

HW

January 23, 1980

Dear Mark,

If there are already-released documents with text like CD 347, and fewer deletions, ~~xx~~ they are off somewhere where it would take me more than a couple of days to find them. So, I can't help much with specifics.

I am enclosing the pages from the Schweiker Report on "D" and ~~DMZXX~~ Duran. You ~~are~~ are more familiar with the CIA-WC report in Vol. XI than I am; it may be more useful. (For example, can they withhold all reference to the Cuban Ambassador-President conversation now that this staff report is out? And didn't they in fact clear that staff report?)

Some general comments: I think you have your victory already, in that there is now no doubt that the withholding in full was improper. So, one route would be to preserve that victory symbolically - ask for your costs (or \$1, or \$10 for Xeroxing, or just your filing fees); ask for disclosure of the memos on which the original withholding was based; or something like that.

As for getting more information - not much chance, really, even if the judge reads the document. Could you ask for time to compile the relevant released ~~DMZXX~~ documents - something you couldn't have done until now? Anyhow, that's an argument against summary judgment.

What about the good faith of the ~~xx~~ latest CIA affidavit? From Harold's letter, I gather they are saying ~~xxx~~ that what the HSC published forced them to release ~~xx~~ this much. Is the timing indeed wrong - i.e., were they denying the document in full well after the HSC stuff came out? Also, didn't they clear what the HSC released?

I now would guess that the repeated language about the intermingling of ~~xx~~ sensitive information relates to the structure of the Duran section. If it presents what she said, going back and forth between the Mexicans' report, their taps (on the Embassy, or on the Mexicans!), and the Ambassador-President conversation, it is true that simply deleting references to sources would leave the nature of the sources quite clear (i.e., source 2 is in a position to completely ~~verify~~ verify source 1, and source 3 was talking about the original incident.)

Before I forget - a libel lawyer in NY (of all people) wondered if the tape the FBI listened to could have been heard well before the assassination? A weird idea, but is there anything to rule it out?

Back to CD 347: it looks like the CIA figured out that they had lost on the merits, decided to process CD 347 as they always should have, and want to avoid a precedent. So maybe that's where to try to beat them - i.e., anything but a summary judgment.

If you can convince the judge that the ~~xxxx~~ first 4 grafs should never have been withheld, maybe he'll at least read the rest, which would be a good precedent.

Listening to paragraphs 1-4, it seems clear that the only reason for withholding in full is that the CIA wasn't telling the WC about the MFM photos. Some of the pre-ass'n documents themselves were being released at the same time! ~~XXX~~ (CIA #1A, etc

There seems to be some variance between CIA 5-1A (someone [LHO? source?] believed the consul to be Kostikov) and paragraph 1; see also CIA 9-5; this [CIA] officer "determined" that LHO had talked to Kostikov. Something going on. Maybe what they have given us in CD 347 is a new version! (Based on Mexican report to CIA-Mexico?) Something is going on here. CD 347, as released, may have clues!

The footnote certainly could have been released, since they cleared the Slawson mem<sup>o</sup>

Well, I'm afraid this won't help much - you really are ahead of me on the facts. Good luck!

Encl:

SR, title page, and  
pp. 24-31, 40-43.

Regards,

*Paul*

PLH

October 10, 1963

CIA headquarters, Washington, advises FBI headquarters that an American named Lee Oswald had contacted the Soviet Embassy in Mexico City on October 1, 1963 and referred to an earlier visit on September 20, 1963. He asked about telegram that an Embassy official, probably Kostikov, a known Soviet State Security (KGB) Officer, had agreed to send to Soviet Embassy in Washington for him. CIA apparently indicated the possible identity between this Lee Oswald and the defector returnee Lee Harvey Oswald. CIA report also included a physical description of an individual who was believed to have been the Oswald involved. (It was subsequently established that this description did not fit Oswald.)

Also on 10/10/63, CIA headquarters sent a summary of this background information in its files on Oswald to its Mexico City station and instructed the station to pass the substance of its October 9 report to Mexico City representatives of interested federal agencies, including the local FBI representative. This instruction was immediately carried out. According to CIA, there were no requests from recipients of the report for further information or for follow-up investigation. (Comm. No. 347, p. 137)

October 18, 1963

Neighbors of Oswalds at former Mercedes Street address in Fort Worth, Texas, advise FBI that they could not recall Oswalds.

October 19, 1963

Confidential informant advises that Robert Oswald had traveled from Fort Worth to Malvern, Arkansas, in March, 1963. (Comm. No. 75; DeBrueys 12/2/63, p. 137)

ORIG :  
UNIT :  
EXT :  
DATE : 23 NOV 63

MESSAGE

1	2	3	4	5	6

23 Nov 63 16 1

DEFERRED
ROUTINE

TO :  
FROM: DIRECTOR  
CONF:  
INFO :  
X

TO INFO CS COPY

24237

1. URGENTLY REQUIRE FOLLOWING INFO RE VALERIE VLADIMIROVICH KOSTIKOV

- A. ANY TRAVELS OUTSIDE MEXICO CITY APART FROM TRIPS TO TELAVANA, HESKENDI AND MEXICALI IN MARCH AND SEPTEMBER 1963, AND VERACRUZ 6 JAN 63.
- B. HOUR BY HOUR WHEREABOUTS 22 NOVEMBER AND ALL DETAILS HIS ACTIVITIES DURING NOVEMBER.
- C. NAMES AND BACKGROUNDS HIS CONTACTS NOT ALREADY REPORTED ETC.

2. ALSO REQUEST IMMEDIATE CABLE REPORTING ON:

- A. FUTURE CONTACTS AND ACTIVITIES KOSTIKOV OBTAINED VIA FULLEST COVERAGE YOU ABLE ARRANGE.
- B. ANY IMMEDIATE UNUSUAL ACTIVITIES INVOLVING KEB AND SOYEB PERSONNEL DURING PERIOD 17 THROUGH 30 NOVEMBER.

END OF MESSAGE

Document Number 42-16 23 Nov

for FOIA Review on

RELEASING OFFICER

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COORDINATING OFFICERS

AUTHENTICAT OFFICER

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27 November 1963

0 KOSTIKOV IS FROM ALL EVIDENCE  
A MEMBER OF KGB

1. After examining all our traces on KOSTIKOV, we are convinced beyond reasonable doubt that he is a staff officer of the KGB. Contributing to this conclusion are his associates, his movements, his Mexican and other contacts and his cover position.

2.

Document Number 179-71  
for FOIA Review on APR 1976

RECORD COPY

27 Nov 63

27 Nov 1963

TO : Director  
Federal Bureau of Investigation

FROM :

SUBJECT: Lee H. OSWALD/Soviet Activities in Mexico City,  
18 - 24 November 1963

1. Forwarded [redacted] is a resume of the observed activities of Valeriy Vladimirovich KOSTIKOV and Ivan Gavrilovich ALFERIEV as reported by a reliable source in Mexico City. Attention was given to KOSTIKOV because of the indication that he is the consul who interviewed OSWALD on 28 September 1963. ALFERIEV travelled with KOSTIKOV to Northern Mexico during the early part of September 1963. Source reported that during the period under review the observed activities of KOSTIKOV and ALFERIEV appeared to be normal, as did the activities of the entire Soviet Embassy complement.

4. Forwarded as [redacted] is a list identifying the Soviets whose names appear in [redacted] ASSIGNED TO THE SOVIET EMBASSY IN MEXICO CITY.

1. Ivan Gavrilovich ALFERIEV - Pravda Correspondent
2. Valeriy Vladimirovich KOSTIKOV - Attache Consular Office
3. Aleksey Ivanovich GARMASHEV - Consul
4. Vitaliy Borisovich SHUBIN - Attache
5. Yuriy Dmitriyevich KALININ - Chauffeur
6. Boris Aleksandrovich KAZANTSEV - Counselor
7. Vladimir Ivanovich SHPAKEVICH - Third Secretary
8. Vladimir Ivanovich ANDREYEV - First Secretary
9. Vladimir Vasilyevich TURTGIN - Third Secretary
10. Pavel Antonovich YATSKOV - Attache
11. Vladimir PORKHUNOV - Code Clerk
12. Gennadiy STROGANOV - Radio Operator
13. Nikolay Petrovich SLAVNOV - Code Clerk
14. Vladimir ROMANCHENKO - Second Secretary
15. Lev Fedorovich SHENGALEY - Employee, Commercial Office
16. Oleg Maksimovich NECHIPORENKO - Vice Consul
17. Sergey Semyonovich KUKHARENKO - Second Secretary; Soviet Information Bulletin
18. Nikolay Sergeysvich LEONOV - Third Secretary

CITE DIR  
20 Dec 63

1. REQUEST [REDACTED] ENTIRE [REDACTED] FILE ON [REDACTED]

VALERIY VLADIMIROVICH KOSTIKOV

ALSO REQUEST STATION SUBJECTIVE COMMENTS ON FILE AND ON KOSTIKOV'S ACTIVITIES AND RELATIONSHIP TO OTHER SOVIETS MEXI. THIS ANALYSIS WOULD ACCOMPANY [REDACTED] IF POSSIBLE. IF NOT, PLS CABLE.

2. [REDACTED] YOUR INFO AND STUDY WILL BE A VITAL CONTRIBUTION TO OUR PRESENTATION TO WARREN COMMISSION.

END OF MESSAGE

To DIR

9 Jan 64

BELIEVE FOLL INFO

WORTHWHILE:

THE UNIDENTIFIED SOV [REDACTED] WHO MET

SERGEY NIKOLAYEVICH ANTONOV (CHIEF LATIN AMERICAN DEPT KGB) HAS NOW BEEN

POSITIVELY IDENTIFIED [REDACTED] AS BEING VALERLY VLADIMIROVICH KOSTIKOV.

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SUMMARY of Relevant Information on Lee Harvey OSWALD at 0700 on  
24 November 1963.

1. Our first information on OSWALD came from [redacted]  
[redacted] Mexico City [redacted] on 9 October 1963. It  
revealed that on 1 October 1963 Lee OSWALD had been in touch there  
with Soviet Consul Valery KOSTIKOV about a telegram which the  
Soviet Embassy was supposed to send on him to the Soviet Embassy in  
Washington. The data showed that OSWALD had also been at the Soviet  
Embassy on 28 September. Traces showed OSWALD was a former U. S.  
defector to the USSR and on 10 October CIA Headquarters notified the  
FBI, State and the Navy (OSWALD had been a Marine). Our Mexico Station  
was told to pass its information on OSWALD to the Mexico City offices  
of the FBI, the Immigration and Naturalization Service and the Embassy.  
Since our Agency is not supposed to investigate U. S. citizens abroad  
without special request, we did nothing further on the case.

2. After the assassination of President Kennedy on 22 November,  
Mexico Station, which immediately recalled its earlier report on OSWALD  
[redacted] began researching all its files and records for  
reports which might relate to him. It turned up pictures of a man  
believed to be OSWALD entering the Soviet and Cuban Embassies  
[redacted] in October, [redacted] but when some of these  
pictures were sent to the FBI in Dallas they proved to be someone other

than OSWALD. Mexico Station has, to date, found no pictures of OSWALD entering the Soviet or Cuban Embassy.

3. The search did reveal more data [redacted] however. This information [redacted] had not been previously associated with OSWALD because his name is not actually mentioned in it, but the subject matter shows it is about him, [redacted]

4. This further [redacted] information covers [redacted] visits which OSWALD made to the Soviet and Cuban Embassies in Mexico City between 27 September and 3 October 1963.

This has been supplemented by reports on his travel in and out of Mexico obtained by the U. S. Consulate in the border town of Nuevo Laredo from Mexican Immigration Service records.

5. In brief, all this information shows that Lee Harvey OSWALD entered Mexico (apparently by car) at Nuevo Laredo on 26 September 1963, claiming he was a photographer, living in New Orleans and bound for Mexico City. On 27 September he was in Mexico City [redacted] to ask for a visa so he could go to Glessa, USSR. On 28 September, he was at the Cuban Embassy [redacted]

It seems that OSWALD [redacted] wanted a Cuban transit visa so he could go to Cuba and wait there for a Soviet

visa which would permit him and his wife to go on to the Soviet Union.

6. On 28 September 1963, OSWALD again visits the Cuban Embassy

about the same matter,

7.

8. That same day, 3 October 1963, OSWALD drove back into the United States at the Nuevo Laredo-Laredo, Texas crossing point. He

had travelled on a Mexican Tourist Card in lieu of passport.

9.

10. Observation of the Soviet and Cuban Embassies in Mexico and of their principal intelligence officers, including KOSTIKOV, since the assassination of President Kennedy.

shows nothing unusual.

11.

Sunday, September 29:

No information.

Monday, September 30:

No information.

Tuesday, October 1:

A man who fits the description of Oswald in "mid-morning" contacted the Soviet Military Attache in Mexico City, saying he had been to the Soviet Embassy the previous Saturday and been told by the Soviet Consul that they were sending a telegram to Washington, and he asked the Military Attache whether there had been a reply to that telegram. The Military Attache replied to Oswald that he would inquire at the Consulate. Oswald went to the Russian Embassy and spoke to the guard in what is described as "talking" Russian, saying he had been there two days earlier, that there had been a telegram, etc., and asking whether there had been a reply to the telegram. After trying to establish by physical descriptions who at the Embassy Oswald had spoken to two days earlier, the guard stated that if it was a dark man it was probably "Kostikov." The guard then left Oswald outside of the Embassy, went in himself and spoke with someone, returned and said that the telegram had been sent but that no reply had been received.

Wednesday, October 2:

No information.

10. Departure from Mexico City:

FACT - Oswald left Mexico City for Nueva Laredo at about 1:00 P.M. on October 2 on a bus of the "Transportes Fronteras" bus line.

COMMENT - A ticket for Seat No. 4 on a "Transportes Fronteras" bus leaving Mexico City for Nueva Laredo at 1:00 P.M. on October 2, scheduled arrival time in Nueva Laredo 6:00 A.M. on October 3, was sold to Lee H. Oswald by this Mexican bus line. There were two drivers on this bus and neither one of them was able to identify Oswald as having been on the bus with them, but both drivers testified that this did not at all mean that he was not on the bus, because they normally pay no attention whatever to the passengers. (Commission No. 78, page 3.)