

[Partial text; provided on the phone by Mark Lane, March 7]

Covering letter, Hoover to Rowley, November 23, 1963:

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, J. Edgar Hoover.

[At the beginning:]

Officers of the Dallas Police Department and FBI agents converged on the Texas Theater and took Oswald into custody.

(There is a line towards but not touching the "s" in "agents," and a "?" in the margin.)

Oswald was interviewed by Special Agents of this Bureau at Fort Worth, Texas on June 26, 1962, at which time he was curt, sullen and arrogant. [There is some discussion of what he did and did not say.] Upon reinterview on August 16, 1962, he acknowledged recently visiting the Soviet Embassy in Washington, D.C.

The Central Intelligence Agency advised that on October 1, 1963, an extremely sensitive source had reported that an individual identifying himself as Lee Oswald had contacted the Soviet Embassy in Mexico City, 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 Kostin 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 in Dallas, Texas, and said he was the husband of Marina, and the father of Audrey Marina Oswald.

[Notes:]

I am not aware of any other reference to this 11/23 contact between the FBI and the Secret Service, or of any indication that the Warren Commission got this 5-page FBI report. CD 1084a is the FBI report which was used within a week of the assassination to brief Ambassador Mann in Mexico. (Refer to the Schweiker Report, and to my notes of 3/13/76 on CD 1084a. That CD tied Oswald quite directly to the Cuban government, referring to him as an "active member" of the FPCC, "which has been financed by the Cuban Government." The FBI's "public" report, CD 1, toned this down to a description of Oswald as "the self-appointed secretary of the New Orleans Chapter of the Fair Play for Cuba Committee, a pro-Castro organization.") It is pure speculation, but it may be significant that this new memo over-emphasizes Oswald's Soviet contacts by referring to a contact by letter as a visit; as discussed below, however, this could easily be a simple editing error. In any case, I would want to find out exactly who wrote this FBI report.

The reinterview of Oswald on August 16, 1962 is written up in CD 10 (CE 824). "Oswald stated contact had been made by letter with the Soviet Embassy in Washington, D.C., to advise the Embassy of his wife's current address...." (Page 4) The synopsis says only that "Oswald stated contact made...." It seems quite probable to me that "contact" was inadvertently changed to "visit" as as this report was being hastily prepared. In any case, there is no reason to believe that Oswald did in fact visit the Embassy. (Incidentally, although the FBI indicated otherwise to the Warren Commission, I have a hunch that Oswald was reinterviewed because the FBI had learned that he had written the Soviet Embassy.)

There were in fact two FBI agents at the Texas Theater when Oswald was arrested, although only one is mentioned in many sources. SA Bob Barrett was inside the theater and saw the police seize Oswald. (CD 5, pp. 84-5) SA Bardwell Odum apparently went to the theater independently, stationed himself in the lobby, and saw Oswald being taken out. (CD 5, p. 86)

The November 1963 contact with the Soviet Embassy in Washington appears to be Oswald's famous letter (CE 15, CE 103). The substance of the contact, as described in this FBI report, fits the letter. The statement that the contact was on November 18 appears to have resulted from confusion with the date the FBI learned the information. CD 49, pp. 31-32 specifies that "WF T-2 advised on November 18, 1963 that Lee H. Oswald related that he had recently met with Comrade Kostin...." As with the 1962 contact, I think there is no reason to conclude that Oswald did make any contacts with the Embassy other than the known letters.

Incidentally, the FBI presumably learned of Oswald's 1963 letter via their special coverage of the mail of the Embassy in Washington. These "Z-covers" were discussed in a major article by John Crewdson in the NY Times on August 6, 1975. It seems likely that the fruits of this FBI program were not made available to the CIA.

Peter Scott has pointed out that this description of Oswald's letter, and that in CD 49, leaves out some of the material that is quite interesting to us, namely the two paragraphs about the FBI's interest (or lack of interest) in Oswald's FPCC activities and in his wife.

I am not aware of any evidence that this early FBI report was ever given to the Warren Commission. (I would expect it wasn't; even CD 1084a apparently came to the Commission's attention only after several months, when it was somehow learned that the FBI had briefed Ambassador Mann in Mexico.) I would, however, like to see if this document has a Secret Service control number before coming to any conclusion about whether the Commission knew of it. As I recall, the SS told the Commission that it had some classified documents from other agencies which it could not turn over directly. I can't find this offhand, but I think the control numbers were given, probably in the cover letter to CD 87. I expect that most of these items related to the Mexico mystery man (and were post-assassination), but this FBI report might have been included (if it was classified, as it should have been.) If that is the case, the Warren Commission at least had the opportunity to see it.

The above notes are obviously unsystematic and disorganized; I would like to see the entire FBI document (and any similar early reports) before trying to formulate any general conclusions. Turning now to the most sensational item in the text, the report of a CIA tape from Mexico being played in Dallas: I have thought about this a bit, and I do have some general opinions.

I think it is important to separate the hard conclusions which can be drawn about procedural matters (including disclosure and suppression) from the somewhat more tentative conclusions which can be drawn about the substance of what actually happened in Mexico. Specifically, I think that the mere existence of any tape from Mexico, of someone who was even suspected of a connection with the assassination or Oswald, is a newsworthy story. The suppression and release of that information may be a story in itself: I would guess that the SS released this accidentally, or without proper consultation with the CIA. Such "third-party" material should have been referred to the CIA for review, and I can't imagine the CIA releasing it. The CIA has been sitting very tightly on all records relating to their taping capabilities in Mexico. For example, they recently declined to release their response to the article by Nick Horrock in the NY Times of 21 September 1975 (which "revealed" the taping of Oswald's calls) because their response would verify the validity of the article! Silly, but that shows how reluctant the CIA is to divulge information relating to the taping. So, if the SS did release this with CIA approval, I would even be suspicious that it was meant as a trap, to get us to draw unwarranted conclusions about who was on the tape or what it all means.

At this point, I would focus on getting as much additional information as

possible from the CIA, the Secret Service, the FBI, and David Slawson. I would be particularly interested in Slawson's frank opinion. I have always had the hunch that when he and other Commission staff members visited Mexico City, they were given an explanation of the mystery man problem which was good enough to satisfy him - at least, to satisfy him that the real Oswald had been in Mexico. A tape of the real Oswald, for example, might have been a key part of the explanation. (Slawson was concerned enough about the mystery man problem, and smart enough, to indicate to me that he must have been given a pretty good explanation, although of course it need not have been a true one.)

The whole Mexico problem has been complicated by a tendency to put together sources and items of evidence which are in fact not identical. Whether this tendency is deliberate or accidental is another problem; refer to my original 1975 chronology of the then-available evidence on the mystery man, and to my notes on the CIA documents released in January 1977. This confusion started, of course, when someone in the CIA allegedly assumed, simply in error, that the man in the photo was the man who had identified himself as Oswald. Since 1963, we have seen a number of statements which seem to be careless, and a number which seem to be precise for the purpose of being deceptive. (For example, we didn't know until recently that although the famous photo was taken on October 4, 1963, another photo of the same man was taken on October 1, the date of the Embassy contact.) So, in analysing this new material, it is important not to make any unexamined assumptions, and not to assume that all the implications of the FBI report are accurate.

Specifically, what about the apparent contradiction between this report, which proves the existence of a tape after the assassination, and David Phillips apparent statement to Kessler that the tape of Oswald making a suspicious approach to the Soviet Embassy was routinely destroyed before the assassination? Despite the FBI's language, I don't think it is safe to assume that the tape in question related to the Soviet Embassy. The CIA has taken the position that pre-existing evidence of Oswald's Cuban Embassy contacts was uncovered only after November 22, so that could be the source of the tape in question. (It should be kept in mind that the CIA had no reason to explain fully to the FBI agents in Dallas where this tape had come from. Since the mystery man was photographed at both Embassies, there could have been a valid connection which was not explained to the FBI.)

Similarly, it should not be assumed that the tape contains a voice identifying himself as Lee Oswald. Obviously that is a key factual question which the House Committee should investigate promptly. If it does, of course, the significance is obvious - the impostor hypothesis would be confirmed. I expect, however, that it doesn't.

We should not assume that the voice on the tape has to be that of the mystery man. The CIA might simply have come up with the only records it had of contacts in English for the period of Oswald's visit.

I would not even assume that the voice on the tape was not Oswald. If the FBI agents were told (erroneously) that the tape and the photo were of the same man, they might have decided that the voice was not Oswald's, since the photo was obviously not of him. The FBI presumably had no recording of Oswald's voice, and would naturally have given more weight to the photo.

We should not assume that if the man on this tape is not Oswald, the CIA does not have him on some tape.

Overall, this paragraph may be read as a careless presentation of confused evidence; on the other hand, if it was read carefully at the time the reader might have been forced to conclude that there definitely had been an Oswald impersonator in Dallas. In addition to finding out who wrote this FBI report, and for what purpose, I would like to know how the Secret Service reacted, if at all. (I recall that some SS documents refer to an interest in Hidell as a possible co-conspirator, but I had assumed that was just a cover story to justify the SS's investigation of a case that was really in the FBI's jurisdiction.) Did the CIA get this FBI report? If so, what was the reaction; if not, why not? As noted above, the possibility of a systematic FBI effort to exaggerate the evidence of a conspiracy (an impostor, a nonexistent visit to the Soviet Embassy in 1962, etc.) should be kept in mind.

I hope these comments are not too random to be useful; your reaction and comments would be welcome.