

# MEMORANDUM

November 5, 1996

To: David Marwell  
cc: Jeremy Gunn, Phil Golrick

From: Joan Zimmerman

Subject: Update of HSCA-FBI List

This memorandum updates our knowledge of the HSCA requests made to the FBI and the FBI's current progress in processing those files. This memorandum also suggests a course of action for identifying all of the files requested but not provided to the HSCA by the FBI.

## I. The Current Status of FBI Processing

The longer FBI-HSCA list of files to be processed contained 175 names that had not appeared on the first list we were using last summer. I asked LuAnn Wilkins to update the processing stage and status of those names she could recognize on the longer list. On November 4, 1996, LuAnn gave me her notes on the new list. Of the 175 names, LuAnn was able to offer specific information on 44 files. The files identified by LuAnn fit into our priority categories as follows:

### Highest

1. Macho Gener [not yet processed-already on first list]
2. Sebastian John Larocca [initial review stage]
3. James Lowery [should be William James Lowery-LuAnn was not clear on processing stage-said there should be a Red Line/Brown Line]
4. John Thomas Masen [LuAnn notes "2 volumes to HSCA"-processing stage not clear]
5. Questions and Docs RE LHO [ one volume of TS material under what title?-processing stage not clear]
6. Sibert and O'Neill Memo re Autop [furnished to HSCA under what title?-processing stage not clear]
7. Skull Fragment [released to NARA-see Burkley/Harper]

### High

1. Salvatore Amarena, aka Sammy Paxton [initial stage of review]
2. W. Guy Bannister [materials shown to HSCA (Red Line/Black Line) have been missing for years]

3. Croft photo [not yet processed]
4. Entire Ruby file [processed as core subject]
5. Joe Gagliano [FBI will process ELSUR: not yet processed]
6. Dusty Miller [should be Murray W. Miller-final stage of review]
7. William Alexander Morgan [should be Capt. William Morgan-initial stage of review]
8. Yuri Ivanovich Nosenko [not yet processed]
9. Bona Fides of Nosenko [not yet processed]
10. Lee Harvey Oswald [processed as core subject]
11. Papich Reports [processed as CIA Liaison material]
12. Juanita Dale Phillips [Candy Barr-initial review stage]
13. Photos of Lester Bullet Frag [furnished to HSCA-processing stage not clear]
14. Orest Pina [Orest Pena-final stage of review]
15. Marina Oswald Porter [core file]
16. Rolando Masferrer Rojas [should be Masferrer-not yet processed]
17. Douglas Matthews Russell [should be Russell D. Matthews-initial stage of review]
18. Pedro Gutierrez Valencia [FBI will process Valencia and Eusebio Asque combined in one  
RL/BL-Asque is in initial review stage]

#### Medium

1. Nicholas Civella [2 volumes of ELSUR to process]
2. Michelino Clemente [shares a file cover with Zerelli: not yet processed]
3. DL JFK References [core files]
4. Docs Re LHO [core files]
5. JFK FOIA Release [core release]
6. Movimiento Dem. Cristian [should be MDC-Movimiento Democratico Cristian-final  
review] stage of
7. Earline Robertsreid [should be Earline Roberts-not yet processed]
8. Specific Docs in 44-22889 [processed for John B. Manchester -initial stage of review]
9. Frederick Stephen P. Sullivan [should be O'Sullivan -not yet processed]
10. Temple Ford Bowley [last name is Bowley-not yet processed]

#### Low

1. Jack Bowen, aka John Caesar Grossi [released to NARA]
2. George H. Burkley [released to NARA as Burkley/Harper]
3. Karen Bennett Carlin [to IAs-green]
4. Jack C. Harper [released to NARA]
5. Ident Records of Frankie Kaiser [released to NARA]

Unknown

1. Ejercito Cubana AntiCommunist [final review stage }
2. El Marko [see Luann's explanation: this was a mistake-no such name requested]
3. Vladimir Rodriguez Lattera [should be Lahera: final stage]
4. Mosenko Interviews [should be Nosenko-not yet processed]

In addition to these files, LuAnn added more names to the list as follows:

1. E.D. Brewer [JZ: DPD policeman on motorcycle ahead of Curry's car; on 6th floor when cartridges were found-low priority]
2. Ben Dranow [mistakenly written as Ben Dorfman, which does not exist. JZ: Not in any databases or PDS]
3. Leopoldo Ducos [JZ: not on the longer list.This is Leopoldo Ramos Ducos, who is already on the shorter list and is already being processed]
4. James Fratianno [JZ: this name is already on the first list (Jerrie's list)]
5. Vito and Joseph Giacalone [JZ: both were misspelled on the first list] JZ: Anthony Giacalone was a Detroit hood who knew how Hoffa was involved with mob characters. Giacalone also associated with John Rosselli. Vito and Joseph were not in any databases or PDS.
6. Alexander Kleinlerer [possibly ident to Alexander Kleiner who is in FBI's next release]
7. Jake Lansky [JZ: brother of Meyer Lansky; jailed in Cuba in 1959-high priority]
8. Richard M. Sims [JZ: not on the longer list; a Detective with Dallas PD; testified at Ruby trial-medium priority]
9. James Torella [JZ: not in any databases]

To summarize:

In our highest priority, the FBI has not yet started 5 out of 7 files.

In our high priority, the FBI has not yet started 8 out of 18 files.

In our medium priority, the FBI has not yet started 5 out of 10 files.

In our low priority, the FBI has released 4 out of 5 files.

In LuAnn's additional files, only Jake Lansky would be a high priority whose file the FBI has not yet begun to process.

LuAnn explained that the FBI has files for individuals even though the red line/brown line copy is missing. For example, the FBI has the Guy Banister files but can not identify what was given to the

HSCA. If there is a blank space after any of the names, it means that LuAnn is continuing to look for information. See, e.g. Maurice Bishop, Lt. Col. Robert E. Jones, etc. A black line copy means that the file was given to the HSCA-- with redactions-- to keep.

## II. Files Not Currently Being Processed by the FBI

Approximately 145 files requested by the HSCA were not provided by the FBI. LuAnn has suggested two general reasons for not providing the files. One is that the FBI had no record of the person whose file was requested. The FBI referred to these files as “not retrievable” as opposed to “no record” or “not relevant.” The other reason was the FBI’s reference to the Memorandum of Understanding, which allowed the FBI to deny access. Since the FBI usually lumped these two reasons together in “boiler plate” responses, it is not clear which files were denied solely on the basis of the Memorandum of Understanding. We should request these files.

The Memorandum of Understanding suggests several reasons why some of the materials were not provided by the FBI. Some records might have been held by the FBI but were not within the releasing authority of DOJ. That is, these could have been third agency documents. Another possibility was that some documents were in use in litigation or were potentially useful in pending prosecutions. A third possibility is that the document contained a source whose confidentiality the FBI had undertaken an obligation to protect. Yet the Memorandum allows for HSCA access in all of these situations, and the Memorandum indicates that the FBI should have supplied a specific reason when it cited the Memorandum of Understanding as a basis for denial. The other basis on which the FBI might have refused access was the following language from the first page of the Memorandum:

[The HSCA was entitled to] information within the releasing authority of the DOJ that bears upon the study and investigations authorized by H. Res. 222.

The last phrase implies that relevance of the material requested to the investigations the HSCA was undertaking could have been an operational reason for FBI denial of access. The FBI cited both “not retrievable” and the Memorandum of Understanding when it denied HSCA requests. If the FBI really had no file on a person, then additional resort to the Memorandum of Understanding seems unnecessary.

I asked Debbie Beatty how long a request for an FBI file takes. She said that since these are inactive files, it would take at least a week to get the search slips back and at least two weeks to get the file. The inactive files are stored away from FBI Headquarters. LuAnn had mentioned that we could also request the files referenced on the search slips for each request.

LuAnn brought my attention to a December 1978 letter from Blakey in which he indicated to the FBI that the HSCA's request for information regarding defectors had been withdrawn. See "Questions Re Defectors" on LuAnn's list.

### **III. Submitting Our Priority List**

Since the research for identifying files requested by the HSCA that do exist but were not provided by the FBI will be time-consuming, we could consider taking the following steps soon.

1. Agree on priority names from the first list and the 44 files recognized by LuAnn.
2. Present our priority list (based on the August 1996 list and LuAnn's November 4, 1996 list) to LuAnn with a timetable.
3. Identify names from the first list that were not in our databases (a total of 98 were unknown) and prioritize them. A total of 15 have not been started and 5 are in the initial stages. The FBI has already completed 64, and 14 are in the final stage. I will look at the 20 remaining files to see if any of them contain high priority materials.
4. Request the remaining (approximately) 145 files originally requested by the HSCA to determine whether the FBI actually has some of these files.

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