturalized U. S. citizen (thinks he was naturalized in 1954)

Height: 5'9"
Weight: 140
Marital status: Married twice and divorced twice

1st wife: born in Dominican Republic; allegedly married in New York, name not given

2nd wife: born in Nicaragua, MERCEDES PAZ, allegedly divorced in Mexico

Brothers:

RUBEN PENYA (resides same address as subject)
ANDRES PENYA, Owner of Las Americas Bar, 407 Decatur Street (U. S. Citizen)

On May 7, 1964, Mr. DAVE SMITH, Investigator, U. S. Customs, advised that he is acquainted with the subject. He related that he inquired of a Cuban barmaid at the Habana Bar and had learned that the subject had recently left for a vacation trip to Europe. There was no indication that the subject is going to Moscow, according to DAVE SMITH.

Mr. SMITH related PENYA has a brother named RUBEN who lives with the Cuban barmaid named KELLY over the bar. He stated that subject has another brother named ANDRES, who is about 30 years of age and looks like OREST PENYA, but is 6'1" and wears a black mustache, and is owner of the Las Americas Bar on Decatur Street. Mr. SMITH also related that he is quite certain that the subject can afford a trip to Europe as he has a "Gold mine" in his business at the Habana Bar.

NO T-5 advised on May 8, 1964, that he is acquainted with the subject as well as the fact that the subject went to Europe. He has no information that the subject went to visit Moscow. He states that he has an excellent business at the Habana Bar, likes to travel and has the money to perform such travel. In the opinion of NO T-5, the subject is definitely not pro-CASTRO.

On June 11, 1964, a review was made of the subject's file at IAMS, New Orleans, under file no. AG 434 157 in the

name of ORESTES FARNICIO PENA ALONSO, and the following data was noted:

OSWALDO FARNICIO PERE ALONSO, a soldier at Ft. Benning, Georgia, described as age 20, 5'8", black hair, brown eyes, filed an application for an immigrant visa and Alien Registration Form no. 1271390 on July 5, 1949 at Ft. Benning, Georgia.

In the above application form, the subject listed his mother as MARGARITA ALONSO, residing at Colon Matanzas, Cuba, and his father as RUBEN PENA Y NERHERO a native of Santa Ana, Cuba.

Subject also reflected residence in Cuba until 1946 and thereafter residence in the United States of America between 1946 and 1949.

He described himself as a private in the U. S. Army and also as a graduate of the Agricultural School in Cuba.

He made available data for this application form which reflected he was born August 15, 1923 at Colon, Cuba, with the name ORESTES FARNICIO PENA ALONSO. This birth is inscribed as #243 in Folio 458 of Volume 24 in the Registry of Colon, Cuba.

Also noted on a separate registration form in subject's I&NS file, under date of October 11, 1946, was information that he arrived in the United States at Miami, Florida, September 18, 1946, by plane, and he was destined for 540 West 136 Street, apt. 43, New York City, New York. He was to remain as a visitor until March 18, 1947.

The subject filed for an Extension of Temporary Stay, which was denied on February 18, 1947. In this last application, he listed his address in Cuba as "Subirana 272." He listed his passport no. as 16583 and expiration date as August 14, 1951. He claimed he was visiting EVERADO PEREGRINA, a cousin in Miami, Florida. His reason for desiring to remain in the United States was listed as "wants to get more familiar with farming principles in United States which would help him in Cuba."

An application for Permission to Re-Enter the United States of America on December 17, 1949, Kusecoee, Georgia, which reflected information that subject, at that time, was in Company A of the 30th Infantry Regiment, Ft. Benning, Georgia. His last arrival in the United States was reflected as December 11, 1949 at Miami, from Cuba via Pan American Airways.

Subject filed a Declaration of Intention to become a United States citizen. This application was filed at Columbus, Georgia, on December 3, 1949, Certificate no. 0600-K-3335.

On May 31, 1951, subject wrote a letter to I&NS asking for permission to re-enter the United States. Purpose for departure was given as illness of father. He outlined the fact that he has served in the U. S. Army and also has been active for five years in the Army Reserve. He furnished his address as Company C, 306th Infantry Regiment, 77th Division of New York. He furnished his Cuban address as Calle 6, 757 Buena Vista Maricao. In this application he gave his Army serial no. as US 51061050.

On March 4, 1954, subject filed another application for a permit to re-enter the United States, at which time he gave his address as 130 West 71st Street, New York, c/o his wife PAULA PENA. He gave his address as Ft. Benning, Georgia, and it reflected his last arrival in the United States as July 11, 1949, at Miami, Florida, having arrived from Cuba via Pan American Airways. His purpose for wanting to depart the United States was to visit his father at 253 Colon Street, Colon, Cuba.

Subject filed a petition for Naturalization under the name ORESTES FARNICIO PENA ALONSO, at which time he gave his address as 223 West 105th Street, apt. 2, New York City. He also reflected in this application the following addresses in New York City and in the United States, as well as the following employment addresses:

- 223 West 105th Street, (approximately 5/54)
- 130 West 71st Street, (approximately 3/54)

NO (105-1926) /sw

135 West 69th Street (3/63 - 8/63)
49-06 - 66th Street, Woodrode, New York (3/52 - 3/53)
209 West 87th Street, New York (3/50 - 3/52)
530 West 123rd Street, New York (9/46 - 11/49)
Ft. Benning, Georgia (3/53 - 8/53)

EMPLOYMENT

Starlite Belts Corporation, 545 - 8th Avenue, New York City (5/53)
Tri-Vet Belts Corporation, 344 West 38th Street, New York (9/51 - 5/53)
Pan American Laundry, 38 LaSalle, (2/50 - 9/51) (9/46-1/49)

U. S. Army, Ft. Benning, Georgia, (1/49 - 1/50)

As concerns subject's military service record, the file of the subject at I&NS reflected that he had served between August 23, 1949 and January 27, 1950 in the U. S. Army and subsequently in the active reserve for 5 years and reflected his address as Company C, 306th Infantry Regiment, 77th Division, at the address of 529 West 42nd Street, New York 36, New York. His rating was listed as "Corporal." On January 4, 1954, subject furnished the following facts concerning his background to I&NS:

Name: ORESTES FARNICIO PENA ALFONSO,
Address: 223 West 108th Street, New York
Sex: Male
Race: White
Height: 5'8"
Weight: 140
Hair: Dark brown
Wife: PAULA ROSOS, who was born in the Dominican Republic

NO (105-1926) /sw

In April, 1930, and who entered the U. S. at San Juan, Puerto Rico, August 12, 1949. She has one child, HARGAR C. PENA, born June 12, 1952

Witnesses to the above information filed on subject's petition for Naturalization are listed as: IRMA PENA, waitress, 405 West 105th Street, New York City; ANDREW PENA, Lunch Room Operator, 208 West 105th Street, New York.

Certification of Naturalization, no. 7426151, was issued to ORESTES PENA on May 6, 1955. At this time he was granted permission to change his name from ORESTES FARNICIO PENA ALFONSO to OREST PENA.

On June 17, 1964, the records of the New Orleans Police Department Record Room, reflected the following arrest data regarding the subject:

Item no. G14151-58 under date July 31, 1958, referred that OREST PENA, 117 Decatur Street, was charged with the following:

Assault on officers, obscene language, resisting arrest.

He was arrested by Officers POLIT and KESSLER - Disposition: Dismissed.

On August 23, 1961, OREST PENA was arrested by Police Officers DILLON BURAS, HIRSTIUS and GEMINE. He was charged with vagrancy and investigation of pandering. He was listed as a white male, address 117 Decatur Street, age 38, item no. H 10762-61. Affidavit refused.

Another arrest, under item no. C1272-59 referred OREST PENA, a white male, age 39, born August 15, 1923, was arrested March 3, 1959, for operating a hotel without a permit and permit not properly displayed. The arrest was made by patrolmen FORRESTER and WARD; disposition - Dismissed by court.

Another arrest, under Item no. K6391-63, reflected that ORST PENA, white male, age 40, born August 15, 1923, Colon, Cuba, address 117 Decatur Street, was arrested at 605 Ibeville at 2:50 a.m. on November 12, 1963, by officers STEVENS and LANFORD and charged with assault on complainant; disposition - dismissed.

Item no. J4382-62 reflects an arrest of ORST PENA, described as a white male, age 39, address 117 Decatur Street, born August 15, 1923, was arrested by officers S. RODRIGUEZ, ET AL, on October 9, 1962 for having a lascivious and immoral person employed in a bar holding a liquor permit. This was Ordinance 823:CS5-66. No disposition shown.

On June 24, 1964, JACOB LOUCH advised that Docket no. 69345B refers to the arrest of ORST PENA on October 9, 1962 and refers that this case was abandoned by the City attorney and dismissed by Judge JOSEPH R. BOSSETTA on October 10, 1962. The title of the case was City vs. ORST PENA and MAURINE ANN HAGNEY.

On June 17, 1964, the records of the New Orleans Retailers Credit Bureau reflected a credit report dated December 11, 1961, in the name of ORST PENA, wife MARIA, owner and operator of the Habana Bar, 117 Decatur Street, which record reflected both had satisfactory credit as well as a suit by FIDENCIO CASTELLON RODRIGUEZ, Docket no. 393145.

On June 24, 1964, Docket no. 393145 of the Civil District Court in New Orleans, was reviewed and the following was noted:

On August 2, 1961, CLARENCE F. FAVRET, Jr., Attorney for FIDENCIO CASTELLON RODRIGUEZ, a resident of New Orleans, filed a petition against ORSTES PENA, also known as ORST PENA, for \$21,000 with legal interest from date of declaration alleging that RODRIGUEZ was beaten and kicked on July 19, 1961 at the Habana Bar by the owner of the Habana Bar without provocation. In an answer filed by ORSTES PENA, the above allegations were denied and it was stated that due to a prior altercation between one AUGUSTO ROSELL and FIDENCIO CASTELLON RODRIGUEZ, that

PENA had spoken to ROSELL prior to the time RODRIGUEZ arrived at the bar regarding differences between ROSELL and RODRIGUEZ. PENA claimed he attempted to resolve such differences between ROSELL and RODRIGUEZ, but when RODRIGUEZ arrived at the bar, ROSELL and RODRIGUEZ got into a fight with each other. PENA claims he attempted to separate ROSELL from RODRIGUEZ while another party tried to separate RODRIGUEZ from ROSELL. PENA claims RODRIGUEZ endeavored to strike PENA and PENA, in defense, struck RODRIGUEZ. PENA said that he struck RODRIGUEZ only once and no more than two blows were exchanged and alleges that RODRIGUEZ was never knocked down or kicked nor did he suffer any apparent injuries. PENA's answer to the above declaration was filed by DAVID H. MACHAUER, 548 National Bank of Commerce Building. This suit was continued on May 22, 1962, June 12, 1962, October 9, 1962, and as of February 3, 1964 it was continued indefinitely.

On June 22, 1964, CARLOS BRINGUIER, who runs a clothing business at 107 Decatur Street, just two doors from the Habana Bar, advised that PENA is a complicated individual who has all sorts of complexes, however, BRINGUIER claims that PENA is definitely anti-CASTRO and has never defended CASTRO. He stated that PENA would argue with BRINGUIER in defense of President JOHN F. KENNEDY, but would never argue in favor of CASTRO.

BRINGUIER is definitely of the impression that ORSTES PENA is anti-Communist. BRINGUIER did remark that there were several occasions when PENA may have stated that CASTRO was right in doing something specific, such as getting rid of Cubans who would come to this country and accept welfare rather than accept work; however, he is generally speaking anti-CASTRO.

BRINGUIER further described PENA as being erratic and moody and limited in his education. He stated that one day PENA is happy and the next day he is downcast. He states that PENA is inclined to joke about things to shock people or tease them. BRINGUIER does not believe that PENA visited Moscow or any Iron Curtain country during his travel recently to Europe. He is quite certain that if PENA said he was going to visit Moscow, that this was only the type of joke that PENA would engage in.

BRINGUIER is the delegate to the Cuban Students Revolutionary Directorate, which is an anti-CASTRO organization

with headquarters in Miami.

On July 6, 1964, EDWARD GUEVARA, 233 Chartres Street, advised that while he knew the subject, he never had any knowledge that he was pro-CASTRO or had pro-CASTRO sentiments. GUEVARA states that the subject has operated the Habana Bar at 117 Decatur Street for a long time and is very capable financially speaking, of travel to foreign countries from time to time.

On July 6, 1964, FELIX VALDES, owner of La Marina Bar, 601 Decatur Street, advised that he has known ORESTES PENA for many years.

VALDES related that after CASTRO came to power, PENA, just as he, VALDES, was, was pro-CASTRO. With the passage of time, VALDES lost his sympathy of CASTRO and while PENA was eventually opposed to CASTRO, he took a longer time to change his feelings than did VALDES. VALDES recalls that about two years ago, PENA was connected with some anti-CASTRO group, as best as VALDES can tell, he believes PENA is truly anti-CASTRO now.

According to VALDES, the subject has a violent temper and often gets involved in fights with his customers. He claims that PENA, sometime ago, purchased some gym equipment for the second floor above the barroom, where he practiced boxing so that he could defend himself. He used to brag about knocking out people with whom he boxed. VALDES relates this to display some of the characteristics of PENA. VALDES understands that PENA recently took a trip to Europe, however, he has no information relative to the purpose of the trip. He did state that PENA is financially capable of such travel as his bar is very lucrative. VALDES has no knowledge or information to believe that PENA is pro-CASTRO and that he is engaged in any activity against the best interest of the United States.

On July 6, 1964, Confidential Informant T-2 advised that T-2 had been unable to do up any additional information regarding the fact that subject actually visited Moscow in the recent past. T-2 explained that the party who had told T-2

On April 30, 1964, that the subject was planning to go to Europe and Moscow on an excursion was GUILLEMO FIALLO. He stated that FIALLO could now possibly be contacted and inquiry made of him regarding the allegation that subject was to travel, in the past, to Europe and Moscow.

On July 6, 1964, GUILLEMO ANTONIO FIALLO, a Cuban citizen, born June 25, 1929, at Marianna, Havana, Cuba, who entered the United States on August 12, 1960 as resident alien, with Resident Alien no. All 874 073, furnished the following information:

Mr. FIALLO advised that he resides at 2003 Laurel Street, and is employed as a chauffeur with the A-Z Paper Company, 630 South Front Street in New Orleans.

FIALLO related that he is a very close acquaintance of ORESTES PENA, however, he added that he is very definitely anti-CASTRO and a follower of ORLANDO PIEDRA, who had been a Chief Investigator of RUBEN GARCIA BATISTA before CASTRO defeated BATISTA. FIALLO claims that while he is friendly with PENA, this friendship would in no way deter him from reporting any action by PENA that would in any way indicate that PENA was pro-CASTRO.

FIALLO admitted that PENA did mention during the latter part of April, 1964, that he, PENA, was going on a vacation trip to Europe. FIALLO explained that PENA jokingly said, "Oh yes, and I am going to Moscow also." FIALLO advised that it was obvious PENA was simply joking as PENA is quite cognizant of FIALLO's attitude towards CASTRO and Communism.

FIALLO stated that he would be alert in his subsequent visits to the Habana Bar and in his subsequent contacts with ORESTES PENA to any data that should indicate that subject may be sympathetic to CASTRO. FIALLO added however, that he is definitely of the opinion that PENA is truly anti-CASTRO and anti-Communist. He said subject likes to tease people or shock them by saying he is a "Communist."

T-6, a Confidential Source abroad, advised on the date of June 2, 1964, that ORESTES PENA arrived at London, England, airport on May 2, 1964, from New York and gave his address as Piccadilly Hotel, London. PENA left London airport on May 5, 1964.