

**National Committee to Free the Cuban Five**  
2969 Mission Street, San Francisco CA 94110  
415-312-6042 • fax: 415-375-9517  
[info@freethefive.org](mailto:info@freethefive.org)

May 27, 2014

Federal Bureau of Investigation  
Attn: FOIPA Request  
Record/Information Dissemination Section  
170 Marcel Drive  
Winchester, VA 22602-4843  
Fax: (540) 868-4391/4997  
Email: [foiparequest@ic.fbi.gov](mailto:foiparequest@ic.fbi.gov)

*Sent via certified mail and facsimile*

Re: Freedom of Information Act Request

Dear FOIA Officer:

This letter constitutes a request under the Freedom of Information Act, 5 U.S.C. § 552, et seq. and is submitted on behalf of the National Committee to Free the Cuban Five and the A.N.S.W.E.R. Coalition.

Please provide a copy of all records including but not limited to data, memoranda, letters, letterhead memoranda, cover pages, teletype, airtel, all type of electronic communications, alerts, correspondence, applications, bulletins, electronic postings, reports, notes, images including photographs, drawings, sketches, maps; financial transactions, balance sheets or any other materials in the possession and custody of the Federal Bureau of Investigation, as well as all Agency records archived in the National Archives and Records Administration (NARA) and other Government repositories, regarding any and all FBI investigations, observations, communications, surveillance: of Santiago Alvarez Fernandez Magriña; of Fundacion Rescate Juridico, Inc. — the domestic non-profit corporation that Alvarez is president of; Osvaldo Mitat; of Manuel A. Alzugaray, MD and of his organization of which he is president: Patronatos Pro Reconstruccion y Ayuda De Emergencia En Una Cuba Libre, Inc.; of Asociación Hijos y Vecinos del Municipio de Placetas, Cuba, Inc.; of Municipalities in Exile, (Official), Inc. (Alzugaray is director); of Luis Posada Carriles; of Arnaldo Monzón Plasencia (deceased); of the organization Partido del Pueblo, Inc., organization first filed with Florida Department of State in 1998; of Pedro Remón Crispín, Gaspar Jiménez Escobedo, Guillermo Novo Sampol, José Ortega Amador, Obdulio Rodríguez González, Raibel Pacheco Santos, Félix Monzón Álvarez, Generoso Bringas, Eduardo Coloma, Pedro Lopez, Sixto Reinaldo Aquit, Ernesto Abreu, Orlando (“Landy”) González, José “Pepín” Pujol, Rubén López Castro, Orlando Bosch (deceased: <http://articles.latimes.com/2011/apr/29/local/la-me-orlando-bosch-20110429>); of Felix Monzón Alvarez (director of Partido del Pueblo, Inc., and one of the individuals arrested in Cuba on April 26, 2014)

The following link is an article that refers to Monzón Plasencia’s death:  
<http://observer.com/2006/11/in-new-jersey-contest-a-senator-with-tough-friends/>

We are requesting that the search include the records of the FBI field offices including but not limited to Miami, Florida; Tampa, Florida; Newark, New Jersey; New York, New York; El Paso Texas; and FBI Headquarters, Washington DC.

The information that we are requesting includes:

- The FBI's investigation of Alvarez and Mitat relating to the U.S. Government's seizure on November 18 and 19, 2005, of weapons belonging to Alvarez and Mitat, and their arrest on November 18. The weapons were seized in Broward county, as well as in Miami-Dade county, where Alvarez and Mitat were arrested for possessing AK-47s y AR-15s with serial numbers removed, C-4 explosives, grenade launchers, dynamite. We request as well any continued investigations of Alvarez and Mitat and their organizations from 2005 to the present.
- All information about the fraudulent documents from Guatemala intercepted by U.S. authorities and whose recipient was Santiago Alvarez, referred to in the CNN internet coverage on Nov. 21, 2005:  
<http://www.uiowa.edu/~c030070/warstories04/cnnworld051122/src/cnn.com/2005/LAW/11/21/cuban.charged.ap/index.html>
- Alvarez, Mitat, and José "Pepín" Pujol and their role in bringing Luis Posada Carriles illegally into southern Florida in the spring of 2005, on the boat Santrina;
- The activities of Miami resident Rubén López Castro, 75, where Posada Carriles was secretly housed for several weeks in the spring of 2005 after his illegal entry into the United States, to the present date;
- The role of Alvarez in bringing Pedro Remón Crispín, Gaspar Jiménez Escobedo and Guillermo Novo Sampol into Miami in late August 2004;
- All records regarding the FBI's communications with Remón Crispín, Jiménez Escobedo and Novo Sampol before, upon and after their arrival in Miami in August 2004; the FBI's assessment and report of their entry into the United States, and any and all subsequent information about these individuals from August 2004 to the present;
- Information regarding Alvarez in his arming, financing and directing Ihosvany Suris de la Torre, Máximo Pradera and Santiago Padrón to carry out terrorist actions inside Cuba, including instructions to bomb the Tropicana Nightclub in Havana with C-4 explosives which he had provided the three men. This group was arrested in Cuba in late April 2001. Although Alvarez can be heard by telephone from Miami speaking to Suris de la Torre in Havana, telling him to throw the C-4 explosives into the nightclub, there was no prosecution of Alvarez by U.S. authorities.
- All Agency records regarding Alvarez, Mitat, Alzugaray and Luis Posada Carriles in the operations of José Ortega Amador, Obdulio Rodríguez González, Raibel Pacheco Santos and Félix Monzón Álvarez in Cuba since the spring of 2013 to the present, part of whose alleged aim was the plan to carry out armed attacks on military installations in Cuba. The four men were arrested in Cuba on April 26, 2014, according to Cuban authorities. This is a link to a local news report on the arrests: <http://www.miamiherald.com/2014/05/07/4104036/cuba-says-it-arrested-four-miami.html>

- All FBI information on Alvarez’s government employment, including but not limited to his service with the FBI. For example, according to a U.S. Government court filing to the 11<sup>th</sup> Circuit Court on December 14, 2011, (D.C. Docket No. 4:09-cv-00089-GMF) “In 1961, Alvarez was recruited and served under a provisional Operational Approval for the Central Intelligence Agency (CIA). In 1962, Alvarez enlisted in the U.S. Army and received extensive military training by the Army and CIA for possible invasion of Cuba.” We want all information on Alvarez’s continued connections with the U.S. Government from 1961 to the present date.

<http://www.ca11.uscourts.gov/unpub/ops/201013907.pdf>

- All Agency records on the operations of the organizations:
  1. Fundacion Rescate Juridico, (organization registered with Florida Department of State in June 2005) from the date of June 2005 to the present;
  2. Fuerza Cubana de Liberación, from the date of Nov. 10, 2009 to the present (organization registered under Raibel Pacheco Santos’ name, registered with Florida Department of State Nov. 10, 2009, FCL address 1470 W. 41 St., #411, Hialeah, Florida.)
  3. Cuban American National Foundation, (organization registered with the Florida Department of State, Sept. 16, 2008), from the date of Sept. 16, 2008 to the present.
  4. Miami Medical Mission, of which Manuel Alzugaray is a principal officer.

We are requesting the information in electronic format where it is so available.

The National Committee to Free the Cuban Five is hereby requesting a fee waiver for any fees associated with this request, pursuant to 5 U.S.C. § 552(a)(4)(A)(ii), and expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E)(i).

### **Request for Expedited Processing**

We are requesting expedited processing of this request pursuant to 5 U.S.C. § 552(a)(6)(E) as there is compelling need and an “urgency to inform the public concerning actual or alleged Federal Government activity,” in order to prevent harm or death to individuals in the United States and Cuba who may be targeted by terrorist activities planned by the aforementioned individuals and organizations.

We have attached a small sampling of media coverage of the past criminal convictions and terrorist activities planned, financed, supported and carried out by Santiago Alvarez and Osvaldo Mitat. Those articles demonstrate the impunity granted by U.S. government authorities to Alvarez and Mitat by the extreme light-handed treatment accorded them time after time. Their close association with Posada Carriles is of great concern to the public. None of the named individuals, their associates and organizations renounces terrorism.

<http://www.freethethefive.org/usTerrorism/USTerrAlvarez051908.htm>

<http://www.freethethefive.org/usTerrorism/USTerrAlvarez11907.htm>

<http://www.freethethefive.org/usTerrorism/USTerrMoreDetails052008.htm>

Both individuals Alvarez and Mitat illegally and secretly transported Luis Posada Carriles — the fugitive and widely-suspected architect of a 1976 bombing of a Cuban airliner. Both were prosecuted for refusing to testify to a grand jury about their smuggling of Posada.

<http://www.freethethefive.org/usTerrorism/USTerrPosada11207.htm>

Both men were convicted of illegal possession of weapons of mass destruction, including automatic rifles, C-4 explosives, hand grenades, and thousands of rounds, and Alvarado arranged in 2005 for illegal passport production for the evident purpose of spiriting Posada out of the country.

Cuban authorities have announced that on April 26, 2014 four Miami residents — José Ortega Amador, Obdulio Rodríguez González, Raibel Pacheco Santos and Félix Monzón Álvarez — were arrested for planning armed attacks on military installations. It is reported that they have named Alvarez, Mitat, and Manuel Alzugaray as directing their actions inside Cuba.

The issue of imminent terrorist attack and the involvement of Santiago Alvarez, Osvaldo Mitat and Manuel Alzugaray — and their continued close association with Luis Posada Carriles and his possible involvement with Rodríguez González, Pacheco Santos, Monzón Álvarez and Ortega Amador — is of grave and urgent concern to the public of the United States and Cuba. The compelling need for expedited processing is the public's safety.

The Cuban government's request to the U.S. government that both countries work together to stop the terrorist plots originating in the United States is of vital and urgent importance for immediate dissemination to the U.S. public.

Complete exposure of the U.S. government's role in granting virtual immunity to Alvarez, Mitat, Alzugaray, Posada Carriles and their accomplices is of grave concern and interest to the U.S. public. There is an urgency to inform the public concerning actual or alleged Federal government activity in protecting, harboring and failing to act against known terrorists and their continued criminal activity.

As representative of the news media, the National Committee to Free the Cuban Five is primarily engaged in the dissemination of information. (See the attached U.S. State Department letter of June 17, 2013.) We certify that the compelling need for expedited processing is true and correct to the best of our knowledge and belief. There is a widespread and exceptional media interest in which there exist possible questions about the government integrity which affects public confidence.

Disclosure of the activities by above-named individuals and organizations may evidence serious government malfeasance in intentionally harboring, protecting and covertly collaborating with terrorists who proclaim violent attacks, armed action and assassination as valid tactics.

This request is critical to the effort at transparency that is required in order for there to be an accurate accounting and assessment of the activities of the United States government in regard to protecting lives.

The release of this information at this time is critical.

#### **Status as Representative of the News Media**

The National Committee to Free the Cuban Five is a representative of the news media and the documents are not sought for a commercial use. In other words, the requester is an entity that

gathers information of potential interest to a segment of the public, uses its editorial skills to turn raw materials and information into distinct work, and distributes that work to an audience. Based on our status as a “news media” requester, we are entitled to receive the requested records with only duplication fees assessed. Further, because disclosure of this information will contribute significantly to public understanding of the operations or activities of the government, as described below, any duplication fees should be waived.

The programming information and recordings requested are not for commercial use and are sought for review, research and analysis by the National Committee and the A.N.S.W.E.R. Coalition, and for publication and broad dissemination to the public in the form of news articles and analyses. The National Committee to Free the Cuban Five and A.N.S.W.E.R. Coalition will publish news articles that will encompass the subject matter of the requested materials and shall also disseminate the information specifically requested by the instant Freedom of Information Act request, including publication as well as through electronic dissemination of its news stories. The National Committee to Free the Cuban Five operates a media website <http://www.freethethefive.org> and the A.N.S.W.E.R. Coalition operates a media website <http://www.answercoalition.org>, both of which have original articles and analysis on the issue of Miami-based terrorism and the need for normalized relations between the United States and Cuba.

The Committee is a grassroots advocacy organization that researches, documents, analyzes and widely disseminates information on U.S. government activities related to The Cuban Five through printed publications, public educational forums around the United States, internet outreach, video documentaries and communications to the national and international media. A primary organizational purpose of the Committee is information dissemination related to the “Cuban Five,” five Cuban nationals who were in Miami working to stop terrorist attacks that originated from the United States against Cuba.

Primary activities of the Committee are to work in support of understanding and better relations between the people of the United States and the people of Cuba and to research, document and disseminate the case of the “Cuban Five.” The Committee’s work includes addressing the issue of media coverage in the United States and communication to the people of the United States regarding U.S. – Cuba relations.

The material requested is not for commercial use and is sought for legal and scholarly review, research and analysis by the Committee, and for publication and dissemination to the public. The National Committee to Free the Cuban Five disseminates its work through a variety of media formats, including hard copy; electronic dissemination through its website, mass email communication, and Facebook and Twitter accounts; and through audio-video media. The Committee has the concrete intention to publish an analysis of the requested records and their relationship to the case of the “Cuban Five.” The undersigned Coordinator of the Committee is a freelance journalist and award-winning documentary filmmaker, and a representative of the Committee. The requestor has a solid basis for expecting publication of news articles by the Coordinator and the Committee itself, the subject matter of which will encompass and shall also disseminate information that is specifically requested by the instant Freedom of Information Act request.

#### **Request for Public Interest Fee Waiver**

We are requesting a waiver of all fees associated with this request pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), as “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.”

As above, the information requested will contribute to the public understanding of government policy and actions regarding Cuba, and U.S.-Cuba relations.

The National Committee to Free the Cuban Five has no commercial interest in the information requested, and the information is not intended to be used for commercial purposes, but for reporting and dissemination to the public and for public education. All information received shall be analyzed and published as the subject of news reports, and made available electronically for public access.

As above, the National Committee to Free the Cuban Five is a representative of the news media and, as such, has the demonstrated history and ability to disseminate information and contribute to public understanding. The National Committee to Free the Cuban Five disseminates information through regular published articles, as well as electronically, through website and other social-network media.

Accordingly, as disclosure of the information requested is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government, the information requested will not be used for commercial purpose, and, as a representative of the news media, the National Committee is primarily engaged in the dissemination of this type of information, we are entitled to a complete waiver of fees associated with processing this request pursuant to the FOIA.

#### **In the Event of Denial**

If this request is denied in whole or in part, please provide the basis for each such denial or deletion by reference to the specific exemption of the Act which you assert is applicable.

#### **Request of All Portions of Material for Which No Exemption to Produce is Claimed**

Please provide all segregable portions of material you claim is otherwise exempt. We reserve the right to appeal your decision to withhold any information or to deny expedition or a waiver of fees.

You may contact the requesters through the National Committee by email at: [info@freethethefive.org](mailto:info@freethethefive.org) or telephone: 415-312-6042.

Please feel free to contact us with any questions. As we are seeking expedited processing, we will expect to hear from you within 10 days.

Sincerely,

*[signed]*

Gloria La Riva

Coordinator, National Committee to Free the Cuban Five

LAW OFFICES  
PARTNERSHIP FOR CIVIL JUSTICE, INC.  
617 FLORIDA AVENUE, NW  
WASHINGTON, D.C. 20001

CO-FOUNDERS:  
CARL MESSINEO\*  
MARA VERHEYDEN-HILLIARD\*  
\*ADMITTED IN D.C. AND N.Y.

TELEPHONE  
(202) 232-1180

May 19, 2008

Office of Information Programs and Services  
A/ISS/IPS/RL  
Department of State  
Washington, DC 20522-8100

*Sent via certified mail and facsimile*

**Re: Freedom of Information Act Request**

Dear FOIA Officer:

We are writing on behalf of the A.N.S.W.E.R. Coalition and the National Committee to Free the Cuban Five to make the following request under the Freedom of Information Act, 5 U.S.C. § 552.

Please provide a copy of all records including, data, memoranda, letters, alerts, correspondence, applications, bulletins, e-mails, electronic postings, reports, notes, images, balance sheets or any other materials in the possession of the Department of State regarding all grants, payments and/or funds transfers to Cuban citizens and other individuals in Cuba, from all U.S. government offices, related agencies, government officials, Cuban American individuals and organizations, including but not limited to the Department of State, U.S. Interests Section in Havana, National Endowment for Democracy, Cuban American National Foundation, Fundacion Rescate Juridica, Michael Parmly, Vicki Huddleston, James Cason, Santiago Alvarez, Osvaldo Mitat, Otto Reich, Martha Beatriz Roque, Jorge Luis "Antúnez" García, and former FBI agent Hector Pesquera, from January 21, 2001 to date.

This request is designed to encompass but is not limited to a list of all grants, payments and/or funds transfers to individuals, groups or political parties in Cuba from January 21, 2001 to date.

**Request for Fee Waiver**

The disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government. The requestor has no commercial interest in the information received.

The information requested herein is not intended to be used for commercial purposes, but for dissemination to the public and for public education. All information received shall be published and made available electronically for public access.

The ANSWER Coalition was expressly formed for the purpose of, and is primarily engaged in, disseminating information and informing the public concerning actual or alleged government activity, and mobilizing collective democratic action in response. The dissemination of such information is executed through: in-person distribution; through publication of articles; through the ANSWER web site; and through mass e-mail communications, many of which are then redistributed by other organizations or lists to their membership or supporters.

The National Committee to Free the Five is a grassroots organization for the purpose of research, documentation and dissemination of the case of the "Cuban Five," through printed publications, internet outreach, video documentaries and communications to the national and international media. The Committee also works in support of understanding and better relations between the people of the United States and the people of Cuba. Its work includes addressing matters of U.S. government involvement in the democratic processes in Cuba.

### **Request for Expedited Processing**

The requesters are primarily engaged in disseminating information to the public and the information is urgently needed to inform the public concerning some actual or alleged government activity affecting the peace and security of the people of the United States, the people of Cuba, and the people of Latin America.

The records requested are a matter of urgent public concern. As reported in the Miami Herald on May 19, 2008, the head of the U.S. Mission in Cuba is alleged to have served as an emissary between Cuban citizens in Cuba and a convicted terrorist from Miami who is serving time in prison in the U.S. for weapons possession. According to the report, the Cuban government is asserting that Cuban citizens received financial aid from Santiago Alvarez and that the U.S. Interests Section Chief, Michael Parmly served as an emissary for the transactions.

This is a matter of great public concern. The government of the United States has provided safe haven to Luis Posada Carilles who is known to have organized bombings of Cuban hotels and a civilian airliner carrying 73 people. Posada has publicly received financial assistance from Alvarez during Posada's detention and trial in Panama on terrorist related charges. After Posada's conviction and premature release from Panamanian prison, Alvarez financed his disappearance and personally transported him by boat illegally into the United States on or about March 2005, according to the FBI.

On May 7, 2008, President Bush communicated directly with Martha Beatriz Roque in an internationally publicized teleconference. Roque was at the U.S. Interests



Section in Havana while she talked to President Bush. Roque is alleged to have received funding of \$1,500 a month from Alvarez through the U.S. Interests Section. It is of critical importance to the safety and security of the people of the United States as well as Cuba and a significant matter of public concern to ascertain whether and to what extent persons with whom the President of the United States is in communication have been funded by a man who has been convicted for stockpiling weapons in South Florida, and further, the U.S. Interests Section role in these activities.

**In the Event of Denial**

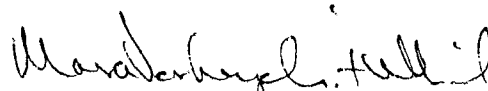
If this request is denied in whole or in part, please provide the basis for each such denial or deletion by reference to the specific exemption of the Act which you assert is applicable.

**Request for All Portions of Material for Which No Exemption to Production is Claimed**

Please provide all segregable portions of otherwise exempt material.

We reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Sincerely,



Mara Verheyden-Hilliard