

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

.....
HAROLD WEISBERG,

Plaintiff,

v.

GENERAL SERVICES ADMINISTRATION,

Defendant.
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Civil Action No. 75-1448
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AFFIDAVIT

My name is Harold Weisberg. I am the plaintiff in this case. I reside at 7627 Old Receiver Road (Route 12), Frederick, Maryland.

1. In my affidavit of December 22, 1979, which begins with a statement of my qualifications, I state that the November 26, 1979, affidavit of Robert E. Owen of the CIA is untruthful, deceptive and misleading and is intended to deceive and mislead the Court.

2. After my December 22, 1979 (previous), affidavit was filed, I learned that I had seriously understated the degree of deliberateness of Owen's, the Central Intelligence Agency's (CIA) and National Archives' untruthfulness and deceptiveness. I also learned that Owen has boilerplated his misrepresentations and filed a close variant in another lawsuit, Mark A. Allen v. CIA, C.A. 78-1743 (the Allen case).

3. Late on the afternoon of January 17, 1980, I located misffled records of my appeal from National Archives withholding of other Warren Commission records. They were withheld at the behest of the CIA. In that case, when I was at the point where I could have filed suit, the CIA agreed to substantive disclosures. In that matter, in 1976, the CIA and the National Archives disclosed information identical with what they had withheld and continued to withhold in this instant cause, identical with information Owen and others in the CIA swore had to be withheld until it was disclosed at the moment the Government's brief was due at the appeals court. Authority for that disclosure is the same Charles A. Briggs who swore exactly the opposite in this case. (He was Owen's predecessor.)

4. In the Allen case, after remand by the appeals court, the CIA again withheld until the last minute, when it again provided an Owen affidavit and an excised copy of the record sought, CIA Document 509-803.

5. I have and have read this Owen affidavit of January 11, 1980, and Document 509-803. In this affidavit, although Owen is more careful in his deceptive and misleading phrasing, he still represents falsely that the Allen disclosure also is attributable to CIA disclosure to the Congress.

6. The CIA had withheld this 14-page record in toto. The major part of it that it has now released was entirely within the public domain years before Allen filed suit. It was not in the public domain because of any disclosures to or by any Congressional committee. This information was readily available at the Archives and was disclosed in even greater detail by the FBI in its release of about 80,000 pages of Headquarters records relating to its investigation of the assassination of President Kennedy. I obtained copies of these records by C.A. 77-2155. Also before Allen filed suit, I obtained other pertinent FBI records from its Dallas and New Orleans field offices in C.A. 78-0322 and C.A. 78-0420. In addition, some of what the CIA still withholds under "national security" claim is and long has been within the public domain. Exhibits illustrating all these statements are attached to following Paragraphs. The essence was disclosed by the CIA itself in 1975 and 1976.

7. If none of this were true, the CIA refused to disclose to Allen what it is now clear was reasonably segregable and the CIA did segregate and disclose at the last minute.

8. Moreover, and indicative of bad faith, what the CIA now discloses to Allen is within my information requests of the CIA going back to 1975, but the CIA has not provided this information to me.

9. In this it duplicates its bad faith in this instant cause in still not having provided to me the Yuri Nosenko and other information I did request, despite its several affidavits alleging that this information was declassified for the House Select Committee on Assassinations whose life ended a year earlier.

10. In both cases the CIA made the traditional false claim with which it seeks to terrify and intimidate the courts, of a need to protect intelligence

sources and methods.

11. In this instant cause the CIA additionally alleged an urgent need to keep secret its use of KGB defectors and anything bearing on what it refers to as the bona fides of the KGB defector, Yuri Nosenko. Information pertaining to the CIA's use of defectors and to Nosenko is included in the records I located on January 17. These records were disclosed to me by the defendant in 1976, when they were released by the CIA.

12. When I appealed, the Archives referred that matter to the CIA, on January 15, 1976. (Exhibit 1) The CIA did not act until May 28, 1976, when it released what is itemized in its letter to me. (Exhibit 2) The unreasonable, unnecessary and unjustifiable nature of CIA classifications and withholdings under FOIA is illustrated by its classification of the list of Archives records withheld by direction of the CIA. (Exhibit 3) While on this classified list the records are identified only by arbitrary numbers, much more information was readily available at the Archives, which provided it to me, including the claimed authority for each withholding.

13. In Exhibit 1 the defendant in this instant cause admitted that "the (Warren) Commission's authority to classify is somewhat doubtful." This is hardly a momentous concession years after a federal court ruled in my C.A. 2052-73 that there was no such authority. That the two transcripts at issue in this case were included in the CIA's review the year after I filed this instant lawsuit is disclosed in Exhibit 4. This Archives letter to me also identifies what my previous affidavit refers to as the long Commission memorandum on Oswald's foreign activities.

14. That this supposedly classified record, withheld for a decade as classified, was never properly classified is disclosed by the copy sent to me, the first and cover page of which is attached as Exhibit 5. No classification or declassification stamp appears on it. "APPROVED FOR RELEASE" on April 2, 1976, does appear.

15. Where page numbers do not appear on the pages from this memorandum that follow, this is because of the nature of the copies provided to me. My somewhat angry letter of November 5, 1975 (Exhibit 6), yielded copies even less

suitable for copying so I cannot provide full copies of all pertinent pages.

16. In Exhibit 5 I also notified the Archives of the probability, since confirmed as the reality, that the CIA itself had earlier disclosed to me and to others what it withheld in the January 21 transcript, the CIA's use of defectors, as stated in my previous affidavit. I have bracketed this paragraph on Exhibit 6, my letter of November 5, 1976. From the time the Archives received Exhibit 6, it was on notice that its and the CIA's withholding of the January 21 transcript was improper. Yet four years later Owen provided a spurious affidavit to this Court on precisely this point.

17. When I received no response, I added emphasis on November 21, 1976. (Exhibit 7) In the two paragraphs I have bracketed, I put the Government on notice that "there is a substantial question of defrauding me and of deceiving and misrepresenting to the Court" because "The claimed reason for withholding this transcript from me no longer exists - if it ever did." Disclosure of the transcript proves I was correct and that, despite my accurate notification of the Government, it persisted in fraudulent misrepresentation and did deceive and mislead the Court, against which I had warned it.

18. In 1976 the Archives and the CIA disclosed to me exactly what in his latest of the CIA's ever-shifting misrepresentations to this Court Owen swore had to be withheld, any reflection of whether or not Nosenko or anything he said was or was not credited or believed. On the four pages (19-23) of the long Coleman-Slawson memorandum (Exhibit 8) identified in Exhibits 4 and 5, I have added no markings. Those that appear are on the originals and are consistent with markings I have seen on records reviewed for release. Those making the initial review bracket what they believe should or might be withheld.

19. Relating to Nosenko, the CIA approved 1976 release of "(and whose reliability has not yet been ascertained)" and "(Nosenko's testimony on this point cannot be taken with absolute assurance. Besides the obvious fact that whether he is sincere or whether he is a Soviet plant has not yet been determined ...)" All of this was bracketed and underlined in the copy provided to me. It is precisely what Owen swore was not released until it was "declassified" in 1978 for the House assassinations committee.

20. That the CIA provided the Commission with "information ... flatly at variance with" other information provided by the CIA is underscored in the records as provided to me. (page 20)

21. The heavy bracketing and underscoring relating to Nosenko (page 23), "if we can assume that his statements are sincere," also is on the record as provided to me.

22. The next page, as provided to me in 1976, is 45. (Exhibit 9) The double bracketing and underscoring is on the record: "The CIA has not yet given us an evaluation on the reliability of Nosenko, but they indicated that they ought to be able to give us an evaluation soon. As developed elsewhere in this memo, the authenticity of Nosenko is of high importance."

23. What the second sentence quoted above makes clear is that, in contriving questions about Nosenko's "authenticity," the CIA was really controlling what the Commission could believe and conclude.

24. As provided to me, the pages preceding and following Exhibit 10 also have their page numbers eliminated in the Government's xeroxing. This page also disclosed to me in 1976 what Owen swore in 1979 had to be withheld in the claimed interest of "national security," that "Yuri Ivanovich Nosenko, if he is sincere, would provide a conclusive answer; namely, that what we know is the truth and not a legend. Unfortunately, the CIA cannot give us quite the assurance of Nosenko's reliability that we would need to rely solely upon his testimony."

25. In other pages of this memo that were provided to me in 1976 the CIA disclosed what it withheld from Allen, leading to his 1978 litigation and Owen's additional untruthful affidavit of January 11, 1980, in that case. This is particularly true of what Oswald was doing in Mexico, especially relating to one the FBI described as a "Nicaraguan secret agent," Gilberto Alvarado Ugarte.

26. By August 22, 1964 (Exhibit 11) the CIA had thoroughly frightened the Commission about Nosenko and using any of the valuable information he provided. By then - even in internal records - Nosenko was referred to as "N." The CIA also bamboozled the Senate Intelligence Committee into doing this in its report, although Nosenko's name and career were public. Nonetheless, there was a lingering Commission staff desire to use Nosenko's information. This memo sets forth how

it all was to be masked to the CIA's satisfaction. Yet precisely what Owen swears had to be withheld in the January 21 transcript is disclosed. It was disclosed to me, by the CIA, in 1976, that it used KGB defectors. (What Nosenko said "will be used but attributed to the CIA and its 'stable' of Soviet defectors.") The proposed language of this part of the Report, again disclosed to me by the CIA in 1976, makes the same disclosure Owen swears was secret. It reads, "The CIA has made an especially valuable contribution by supplying the Commission with information originating with defectors from the Soviet intelligence services..." (Emphasis added)

27. There are thinly masked references to Nosenko on page 2, paragraphs 2 and last. The KGB would have had no difficulty in perceiving what Owen swore in 1979 had to be withheld so that the KGB could not know it. Similarly, there is other masked but readily perceived reference to Nosenko on page 3, at the top. And at the bottom, the CIA disclosed to me in 1976, contrary to Owen's 1979 affirmation, that Soviet defectors, in the plural, were working for it. "Still working with Soviet intelligence when Oswald was in Russia" pointed at Nosenko.

28. Although this record was originally classified "TOP SECRET," no authority is noted and none was possessed by the Commission. Then, after my request, it was downgraded to merely "confidential." This was by 012208 at the CIA, on May 21, 1976. After my appeal, when it was ultimately declassified, it became apparent that it held no secrets from the KGB, that in the 14 years of withholding, information had been withheld from the American people only.

29. The Commission's March 6, 1964, letter to the CIA (Exhibit 12) informed it that the FBI had provided reports on its interviews with Nosenko and asked for a Nosenko conference with the CIA. This document also was withheld 14 years, until it was ruled "unclassified" by the CIA's 058375, also on May 21, 1976. However, both the FBI's Nosenko reports and the Commission memo on its conference with the CIA, used in my prior affidavits, were disclosed to me by the Archives a year earlier. Here again withholding was not necessary, but for more than a decade important information was withheld from the American people, not the KGB. It knew that Nosenko had defected, had talked and what he could have said. It also could have obtained the FBI's Nosenko reports from the Archives, as I did a year

earlier, in May 1975.

30. Nosenko's accurate report, that Oswald was so lousy a shot his friends had to provide his game when they went hunting together, was separately confirmed by Oswald's wife and his brother in other records that were never classified, yet the CIA's 058375 did not disclose the Commission staff Nosenko version until May 21, 1976, (Exhibit 13) again a year after the FBI version was made available to me by the Archives. This is inconsistent with Oswald as the William Tell of expert riflemen, the official explanation of the assassination, but it was known to the KGB prior to the assassination. Once again, for more than a decade, it was withheld not from the KGB but from the American people.

31. A Commission staff memo of March 12, 1964, also was disclosed to me after the CIA approved its disclosure on May 21, 1976. The subject is Owen's no-no, "Checking Nosenko's Reliability."

32. Each of the four pages of the July 15, 1964, Commission memo on the undisguised (if unnamed) Nosenko also holds exactly what Owen swore had to be withheld from me, yet it was disclosed by the CIA and its 058375, again on May 21, 1976. (Exhibit 14) By July 1964 the CIA had conned the Commission into childish ellipsis in its internal papers relating to Nosenko. But the data provided about "the 'confidential Soviet Union source, the reliability of which has not been established,'" (page 1) informs the KGB. That reference was and could have been to Nosenko and only to Nosenko.

33. This page also demolishes the CIA's pretended reason for allegedly suspecting Nosenko, his statement that the KGB never formally interviewed Oswald. The memo here and elsewhere states that the Intourist guide assigned to Oswald was KGB. It also states that the KGB used others who met Oswald. This obviated any need to show its hand or waste time with an overt formal interview.

34. The information on page 3, paragraph numbered 4, attributed to "a Soviet Union source the reliability of which has not been ascertained" could have come only from Nosenko. Paragraph 5 eliminates any other source. ("The same Soviet Union source previously mentioned...") This also is true of paragraph 7, especially in the continuation of page 4 and its reference to the KGB suspicion that Oswald was an American sleeper agent-in-place or "dormant." A CIA ad placed

in Pravda could not have told the KGB more specifically that Nosenko was the source whose credibility had not been established. This also is what Owen swore was and had to be kept secret.

35. Next to the last of the records disclosed to me in 1976 by the defendant in this case and establishing the falsity of the CIA's 1979 representations is the March 6, 1964, Hoover to Commission letter. (Exhibit 15) It, too, was released by the CIA on May 21, 1976. The underscoring in "...Nosenko, whose reliability has not yet been established," is on the record as provided to me.

36. Last of this series of records the CIA disclosed to me in 1976, still another 1976 disproof of its 1979 affirmations, is the February 28, 1964, Hoover to Commission letter and its one-page attachment. (Exhibit 16) After reinterviewing Nosenko, the FBI arranged for him to agree to testify before the Commission, which the CIA aborted. "...attempt to determine the accuracy of his statements" is underlined in the copy provided to me. That the deletion of what Owen swore had to be withheld was considered and rejected prior to disclosure is reflected by "Delete?" in the margin opposite this underscored statement. "Delete?" also appears opposite the underscored "...Nosenko, Soviet defector, whose credibility has not yet been established." The 1976 decision to disclose what in 1979 Owen swears had to be withheld in this litigation was not accidental. Whether or not to delete what was not deleted was considered, despite Owen's affidavit to the contrary.

37. It is a remarkable upsetting of the law of averages that each and every one of the records the CIA disclosed in response to my 1976 appeal to the defendant gives the lie to the Owen affidavit. It does this with records of which the CIA has copies that should have surfaced in any search prior to Owen's preparation of his November 26, 1979, affidavit.

38. While even Owen's dirty-works department of the CIA cannot be expected to exceed a perfect record for misleading, deceiving, misrepresenting and untruth as set forth in the preceding paragraphs and in my previous affidavit, his January 11, 1980, affidavit in the Allen case demonstrates that he and it remain determined to practice their sinister arts on the courts, the Act and requesters of information under the Act.

39. In the Allen case the information sought is a simple record identified as CIA Document 509-803. It also was withheld by Charles A. Briggs, Owen's predecessor, on June 1976/^{FOIA}review and again in the Fensterwald case, on April 14, 1977.

40. In his January 11 affidavit, Owen states (page 2) that in review for the Allen litigation (no time is specified and the document was denied prior to and during that 1979 litigation) "it became clear that a number of substantively related, official disclosures had been made in recent years. Several congressional investigations ... The most recent and the most comprehensive ... by the Select Committee on Assassinations" of the House.

41. Here Owen avoids saying that the records had to be disclosed because of disclosure to and by that or any other committee, as he did in this instant cause. I addressed that in my previous affidavit. Instead, he phrases his affidavit to have this believed without stating it explicitly, thus avoiding an overt lie.

42. He does state untruth in this same paragraph (page 3), that "new disclosure of CIA records ... decreased the volume of materials still withheld from release." I state categorically that although my requests, by the CIA's own interpretations, go back to 1975 and include all records pertaining to the assassination of the President, the CIA has not, during the period in question, provided me with a single such record. Not those relating to Nosenko, which is relevant in this instant cause, and not Document 509-803. Allen did not file suit until after the life of the House Select Committee ended. Some records may not have been withheld from Congressional committees, but they remain withheld from citizens of interest, including subject experts and scholars.

43. It is a combination of these and similar factors and the passage of time to which Owen attributes his personal "determination" that "portions" of the document Allen requested "may now be released, but that some portions must continue to be withheld." In all aspects this also is false, as I specify in detail below in amplification of the opening Paragraphs of this affidavit.

44. His first reason for continued withholding (Paragraph 4.a.) is "because it is currently and properly classified pursuant to Executive Order

12065." Even for the CIA, which writes law and regulation to suit its immediate conveniences and defends this with verbal smoke with which few requesters²⁷ and courts can grapple, this is a far-out description of the record. It is attached as Exhibit 17. It bears neither classification nor declassification indication or authority, which the E.O. does require.

45. Owen does not state who classified or who declassified this particular record. He whistles his way past that churchyard by stating that he has "authority to originally classify official documents up through Top Secret." His allegation that his review shows this record to be "currently and properly classified" amounts to certification that the public domain is properly classified. Specifics appear below.

46. His second reason (page 4.b.) is because some information "is related solely to internal practices" and exempt under (b)(2). He alleges that only "internal filing instructions" are withheld under this claim. Even if that is true, it does not relate "solely to internal practices" but is of considerable importance to those using the records. It is particularly important to those requesters who have to wend their ways through the verbal mazes constructed by the CIA to avoid search for and disclosure of relevant records. Yet he contradicts this on page 5 at p. 5, where he states that "Classification and information control markings" were "deleted in the process of producing a declassified version ... for release... No FOIA exemptions claimed." Examination of Exhibit 17 discloses that it is not a new version that he produced. It is an excised copy of a copy of the original. Therefore, withholdings are required to be within an exemption of the Act. Moreover, my FOIA experience holds instances of multitudinous unjustified claims to (b)(2) and many instances of my locating withheld records when I obtained the allegedly (b)(2) information.

47. His third reason (page 4.c.) is that the withheld information "reveals facts about intelligence sources and methods which the Director of Central Intelligence is responsible for protecting against unauthorized disclosure," requiring (b)(3) claim. This states that such information is not known, else it could not be "revealed" by its disclosure to Allen and me. This also is false, as I illustrate below.

48. His fourth reason (page 4.d.), also at least in part false, is that the withheld "information reveals facts about CIA organization, functions, names, official titles ..." Again the (b)(3) claim and again no claim that any of this is not within the public domain. A common public domain source of such information is the published hearings of Congress. Another is what has been disclosed relating to the assassination, by the CIA itself and by other agencies. Still another is what its letters to me conveyed. In fact, Owen withholds what was front-page news from coast-to-coast under this claim.

49. Owen uses letters to represent the exemptions claimed, a CIA contrivance for avoiding the recognized practice of writing the exemption claimed at the point of withholding, as the FBI and Department of Justice do, for example. (His Paragraph 6, A-F.)

50. This also is a means by which he avoids claiming that none of what is withheld is reasonably segregable. The most obvious reason for this is that, with access to the reasonably segregable, there is a good possibility that subject experts would be able to prove the information is not properly withheld, and the CIA has much to hide, as also follows below.

51. Neither in any way nor at any point does Owen claim that anything withheld is not within the public domain. All now disclosed was within the public domain when it was withheld. Illustrations of this also follow.

52. In Paragraph 8 Owen claims that some of what is withheld under (b)(2) "is unlikely to have any meaning to individuals not directly and currently involved in the administrative handling of the documents." It is not the right or function of the CIA to decide for me or others what can have meaning to us. An example is a withholding from the record as disclosed, the CIA's misidentification of Oswald as "Henry." This is the kind of information Owen claims a (b)(2) need to withhold. It is a "filing designation" and it relates to "the administrative handling of the document." Merely knowing what nonsecret parts of the CIA were involved in this self-serving and misleading - in fact, untruthful - record is a matter that is not "solely" of interest to the CIA. It is of great interest to me and I am confident to Allen and to the country.

53. Paragraph 10 makes a claim of need to withhold information indicating foreign "intelligence organization affiliations..." Once again, and related to the information that is not withheld in this record as well as what is withheld, such information is public domain and has been for years, particularly with regard to the subject of that portion of the record, Gilberto Alvarado Ugarte, and those who investigated him in Mexico.

54. Another typical CIA effort to frighten the courts follows with Owen's invalid generality that ^{he} does not specifically attribute to this matter, "Such knowledge comes almost exclusively from counterintelligence operations" which must be protected. This is false in this specific case, as is illustrated below.

55. The spookery slipped up in Paragraph 11, limiting it to a single intelligence method, after the usual intended-to-frighten generalities that again are not related to what is in question or at issue: "The deleted remarks tended to characterize certain factual data in a way in which the nature of the method used to collect the information is made obvious." I lead the Court around this Robin's barn by stating that the circumlocution is designed to befuddle the Court and Allen and in plain English what Owen is talking about is within the public domain. The method is not secret, is within the public domain quite extensively, and is electronic surveillance of the Russian and Cuban embassies in Mexico City. Were this not true, it is hardly secret or unique that the CIA engages in such methods, as do all intelligence agencies. It is anything but secret that the CIA illegally provided such equipment to E. Howard Hunt of Watergate infamy. The CIA is not known to have objected to Hunt's writing about his part in the CIA's planting of electronic devices in Mexico City.

56. If one takes the time to check Owen's citation, as I did, with what he incorporates by reference (Paragraph 3, page 2), there is no doubt that he refers to but a single so-called "intelligence method." The justification for withholding in Fensterwald, attached to his January 9, 1979, affidavit in the Allen case, is quite specific after Document Number 509-803. It refers to but a single method, "a sensitive foreign intelligence operational method." (Emphasis added)

57. This particular disclosure he alleges (January 9, 1979, affidavit, page 3, paragraph 3) "could reasonably be expected to cause serious damage to the

national security in terms of disrupting foreign relations..." This more than three years after that one of its many publications which received widest, page-one attention and three years after the public attention added to it by the then just-beginning House assassinations committee.

58. Examination of the excised Document 509-803, from which Owen excised even this number, although it is in the justification (he does not state whether this is one of his (b)(2) claims or one of his withheld-without-any-claim-to-any-exemption withholdings), discloses that the prerequisite for a CIA affidavit is either an affiant who knows nothing at all about what he swears to, is willing to swear to what is not true, or both.

59. All textual excisions on the first three pages are attributed to the letter "B" for their withholding. This is alleged to be what could "compromise ... an intelligence method." However, none of the paragraphs on these three pages is included in his explanation and justification in his January 11, 1980, affidavit, Paragraph 6, page 5.

60. The first of these, repeated several times, appears to be the well-known fact that the CIA station in Mexico is located in Mexico City: "... the CIA station in Mexico (obliterated) received the following information from a reliable source." If the location of this CIA station were not already and quite extensively known, it was published in the past five years by a number of Congressional committees, by CIA employees, and is in hundreds of records disclosed by the FBI. There is no legitimate need of or legitimate justification for this withholding. However, I do note that in affidavits from this same CIA stable of affiants in my C.A. 77-1997, it was sworn that officially disclosing even the fact of the existence of a CIA station in any country could do irreparable harm to the "national security." This is but the first of a number of such disclosures in this record.

61. The next excision, also attributed to "B," says that "An American citizen named Lee OSWALD had contacted the Soviet Embassy in Mexico City on Tuesday, 1 October 1963. He had spoken (obliterated) to the Soviet Embassy guard, Ivan Ivanovich OBYEDKOV, to whom he said he had visited the Embassy two days earlier ..." This does not say that Oswald visited the embassy, ^{on October 1} He "contacted"

it, how being obliterated. If words like "by telephone" are inserted at the point of obliteration, the sentence makes sense: "He had spoken by telephone to the Soviet Embassy guard," which is precisely what happened.

62. Because much of the withholding relates to this, I provide more extensive documentation. First of all, this electronic interception was well-known for years. I have known for close to ten years and not much less than that long ago a friend of mine published this story. It was syndicated from coast-to-coast. To the best of my knowledge, it was never denied. Later and more sensational use was by the Washington Post, on November 26, 1976, also syndicated. I attach the Post's and Los Angeles Times' printing of this story as Exhibit 18. (There was even more spectacular treatment in other places, like Chicago. The New York Times story actually quotes from the content of this record that remained withheld by the CIA for more than three additional years.)

63. It is stated that the CIA had both embassy phones tapped and this "with the full cooperation of the Mexican government."

64. One of the names for which Owen makes (b)(3) claim is that of "the late Winston M. Scott." Others are also in the public domain.

65. This news account also includes some of the information withheld in the Allen case for more than three more years.

66. The Post did not have the full story and it is not the CIA alone that withheld from the Warren Commission, which is what the Post reported. The FBI and the Secret Service also did. It is probable that at least Navy Intelligence also did for, despite the excisions in Exhibit 19, both the tape recording of this interception and CIA photographs allegedly but not of Oswald were flown to Dallas in the Naval Attache's plane, in the possession of then Legal Attache FBI Special Agent (later Congressman) Eldon Rudd. Dallas FBI agent and "red" specialist Wallace Heitman met the plane and rushed Rudd, with his precious cargo, to the FBI's Dallas office. There FBI agents familiar with Oswald's voice and face examined the CIA's tape and photographs.

67. Early in the morning of November 23, 1964, a three-page teletype was dispatched to Washington Headquarters from the Dallas FBI field office. Rudd also prepared a memorandum. In response, FBIHQ demanded and received a transcript of

the tape. (I have these records and with more time can provide copies.) FBI Director Hoover immediately informed Secret Service Director James J. Rowley, sending his memo of the same day by courier. (Pages 4 and 5 attached as Exhibit 20.) Hoover stated that his agents who looked at the pictures and "listened to a recording of his voice ... are of the opinion that the above-referred-to individual was not Lee Harvey Oswald."

68. Neither the FBI nor the CIA has responded to my requests for this and related information. My appeals remain ignored after years. When the FBI was processing other records, which I received in early 1978, it classified as TOP SECRET relevant records that had not been classified for a decade and a half. My request of the CIA for all "records of any kind of surveillance conducted on Lee Harvey Oswald in Mexico City or elsewhere" was treated by the CIA as part of a 1975 request with which it has yet to comply. (Its letter to me of August 23, 1976, attached as Exhibit 21.) The final paragraph, which reports that the CIA sent me an organizational chart, rebuts the Owen affirmation that it is required to withhold all organizational information under (b)(3).

69. On page 2 of Document 509-803 is one of the several points at which it is self-serving. This raises new questions about the legitimacy of the withholdings, especially when all that can be made out are unjustified and the disclosed portions were always reasonably segregable and in the public domain. It states that "A file check in Washington ... revealed the possibility of an identity between the Lee OSWALD who had spoken to OBYEDKOV, and ... Lee Harvey OSWALD." This "explanation" is made necessary because of what the record withholds, that initially the CIA gave Oswald's name as "Henry." This is reflected in the CIA's "Personality Profile" and in many other disclosed records. (See Paragraph 71 below and Exhibit 23.)

70. There follows, beginning on page 2, a series of references to various CIA records, the first dated October 10, 1973. That there is no justification for ever withholding any paraphrase of them is established by the fact that at least some were disclosed by the CIA, to me and to others, years ago. Because there is no organization or structure to the CIA's releases, I cannot be certain and cannot make a complete check. However, I believe that all the records cited

and some only referred to with indefiniteness have been disclosed by the CIA. A spot check of my files disclosed three, whose dates are given in Exhibit 17, including this first one, of October 10, 1963. I attach these three as Exhibit 22.

71. A footnote to this paragraph refers to a single file on Oswald, "The CIA file on Oswald was opened on 9 December 1960 ..." (Emphasis added) This deceived and misled those inside and any outside the CIA who saw this record because there was more than a single file on Oswald. For example, there was also a 201 or "Personality Profile" file. The copy disclosed to me in about 1976 is unclear and incomplete so with it, as Exhibit 23, I include the clearer copy provided to the House assassinations committee and five other relevant pages from the testimony of former CIA Director Richard Helms. The fact that 37 documents are allegedly missing from the Oswald 201 file left the CIA unperturbed. The "Personality Profile" is only one of the CIA records in which it got Oswald's name wrong. This one was "corrected" for the House committee.

72. After extensive withholdings in which nothing segregable is disclosed, there is a section titled "III. Monetary Payments to OSWALD - Investigation of Allegation." This also is self-serving, less than fully forthright, in some cases not accurate, long has been in the public domain, and under (b)(1) and (b)(3) claim withholds what also long has been in the public domain, "identification of an intelligence source." (In fairness to Owen, if not also to his skill in evasiveness and overwriting to deceive and mislead, he does not claim that the alleged source is unknown or in any way secret and none is. However, this did not discourage claim to exemption, particularly when the CIA had something to hide in this caper. It could have launched World War III, from other disclosed CIA records not included in this summary.) Because the underlying records have been disclosed, including extensively by the FBI, there is no apparent need, reason or justification for making (b)(1) and (b)(3) claim to withhold portions of the paraphrase.

73. Nobody in his right mind would have believed Gilberto Alvarado Ugarte's fabrication and the FBI did not. However, the CIA station pressed to make it appear credible, as is not indicated in the portions not still withheld.

74. One of the withholdings may well be what the FBI disclosed, that Alvarado was a "Nicaraguan secret agent."

75. Part of the self-serving content is in Paragraph 22, which states what is not certain, that because Oswald was "known to have been in New Orleans on both 17 and 19 September," he could not have been in Mexico on the 18th. By plane that was no trick at all, as anyone reading this record would know. However, Oswald was also placed in New Orleans on the 18th, the key day in the Alvarado fabrication. This is reflected in one of the earlier (12/1/63) records in the FBIHQ "Oswald" file, attached as Exhibit 24. This teletype begins by stating that "OSWALD WAS NOT IN MEXICO SEPTEMBER 18TH LAST." It directs discontinuation of any investigation of this.

76. Following other excisions for which the "intelligence sources" claim is made, there is more of this self-serving and covering up of the CIA on page 13. It states that at a carefully unspecified time, "because of the importance of resolving the problems" of Alvarado's instantly obvious fabrication - one of countless fabrications of similar nature, all disproven - "CIA personnel continued the interrogation in close coordination with the FBI." Long before then the matter was resolved.

77. Two months earlier the Legat, with whom the CIA worked closely in Mexico City ("city" obliterated in record), phoned and told FBIHQ that Alvarado "confessed to the Mexican officials that his statement on Oswald was false." (Exhibit 25) By then the FBI had cleared it all up and won the praises of the ambassador. As the FBI continued to knock it all down, it reported that Alvarado probably got the idea for his fabrication from a newspaper story. (Exhibit 26, page 2) And a month and a half earlier than the January 31, 1964, date of this record, the FBI vehemently denounced CIA Director McCone for deceiving the Warren Commission with this fabrication. (Exhibit 27)

78. That the Mexican police were involved and immediately broke Alvarado down, which has been public domain for years and is disclosed in many official records, may be the figleaf covering the CIA's withholding of its nakedness in this matter. From the typical CIA lingo of ambiguous generalities and extensive overwriting, one cannot be sure but if the Mexican police are "an intelligence

source" their involvement, while not mentioned in this record as disclosed, was public domain.

79. At this point (page 13, paragraph 25) Owen makes two identical claims to withhold "information (which) could lead to the identification and compromise of an intelligence method used in the collection of intelligence information abroad." For this he makes both (b)(1) and (b)(3) claim. The last part, "used in the collection of intelligence information abroad," is superfluous and is deceptive as applied to a polygraph examination. "A (withheld) polygraph expert, assisted by an FBI special agent" is the first withholding and "The (withheld) polygraph expert concluded" what Alvarado had already admitted to the Mexican police, "from the results of his tests that ALVARADO had fabricated his story about OSWALD in toto."

80. In these "national security" withholdings the CIA classified as a (b)(1) matter what was never classified in the FBI's files, from which I attach Exhibit 28. On the second page this states of the Mexico City polygrapher and the Alvarado polygraphing: "He was given a polygraph examination in Mexico by CIA which showed that he was lying. Our Legat assisted ..." (Emphasis added)

81. I have not exhausted all the possible exhibits pertaining to the foregoing paragraphs nor have I fully exploited the baseless claims, false, misleading and deceptive representations of the Owen affidavit in the Allen case or its untruths, some encapsulated in typical spook verbiage. I received Document 509-803 at midday on Saturday, January 19, when I was unwell. I had to complete the draft of this affidavit and make the necessary searches, all on Sunday, the next day, which I did, because on the following day I had a medical appointment out of town. This was followed by a large amount of work in another FOIA case for which I had to be clear when I returned from the Monday medical appointment. However, if the Court desires more proofs or more exhibits showing that the CIA and Owen withheld what is in the public domain and made exaggerated as well as false claims to such intimidating exemptions as "national security" and jeopardy to the nation's necessary intelligence operations, I can provide them. My hurried purpose was limited to providing more information showing that the CIA's affidavits are falsely sworn and are intended to deceive and mislead, in which they succeeded,

so that the Court might better perceive that this CIA "intelligence method" against the Act, the courts and requesters is its SOP and so that a question of sanctions might begin with a factual and documented base.

82. From my long, extensive, painful and costly experience, these abuses of the courts, the Act and requesters will not end as long as those who inflict the abuses are immune. The longer this immunity continues, the more incentive, from my extensive experience, there will be for these abuses to continue to be practiced.



HAROLD WEISBERG

FREDERICK COUNTY, MARYLAND

Before me this 23rd day of January 1980 Deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires July 1, 1982.




NOTARY PUBLIC IN AND FOR
FREDERICK COUNTY, MARYLAND

LIST OF EXHIBITS

EXHIBIT	PARAGRAPH	PAGE	DESCRIPTION
1	12	3	Letter, Archives to CIA (Wilson)
2	12	3	Letter, CIA (Wilson) to Weisberg
3	12	3	Letter, CIA to Archives
4	13	3	Letter, Archives to Weisberg
5	14	3	Cover page of memo (Exhibits 8-10)
6	15	3	Letter, Weisberg to Archives
7	17	4	Letter, Weisberg to Archives
8	18	4	Pp. 19-23, Coleman-Slawson memo
9	22	5	P. 45, Coleman-Slawson memo
10	24	5	Page from Coleman-Slawson memo
11	26	5	Slawson memo, 8/22/64
12	29	6	Letter, Warren Commission to CIA, 3/6/64
13	30	7	Slawson memo, 3/9/64
14	32	7	Slawson memo, 7/15/64
15	35	8	Letter, Hoover to Commission, 3/6/64
16	36	8	Letter, Hoover to Commission, 2/28/64
17	44	10	CIA Document 509-803
18	62	13	News stories, Wash. <u>Post</u> , L.A. <u>Times</u>
19	66	13	Dallas FBI (Heitman) memo, 11/22/63
20	67	14	Report, Hoover to Rowley, pp.4-5
21	68	14	Letter, CIA (Wilson) to Weisberg, 8/23/76
22	70	15	3 CIA documents
23	71	15	CIA 201 file - Lee Harvey Oswald
24	75	16	FBI teletype, 12/1/63
25	77	16	FBI Memo, 11/30/63
26	77	16	FBI cablegram, 1-13-64
27	77	16	FBI memo, 12/19/63
28	80	17	Letter, Hoover to Commission, 10/22/64

C A 75-1448
EXHIBIT 1

JAN 15 1976

Mr. Gene F. Wilson
Information and Privacy Coordinator
Central Intelligence Agency
Room 2E42
Washington, D. C. 20505

Dear Mr. Wilson:

The National Archives has received a Freedom of Information Act appeal from Harold Weisberg for certain documents from the Records of the Warren Commission which were denied to him. Certain of these documents are of CIA subject matter interest or origin and they are being referred to you for a determination concerning their releasability.

Three of these documents were originally classified by the CIA. We are informing Mr. Weisberg that the decision of whether they may be released to him is being referred to the CIA and that he will be informed directly by the CIA of that determination. These documents include the following:

1. Thomas H. Karamessiness, Deputy Director for Plans, CIA, to Robert H. Bahmer, Archivist of the United States, October 2, 1967.
2. Lawrence R. Houston, General Counsel, CIA, to James B. Rhoads, Archivist of the United States, December 22, 1973.
3. Charles E. Savige for Robert Young, Freedom of Information Coordinator, CIA, to James B. Rhoads, Archivist of the United States, May 20, 1975.

Various documents originally denied to Mr. Weisberg were originated by and classified by the Warren Commission staff. Since the Commission's authority to classify is somewhat doubtful, continued protection of this material on grounds of national security is dependent

on the CIA's written determination that the information contained in the documents retains a national security sensitivity. It is, therefore, necessary that the CIA inform us whether these documents may be released, released with deletions, or closed entirely. Please specify both the Freedom of Information Act exemption to disclosure and the appropriate exemption to declassification of Sec. 5(B) of Executive Order 11652 which pertains to the information the CIA has determined must be restricted. These documents include the following:

1. William T. Coleman, Jr., and W. Davis Slawson to The Commission and J. Lee Rankin, "Oswald's Foreign Activities: Summary of Evidence Which Might be Said to Show that There was Foreign Involvement in the Assassination of President Kennedy" and attachments. This material has previously been reviewed by the CIA and some material has been released. The re-review is, therefore, directed only to those portions which the CIA indicated should not be released at that time.
2. Records relating to Yuri Nosenko.
 - a. Memorandum of July 23, 1964 (no names given).
 - b. Memorandum, Slawson to Rankin, August 22, 1964.


Other records relating to Yuri Nosenko are not security classified. Although it is the responsibility of the National Archives to make the final determination whether these documents will be released, we would like the CIA's opinion whether there are any Freedom of Information Act exemptions which may be applicable to these documents. They include the following:

1. J. Lee Rankin to Richard Helms, March 6, 1964.
2. Memorandum of Slawson to Jenner, Liebler, Ball and Belin, March 9, 1964.
3. Memorandum of Coleman and Slawson to Stern, March 12, 1964.
4. Memorandum of Slawson to Rankin, July 15, 1964.
5. Memorandum of Slawson to Coleman, July 17, 1964.
6. Cover letter of Commission Document #451, J. Edgar Hoover to J. Lee Rankin, March 6, 1964.
7. Cover letter of Commission Document #434, J. Edgar Hoover to J. Lee Rankin, February 28, 1964; and first page of same document, "Lee Harvey Oswald Internal Security -R- Cuba, February 28, 1964.

3

Copies of the documents under appeal and a copy of Mr. Weisberg's appeal letter are enclosed. We would appreciate a response to this inquiry by January 28 to allow us sufficient time to complete our consultation with the Justice Department's Freedom of Information committee which is necessary if any portion of Mr. Weisberg's appeal must be denied. Please return the enclosed document copies with your response.

Sincerely,


JAMES E. O'NEILL
Deputy Archivist
of the United States

Enclosures

ACThomas/lpd 1/15/76
Official File - ND
Reading File - ND
NDA
NNFL ✓

NDA _____

CA 45-1448
EXHIBIT 2

Copy for NARS

28 MAY 1976

Mr. Harold Weisberg
Route 12 - Old Reservoir Road
Frederick, MD 21701

Dear Mr. Weisberg:

We have been asked by the Deputy Archivist of the United States to respond directly to you regarding three documents from the Records of the Warren Commission previously denied to you by the National Archives, subsequently appealed by you. These documents have been reviewed by CIA officers in light of their CIA origin with the following determinations made:

a. The letter of 2 October 1967 from Karamessines to Balmer has been approved for release in its entirety and is enclosed herewith.

b. The letter of 22 December 1972 from Houston to Rhoads was previously released in sanitized form to a Government Operations subcommittee of the House of Representatives, and is provided herewith in that same sanitized form. Those portions deleted are covered by exemptions (b)(1) and (b)(3) of the Freedom of Information Act as amended.

c. The letter of 20 May 1975 from CIA's Freedom of Information Coordinator to the Archivist of the United States is denied release in its entirety under exemptions (b)(1) and (b)(3) of the FOIA.

The applicability of the Freedom of Information Act subsections cited above is explained as follows:

(b)(1) applies to material which is properly classified pursuant to Section 1 of Executive Order 11652, and is exempt under Section 5(B) of the same Order;

(b)(3) applies to the Director's statutory obliga-

tions to protect from disclosure intelligence sources and methods, as well as the organization, functions, names, official titles, salaries or numbers of personnel employed by the Agency, in accord with the National Security Act of 1947 and the CIA Act of 1949, respectively.

The CIA official making the above decisions to deny in whole or in part is Mr. Charles A. Briggs, Chief of Services Staff. Although it is recognized that these documents were already under appeal in your request to the National Archives, you retain the option of appeal on these three documents to the Agency's Information Review Committee. If you should choose to appeal, your communication with the Committee should be via the undersigned.

Sincerely,

~~Gene F. Wilson~~

Gene F. Wilson
Information and Privacy Coordinator

Enclosures: (2)

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

CA 75-1448
EXHIBIT 3

2 OCT 1967

Dr. Robert H. Bahmer
Archivist of the United States
National Archives and Records Service
Washington, D.C. 20408

Dear Dr. Bahmer:

We appreciated the opportunity to review the documents furnished by Mr. Marion Johnson to this Agency on 15 August 1967. Pursuant to your written request of 14 August 1967, we have made appropriate recommendations on the lists provided by Mr. Johnson. As you will note, we have no objections to the release of the following items:

List No. 1


1, 4, 8, 9, 10, 11, 12, 13, 22, 23, 26

List No. 2

4, 8, 11, 13, 14, 15, 17, 18, 19, 24, 26, 27, 33, 34, 35, 36, 39, 41, 42, 43, 45, 46, 49, 50, 52, 57, 60, 61, 62, 63, 64, 65

The above releases apply only to the exact document(s) listed and not to related items in the Commission's possession. We also note that other agencies concerned will be consulted, as appropriate.

Sincerely,


Thomas H. Karamessines
Deputy Director for Plans

Attachments: a/s

CLASSIFICATION CANCELED

By authority of: C. G. K. 10/20/75

Name and title of person making the change
M. H. J. NNFL

Date 10/23/75



UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
National Archives and Records Service
Washington, DC 20408

CA 75-1448
EXHIBIT 4



October 8, 1976

Mr. Harold Weisberg
Route 12
Frederick, MD 21701

Dear Mr. Weisberg:

This is in further reply to your letter of September 24, 1976.

A count of the pages in the numbered documents and parts of documents released by the FBI and other agencies in the 1975 review, of which lists were sent to you in February 1976, has revealed a total of 2,737 pages. Copies of the documents on the list of documents released in the calendar year 1975, which was also sent to you in February, have already been furnished to you. Our current charge for electrostatic copies furnished by correspondence is 15 cents a page, with a minimum charge of \$2.00. Your present deposit account balance is \$332.12, including your remittance of \$300.00. An additional \$78.43 will be needed to complete your order for the 2,737 pages. Please send a check or money order made payable to the National Archives Trust Fund (NNFL) and addressed to the Cashier, National Archives (GSA), Washington, DC 20408.

Enclosed are copies of our letter of January 15, 1976, to the CIA and of the unclassified attachments to Mr. Wilson's letter.

The Coleman-Slawson memorandum referred to in Mr. Wilson's letter is the long memorandum concerning Oswald's foreign activities.

The material released in Mr. Wilson's letter was sent to you with our letter of August 5, 1976. That letter informed you of your right to file a suit for the material denied to you on your appeal as well as to appeal to the CIA if you wish to do so.

The CIA has reviewed unnumbered documents of the Warren Commission in which it has a subject matter interest, including those involved in your appeal dated January 3, 1976, and the executive session transcripts of January 21 (part) and June 23, 1964, involved in your suit.

2

Our charge for electrostatic copies will be increased to 20 cents a page for orders received on and after October 11, 1976.

Sincerely,



(MISS) JANE F. SMITH
Director
Civil Archives Division

Enclosures

CA 75-1448
EXHIBIT 5

10-11-63
2

TO : The Commission
J. Lee Rankin

FROM : William T. Coleman, Jr.
W. David Slawson

SUBJECT : Oswald's Foreign Activities: Summary of Evidence
Which Might be Said to Show that There was Foreign
Involvement in the Assassination of President Kennedy

RECEIVED FOR INTELLIGENCE
DIVISION
OCT 11 1963

CA 75-1448
EXHIBIT 6

Miss Jane Smith, Director
Civil Archives Division
The National Archives,
Washington, D.C. 20540

At. 12, Frederick, Md. 21701
11/5/76

Dear Miss Smith,

In your letter of 11/4 you say in response to mine of 10/12, which is well past the time in which you are to have responded, that you can't give me better copies because you have received illegible copies from the CIA and if I'll let you know what was missing you'll undertake to check them for completeness.

I'm going to do neither. You people have been running me around that unpainted barn for more than a decade. It is the pseudo-scholar way of Nixonian stonewalling. I'm not even going to check my files to see what is involved.

There is an obligation imposed upon you people I insist you meet without running me ragged when in age and physical condition it is burdensome, not only unnecessary.

There is no record I seek that you or the CIA or some other agency does not have clear copies of. In every case the original should be available.

I'm dismayed at the permeating ineffectivity, including yours.

These are records relating to the most terrible of all crimes, the assassination of a President, and to the official investigation of it, a fact that is not obscure. These records relate to the subverting of our system of society and to the acts, decisions and performance of the administration that came into power by that crime.

You have no shame in providing people illegible copies? Incomplete records?

I guess not because in a decade I've not been able to get you to replace a single one of the many records you permitted to disappear or did not replace when you knew they were not in your files.

You all also appear to have no shame about having to be sued for what you withhold on one backed up excuse after another, so I guess it is foolish to expect you to provide copies that can be read - at four times the commercial cost of xeroxing.

Do or do not do what you will. If as I suspect this relates to a suit or in litigation I'll ask my counsel to present this problem to the Court. I'm satisfied that if it is there is no representation you have made that is not spurious and I am now going to ask you a question that is relevant to this. I am doing it myself because my lawyer does not now have the time and because we will both be away next week, all week.

The subject matter of the withheld pages of the Warren Commission transcript of 1/21/64 is a defector or more than one. There was a KGB defector of about 10 years before the JFK assassination. This is neither secret nor the disclosure of a secret intelligence source nor to the best of my knowledge of any other nature that fits any of the exemptions of the act. The CIA has and has disclosed a long memo from him, typical for all of you as illegible as it can be short of total illegibility. I am asking is this is in the 1/21/64 transcript that is withheld. If there is no little internal communication as I have generally found to be another means of negating the Act I also want you to know that there is a hearing on this case 11/18/64.

I am also asking why, with the many weeks that have elapsed, I still have not received all the records I paid for so long ago. Of the 1975 release I was refused when I tried to pay for all that was released subsequent to 1970. I want there to be a record of this foot-dragging. I also would appreciate a written assurance that I can pick them up when I have to be in Washington for the 11/18 hearing. I would hope this gives you enough time. I do not want packages or bids also going through the mails because I cannot recall a single instance in which you have made an adequate package. I would like them to be in good condition.

Sincerely,
Harold Bohannon

C A 75-1448
EXHIBIT 7

11/21/76

Miss Jane Smith, Director
Civil Archives Division
National Archives
Washington, D.C. 20408

Dear Miss Smith,

In the penultimate paragraph of my letter of 11/5/76 I asked you a ^{simple} question relevant to my C.A. 75-1448 in which the Archives is the defendant. In the course of the full explanation I gave you I informed you that there was to be a hearing on that matter in 13 days. ^{Yes, of course,} gave you ample time to respond. Therefore you did not respond. Not in any way. You did not, for example, refuse to answer my letter or this question. You just stonewalled.

I asked if the defector of the 1/21/64 transcript is the same one about whom the CIA has recently made releases. I did not ask his name, for example. Not that the KGB does not know it. "National security" has come to mean secrets from the American people only so what the KGB knows we may not know. I asked only what cannot be national-security information relating to what is before the court.

If there is anything improper in this request I'd appreciate an explanation of it. If there is not I'd like a prompt and unequivocal response.

Let me explain this in a different, layman's way.

If the CIA release relates to the subject of the 1/21/64 transcript the CIA erred, if I may understate, in asking the Archives to withhold that transcript from me. If the Archives is aware of this then I think there is a substantial question of defrauding me and of deceiving and misrepresenting to the Court. The claimed reason for withholding this transcript from me no longer exists - if it ever did.

There appears to be no complexity in this, no problem in stating yes or no, no work required to learn and respond.

If you persist in not responding I have no choice but to ask counsel to present this to the Court. This then becomes an unnecessary burdening of the Court and your counsel as well as of me and my counsel.

I believe there is no question of relevance, that this is very relevant.

In my letter of 11/5/76 I also went into whether or not any of this was really secret. You have not responded to that, either. So I now ask, in order that the Court may know, whether the name of the defector is public in any way. Of either if there is more than one. If names are known there can be no secrecy as alleged. If this is true then there would appear to be a fraudulent claim to deny me this public record on this basis alone. In turn this means considerable abuse of the Court, the Act and of me and my counsel and for me enormous costs over the many years I've been trying to obtain this public record.

This matter will again be in the court shortly. I do hope you can stop this stonewalling and either respond or explain why you refuse to.

Sincerely

Harold Weisberg

Second, the Soviet authorities may have been entirely ignorant of Oswald's pending arrival, but when he did arrive he, Oswald, immediately made known his strong sympathy with the Communist cause, his intention to defect and possibly even the fact that he had been a radar operator in the United States Marine Corps and the "fact" (doubtful) that he possessed secret information related to this job which he was ready to disclose. If this is the way Oswald conducted himself at the Soviet Consulate at Helsinki, then indeed his application would have been handled with dispatch. American Embassies throughout the world would presumably do the same thing if they believed they had a potential defector who possessed valuable information. Oswald himself claimed that he said nothing out of the ordinary to the Russian Consulate in Helsinki; he told the officials at the American Embassy in Moscow on October 31, when he appeared there in an attempt to renounce his citizenship, that he had said nothing to the Russians about defecting until he arrived in Moscow. Likewise, Yuri Ivanovich Nosenko, the Soviet KGB agent who defected to the United States in February 1961, (and whose reliability has not yet been ascertained) claims that the KGB at least had no knowledge whatever of Oswald until he appeared in Moscow.

(Nosenko's testimony on this point cannot be taken with absolute assurance. Besides the obvious fact that whether he is sincere or whether he is a Soviet plant has not yet been determined, there is also the fact that to date the only report available to the Commission on what Nosenko has said about Oswald was obtained through the FBI, and the FBI interrogators did not have the detailed knowledge of Oswald's travels which we

been brought to the attention of the FBI interrogators. (It is not inconceivable that when Nosenko says the first word the KGB received was when Oswald arrived in "Moscow" that he was speaking loosely and meant when Oswald arrived in "Russia" or "at the Russian border." Or what is even at least as likely, that Nosenko really does not remember the precise moment at which Oswald first made his intentions known to the Soviet Government.)

Another piece of evidence relating to the same point should be brought to the attention of the Commission. The following paragraph is an exact quote from a CIA report (Commission No. 698):

"c. October 1959: Stockholm newspaper, Dagens Nyheter, of 25 November 1963 states Lee OSWALD passed through Sweden during October 1959. Article also adds that OSWALD was unsuccessful in obtaining visa to the USSR in Helsinki which resulted in his returning to Stockholm. Two days after he arrived in Stockholm OSWALD traveled directly to Moscow. Concluding sentence of article states 'This indicates that the Russian Embassy (Stockholm) gave him a visa.'"

it was difficult to explain how OSWALD might have received his visa in two days without going through normal channels. The only conclusion which can be drawn is that OSWALD must have received his visa directly from the Soviet Embassy in Stockholm which occasionally is done in special cases, but the source had no evidence to confirm this assumption."

The information contained in the foregoing paragraph is flatly at variance with the other CIA report, previously mentioned, to the effect that Oswald stayed in Helsinki after having arrived there on October 10, with the information obtained from Oswald's American passport, with his own statement to the American Embassy in Moscow on October 31, 1959, and with the documentary material given us by the Russian Government. All

of the latter could be lies or forgeries, however, including even the American passport, since it was in Oswald's possession for about two weeks before he came into the Embassy -- two weeks when he was in the hands of the KGB in the Hotel Berlin and in a hospital in Moscow. The CIA itself is apparently of the opinion that the information which places Oswald in Helsinki, rather than Stockholm, is more reliable. It certainly fits the other evidence we have of Oswald's travel better than does the "Stockholm" report.

The foregoing summarizes or sets out all the information available to us at this time on the problem of whether Oswald obtained his visa unusually quickly.

The final judgment which must be made on all this data is of course, what conclusion may legitimately be drawn if it is assumed first, that Oswald did get his visa unusually early, second, that the quick issuance of a visa was significant, and third, that its significance was that the Soviets had warning well ahead of time that Oswald was coming to Russia to defect? Even all this does not necessarily add up to a conclusion that Oswald was ever used as an agent by the Soviet Government. It could add up to the conclusion that they hoped to get him to Russia so that he could there be analyzed for possible use as an agent and then so used only if the examination of him resulted in a favorable conclusion. It could also mean something less serious, for example, that they knew or suspected that Oswald was going to defect and wanted to make it as easy as possible for him to get into Russia so that they would be sure to obtain the propaganda benefits of his defection before he had a chance

Some light on what was happening behind the scenes has been shed by Yuri Ivanovich Nosenko, the recent Soviet defector. If we can assume that his statements are sincere. The rest of our information comes from the records of the American Embassy in Moscow, the memories of some of the officials there, and the notes of two newspaper reporters, Miss Aline Mosby and Miss Priscella Johnson, who interviewed Oswald in his hotel room during this period. The following is a capsule outline of the major events as we think they occurred:

<u>Date</u>	<u>Event</u>
October 16, 1959	Oswald arrives in Moscow from Helsinki. On this same day he told his Intourist guide, Rina Shirokova, that he wanted to become a Russian citizen. He did <u>not</u> notify the American Embassy in Moscow of his arrival.
October 22	When told by the Soviets that he could not become a citizen and must leave Moscow within two hours, Oswald slashed his wrists in an attempt to commit suicide.
October 22-29	Oswald was confined in a hospital in Moscow and treated for a self-inflicted wound on his left wrist.

permanently in Russia, and said, "Oswald was not regarded by the YGB as being completely normal mentally nor was he considered to be very intelligent." [The CIA has not yet given us an evaluation on the reliability of Nosenko, but they indicated that they ought to be able to give us an evaluation soon. As developed elsewhere in this memo, the authenticity of Nosenko is of high importance.]

C. Special benefits granted to Oswald while he was in the Soviet Union: Do they show that he was being paid to receive training as a Soviet Agent?

Once he was accepted as a resident alien in the Soviet Union Oswald by no means lived "just like a Russian." On the contrary, he was given all sorts of special benefits which a Russian citizen in his position would not have obtained. The question is not whether he received special benefits, but whether his receiving them indicates that he was undergoing some sort of training as a future agent of the Soviet system, or at least that he was being indirectly bribed to become such an agent. We want to emphasize that the problem of interpretation here is not simply whether he was being "bribed," but whether he was being bribed for the specific purpose of setting him up as some sort of foreign agent. For there is no question but that the special treatment amounted to a bribe. Oswald recognized this fact himself in his Diary, and Marina and Nosenko both say that it is standard practice in the Soviet Union for Americans and other foreign defectors from countries with high standards of living to be

87 Federal government. Our conclusion, as already stated, is that all the "Russian" evidence is consistent with Lee Harvey Oswald's having been substantially what he purported to be and no more, that is, it is consistent with his not being an agent of the Russian government.

The fact that the evidence on Oswald's life in Russia is consistent with the conclusion just stated is of course highly important; however, this alone is not sufficient reason to conclude that Oswald was in fact not a Russian agent. A high proportion of all the evidence on Lee Harvey Oswald which relates to his travel to and life in Russia derives from sources that could have been fabricated or otherwise falsified. The main sources of such evidence are his own statements after he returned to the United States, the letters he wrote from Russia to members of his family; Marina's statements to friends after she came to America and her testimony to the Commission, and all sorts of writings and documents dating from the Russian period or shortly thereafter. All of these sources could have been put together by the KGB or be the result of its careful "coaching."

OK

The question therefore rises, How are we to assess whether or not what we know as Oswald's "real life" is not just a "legend" designed by the KGB and consistently lived out by Oswald thereafter? Yuri Ivanov Nosenko, if he is sincere, would provide a conclusive answer, namely, that what we know is the truth and not a legend. Unfortunately, the CIA cannot give us quite the assurance of Nosenko's reliability that we would need to rely solely upon his testimony. We are therefore forced to fall back upon Oswald himself, and ask, from all we have learned about him -- literally from his infancy until the day of his death -- whether he was

C A 75-1448
EXHIBIT 11

~~CONFIDENTIAL~~
~~TOP SECRET~~

DECLASSIFIED
E.O. 11652, Sec. 1.4
by 1129 Date 9/29/76

MEMORANDUM

August 22, 1964

To: J. Lee Rankin
From: W. David Slawson
Subject: Language in the Possible Foreign Conspiracy section of the Report relating to "N"

The memo has been referred with deletion of this paragraph (m.m.)

You asked that I set forth the language which I propose to use in the Possible Foreign Conspiracy section of the Report which covers the use and non-use of information obtained from "N". I do not propose to use any information from "N" which the Soviet Union would be able to trace to him rather than to Soviet defectors generally. Information supplied by "N" which bears on the general practices and procedures of the KGB and is, therefore, not traceable to him, will be used but attributed to the CIA and its "stable" of Soviet Defectors. This is a thoroughly honest attribution; the defectors other than "N" are in most cases fully able to supply this information. In one case, I hope to use some particular information supplied both by "N" and Madame Furtneva, but it will be attributed solely to Madame Furtneva. The language of the sections I propose to use is quoted below:

I

(Taken from page 3 of the Introduction.)

"In approaching the question of foreign involvement, the Commission has received valuable assistance from the Central Intelligence Agency, the Federal Bureau of Investigation, the Department of State and other Federal agencies with special competence in the field of foreign investigation. The CIA has made an especially valuable contribution by supplying the Commission with information originating with defectors from the Soviet intelligence services and bearing on secret practices and procedures which would be applicable in the Soviet Union to a case like that of Oswald's during his stay there.

Some of the information furnished by the afore-mentioned agencies, and many of their sources for that information, are of a highly confidential nature. Nevertheless, because it believes that the fullest possible disclosure of all the facts relating

WDSLawaen/sab
cc: Mr. Rankin
Mr. Gillens

~~CONFIDENTIAL~~
Downgraded to Confidential
by authority of 012208
date 21 MAY 1976

CLASSIFIED 012208
EXEMPTED FROM GENERAL DECLASSIFICATION SCHEDULE IN EXEMPTION CATEGORY 1
§ 58(c) (4) (circle one or more)
AUTOMATICALLY DECLASSIFIED ON
impossible to determine

21 MAY 1976

~~CONFIDENTIAL~~

TOP SECRET

- 2 -

to the assassination of President Kennedy is of the highest importance, the Commission has included in this Report all the information furnished by these agencies which it considered in coming to its conclusions, and, in addition, all the information which would have contradicted those conclusions if it had been considered, even though the Commission did not regard it as sufficiently reliable to be considered. This second category of information consists mostly of rumors and speculations, some of them almost wholly frivolous. The Commission included it notwithstanding that fact, however, in order that the public could decide for itself the correctness of the conclusions in this Report, by testing them against all the evidence which tends to contradict them.

"The only relevant information which has not been included in the Report is that which is consistent with the Commission's conclusions but highly confidential and derived from sources the reliability of which is so low or so uncertain that the Commission was not able to rely upon it in coming to its conclusions. Thus, even if this information should later be wholly discredited, none of the conclusions in the Report would be affected; the relatively little advantage to be gained by including it, therefore, was not deemed sufficient to override the serious compromise of national security which disclosure would involve.

"Secret sources of information, as contrasted with the information itself, have in many instances been withheld. The continued use of such sources and, where secret informants are involved, the very lives of such informants would be placed in jeopardy if names, positions or other identifying characteristics were to be disclosed."

II

(Taken from page 41 of the section dealing with Oswald's defection in the Fall of 1959. (Footnote No. 135 is to the CIA; footnote No. 136 is to Madame Furtsova; footnote No. 137, as the text states, is to the Historic Diary.)

"The Commission has information from confidential sources that the normal Soviet procedure for handling would-be defectors is to give the KGB the initial task of examination and assessment. 135/ Presumably this was done with Oswald. His rejection on October 22,

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~~TOP SECRET~~

- 3 -

which triggered his suicide attempt, therefore, probably means that the KGB had conducted its examination between October 16 and October 22 and had concluded that Oswald was of limited value to the Soviet Union. The Commission has other information from a source of unknown reliability that when the news of Oswald's rejection and dramatic suicide attempt reached Madame Furtsova, a prominent Soviet official and a member of the Presidium, she personally intervened and asked that he be permitted to reside in the Soviet Union. 136 If this information is correct, it explains the change in Oswald's fortunes which occurred after he was released from the Boykinskaya Hospital. The Commission can only speculate on what branch of the Soviet Government took charge of Oswald after Madame Furtsova's intervention, if it in fact occurred, or why she decided to intervene. Sympathy for what appeared to be a very appealing case certainly may have played a role. It may also have been of some significance that had a young American who had presented himself as a devout convert to the Communist cause been summarily rejected, the resulting publicity would have been unfavorable to the Soviet Union. In any event, it is interesting to note that the apparent shift of Oswald's case from the KGB to some other Ministry of the Soviet Government shortly after his release from the hospital is supported by the entries in his Diary commenting that the officials he met after his hospital treatment were different from those with whom he had dealt before. 137"

III

(The following is the first paragraph of the conclusion.)

"The Commission has thoroughly investigated the possibility that Lee Harvey Oswald was a secret Soviet agent. The specific facts and circumstances, so far as they are known, relating to Oswald's defection to the USSR, his residence there in Minsk, and his return to the United States in 1962 have been carefully evaluated. The defectors from the Soviet intelligence service who are now working with the Central Intelligence Agency, some of whom were still working with Soviet intelligence when Oswald was in Russia, have all failed to furnish any information indicating that Oswald was a Soviet agent. The Commission concludes that there is no credible evidence of Soviet involvement in the assassination, and that the facts that have been obtained strongly negate any conclusion that Oswald was an agent of the Soviet government."

DECLASSIFIED
E.O. 11652, Sec. 1.1

By m m g NARS Date 9/29/76

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~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

CA 75-1448
EXHIBIT 12

JLR:HPW:nl
3/6/64

MAR 6 1964

Mr. Richard Helms
Deputy Director for Plans
Central Intelligence Agency
Washington, 25, D. C.

Dear Mr. Helms:

The Commission has recently received a report from the Federal Bureau of Investigation covering an interview that took place between representatives of the Bureau and the recent Soviet defector, Yuri Ivanovich Novenko.

It appears to us that Novenko's defection, whether or not it is authentic, is of very great interest to the Commission. I would like to set up a conference early in the week of March 9 between members of the Commission staff and members of the CIA to discuss this matter further and to explore generally the work your Agency has in progress of interest to this Commission.

Will you please contact me at your earliest convenience to set a time for this conference.

Sincerely,

J. Lee Rankin
General Counsel

cc: Mr. Rankin
Mr. Willens -- Chrono.

Content UNCLASSIFIED
per 058375
date 21 MAY 1976

Lee Harvey Oswald's file, Nosenko, Jui

MEMORANDUM

March 9, 1964

EXHIBIT 18

TO: J. Edgar Hoover-Liebeler
Lail-Belin

FROM: W. David Slawson

SUBJECT: Testimony of Yuri Ivanovich Nosenko, recent Soviet Defector

The testimony of Nosenko is contained in documents carrying Commission Nos. 434 and 451, insofar as we have received information to date. Of special interest to your sections are the following statements by Nosenko in regard to Oswald's marksmanship:

"Following President Kennedy's assassination Nosenko ascertained from Oswald's file that he had had access to a gun which he used to hunt game with fellow employees in the U.S.S.R. He could not describe the gun used by Oswald but did remember that it was used to shoot rabbits. Nosenko stated that Western newspaper reports describe Oswald as an expert shot; however, Oswald's file contained a statement from fellow hunters that Oswald was an extremely poor shot and that it was necessary for persons who accompanied him on hunts to provide him with game."

Nosenko purports to have been a high official in the counter-intelligence division of the KGB, the Russian Secret Police. He also purports to have been the person who supervised the examination and treatment of Lee Harvey Oswald for the KGB, both when Oswald first entered Russia in 1959 and after the assassination of President Kennedy, when Oswald's file was reexamined by the KGB to determine whether he had ever been used as an agent by that organization. Nosenko states that the KGB at no time used Oswald as an agent.

Mallroom

Content UNCLASSIFIED

per 058375

date 21 MAY 1976

C A 75-1448
EXHIBIT 14

MEMORANDUM

July 15, 1964

To: J. Leo Rankin
From: W. David Slavson
Subject: Proposed references to the "confidential Soviet Union source, the reliability of which has not been established" in the Foreign Conspiracy and Russian sections of the report

You have asked that I quote those sections of the report in which I propose to use the confidential Soviet Union source described above. The portions which will be included in the section on the existence of a foreign conspiracy are:

1. The agency with primary responsibility for examining all defectors arriving in Russia is the KGB, and Oswald was presumably brought to its attention as soon as he made known his intention to defect. In 1959, at least, virtually all Intourist guides were KGB agents or informants, so we can also assume that Oswald's guide, Rina Shirkova, was following orders from the KGB or at least was guided by her training in KGB methods. As Oswald's Historic Diary notes, she informed her superiors of his desire to defect and helped him draft his letter to the Supreme Soviet on October 16 asking for Soviet citizenship.

The KGB made use of the time provided by Oswald's waiting in Moscow to learn as much as they could about him through Rina and through virtually everyone else at the Hotel Berlin where he was staying, in an attempt to assess his possible usefulness to the Soviet Union as a defector. (As you can see, I have not felt it was necessary to attribute the following to the Soviet Union source, even though that source is the one I used for this information. I believe that we could easily obtain a letter from the CIA stating that in their opinion the foregoing is true, as a matter of general operating procedures in Russia.)

2. A confidential Soviet Union source, the reliability of which has not been determined, has stated that Oswald, after he was given the usual examination the KGB gives to all defectors, was rejected because he was considered not mentally stable and not too

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per 058375
date 21 MAY 1976

intelligent. The suicide attempt, according to the same source, only confirmed the KGB in the correctness of its opinion. The KGB supposedly never reversed its decision not to accept Oswald, and so informed him when he was released from the Botkinskaya Hospital. Oswald then allegedly threatened to attempt suicide again, but before the situation reached the crisis point another Soviet ministry--probably the Ministry of Foreign Affairs--intervened and took the responsibility for approving Oswald's application for permission to stay. The Ministry of Foreign Affairs was presumably interested in Oswald for his potential propaganda benefit and therefore was not deterred by the KGB's diagnosis of him as mentally unstable. Although the Commission has no way of testing the reliability of this source, it is interesting to note that the purported shift of Oswald's case from the KGB to the Ministry of Foreign Affairs, shortly after his release from the hospital fits well with an entry in Oswald's Diary commenting that the officials he met after the hospital treatment were different from those he had dealt with before. The Diary entry expresses some irritation at the fact that the new officials asked him many of the same questions he had already answered two weeks earlier. (The foregoing is taken from the very end of my discussion on whether Oswald was accepted unduly soon for permanent residence in the Soviet Union. I do not rely at all upon the paragraph just quoted for the conclusion I come to, that Oswald was not accepted unduly soon. The foregoing is just put in for its general interest and to show that we are aware of the source.)

The following quotes are taken from Oswald's Life in Russia.

3. On the third day after his arrival, October 19, Oswald was probably interviewed in his hotel room by a reporter from Radio Moscow. Two years later, when he was trying to return to the United States, he told the American Embassy officials in Moscow that the interview had occurred. Oswald said that the reporter represented himself as seeking statements from American tourists on their impressions of Moscow and that he had therefore made a few routine comments of a visiting-tourist nature, the whole interview lasting no more than two or three minutes and of no political significance. The information which the Commission has on the ordinary procedures of the KGB, the Soviet Agency charged with the responsibility for espionage and counter-espionage activities, would indicate that the so-called "reporter" was in reality a KGB agent sent to assess Oswald's desirability as a defector from the point of view of that agency. The contents of that interview was therefore probably not as innocent as Oswald later described them. (Just as in number 1 above, I believe that we can obtain a letter from the CIA confirming the truth of this as a matter of general operating procedure for the KGB.)

4. Some insight on what was going on behind the scenes, unknown to Oswald, has been shed by the Central Intelligence Agency. The Agency's information on normal KGB handling of American defectors would indicate that virtually everyone who had contact with Oswald at this time, which would include Rina Shirokova and the Radio Moscow reporter, among others, was a KGB informant. Their job was to assess Oswald from every possible point of view, for example, his clarity, i.e., whether his stated reasons for wanting to defect were the real ones or whether he was perhaps an agent of American intelligence and planted for the purpose, his psychological stability, and his intelligence. According to a Soviet Union source the reliability of which has not been ascertained, the KGB decided to reject Oswald's application for permanent residence in the Soviet Union on the grounds that he was "not regarded . . . as being completely normal mentally nor was he considered to be very intelligent." If this account is correct, it must have been this decision, communicated to Oswald on the evening of October 21, that precipitated his suicide attempt. According to the same source, the attempted suicide only confirmed the correctness of the KGB's initial adverse judgment.

5. The same Soviet Union source previously mentioned has stated that the KGB decision not to accept Oswald was never reversed. Presumably, therefore, his continued presence in the Soviet Union was a result of an intervention by some other agency of the Soviet government. The Ministry of Foreign Affairs would seem a logical guess, because it would have been interested in Oswald for his propaganda value as a defector, rather than for the use he might have been as some sort of agent or as a source of intelligence information about the United States.

6. The account of this interview in the Historic Diary also states that the officials to whom he spoke on October 20th asked him about the other official who had spoken to him earlier, before he was hospitalized, and then proceeded to ask some of the same questions he had already answered for the other official. Oswald comments on this that there must have been a lack of communication between the men who were now interviewing him and the man who had interviewed him previously. This tends to confirm the Commission's information that the KGB, a representative of which was presumably the first official who spoke to Oswald, had washed its hands of Oswald and that the group which picked him up after his hospital stay was from some other branch of the Soviet state.

7. A Soviet Union source, the reliability of which has not been ascertained, says that after the decision was made to send Oswald to Minsk his department was asked to bring Oswald's file up-to-date and transfer it to the KGB office in that city. This was done. Accompanying the file to Minsk was a cover letter instructing the

4

local office to take no action concerning Oswald except "passively" to observe his activities to make sure he was not an American intelligence agent temporarily dormant. (In the vocabulary of international intelligence, a "dormant agent" is one who has been ordered not to carry on any intelligence activities whatever until he is contacted by his superiors or until some other condition has been fulfilled. It is not uncommon for agents to be left dormant for many years, in the hope that any suspicions originally aroused by their arrival will have dissipated and they will have succeeded in being accepted as a loyal citizen within their area of contemplated operations.) The same source goes on to say that in view of the instructions from the Moscow office, the Minsk office would do nothing in regard to Oswald except to alert its informants to keep an eye on him and make occasional reports on what he was doing, how he liked Russia, etc. These reports would be drawn up on the basis of periodic checks at his place of employment, inquiries of neighbors, friends and fellow workers, and by secretly reading his mail. After he returned to the United States, Oswald told a friend that on several occasions it had been brought to his attention in Minsk that the KGB (the predecessor of the KGB for this purpose) had inquired of his neighbors and fellow workers about his activities. The Soviet Union source goes on to say that the Moscow office had no further concern or even knowledge of Oswald until after the assassination of President Kennedy, when the KGB was immediately alerted to find out as much as it could about him. The Minsk office's file on Oswald was immediately ordered to be brought to Moscow. The Moscow office examined it as soon as it arrived and was satisfied that nothing that was not authorized had been done relative to Oswald while he was in Minsk, that is, the Minsk office had done nothing during the entire period of his residence in Minsk but "passively" observe him.

W. David Glavin

WDS/slk

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6



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State, Leo H. Russian Period

CA 75-1448
EXHIBIT 15

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

March 6, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, N. W.
Washington, D. C.

Dear Mr. Rankin:

Reference is made to my letter dated February 23, 1964, which enclosed a memorandum of the same date containing information furnished by the recent Soviet defector, Muri Lvovovich Rosenko, whose reliability has not yet been established.

Enclosed is one copy of a memorandum dated March 4, 1964, which contains the results of a detailed interview with Rosenko on March 3, 1964, concerning Lee Harvey Oswald. Rosenko has read a copy of the enclosed memorandum, initialed each page, and has stated he has no additional information concerning Oswald.

Rosenko advised this Bureau that under no circumstances does he desire any publicity given to this information. He also advised that he is willing to testify before the President's Commission provided no publicity is given to his appearance before the Commission or to the information which he might furnish.

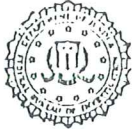
In the event you desire to have Rosenko appear before the Commission, it is suggested that you make arrangements with the Central Intelligence Agency, which Agency has custody of Rosenko.

Sincerely yours,

Enclosure

Content UNCLASSIFIED
per 658375
date 21 MAY 1976

OFFICE OF THE DIRECTOR



CA 75-448
EXHIBIT 16

Commission No. 4314
FBI File No. 100-448611-100
Interviewed by [unclear] 2/26/64

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D. C.

February 28, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, N. E.
Washington, D. C.

Dear Mr. Rankin:

There is enclosed one copy of a memorandum concerning Lee Harvey Oswald dated February 28, 1964, containing information furnished by the recent Soviet defector, Yuri Ivanovich Nosenko.

This is a preliminary interview and we plan on interviewing Nosenko further in an attempt to determine the accuracy of his statements. He is, of course, in the custody of the Central Intelligence Agency and our interviews will be contingent on other assessments on his time.

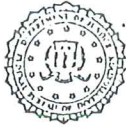
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Sincerely yours,

J. Edgar Hoover

Enclosure

Content UNCLASSIFIED
per 058375
date 21 MAY 1976



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

In Reply, Please Refer to
File No.

February 28, 1964

LEE HARVEY OSWALD
INTERNAL SECURITY - R - CUBA

The following information was furnished on February 26 and 27, 1964, to representatives of the FBI by Yuri Ivanovich Nosenko, Soviet defector, whose reliability has not as yet been established.

Delet?

Nosenko said he was Deputy Chief of the Tourist Department, Second Chief Directorate of the Committee for State Security (KGB) at the time of his defection February 4, 1964, at Geneva, Switzerland, and held the rank of Lieutenant Colonel. He said the Second Directorate of the KGB is concerned with the internal security of the Union of Soviet Socialist Republics (USSR).

Nosenko advised he was familiar with the visit of Lee Harvey Oswald to the Soviet Union in the Fall of 1959 and supervised the handling of the KGB file on Oswald in the Tourist Department.

Nosenko stated that when Oswald arrived as a tourist in the Soviet Union the KGB had no current interest in him and possessed no information that Oswald was a member of the Communist Party, USA, elsewhere, or that he was a member of any pro-Soviet organization. Nosenko advised that upon arrival in Moscow Oswald contacted Intourist, the official Soviet travel agency. Oswald informed representatives of the Intourist that he desired to remain in the Soviet Union. Thereafter, Oswald's case was referred to the Seventh (Tourist) Department, Second Main Directorate, KGB.

Nosenko related Oswald was discouraged from remaining permanently in Russia. It was suggested to him that he complete his visit as a tourist and return to the United States. It was further suggested he could thereafter make application through routine channels at the Soviet Embassy in the U. S. for admission as an immigrant to the Soviet Union.

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31 January 1964

Information Developed by CIA on the Activity of
Lee Harvey OSWALD in Mexico City
28 September - 3 October 1963

I. OSWALD's Activity in Mexico City

1. On 9 October the CIA Station in Mexico ~~B~~ received the following information from a reliable and proven source:

An American named Lee OSWALD had contacted the Soviet Embassy in Mexico City on Tuesday, 1 October 1963. He had spoken ~~B~~ to the Soviet Embassy guard, Ivan Ivanovich OBYEDKOV, to whom he said he had visited the Embassy two days earlier, Saturday, 28 September. He asked whether there had been a reply to a telegram that the Consul with whom he had spoken, but whose name he could not recall, had promised to send to Washington. ~~B~~

~~B~~ whom OSWALD had talked: ~~B~~

~~B~~ had probably been KOSTIKOV, OBYEDKOV.

ATT. II

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assured
OSWALD the telegram had been sent to Washington but
no answer had been received.

The information was forwarded by cable to CIA Headquarters
the same day it was received.

2. A file check in Washington which is routine in these
matters revealed the possibility of an identity between the Lee
OSWALD who had spoken with OBYEDKOV, and presumably
with KOSTEKOV, and the defector returnee, Lee Harvey OSWALD.*

3. On 10 October 1963 CIA Headquarters disseminated by
cable the report in substantially the form and in the detail
indicated above, in paragraph 1, to the Federal agencies whose
jurisdictional interests had been established by a review of
OSWALD's file: the Federal Bureau of Investigation, the Depart-

* The CIA file on Lee Harvey OSWALD was opened on 9 December
1960 to accommodate biographic information developed by CIA in
response to an inquiry from the Department of State on a list of
American defectors in Soviet Bloc countries. OSWALD's was
among the names in the list. The Department of State inquiry
was dated 25 October 1960. An interim reply was given by CIA
on 3 November 1960; a final reply, on 21 November 1960. Until
early October 1963 the contents of the OSWALD file held by CIA
consisted entirely of press materials and disseminations
received from the Department of State, the Federal Bureau of
Investigation, and the Navy Department.

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5. After the assassination of President Kennedy and the arrest of Lee Harvey OSWALD, an intensive review of all available sources was undertaken in Mexico - B - determine the purpose of OSWALD's visit.

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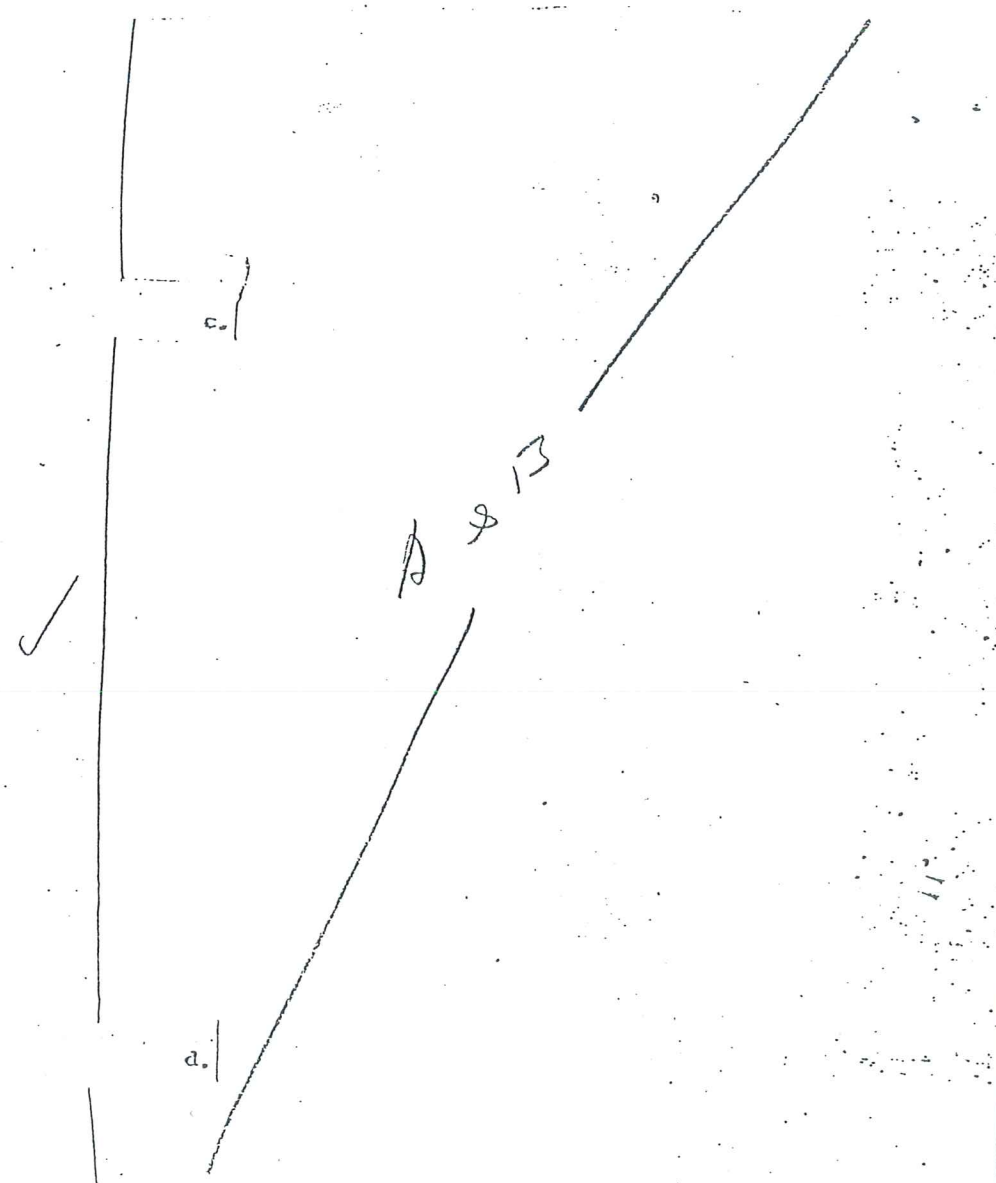
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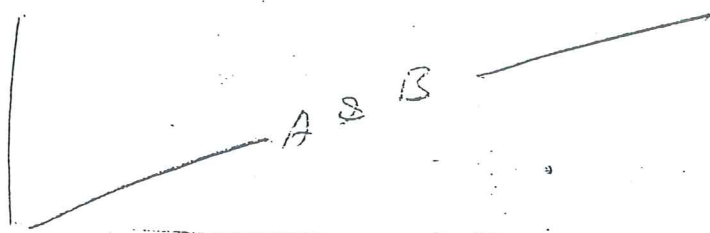
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These additional materials were promptly disseminated in Washington by the CIA to the White House, the Department of State, and the Federal Bureau of Investigation.

e. 1 October. See paragraph 1 above for Lee

OSWALD's contact with the Soviet Consulate.

II. Valeriy Vladimirovich KOSTIKOV

13. It is believed that the Soviet official with whom OSWALD dealt in Mexico City was Consular Attache Valeriy Vladimirovich KOSTIKOV, born in Moscow, 17 March 1933. A photograph of KOSTIKOV is attached. In his letter of 9 November to the Soviet Consulate in Washington, OSWALD wrote about his "meetings with Comrade KOSTIN (sic) of the Soviet Union in Mexico City, Mexico." There is no official of the Soviet Embassy in Mexico City with a name resembling "KOSTIN", other than Consul KOSTIKOV.

14. KOSTIKOV is the senior officer of five Soviet Consular representatives who deal with visas and related

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matters. There is firm evidence for the conclusion that KOSTIKOV is a Soviet State Security (KGB) officer, and the other four Consular officers are also known or strongly suspected to be Soviet State Security personnel serving under official cover. The State Security Service is the major of the Soviet intelligence services and it is charged with espionage, counterintelligence and related matters inside the Soviet Union and overseas.

15. It must be clearly stated that Soviet intelligence and security officers placed abroad under official cover normally are required to perform the routine and legitimate business demanded by the cover job in an embassy or consulate.

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18. An intensive review of the files of our Mexico Station was undertaken immediately after the assassination to comb out any previously unreported information about KOSTIKOV's activity. No useful new information bearing on the assassination resulted from this effort.

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III. Monetary Payment to CSWALD - Investigation of Allegation

21. On 26 November 1963 a young Nicaraguan named Gilberte ALVARADO Ugarte walked into the U.S. Embassy in

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Mexico City and claimed he had been in the Cuban Embassy in Mexico City on 18 September 1963 when a man he later recognized to be Lee OSWALD had been given \$6,500 in cash to kill someone.

He said that he was in Mexico City trying to get himself accepted by the Cubans as a communist so they would take him to Cuba for guerrilla training.

He had apparently visited the Cuban Embassy and its Consular offices on a number of occasions and he correctly identified some twenty Cuban Embassy and Consular employees.

22. While intensive investigation in the United States showed that OSWALD could not possibly have been in Mexico City on 18 September (he was known to have been in New Orleans on both 17 and 19 September), intensive interrogation failed to shake ALVARADO's story.

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But because of the importance of resolving the problem CIA personnel continued the interrogation in close coordination with the FBI. ALVARADO voluntarily agreed to a lie detector examination. A B polygraph expert, assisted by an FBI special agent, requestioned ALVARADO and secured admissions that he must have been mistaken. The B polygraph expert concluded from the results of his tests that ALVARADO had fabricated his story about CSWALD in toto.

26. It should be noted that when he first told his story on 26 November, ALVARADO could have known from the Mexican press that CSWALD had visited the Cuban Consulate

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in Mexico City. Also, he could have heard the rumors current there that OSWALD had \$5,000 with him when he returned from Mexico to the United States. ALVARADO has since been deported by the Mexican authorities to his native Nicaragua.

Attachment - photograph.

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Officials had recommended probation. man, to prison. Probation Department him from doing it, so he sentenced the free murder, but state law precluded

investigators. The cars were brought unnecessary repairs to cars driven by in for front-end inspections after being thoroughly checked and after some new parts were installed.

more rejected a Thanksgiving Day dinner of roast turkey at Utah State Prison and continued his hunger strike. He has refused solid food since the Friday morning officials will not

against Hawaii's exposed northern coast for the second time in two weeks, eroding beaches and causing thousands of dollars in property damage. No injuries were reported as yet.

The Persian Gulf state of South Yemen said it had shot down an Iranian fighter aircraft that had crossed its border from adjacent Oman. Both Oman and Iran said the plane was downed over Oman and returned to

Hua Kuo-feng, in his first public speech since becoming chairman of the Chinese Communist Party, said that the purge of radicals from the

followers of blocking a compromise con-

RACING
RESULTS-ENTRIES

Los Angeles Times

FRIDAY
MORNING
FINAL

LARGEST CIRCULATION IN THE WEST, 1,020,479 DAILY, 1,289,183 SUNDAY

VOL. XCV SEVEN PARTS—PART ONE

138 PAGES

FRIDAY, NOVEMBER 26, 1976

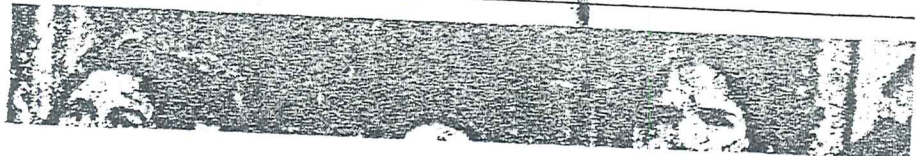
MORNING ★ FINAL

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Los Angeles Times

DAILY 15c

CIA Taped Oswald-Russ Talk

Newspapers
Challenged as



He Wanted to Make Deal
in September, 1963, Call

CIA Withheld Details on Oswald Call

OSWALD. From A1

people who saw the transcript or heard the tape before the assassination recall that Oswald was trying to make a deal.

One of them is David A. Phillips, a former CIA officer, who now heads the Association of Retired Intelligence Officers and is a leading defender of CIA activities. Phillips was stationed in Mexico City at the time.

The transcript revealed, Phillips recalled, that Oswald told the Soviet embassy: "I have information you would be interested in, and I know you can pay my way" to Russia.

The stenographer who typed up the transcript and the translator who prepared it had similar recollections.

"He said he had some information about them," the translator said in an interview in Mexico. His main concern was getting to one of the two countries, Russia or Cuba, and he wanted them to pay for it. He said he had to meet them."

The Warren Commission later concluded the Russians and Cubans were not much impressed by Oswald. This was supported by Sylvia Duran, a Mexican citizen who worked in the Cuban embassy at the time of Oswald's visit. She talked to Oswald on Oct. 1, 1963, and recalls the meeting in some detail.

In a joint interview in Mexico City with this reporter and Post special correspondent Marjorie Simons, Duran said Oswald told her that he wanted to go to Cuba and Russia and discussed documents to show he was a member of the Cuban revolution. Among other things, he claimed to be a member of the American Communist Party.

Duran said she informed Oswald that in order to travel to Russia he would have to obtain permission from the Soviets. Oswald went off and returned later in the day to inform her that he had obtained the necessary permission. Duran said she saw Oswald at the Soviet embassy and was told of his application for a visa. It took three to four months to obtain this, Duran said.

Oswald "got really angry and red. He was gesticulating," Duran said she had to call for help from the Cuban consul who got into a shouting match with Oswald and told him to get out. Duran said she never saw him again.

However, Duran's story covered only the first day of Oswald's five-day stay in Mexico City. Oswald later referred in a letter to "meetings" he had in the Soviet Embassy.

How interested the CIA was in Oswald's dealings with the two embassies is uncertain.

The translator and typist who handled the transcript of the intercepted conversation recalled that the level of interest was high. But the CIA's own actions lead to a different conclusion.

The agency waited until Oct. 10, 1963, to notify the FBI of Oswald's activities. And its teletyped report made no mention of Oswald's offer of information in exchange for a free trip to Russia or of his attempts to travel to Cuba and Russia. "On October 1, 1963," the teletype message said, "a reliable and sensitive source in Mexico reported that an American male who identified himself as Lee Oswald contacted the Soviet Embassy in Mexico City inquiring whether the embassy had received any news concerning a telegram which had been sent to Washington."

That was strictly a routine handling of the matter, and similar to the standard reports made to the FBI at that time on other contacts with the communists by American citizens in Mexico.

Even after Kennedy's assassination, the CIA failed to turn over to the Warren Commission the full transcript of the telephone intercept it had made in Mexico City. Oswald's offer of information to the Russians in exchange for passage was omitted from the transcript, and the CIA claimed it did not know of most of Oswald's activities in Mexico City until after the assassination.

The significance of the CIA actions is difficult to assess. The FBI in the fall of 1963 was already showing in-

termittent interest in Oswald and might or might not have intensified that interest if it had been told of Oswald's conversations.

Whether the new information would have affected the Warren Commission's deliberations is also an open question. The commission investigated the possibility of a foreign conspiracy and concluded there was no evidence to show Oswald acted on behalf of a foreign power.

Nevertheless, there is yet no explanation for the CIA's handling of Oswald's conversations. The CIA today refuses to comment, saying it would not be appropriate in the light of an impending investigation by the House Select Committee on Assassinations.

When asked if they could explain the agency's actions, some CIA officers stationed at the time in Mexico City said the CIA may have had a relationship with Oswald that it sought to conceal. The CIA has denied this.

David W. Belin, who was an assistant counsel to the Warren Commission and later executive director of the Rockefeller commission's probe of the CIA, said that if the Warren Commission had known of Oswald's conversations and other new information, it would have been less sure that the assassination was not part of a foreign conspiracy.

Sen. Richard S. Schweiker, R-Pa., who led the Senate intelligence committee's probe of the assassination, said that investigation would have taken on an "entirely different direction and perspective" if the committee had been aware of Oswald's conversations.

In interviews with The Post, Belin, who documented the CIA plots against Castro in his capacity as executive director of the Rockefeller commission, revealed the CIA also did not tell the Warren Commission of a report from an alleged witness to a meeting in Mexico City between Oswald and Cuban intelligence agents.

At the time, Cuban agents coordinated their more important activities

with agents of the KGB, the Soviet intelligence service.

Belin called on the CIA to make full disclosure of its knowledge of Oswald and his contacts with the Cubans and Russians.

Belin, a staunch defender of the Warren Commission's conclusion that Oswald was the lone assassin who killed Kennedy, said he recognizes the CIA's concern about disclosing secret sources and intelligence techniques. But he said a greater national interest would be served by disclosing the truth.

A CIA spokesman specifically denied that the agency has a report of a meeting between Oswald and Cuban agents. The agency is aware of only one such specific allegation, and that was rebutted, the spokesman said.

OSWALD OFFER OF DEAL TO RUSSIA

Continued from First Page

he late Winston M. Scott, who personally reviewed all transcripts emanating from wiretaps on Soviet-bloc installations.

The Oswald transcript, according to a CIA translator who worked with Scott, aroused a lot of interest.

"They usually picked up the transcripts the next day," he said. "This they wanted right away."

What that transcript contained is a matter of some dispute, and the CIA says it routinely destroyed the tape before the assassination. But some people who saw the transcript or heard the tape before the assassination recall that Oswald was trying to make a deal.

One of them is David A. Phillips, a former CIA officer who now heads the Assn. of Retired Intelligence Officers and is a leading defender of CIA activities. Phillips was stationed in Mexico City at the time.

The transcript disclosed, Phillips recalled, that Oswald told the Soviet embassy: "I have information you would be interested in, and I know you can pay my way (to Russia)."

The stenographer who typed the transcript and the translator who prepared it had a similar recollection.

"He said he had some information to tell them," the typist said in an interview in Mexico. "His main concern was getting to one of the two countries (Russia or Cuba) and he wanted them to pay for it. He said he had to meet them."

The Warren Commission later concluded that the Russians and Cubans were not much impressed by Oswald. That view is supported by Sylvia Duran, a Mexican citizen who worked in the Cuban embassy at the time of Oswald's visit. She talked to Oswald on Sept. 27, 1963, and recalls the meeting in some detail.

In an interview in Mexico City, Miss Duran said Oswald told her that he wanted to travel to Cuba and Russia and displayed documents to show he was a "friend" of the Cuban revolution.

Miss Duran said she informed Oswald that in order to travel to the Soviet Union he would have to obtain permission from the Russians. Oswald

left and returned later in the day to inform Miss Duran that he had obtained the necessary permission. Miss Duran said she called the Soviet Embassy and was told Oswald's application for a visa would take three to four months to process. Informed of this, Miss Duran said, Oswald "got really angry and red. He was gesticulating." Miss Duran said she had to call for help from the Cuban consul, who got into a shouting match with Oswald and told him to get out. Miss Duran said she never saw him again.

Her story covered only the first day of Oswald's five-day stay in Mexico City. Oswald later referred in a letter to "meetings" he had in the Soviet Embassy.

How interested the CIA was in Oswald's dealings with the two embassies is uncertain.

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The significance of the CIA actions is difficult to assess. The FBI in the fall of 1963 was already showing intermittent interest in Oswald and may or may not have intensified that

interest if it had been told of Oswald's conversations.

Whether the new information would have affected the Warren Commission's deliberations is also an open question. The commission investigated the possibility of a foreign conspiracy and concluded that there was no evidence to show Oswald acted on behalf of a foreign power.

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Sen. Richard S. Schweiker (R-Pa.), who led the Senate intelligence committee's investigation of the assassination, said its investigation would have taken on an "entirely different direction and perspective" if the committee had been aware of Oswald's conversations.

One of MIG Designers Dies

MOSCOW (AP)—Mikhail I. Gurevich, mathematician and aircraft designer who collaborated with Artem Mikoyan in designing Russia's MIG series of fighter aircraft, is dead at age 84, the Moscow newspaper Sovetskaya Rossiya reported Thursday.

MIG is from the Mi in Mikoyan and the G in Gurevich.

The first jet fighter by modern standards developed by Gurevich and Mikoyan was the MIG-15, which entered widespread service in 1949.

Gurevich was officially listed as still working in aircraft design in 1972, a year after the latest aircraft in the MIG series—the MIG-25—went into regular military service.

Mikoyan died Dec. 9, 1970, at age 65.

Oswald Calls Reported Taped by C.I.A.

Continued From Page 1, Col. 2

assassination and has led to more calls for a reopening of the inquiry.

The Mexico City trip was given scant treatment in the Warren Commission report because of its "inconclusive" nature. The report said it might have exposed "sources and methods" of the C.I.A. and inspired national security and intelligence officers and commission staff sources have said.

In response to inquiries about the matter from The New York Times, the C.I.A. issued an initial public statement on the matter that would not confirm or deny the trip.

Guided conversations but said the trip had "no bearing" on the assassination. The agency's headquarters were "not aware" of the trip, reports of which were made to the Soviet Embassy in Mexico City in late September and early October, 1963, by Oswald's brother-in-law, Jack Ruby, transmitting the information to the agency's headquarters.

Lee Oswald was reportedly identical to Lee Henry, a former Central Intelligence Agency informant in the United States. Mr. Henry, 38, of the New Orleans area, who defected to the Soviet Union in 1959 and who subsequently made his way back to the United States with a Russian wife.

From F.B.I. Reports
This biographical data was based upon Federal Bureau of Investigation reports received to Central Intelligence Agency headquarters following Oswald's defection to the Soviet Union.

This information was provided to the Immigration and Naturalization Service, Department of the Army, the United States Ambassador in Mexico, the staff in Mexico and the Representative of the F.B.I. in Mexico.

Following the assassination of President Kennedy, the Intelligence Agency received a report that a person had been in contact with the Cuban Embassy in Mexico City on September 27, 1963.

In addition, a number of photographs of individuals believed to be in contact with the Cuban and Soviet Embassies in Mexico City were received from the Central Intelligence Agency Station in Mexico City.

These photographs were compared with the photographs of Lee Harvey Oswald taken in New Orleans, La., by C.I.A. officers in Mexico City and by United States authorities in Dallas, Texas.



Lee Harvey Oswald

to an "omnipresent" tone to the conversations and one source called them "bizarre." Moreover, the sources said, the C.I.A. had information that Oswald was suspicious of and unempathetic to Oswald. One source said the Cubans regarded Oswald's behavior as "belonging to the United States from the Soviet Union and then asking to go back as 'Stranger'." Asked if anything said might have "triggered" Oswald's defection, one source said the thought had but said that he believed Oswald had been "lured" by the Cubans.

The F.B.I. acknowledged at the Warren Commission hearing that it had received information from the C.I.A. about Oswald's contact with the Soviet Embassy on Oct. 10, 1963, but said it was not aware of the investigation conducted by the F.B.I. to determine if Oswald had been trying to return to the Soviet Union.

Under but not operating in Mexico, the Warren Commission said that Oswald was followed up on any unexplained movements by an American citizen to the Soviet Embassy in Mexico City. It would have been for Oswald, who had defected to the Soviet Union.

The basic report by such a source was "bizarre" because that he was "not" in contact with the Communist Party in Mexico City. The only contact was with the C.I.A. and Oswald's movements were "not" in contact with the C.I.A. and Oswald's movements were "not" in contact with the C.I.A.

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Oswald Calls to Embassies Reported Taped by C.I.A.

WASHINGTON, Sept. 20—The Central Intelligence Agency secretly tape-recorded two telephone conversations between Lee Harvey Oswald and the Cuban and Soviet Embassies in Mexico City some eight days before the assassination.

The call to the Cuban Embassy by the sources said, was not associated with Oswald until after the death of Mr. Kennedy. A report by the Warren Commission said the call to the Soviet Embassy was made on Sept. 17, 1963.

The call to the Soviet Embassy, according to the sources, was made on Sept. 17, 1963, at the residence of Oswald in Mexico City.

The call was reported by Oswald on a tape recording made in late September, 1963, in Mexico City.

The call to the Cuban Embassy was made on Sept. 17, 1963, at the residence of Oswald in Mexico City.

The call was reported by Oswald on a tape recording made in late September, 1963, in Mexico City.

CIA Withheld Details on Oswald Call

By Ronald Ressler
The Washington Post Staff Writer

On the September 22 night that saw the assassination of President Kennedy, Lee Harvey Oswald telephoned the Soviet embassy in Mexico City and tried to make a deal.

An exchange for unspecified information, he wanted a free trip to Russia.

This encounter was intercepted and reported by the Central Intelligence Agency at the time. But it was not turned over to the FBI, and the responsibility for investigating possible spies and it was not even turned over to the Warren Commission during its investigation of the assassination.

The unanswered question is why.

The availability of the CIA telephone transcript of Oswald's conversation in Mexico City, and the contents of the intercepted transcript have been verified by The Washington Post. The Post has also verified that the CIA failed to turn over the complete

transcript to either the FBI or the Warren Commission.

Instead, the CIA gave the FBI in October 1963 only a brief report saying Oswald had made contact with the Russians. It gave the Warren Commission a transcript of the taped conversation but for unexplained reasons failed to include in the transcript Oswald's offer of information and his suggestion that the Russians would want to pay his way to the Soviet Union.

The Post has also determined that the CIA, for unexplained reasons, told the Warren Commission that it learned of most of Oswald's activities in Mexico City only after the assassination. The fact is, however, that the CIA monitored and tape-recorded his conversation with both the Russian and Cuban embassies in Mexico City in the fall of 1963, before Kennedy's death.

It was the CIA's belief that the two embassies were heavily involved in the spy business and that, specifically, they were operational bases for intelligence activities directed at the United States.

So with the full cooperation of the Mexican government, CIA wiretaps were detailed to intercept the Oswald telephone calls.

The CIA was especially interested in OS activities and those contact with the embassy.

Thus, when Oswald showed up in Mexico City in late September and telephoned the Russian embassy, his conversation was picked up from the wiretap. A transcript was made and included in the CIA files in the American embassy in Mexico City.

The station code at that time was the late WFO-11-300, which occasionally received a transcript emanating from wiretaps on Soviet bloc installations.

The Oswald transcript, according to a CIA translator who worked with WFO, aroused a lot of interest.

"They usually picked up the transcripts the next day," he said. "This one waited eight days."

What that transcript contained is a matter of some dispute and the CIA says it routinely destroyed the tape before the assassination. But some

See OSWALD, A7, Col. 1



LEE HARVEY OSWALD
... telephoned Soviet embassy

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (89-43)

DATE: 11/22/63

FROM : SA W. R. HEITMAN

SUBJECT: ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

C-475-1448
EXHIBIT 49

[REDACTED]

ANDERSON advised SA ELDON RUDD is proceeding to Dallas in the Naval Attache plane, a C-47, ID # 50752. It is due to arrive at Love Field at approximately 2 AM, 11/23/63.

[REDACTED]

*Heitman meeting NAVY 50752 (plane)
from Mexico City
due in Love Field 2:47 AM
Heitman advised*

Clark Anderson

WRH:oj
(3)

*Lead
Heitman*

to meet plane

89-43-103

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 22 1963	
FBI - DALLAS	

Heitman

CA 75-1448
EXHIBIT 20

(104)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

11/23

WASHINGTON 25, D.C.

November 23, 1963

Honorable James J. Rowley
Chief, U. S. Secret Service
Washington, D. C. 20220

Dear Mr. Rowley:

There are enclosed the results of our inquiry into the assassination of President John F. Kennedy and background information relative to Lee Harvey Oswald,

Additional information with respect to this matter will be furnished to you when available.

Sincerely yours,

J. Edgar Hoover

Enclosure

104

EB

Assassination of President John F. Kennedy

Oswald was interviewed by Special Agents of this Bureau at Fort Worth, Texas, on June 26, 1962, at which time he was curt,ullen and arrogant. He declined to answer questions as to why he made the trip to Russia or his experiences while there. He indicated that he had been employed as a sheet metal worker in a television factory and admired the Russian form of Government. He claimed familiarity with the theories of Karl Marx, but denied being a member of the Communist Party or having renounced his United States citizenship. According to Oswald, the Soviets never attempted to obtain information from him nor did he make any deals with the Soviets in order to obtain permission to return to the United States. He disclaimed any affiliation with Soviet Intelligence.

Upon reinterview on August 16, 1962, he acknowledged recently visiting the Soviet Embassy in Washington, D. C., but indicated his visit was solely to register his wife's current address as required by Soviet law. He again denied requesting revocation of his United States citizenship or allegiance to the Soviet Government.

According to information developed by this Bureau, Oswald was arrested on August 9, 1963, for disturbing the peace in New Orleans, Louisiana, as a result of distributing a pamphlet for an organization known as "Fair Play for Cuba." He pleaded guilty and elected to pay a fine of \$10.

Oswald was interviewed on August 10, 1962, at which time he indicated he was unemployed and had been in New Orleans for approximately four months. While there he read literature distributed by the Fair Play for Cuba Committee which he considered not to be communist dominated or controlled. He corresponded with the Committee at 799 Broadway, New York City, and paid a \$5.00 membership fee. He received a membership card in the New Orleans chapter dated June 6, 1963, signed A. J. Hidell.

The Fair Play for Cuba Committee is a pro-Castro organization founded during the Spring of 1960, whose function is to propagandize the Castro regime.

The Central Intelligence Agency advised that on October 1, 1963, an extremely sensitive source had reported that an individual identified himself as Lee Oswald, who contacted the Soviet Embassy in Mexico City

Assassination of President John F. Kennedy

Inquiring as to any messages. Special Agents of this Bureau, who have conversed with Oswald in Dallas, Texas, have observed photographs of the individual referred to above and have listened to a recording of his voice. These Special Agents are of the opinion that the above-referred-to individual was not Lee Harvey Oswald.

A highly confidential source of this Bureau advised that an individual identifying himself as Oswald on November 18, 1963, was in contact with the Soviet Embassy in Washington, D. C., at which time he referred to a recent meeting with Comrade Koshin at the Soviet Embassy in Mexico City. This individual indicated that he originally intended to visit the Embassy in Havana, Cuba, where he would have had time to complete his business, but that he had been unable to do so. He furnished his address as Box 626, Dallas, Texas, and claimed to be the husband of Marina Nikolovna Oswald, a Soviet citizen and father of Audrey Marina Oswald, born October 20, 1963, at Dallas, Texas.

Oswald during previous interviews with FBI Agents claimed to have married his wife, Marina Nikolovna Oswald, nee Bruskova, at Minsk, Russia, on April 20, 1961. He likewise claimed an American passport, number D902533, issued at New Orleans, Louisiana, on June 25, 1963, for proposed travel of three months to one year as a tourist to England, France, Germany, Holland, USSR, Finland, Italy, and Poland. He indicated an intention to depart from New Orleans during the latter part of 1963.

Additional information developed by this Bureau indicated one Lee Oswald during September, 1962, was a subscriber to "The Worker" an east coast communist newspaper.

CA 75-1448
EXHIBIT 21

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

23 AUG 1976

Mr. Harold Weisberg
Route 12
Frederick, MD 21701

Dear Mr. Weisberg:

This responds to portions of your letters to me of 21 July and 6 August, which we are handling under F-75-6669.

The "new request" of 21 July in your penultimate paragraph for records of any and all surveillance conducted on Lee Harvey Oswald in Mexico City or elsewhere is a restatement of one segment of your broad request for any and all materials related to the Kennedy assassination and the investigation thereof, i.e., F-75-6669. As you know, all materials in the entire Oswald file are currently undergoing second review, a review expected to yield a better product than the first review. In light of the number of requesters waiting anxiously for this product, we are not prepared to institute a special and costly search for your request which would disrupt and delay the process for all of these requesters simply to satisfy your recent restatement of request.

In view of your own recognition that the "new request" duplicates while going beyond that of Mark Allen, we quote for you the response to his request of 13 July:

"Please be advised that the existence or non-existence of the records you request is currently properly classified pursuant to Executive Order 11652 and therefore is exempt from disclosure in accordance with exemption (b)(1) of the FOIA. By this answer we are neither confirming nor denying that such records exist. It is further determined that the fact of the existence or non-existence of the records also pertains to information relating to intelligence sources and



methods which the Director of Central Intelligence has the responsibility to protect from unauthorized disclosure pursuant to 50 U.S.C. 403(d)(3) and is therefore exempt from disclosure in accordance with exemption (b)(3) of the FOIA."

The above decision was made by Mr. Charles A. Briggs, Chief of the Services Staff. The decision is currently under appeal by Mr. Allen but is now subject to your appeal. As you know, such appeal should be addressed to the Agency's Information Review Committee via the undersigned.

The enclosed organizational charts are those included on pages 96-102 of the Senate Committee's Supplementary Detailed Staff Report on Foreign and Military Intelligence, Book IV, Report 94-755 of the 94th Congress, 2nd Session, dated 23 April 1976. The publication is available to the public from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Sincerely,



Gene F. Wilson
Information and Privacy Coordinator

Enclosures

CA 75-448
EXHIBIT 22

OPIC: _____
 UNIT: _____
 EXT: _____
 DATE: 10 Oct 1963

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TO : SEE BELOW

FROM: ~~ROOSEVELT~~ CENTRAL INTELLIGENCE AGENCY

CONF: _____

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10 OCT 63 28 12

R ROUTINE

TO: DEPARTMENT OF STATE
 FEDERAL BUREAU OF INVESTIGATION
 DEPARTMENT OF THE NAVY

CITE DIR 7-4873

SUBJECT: LEE HENRY OSWALD

1. ON 1 OCTOBER 1963

MEXICO REPORTED THAT AN AMERICAN MALE, IDENTIFIED AS LEE OSWALD, CONTACTED THE SOVIET EMBASSY IN MEXICO CITY INQUIRING WHETHER THE EMBASSY HAD RECEIVED ANY NEWS CONCERNING A TELEGRAM WHICH HAD BEEN SENT TO WASHINGTON. THE AMERICAN WAS DESCRIBED AS APPROXIMATELY 35 YEARS OLD, WITH AN ATHLETIC BUILD, ABOUT SIX FEET TALL, WITH A RECEDING HAIRLINE.

THIS IS THE DESCRIPTION OF THE SUBJECT'S APPEARANCE AS GIVEN BY OSWALD.

2. IT IS BELIEVED THAT OSWALD MAY BE IDENTICAL TO LEE HENRY OSWALD, BORN ON 18 OCTOBER 1939 IN NEW ORLEANS, LOUISIANA, A FORMER U.S. MARINE WHO DEFECTED TO THE SOVIET UNION IN OCTOBER 1959 AND LATER MADE ARRANGEMENTS THROUGH THE UNITED STATES EMBASSY IN MOSCOW TO RETURN TO THE UNITED STATES WITH HIS RUSSIAN-BORN WIFE, MARINA NIKOLAEVNA PUSAKOVA, AND THEIR

CS COPY
COORDINATING OFFICERS

(CONTINUED)
10 Oct
AUTHENTICATING OFFICER

RELEASING OFFICER

--

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CLASSIFIED MESSAGE

12-62

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TO :

FROM: DIRECTOR

CON

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ROUTINE

PAGE TWO

TO INFO CITE DIR

CHILD.

3. THE INFORMATION IN PARAGRAPH ONE IS BEING DISSEMINATED TO YOUR REPRESENTATIVES IN MEXICO CITY. ANY FURTHER INFORMATION RECEIVED ON THIS SUBJECT WILL BE FURNISHED YOU. THIS INFORMATION IS BEING MADE AVAILAEL TO THE IMMIGRATION AND NATURALIZATION SERVICE.

END OF MESSAGE

INFO BASED ON (IN 36017)

RELEASING OFFICER

COORDINATING OFFICERS

AUTHENTICATING OFFICER

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 DATE : 19 Oct 1963

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FROM: DIRECTOR

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10 Oct 63 22 429

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R ROUTINE

TO : INFO CITE DIR 74830

REF: (IN 36017)*

1. LEE OSWALD WHO CONTACTED SOVIET EMBASSY
 1 OCT PROBABLY IDENTICAL
LEE HENRY OSWALD BORN 18 OCT 1939, NEW ORLEANS,
 LOUISIANA, FORMER RADAR OPERATOR IN UNITED STATES MARINES
 WHO DEFECTED TO USSR IN OCT 1959. OSWALD IS FIVE FEET TEN
 INCHES, ONE HUNDRED SIXTY FIVE POUNDS, LIGHT BROWN WAVY HAIR,
 BLUE EYES.

2. ON 31 OCT 1959 HE ATTEMPTED TO RENOUNCE HIS UNITED STATES CITIZENSHIP TO THE UNITED STATES EMB IN MOSCOW, INDICATING HE HAD APPLIED FOR SOVIET CITIZENSHIP. ON 13 FEB THE US EMB MOSCOW RECEIVED AN UNDATED LETTER FROM OSWALD POSTMARKED MINSK ON FIVE FEB 1961 IN WHICH SUBJ INDICATED HE DESIRED RETURN OF HIS US PPT AS WISHED TO RETURN TO USA IF "HE COULD COME TO SOME AGREEMENT CONCERNING THE DROPPING OF ANY LEGAL PROCEEDINGS AGAINST ME." ON 8 JULY ON HIS OWN INITIATIVE HE APPEARED AT THE EMB WITH HIS WIFE TO SEE ABOUT HIS RETURN TO STATES. SUBJ STATED THAT HE ACTUALLY HAD NEVER APPLIED FOR SOVIET CITIZENSHIP AND THAT HIS APPLICATION AT

Document Number: 7-8
 for FOIA Review on: Apr 1978

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CITE DIR

74830

THAT TIME HAD BEEN TO REMAIN IN USSR AND FOR TEMPORARY EXTENSION OF HIS TOURIST VISA PENDING OUTCOME OF HIS REQUEST. THIS APPLICATION, ACCORDING TO OSWALD, CONTAINED NO REF TO SOVIET CITIZENSHIP. OSWALD STATED THAT HAD BEEN EMPLOYED SINCE 13 JAN 1960 IN BELORUSSIAN RADIO AND TV FACTORY IN MINSK WHERE WORKED AS METAL WORKER IN RESEARCH SHOP. OSWALD WAS MARRIED ON 30 APRIL 1961 TO MARINA NIKOLAEVNA PUSAKOVA A DENTAL TECHNICIAN BORN 17 JULY 1941 USSR. NO HDQS TRACES. HE ATTEMPTED ARRANGE FOR WIFE TO JOIN HIM IN MOSCOW SO SHE COULD APPEAR AT EMB FOR VISA INTERVIEW. HIS AMERICAN PPT WAS RETURNED TO HIM. US EMB MOSCOW STATED TWENTY MONTHS OF REALITIES OF LIFE IN SOVIET UNION HAD CLEARLY HAD MATURING EFFECT ON OSWALD.

3. LATEST EDQS INFO WAS | REPORT DATED MAY 1962
 SAYING | *STATE* HAD DETERMINED OSWALD IS STILL US CITIZEN AND
 BOTH HE AND HIS SOVIET WIFE HAVE EXIT PERMITS AND DEPT STATE
 HAD GIVEN APPROVAL FOR THEIR TRAVEL WITH THEIR INFANT CHILD
 TO USA.

(CONTINUED)

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COORDINATING OFFICERS

[Redacted Box]

AUTHENTICATING OFFICER

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PAGE THREE

TO : INFO

CITE DIR 74830

4. SHOULD PASS INFO REF AND PARA ONE

LOCALLY. INFO PARAS

TWO AND THREE ORIGINATES WITH

5. REF AND POSSIBLE IDENTIFICATION BEING DISSEMINATED

PLS KEEP

HQQS ADVISED ON ANY FURTHER CONTACTS OR POSITIVE IDENTIFICATION
OF OSWALD.

END OF MESSAGE

REF ON

CHT: according to 1 Oct, an American male /
name Lee Oswald
stated he at Sov Emb on 28 Sept when
spoke with Consul. He discussed sending a telegram
to Washington. No local Dissemination had been made.

RELEASING OFFICER

COORDINATING OFFICERS

[]

AUTHENTICATING
OFFICER

REPRODUCTION BY OTHER THAN THE ISSUING OFFICE IS PROHIBITED.

Copy 1

CLASSIFIED MESSAGE

ORIG :
UNIT :
EXT :
DATE :

7 DECEMBER 1963

- INDEX
- NO INDEX
- FILE IN CS FILE NO.

12-62

ROUTING

1		4
2		5
3		6

TO : ^{ISSUED TO} FEDERAL BUREAU OF INVESTIGATION *RE. OSWALD.*

7 DEC 63 17 15Z

FROM : ~~FEDERAL~~ CENTRAL INTELLIGENCE AGENCY

CONF :

DEFERRED

INFO :

ROUTINE

PRIORITY

TO : INFO

CITE DIR

87657

SUBJECT: LEE HARVEY OSWALD CASE

THE RE-INTERROGATION OF GILBERTO ALVARADO, NICARAGUAN IMPERMANENT WHO CLAIMED TO HAVE SEEN LEE OSWALD RECEIVE MONEY TO ASSASSINATE KENNEDY, HAS BEEN CONCLUDED.

MEXICO ADVISES US THAT ALVARADO ADMITTED HE MUST HAVE BEEN MISTAKEN IN SAYING THAT HE SAW OSWALD IN THE CUBAN EMBASSY. ALSO, HE WAS UNCERTAIN OF THE DATE ON WHICH HE MIGHT HAVE SEEN SOMEONE LIKE OSWALD AND THOUGHT IT MUST HAVE BEEN ON A TUESDAY, WHICH WOULD HAVE MADE IT 17 SEPTEMBER 1963. ALTHOUGH THE FINAL REPORT IS NOT YET

AVAILABLE, THE PRELIMINARY FINDING IS THAT ALVARADO EVIDENCED DECEPTION WHEN TALKING ABOUT OSWALD.

IT IS EXPECTED THAT ALVARADO WILL BE DEPORTED TO NICARAGUA ON 9 DECEMBER 1963.

A REPRESENTATIVE OF YOUR BUREAU PARTICIPATED IN THE INTERROGATION OF ~~OSWALD~~ ALVARADO.

END OF MESSAGE

Document Number

349-717

for FOIA Review on MAY 1976

RELEASING OFFICER

COORDINATING OFFICERS

AUTHENTICATING OFFICER

REPRODUCTION BY OTHER THAN THE ISSUING OFFICE IS PROHIBITED.

Copy No.

PERSONALITY (201) FILE REFRESH				
TO HEADQUARTERS,]	DATE 9 Dec 1966			
FROM]	ACTION			
INSTRUCTIONS: Form must be typed or printed in block letters.				
SECTION I: All known aliases and variants (including maiden name, if applicable) must be listed. If the item listing data varies with the alias used, a separate form must be used. Write UNKNOWN for items you are unable to complete.				
SECTION II:]				
SECTION III: To be completed in all cases.				
-JFK EXHIBIT F-523-				
SECTION I				
1. SENSITIVE	2. SOURCE DOCUMENT			
3. NON-SENSITIVE				
NAME (Last) (First) (Middle) (Title)	SEX			
OSWALD, LEE	M			
NAME VARIANT (Middle) (Title)				
HENRY				
TYPE (Last) (First) (Middle) (Title)				
NB: HARVEY				
2/14/75				
PHOTO	BIRTH DATE	COUNTRY OF BIRTH	CITY OR TOWN OF BIRTH	OTHER IDENTIFICATION
	18-10-39	USA	New Orleans, La	NAVY
OCCUPATION/POSITION	SECTION II			
Radio operator, U.S. Marine Corps 1960	NAVY			
CRYPTONYM	SECTION III			
	11. 2ND COUNTRY INTEREST 12. 3RD COUNTRY INTEREST			
COUNTRY OF RESIDENCE	USSR			
COMMENTS	Document Number 1-1 for EOIA Review cpl. 355			
Defected to the USSR in October 1959.				
PERMANENT CHANGE	REPT. CHG. FILED	SIGNATURE	201	
RECORD COPY				

JFK EXHIBIT F-523

-JFK EXHIBIT F-524-

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Office of Legislative Counsel

19 September 1978

Mr. G. Robert Blakey
 Chief Counsel & Director
 House Select Committee on Assassinations
 Washington, D.C. 20515

Dear Mr. Blakey:

Forwarded herewith is an unsigned memorandum dated 20 February 1964 concerning a machine listing of documents for the Oswald 201 file. This document was not released earlier under FOIA, but has been declassified in the light of new considerations. It formerly bore the classification of Secret and the handling restriction of Eyes Only.

Mr. Goldsmith requested this statement for use of the document in the public hearings, as the classification and handling restriction had been removed when the document was approved for release under FOIA.

Very truly yours,

S. D. Breckinridge
 S.D. Breckinridge
 Principal Coordinator, HSCA

encl.

JFK EXHIBIT F-524

20 February 1964

MEMORANDUM FOR: Chief,

SUBJECT: Documents Available in OSWALD's 201 File

1. A machine listing of documents officially recorded as being in OSWALD's 201 file was requested and is attached. The actual machine work of this type was begun in 1963, but a few items of previous dates were also recorded.

2. A comparison of the documents physically available in the 201 file and those recorded as being in the 201 file has shown that 37 documents which should be in the 201 file are not available in it. This total is made up of:

- 2 dispatches
- 7 memoranda from the FBI
- 1 CSCG
- 2 State Department documents
- 25 cables.

3. Machine inquiries for the location of these documents have not been made.

Document Number 563-810
for FOIA Review on JUN 1976

*keep
the
volume of
Oswald's
201*



JFK EXHIBIT F-526

Chief,

Chief,

Chief of Station,

- Lee Harvey OSWALD

JFK EXHIBIT F-526 -

For information

For the record we forward herewith a memorandum in which he gives his recollections of interest in Subject following Subject's return to the United States from the USSR.

U.S.

Encl.

Distribution

3 -

Document Number 455-113A
for FOIA Review on MAY 1978

17 Dec 1965 050 13 1965

25 November 1963

SUBJECT: Mr. Lee Harvey Oswald

TO :

1. It makes little difference now, but I had at one time an interest in Oswald. As soon as I had heard Oswald's name, I recalled that as I had discussed — sometime in Summer 1960 — with [redacted] the laying on of interview(s) through [redacted] or other suitable channels. At the moment I don't recall if this was discussed while Oswald and his family were en route to our country or if it was after their arrival.

2. I remember that Oswald's unusual behavior in the USSR had struck me from the moment I had read the first STATE dispatch on him, and I told my subordinates something amounting to "Don't push too hard to get the information we need, because this individual looks odd." We were particularly interested in the information Oswald might provide on the Minsk factory in which he had been employed, on certain sections of the city itself, and of course we sought the usual [redacted] that might help develop foreign personality dossiers. BIOGRAPHIC INFORMATION

3. I was phasing into my next cover assignment [redacted] at the time. Thus, I would have left our country shortly after Oswald's arrival. I do not know what action developed thereafter.

Addendum

4. As an afterthought, I recall also that at the time I was becoming increasingly interested in watching develop a pattern that we had discovered in the course of our bio and research work/ [redacted] : the number of Soviet women marrying foreigners, being permitted to leave the USSR, then eventually divorcing their spouses and settling down abroad without returning "home". The [redacted] case was among the first of these, and we eventually turned up something like two dozen similar cases. [redacted] became interested in the developing trend we had come across. It was partly out of curiosity to learn if Oswald's wife would actually accompany him to our country, partly out of interest in Oswald's own experiences in the U.S.S.R., that we showed intelligence interest in the [redacted] story.

Mr. GOLDSMITH. The first page of JFK exhibit F-524 is a letter from Mr. Breckinridge to Professor Blakey of this committee. I would refer your attention—why don't you read both pages.

Mr. HELMS. I have had a chance to read not only Mr. Breckinridge's covering memorandum to Mr. Blakey but also the attached memorandum which is unsigned and just says "To Chief," I don't know what.

Mr. GOLDSMITH. Does this memorandum make reference to 37 documents being missing from Oswald's 201 file?

Mr. HELMS. Yes, it does. It says that:

In 1964, February 20, a comparison of the documents available in 201 file and those recorded as being those in the 201 file has shown 37 documents which should be in the 201 file are not available in it.

And there is a breakdown of what seems to be missing.

Mr. GOLDSMITH. Was this document ever brought to your attention?

Mr. HELMS. I can never remember it having been brought to my attention.

Mr. GOLDSMITH. Were you ever informed that at some time there were at least 37 documents missing from Oswald's 201 file?

Mr. HELMS. No; I doubt that would have been brought to my attention. I would assume somebody in charge of the registry would have gone looking for the documents.

Mr. GOLDSMITH. Is the information contained in this document particularly sensitive?

Mr. HELMS. You mean sensitive operationally or in a security sense?

Mr. GOLDSMITH. Sensitive in the sense that the Agency normally attributes to that term.

Mr. HELMS. I wouldn't have thought so.

Mr. GOLDSMITH. In light of that, why would this document have carried the classification of "secret" and the restriction "for eyes only" prior to its declassification?

Mr. HELMS. Sir, I am sorry but I don't see "eyes only" on it nor do I see "secret" on it.

Mr. GOLDSMITH. I understand that. I said prior to its declassification.

Please reread the letter to Professor Blakey from Mr. Breckinridge.

Mr. HELMS. I don't know. Maybe it was overclassified. A lot of documents in the agency were.

Mr. GOLDSMITH. Thank you, Mr. Helms. I have no further questions.

Mr. GOLDSMITH. Mr. Chairman, there are a number of other exhibits which relate generally to the subjects of Mr. Helms' testimony, but with respect to which there was not sufficient time to ask specific questions. They have been marked for identification as JFK F-513 through F-517, F-519, F-521, F-525, F-528, F-530, and F-533. May they be admitted into evidence at this time?

Mr. PREYER. Without objection, they may be admitted into evidence.

[The exhibits referred to above follow.]

A 95-1448
EXHIBIT 24

12/1/63

CODE

TELETYPE

URGENT

1 - Mr. Stokes

TO SACs DALLAS
NEW ORLEANS

FROM DIRECTOR FBI

LEE HARVEY OSWALD, IS-R.

AS IT HAS BEEN DETERMINED OSWALD WAS NOT IN MEXICO
SEPTEMBER EIGHTEEN LAST, INVESTIGATION IN REGARD TO
PLACING HIM THAT DATE SHOULD BE DISCONTINUED. DALLAS
ADVISE AUXILIARY OFFICES.

JCB:RBM
(3)

NOTE:

Allegation that Oswald received money from Cuban Embassy,
Mexico City, on 9/18/63 in connection with plot to assassinate
the President has been proven unfounded as source has now
recanted.

COPIES DESTROYED

REC-40

105-82555-66

21 FEB 01 1973

19 DEC 2 1963

- Tolson
- Belmont
- Mohr
- DeLoach
- Casper
- Callahan
- Conrad
- Felt
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Gandy

58 DLC 5 1963

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

DEC 1 1963

TELETYPE

MAIL ROOM TELETYPE UNIT

6 1/2 p.m. [Signature]

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
UNITED STATES GOVERNMENT

Memorandum

TO : A. J. Belmont
FROM : L. C. Sullivan
SUBJECT : RE: HARVEY OSWALD

1mont
1 - D. E. Moore
1 - Turner
DATE: 11-30-63
1 - C. D. Brennan
1 - Sullivan

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

I just talked to our Legal Attache, Clark Anderson, in Mexico City. He advised me as follows:

Gilberto Alvarado Ugarie in Mexico City from Nicaragua has confessed to the Mexican officials that his statement on Oswald was false. This was a statement to the effect that he saw Oswald at the Cuban Consulate in Mexico City on September 18, 1963, and that Oswald had been hired to kill, presumably President Kennedy and was given at that time \$6500 for the job.

Alvarado stated his motive was personal and did not involve his country. He said he wanted to give the U. S. a reason for overcoming Castro.

Our Legal Attache said Ambassador Mann is very pleased at the way the FBI handled the matter and has so advised the Department. Ambassador Mann also wanted his personal gratitude extended to the Director.

SA Lawrence Keenan sent to Mexico from the Seat of Government to handle our aspects of the matter will be returning to Washington, D. C., tomorrow afternoon with full particulars.

RECOMMENDATION:

For your information.

RES: jdb
(6)

Handwritten initials and signatures: WBS, J, G, P, and others.

REC-15

22 DEC 24 1963

823

52 DEC 27 1963

DECODED COPY

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Mr. Holloman	
Miss Gandy	

AIRGRAM CABLEGRAM RADIO TELETYPE

TO DIRECTOR
FROM LEGAT. MEXICO CITY, NO. 282

MURKIN 105-82555
REBU CAB JANUARY 9 LAST.

CONCERNING DIAZ VERNON ALLEGATION THAT SILVIA DURAN HAD
OSWALD AS GUEST, IN HER HOUSE, NO INFORMATION HAS BEEN RECEIVED
FROM MEXICAN OFFICIAL SOURCES NOR HAS ANY APPEARED IN MEXICAN
PRESS INDICATING THIS IS CORRECT. DR. EDUARDO BORRELL NAYARRO,
1303 HOMERO STREET, APARTMENT 301, MEXICO CITY INTERVIEWED ON
JANUARY 11 LAST BY SA MATTHEW D. CRAWFORD, JR. AND ADVISED AS
FOLLOWS

SALVADOR DIAZ VERNON WAS IN MEXICO CITY AS CLAIMED AND
DISCUSSED INSTANT MATTER WITH BORRELL AND OTHERS. DIAZ VERNON
VISITED BORRELL IN HIS HOME.
BORRELL DID NOT TELL STORY CREDITED TO HIM BY DIAZ VERNON
TO EFFECT THAT OSWALD AND DURAN WENT TO RESTAURANT ON
OUTSKIRTS OF MEXICO CITY WHERE THEY MET OFFICIAL OF CUBAN
EMBASSY. BORRELL HAD NEVER HEARD THIS STORY BEFORE. HE KNEW OF
NO MEETING BETWEEN OSWALD AND CUBAN EMBASSY OFFICIAL OTHER
THAN ONES WHICH SUPPOSEDLY OCCURRED AT TIME OSWALD VISITED
CUBAN CONSULATE HERE. HE KNEW NOTHING OF ANY VISIT BY OSWALD TO
HOME OF DURAN. BORRELL IS FORMER CUBAN MINISTER OF EDUCATION
DURING BATISTA REGIME AND SHOULD BE RELIABLE.
PHONE BOOK HERE LISTS NO CABALLO BLANCO RESTAURANT BUT
THERE IS CABALLO BAYO RESTAURANT ON OUTSKIRTS OF MEXICO CITY.

Bl
B. E. ...
Bronson
mexico
8/85

CA 75-1448 - ERHBIT 26

REC-45/05-82555-1387

8 JAN 17 1964

cc: Bronson

85 JAN 17 1964

If the intelligence contained in this message is to be disseminated outside the Bureau, it is suggested that it be sent in a form which will protect the Bureau's cryptographic systems.

DECODED COPY

AIRGRAM CABLEGRAM RADIO TELETYPE

Dr. Ladd	_____
Shaw	_____
Cooper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

PAGE TWO MEXICO CITY NO. 282

INQUIRIES BEING CONDUCTED THERE THROUGH RELIABLE INFORMANTS TO
 RUN OUT DIAZ VERNON'S ALLEGATIONS. *W*
 RE ALLEGATIONS GILBERTO ALVARADO UGARTE, ARTHUR C. PLAMBECK
 STATE DEPARTMENT ASSISTANT REGIONAL SECURITY OFFICER, ADVISED IT
 IS HIS PERSONAL RECOLLECTION AND THAT OF ELDRIDGE A. SNIGHT,
 REGIONAL SECURITY OFFICER, THAT ALVARADO TELEPHONICALLY
 CONTACTED EMBASSY AT ABOUT 2:30 P.M. ON NOVEMBER 25 LAST.
 ADVISED HE AND SNIGHT MADE ARRANGEMENTS TO MEET ALVARADO NEAR
 MARIA ISABEL HOTEL IN MEXICO CITY AT ABOUT 5 P.M. ON SAME DATE
 AND THIS MEET OCCURRED AS SCHEDULED. AT THIS TIME ALVARADO
 FIRST MADE HIS ALLEGATIONS. *W*

"EXCELSIOR" IS MORNING DAILY NEWSPAPER WHICH IS ON STREETS
 BY ABOUT 6 A.M. FROM THIS IT CAN BE SEEN THAT PRIOR TO
 REPORTING HIS ALLEGATIONS TO EMBASSY ON NOVEMBER 25 ALVARADO
 HAD MORE THAN ADEQUATE TIME TO HAVE READ "EXCELSIOR" STORY
 WHICH APPEARED ON SAME DATE AND WHICH REPORTED OSWALD'S
 CONTACT WITH CUBAN CONSULATE IN MEXICO CITY ON SEPTEMBER 27.

CLARK D. ANDERSON *W*

RECEIVED: 9:08 PM

3RD CC: MR. BRENNAN

DEPARTMENT OF JUSTICE

TELETYPE UNIT RECEIVED

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

UNITED STATES GOVERNMENT

Memorandum

C A 75-1448
EXHIBIT 27

Tolson	_____
DeLoach	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
Felt	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

Mr. W. C. Sullivan *WCS* DATE: 12/19/63

TO: Mr. D. J. Brennan, Jr. *DJB*

SUBJECT: RELATIONS WITH CENTRAL INTELLIGENCE AGENCY (CIA)

Information developed by Mr. DeLoach has indicated that John McCone, Director, CIA, has attacked the Bureau in a vicious and underhanded manner characterized with sheer dishonesty. If the facts are true, we can safely assume that McCone will continue such tactics to the point of seriously jeopardizing Bureau prestige and reputation. We can sit by and take no action or bring this matter to a head. Over the years, we have had numerous conflicts with all CIA Directors. Many of these problems have arisen from statements attributed to these men. Experience in dealing with CIA has shown that a firm and forthright confrontation of these officials has protected Bureau interests in a most effective manner. If McCone is involved in such nefarious activity, there is a way of putting a stop to this.

The charges against McCone can be described as follows:

(1) He allegedly informed Congressman Jerry Ford that CIA had uncovered a plot in Mexico City indicating that Lee Harvey Oswald had received \$6,500 to assassinate President Kennedy.

(2) McCone allegedly made this same statement to Drew Pearson.

(3) In both instances, the statements were false and McCone should have known that they were false since his agency was fully informed that the story concerning the receipt of money in Mexico was completely discredited.

ACTION:

105-82501
NOT RECORDED

If approved, the Liaison Agent will confront McCone with the allegations. Congressman Ford will not be identified but will be referred to as a high-ranking Government official. Bureau

- 1 - Mr. Belmont
- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Branigan
- 1 - Liaison
- 1 - Mr. Papich
- SJP:chs
- (7)

memo Brennan to Sullivan, passed 12/23/63. 5 JPP:chs

22 DEC 31 1963

LIAISON

Memorandum Mr. Brennan to Mr. Sullivan
Re: RELATIONS WITH CENTRAL INTELLIGENCE
AGENCY (CIA)

sources will not be identified. McCone will be told that information received by the Bureau indicates that he has made false statements and it will be pointed out to him that his own agency was informed that the story regarding Oswald's receipt of money in Mexico City was completely discredited. He will further be told that we can only characterize his actions as a vicious and unwarranted attack against the Bureau.

If McCone did make the referred statements, we can expect him to make a denial. However, it is believed that we will have made our point and he certainly will know where he stands, will undoubtedly have a profound respect for our capabilities to be informed, and he certainly will bear all of this in mind in the event he gets any ideas of making similar statements in the future.

RF *jet* *wes* *Vitell* *...*
A *GM.*
H

THIS SERIAL HAS BEEN REFERRED TO
ANOTHER AGENCY AND IS IN A PENDING STATUS:

FILE NO. 105-82555

SERIAL NO. unrec before 1061

PAGE NO. _____

NO. OF PAGES 2

SECTION NO.

47

CIA

REFERRAL

CA 75-1448
EXHIBIT 28

- 1 - Mr. Belmont
- 1 - Mr. Rosen
- 1 - Mr. Sullivan
- 1 - Mr. Branigan
- 1 - Mr. Malley
- 1 - J. C. Stokes

October 22, 1964

BY COURIER SERVICE

REC'D - READING ROOM
OCT 22 11 55 AM '64
FBI

Honorable J. Lee Rankin
75
200 Maryland Avenue, Northeast
Washington, D. C.

Dear Mr. Rankin:

In connection with the conversation on October 16, 1964, between Mr. Alfred Goldberg of your staff and Mr. John C. Nichols of this Bureau, there were delivered to the Commission on October 21, 1964, two copies each of a redraft of pages 154 through and including 157 of our summary memorandum dated May 18, 1964, the copies of which were furnished to you by our letter dated October 13, 1964. It is requested that you replace the present pages 154 through 157 in our summary memorandum with the revised pages 154 through 157 which were delivered to the Commission October 21, 1964.

For your information, the revised pages 154 through and including 157 were prepared by us at the request of the Central Intelligence Agency to avoid disclosure of the identity of the confidential in this matter who is referred to in the headed paragraph "A-32."

We will confirm delivery to the Commission of the revised pages 154 through and including 157 of our summary memorandum dated May 18, 1964.

Sincerely yours,

J. Edgar Hoover

62-144890
NOT RECORDED
169 OCT 23 1964

3 OCT 23 1964
LVA B

On 10/26 Mr. Goldberg, the Air Force historian who is presently engaged in working up the Commission's exhibits which are to be made public, advised SA J. C. Stokes that the Commission has been requested by CIA not to publicly disclose the name of Steven J. Ugento, the 22-year-old Stearns who on November 25, 1963, walked into our Embassy.

NOTE CONTINUED PAGE TWO.

64 OCT 28 1964

Section 24

85-151-555-159 ORIGINAL FILED IN

Honorable J. Lee Rankin

FOUR CONTINUED

in Mexico City and made the wild allegation that he saw Oswald receive \$6,500 in the Cuban Consulate in Mexico for the purpose of killing the President. Alvarado's story was completely discredited. He was given a polygraph examination in Mexico by CIA which showed that he was lying. Our Legat resisted in the polygraph examination following which Alvarado admitted he was in error.

The Alvarado incident was recorded in detail in Legat's summary memorandum of 5/18, copies of which were furnished to both the Commission and CIA. It was not known to us at the Bureau or to Legat that CIA desired Alvarado's name not be placed in the public record. At the Commission's request, we on 10/12 furnished them a sanitized unclassified version of Legat's 5/18 summary in which Alvarado was identified as the complainant. Liaison Agent English on 10/16 checked with Ray Rocca of Office of Deputy Director, Plans, CIA. Rocca said that CIA would prefer that Alvarado's name not be placed in the public record. While the incident is described in some detail in the Commission's summary report, Alvarado's name was not inserted therein. Hence, in view of CIA's request, we have rewritten four pages of Legat's summary memorandum from which Alvarado's name and other data tending to identify him have been removed.

The amended pages were delivered to Mr. Douglas Brather, a member of the staff of the President's Commission on 10/21/64 at the specific request of Dr. Alfred Goldberg of the Commission. Mr. Goldberg explained that the Commission desired to get the revised pages involved to the Government Printing Office immediately for printing.