



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

June 3, 2021

MR. JOHN GREENEWALD JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384

FOIPA Request No.: 1496393-000
Subject: DI PRIMA, DIANE

Dear Mr. Greenewald:

The enclosed 8 pages of records were determined to be responsive to your subject and were previously processed and released pursuant to the Freedom of Information Act (FOIA). Please see the selected paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- ☒ In an effort to provide you with responsive records as expeditiously as possible, we are releasing documents from previous requests regarding your subject. We consider your request fulfilled. Since we relied on previous results, additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your request, you may request an additional search for records. Submit your request by mail to **Initial Processing Operations Unit, 200 Constitution Drive, Winchester, VA 22602, or by fax to (540) 868-4997**. Please cite the FOIPA Request Number in your correspondence.
- ☐ Please be advised that additional records responsive to your subject exist. If this release of previously processed material does not satisfy your request, you must advise us that you want the additional records processed. Please submit your response within thirty (30) days by mail to **Initial Processing Operations Unit, 200 Constitution Drive, Winchester, VA 22602, or by fax to (540) 868-4997**. Please cite the FOIPA Request Number in your correspondence. **If we do not receive your decision within thirty (30) days of the date of this notification, your request will be closed.**
- ☐ One or more of the enclosed records were transferred to the National Archives and Records Administration (NARA). Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession.

If this release of the previously processed material does not satisfy your request, you may file a FOIPA request with NARA at the following address:

National Archives and Records Administration
Special Access and FOIA
8601 Adelphi Road, Room 5500
College Park, MD 20740-6001

- ☒ Records potentially responsive to your request were transferred to the National Archives and Records Administration (NARA), and they were not previously processed pursuant to the FOIA. You may file a request with NARA using the address above. Please reference file number 100-HQ-425307, and 29-HQ-S28 P11 in your correspondence.

- ☐ One or more of the enclosed records were destroyed. Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) , Title 44, United States Code, Section 3301 as implemented by Title 36, Code of Federal Regulations, Part 1228; Title 44, United States Code, Section 3310 as implemented by Title 36, Code of Federal Regulations, Part 1229.10.
- ☐ Records potentially responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) according to Title 44 United States Code Section 3301, Title 36 Code of Federal Regulations (CFR) Chapter 12 Sub-chapter B Part 1228, and 36 CFR 1229.10.
- ☐ Documents or information referred to other Government agencies were not included in this release.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. **"Part 1"** of the Addendum includes standard responses that apply to all requests. **"Part 2"** includes additional standard responses that apply to all requests for records about yourself or any third party individuals. **"Part 3"** includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,



Michael G. Seidel
Section Chief
Record/Information
Dissemination Section
Information Management Division

Enclosure(s)

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems or locations where responsive records would reasonably be found. A standard search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. Unless specifically requested, a standard search does not include references, administrative records of previous FOIPA requests, or civil litigation files. For additional information about our record searches, visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private Citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

THE FLOATING BEAR;
DIANE DI PRIMA;
LEROI JONES
INFORMATION CONCERNING

BU File #88-19,172
DL File #62-3099

9 copies of "THE FLOATING BEAR" submitted for Laboratory.

OBSCENE

*Enclosures to
P.O. Inspr by
let. 12/2/61 mil*

ENCLOSURE

D-380517

62-107438-1

Date: December 7, 1961

To: Mr. H. B. Montague
Chief Postal Inspector
Post Office Department
Washington 25, D. C. REC-135

From: John Edgar Hoover, Director

Subject: "THE FLOATING BEAR";
DIANE DI PRIMA;
LEROI JONES
INTERSTATE TRANSPORTATION OF OBSCENE MATTER

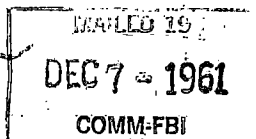
On August 8, 1961, one [redacted] was taken into custody by FBI Agents on a charge of unlawfully fleeing from the State of New Jersey to avoid prosecution for armed robbery. [redacted] was released on bond in Laredo, Texas, while awaiting extradition to New Jersey. He failed to appear for his extradition hearing and his bondsman discovered that [redacted] had disappeared with his family.

During the course of his efforts to trace and locate [redacted] the bondsman discovered nine pamphlets captioned, "The Floating Bear" among personal effects abandoned by [redacted]. The pamphlets appear to be a newsletter published semimonthly. The editors are identified as Diane Di Prima and Leroy Jones and the address of "The Floating Bear" is shown as 309 East Houston Street, New York 2, New York.

Some of the publications appear to be obscene and several contain derogatory remarks concerning the United States Government and Government officials.

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Ingram _____
Gandy _____

MEL:mal
(4)



TELETYPE UNIT

(SEE NOTE ON PAGE 2)

b6
b7C

b6
b7C

Mr. H. B. Montague

Enclosed herewith are issues Number 4 through Number 12 of "The Floating Bear," which appear to have been sent through the United States mail and, therefore, are within the investigative jurisdiction of the Post Office Department. The issues are being forwarded to you for appropriate action and may be disposed of in any manner desired by your office.

Enclosures (9)

NOTE:

Nine issues of "The Floating Bear," some containing obscenity, obtained by bondsman for [redacted] in [redacted] apartment after [redacted] skipped bond. These issues appear to have been mailed from New York City and, therefore, forwarded to Post Office Inspector for appropriate action. Publication not previously brought to Bureau attention.

b6
b7c

Recorded
11/13/61
ek

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

NO LAB FILE

Re: THE FLOATING BEAR;
DIANE DI PRIMA;
LEROI JONES
INFORMATION CONCERNING

File # 62-107438-1
Lab. # D-380517 AV

Examination requested by: FBI, Dallas (62-3099) Letter 11/7/61

Examination requested: Document

Date received: 11/9/61

Result of Examination:

Examination by: Brittain *EWJ*

1. NI Q1 → Q9 in O.F.

2. No Lab rept necessary

3. No records "The Floating Bear" in Bureau
Indices per call Service Unit 11/20/61

Specimens submitted for examination

Nine newsletters entitled "THE FLOATING BEAR" and further described as follows:

Q1 Issue #4
Q2 Issue #5
Q3 Issue #6
Q4 Issue #7
Q5 Issue #8
Q6 Issue #9
Q7 Issue #10
Q8 Issue #11
Q9 Issue #12

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTENTION: FBI LABORATORY

DATE: 11/7/61

FROM : SAC, DALLAS (62-3099) (e)RUC

SUBJECT: THE FLOATING BEAR;
DIANE DI PRIMA;
LEROI JONES
INFORMATION CONCERNING

(OO - Newark)

380517

Re Philadelphia letter to Director, 10/9/61,
captioned [redacted] aka., INFORMATION CON-
CERNING, Bureau File #88-19,172."

On 10/23/61 Mr. [redacted]

ad-

vised SA ARNOLD J. BROWN that he had made bond for [redacted]
[redacted] at Laredo, Texas, because of a request by
[redacted] of Ft. Worth,
Texas.

[redacted] advised that [redacted] had been at the
office on 9/25/61 and that [redacted] was to appear in the
111th District Court at Laredo, Texas on 9/29/61, for
extradition proceedings.

[redacted] pointed out that he had brought [redacted]
and [redacted] to Ft. Worth, Texas, and they
had been staying at [redacted]
but had disappeared on 9/27/61.

[redacted] advised he had obtained a considerable
amount of correspondence from the residence at [redacted]
[redacted] rear was where [redacted] had been staying and most of this
correspondence from [redacted]
[redacted] or was from
[redacted] in care of General Delivery, Laredo,
Texas.

3 - Bureau (Encl. 9)
1 - Newark (88-2667) (Inf.)
1 - Dallas
AJB:nlf
(5)

MCT-30

REC-43

NOV 9 1961

COPY & SPECIMENS RETAINED IN LAB
FOR LAB ACTION & REPORT

91-929

[redacted] stated there was also correspondence from [redacted] of [redacted]

b6
b7C

[redacted] advised that he had reviewed this material and letters and apparently [redacted] was the person who had interceded to get [redacted] to obtain someone to make [redacted] bond.

b6
b7C

[redacted] stated that [redacted] is a "beatnik" poet and that he believes [redacted] is some kind of artist and [redacted] has an avid interest in art.

b6
b7C

[redacted] stated there was no correspondence regarding any activities of "guerrilla troops" but there were some notes that [redacted] had made about a possible trip to South America.

b6
b7C

[redacted] also made available a letter directed to [redacted] American Civil Liberties Union, 156 Fifth Avenue, New York, New York, dated 9/7/61, which was not mailed. This letter identified [redacted] as incarcerated in jail at Laredo, Texas, and also stated he had been forcibly taken from his home by the Mexican Immigration Authorities on the request from the FBI, who told them he had left bail bond and was a Communist and a drug addict.

b6
b7C

[redacted] also made available an envelope addressed to [redacted] in care of General Delivery, Vera Cruz, Mexico, with a return address of The Floating Bear, 309 East Houston Street, New York 2, New York.

b6
b7C

This envelope contained issues #4 through #12 of a pamphlet captioned "The Floating Bear", a news letter published semi-monthly. The editors were identified as DIANE DI PRIMA and LEROI JONES.

DIV. V
Note // A review of the issues of "The Floating Bear" reveals that part of them are obscene and there are derogatory remarks in several of them regarding the United States Government and the FBI.

The attention of the Laboratory is directed particularly to issue 8 and 9 containing obscene writings.

DL-62-3099

It is noted that on the face of "The Floating Bear" it is quoted as being copywrited in 1961 by DIANE DI PRIMA and LEROI JONES.

It is not known if the Bureau is aware of "The Floating Bear" publication and the material is being forwarded to the Laboratory for review and evaluation.

It is suggested that the enclosed material be destroyed if the Bureau is all ready aware of the publication "The Floating Bear."

No need to return any of the material to Dallas Office.

Enclosed for the Laboratory are issues 4 through 12 of "The Floating Bear".

The Dallas Office is not taking any additional action and considers this matter closed.

Recorded
11/13/61
ek

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

NO LAB FILE

Re: **THE FLOATING BEAR;
DIANE DI PRIMA;
LEROI JONES
INFORMATION CONCERNING**

File # **62-107438-1** ✓
Lab. # **D-380517 AV**

Examination requested by: **FBI, Dallas (62-3099) Letter 11/7/61**

Examination requested: **Document** Date received: **11/9/61**

Result of Examination: Examination by: **Brittain**

Specimens submitted for examination

Nine newsletters entitled "THE FLOATING BEAR" and further described as follows:

Q1 Issue #4
Q2 Issue #5
Q3 Issue #6
Q4 Issue #7
Q5 Issue #8
Q6 Issue #9
Q7 Issue #10
Q8 Issue #11
Q9 Issue #12