

MEMORANDUM

January 16, 1998

To: T. Jeremy Gunn

From: Ronald G. Haron, Esq.

Subject: Treatment of Certain INS Files Under the
JFK Act

This memorandum has been prepared so that the Review Board may consider how to treat certain files of the Immigration & Naturalization Service ("INS") under the JFK Act.

A. Background

The INS has identified over 80 files for processing under the JFK Act. These files are, for the most part, alien registration ("A") files on particular individuals. Such files would contain all immigration paperwork on an individual, including for example petitions for naturalization. Some of the files were reviewed by the House Select Committee on Assassinations ("HSCA"), although it is not always apparent whether or not a particular file was made available to the HSCA. Many of the files are of persons who are very remote to the events of President Kennedy's assassination, and much of the material contained in these files has nothing to do with the assassination.

Accordingly, based on my review of these files, I have made certain recommendations for the Review Board's consideration and possible approval. I recommend that certain files not be presently included in the JFK Collection, but, rather, designated as NBR (*i.e.*, not believed relevant to the assassination) and, consistent with the Review Board's NBR guidelines, opened up in the year 2017.

Set forth below is a description of each of the INS files so far reviewed with a recommendation as to how they should be treated. I have organized my review of the files into three categories: (1) key figures related to the events of the assassination or its investigation; (2) organized crime figures; and (3) Cuban exiles or anti-Castro activists.

B. Recommendations

1. Figures Closely Associated With The Events of President Kennedy's
Assassination

The following files concern individuals who were closely associated with the events of President Kennedy's assassination or the subsequent investigation. Accordingly, I recommend that these files be treated as assassination records that should be included in the JFK Collection as soon as possible, irrespective of whether all the material in the file is directly related to the assassination. The files are:

- a. Work File on Marina Oswald (A12 530 645). The INS recently located a thick work file on Marina Oswald maintained in the Investigative Section. This file contains material directly relating to contacts with her immediately after the assassination. The file is currently being processed and we anticipate it will be sent to the JFK Collection shortly. (The official INS files on Lee Harvey Oswald and Marina have already been sent to the JFK Collection).
- b. Sylvia Odio de Fernandez-Cruz (A12 570 365). Ms. Odio had previously testified that she was introduced to Oswald in Dallas in the Fall of 1963, and that he was accompanied by two other men. Her testimony has been the subject of controversy over the years. Ms. Odio is alive. There is no indication within the file that it was reviewed by the HSCA. The file contains very little information relating to the assassination and contains mostly papers relating to her immigration status, including her petition for naturalization. The file discloses Ms. Odio's employers and addresses in Dallas in the early 1960's, and it also discloses that she traveled to Spain at the end of 1964. Given that Ms. Odio was a well-known, key witness, her file should be placed in the JFK Collection as soon as possible.
- c. George DeMohrenschildt (C 6057081). Mr. DeMohrenschildt knew the Oswalds when they resided in Dallas. Mr. DeMohrenschildt committed suicide in the late 1970's. His file contains immigration papers dating back to the 1940's. Given that Mr. DeMohrenschildt was a well-known acquaintance of Oswald, his INS file should be placed in the JFK Collection as soon as possible.
- d. David Ferrie (A12 729 162). This file contains mostly press clippings. It has been alleged that Ferrie knew Oswald. This file should be sent to the JFK Collection as soon as possible.

e. Luisa Rodriguez Calderon (A 13 723 950). Luisa Calderon worked in the Cuban Consulate in Mexico City when it was visited by Oswald in late September 1963. This is a very thin file consisting of correspondence on the HSCA and one CIA document from 1965 that is classified SECRET and has been referred to the CIA for clearance. The material in the file relates directly relevant to the assassination and should be placed in the JFK Collection as soon as possible.

f. Orest Pena (C 7426151). Mr. Pena was the owner of a bar in New Orleans and had testified that he had seen Oswald in the company of a Latin American man in the Summer of 1963. There was nothing in the file that related to the JFK assassination. The file included immigration papers from the 1940's, 1960's FBI reports on Pena (FBI File No. 105-1926), and papers on a 1964 INS investigation of Pena in connection with revocation proceedings. Nonetheless, the file should be placed in the JFK Collection as soon as possible.

g. Frank Sturgis (aka Frank Fiorino) (A11 884 065). Mr. Sturgis has been alleged to have been involved in plots to assassinate Fidel Castro and also alleged to have conspired in the Kennedy assassination. Mr. Sturgis was one of the original Watergate burglars. His INS file is quite extensive. His file contains 1960's FBI reports pertaining to his anti-Castro activity (FBI File No. 2-1499). The INS file shows that Sturgis was in the Cuban Air Force and that, in 1960, the INS brought exclusion proceedings involving the issue of his expatriation by serving in the Cuban military. He was nonetheless admitted into the United States in March 1961. The file contains 1963-64 CIA documents concerning Sturgis. The file shows that in September 1963 the CIA inventoried the contents of a briefcase allegedly belonging to Sturgis and forwarded a report to Sam Papich of the FBI on November 19, 1963. It did not appear that there was anything relevant about the assassination in this file, but given the allegations of Sturgis' involvement in the assassination, the INS file should be included in the JFK Collection as soon as possible.

2. Organized Crime Figures

The files gathered by INS for the JFK Act include numerous files for organized crime figures, many of whom who are quite tangential to the events of the assassination. Furthermore, the INS files for these individuals usually have nothing relating to the assassination. To the extent the crime figure has been alleged to have been associated with Jack Ruby or to have some other connection to the assassination, then I have recommended that the file be placed in the JFK Collection currently. To the extent that the individual's connection is more tenuous, then I have recommended that the file be

classified as NBR and not yet be opened for the JFK Collection. The INS files of organized crime figures reviewed so far are as follows:

- a. Dino Cellini (A13 321 860). Dino Cellini was an organized crime figure imprisoned in Cuba after the Castro revolution. *See Fatal Hour*, at 315. He was an associate of Meyer Lansky. The INS file contains reports regarding Cellini's criminal activity, but there is nothing related to the assassination. I recommend that the file be designated NBR.
- b. Edward Browder, Jr. (A11 876 213). Browder was alleged to have been Jack Ruby's pilot when smuggling arms to pro-Castro forces in Cuba; Browder also allegedly was involved in gun-running for Norman Rothman, a Trafficante associate. *See Who's Who*, at 60. Internal documentation in the file confirms that this file was reviewed by the HSCA. Browder was not mentioned in *Fatal Hour*. The file contains 1960-61 reports of the FBI, as well as 1961 material regarding Department of State consideration to denying Browder's application for renewal of his passport. There is nothing related to the assassination, and I recommend that this file be designated as NBR.
- c. Norman Rothman (A11 885 359). According to the file, Rothman was arrested in June 1963 in Cuba on narcotics trafficking charges. There are also papers from 1959-60 relating to a National Fire Arms Act violation. Internal documentation shows that the file was reviewed by the HSCA. Rothman was not even mentioned in *Fatal Hour*. I recommend this file be designated as NBR.
- d. Gus Alex (A8 893 203). Gus Alex was considered part of the Chicago syndicate and his tailor shop in Chicago was bugged by the FBI, thereby capturing certain conversations of Sam Giancana. *See Fatal Hour*, at 238, 245, 422. Internal documentation shows that this file was made available to the HSCA. The file notes that Alex was identified as an organized crime figure in the Kefauver hearings; it also contains a 1956 INS report on Alex. I recommend the file be designated as NBR.
- e. Benny Lester Binion (A8 952 077). Binion was a "Dallas racketeer who moved to Nevada." *Fatal Hour*, at 320. The INS file shows that he testified at the Kefauver hearings. The file also contains a 1956 INS investigation confirming that Binion was a U.S. citizen (the INS was sometimes asked to confirm whether certain identified organized crime figures were U.S. citizens), as well as an FBI "rap sheet." I recommend that this file be designated as NBR.
- f. John S. LaRocca (A5 537 570). LaRocca was a major organized crime figure out of

Pittsburgh. He has not been alleged to have any link with the assassination. *See Fatal Hour*, at 245, 267, 269. The six-part file, which is voluminous, contains materials regarding LaRocca's 1953 deportation proceedings, his 1959 petition for naturalization, and some INS documentation regarding his attendance at the Apalachin meeting. This file had nothing relating to the Kennedy assassination and it should be designated NBR.

g. James Plumeri (aka Jimmy Doyle) (C 2321487). Plumeri was involved in criminal activities, but he is not identified in *Fatal Hour*. The file contains papers relating to Plumeri's criminal activities, a 1953 proceeding to revoke his naturalization, and a 1957 proceeding to revoke his citizenship. This file should be designated NBR.

h. Russell Douglas Matthews (A14 529 111). Matthew knew Jack Ruby and was deposed by the HSCA. *See Fatal Hour*, at 336. Internal INS documentation confirms that this file was reviewed by the HSCA. The file shows that Matthews was on a list of persons considered for deportation in 1964. It also contains a 1965 INS report confirming the U.S. citizenship of Matthews. Given that Matthews knew Ruby, this file should be placed in the JFK Collection.

i. Joseph Campisi (A 12 531 109). Campisi knew Ruby and was deposed by the HSCA in 1978. *See Fatal Hour*, at 336-37. Internal INS documentation confirms that this file was reviewed by the HSCA. The file discloses that, since Campisi was identified as a Dallas racketeer, the INS investigated Campisi's status and confirmed in 1962 that he was a U.S. citizen. This file should be placed in the JFK Collection.

j. Frank Chavez (A 10 156 194). Frank Chavez was a teamster official who spoke to Jimmy Hoffa about murdering Robert Kennedy in 1967, according to the HSCA Report. *See HSCA Report*, at 178. The HSCA specifically requested Chavez's INS file, according to INS documentation. The file, which is not substantial, contains an a 1956 INS inquiry for employment records in connection with whether Chavez was affiliated with the Communist party. [Should this be NBR?? I am undecided.]

3. Cuban Exiles and Anti-Castro Activists. The INS has numerous INS files on exiles from Cuba who participated in anti-Castro activities. Many of these files contain copies of FBI reports with respect to their anti-Castro activities and contain immigration papers. There is very little in these files that has anything to do with the Kennedy assassination, although the HSCA did investigate possible complicity of anti-Castro groups in the assassination of President Kennedy.