

MEXICO CITY MEMORANDUM #3

By October 10, 1963, over a month before the assassination of President Kennedy, both the Federal Bureau of Investigation and the Central Intelligence Agency had learned of Lee Harvey Oswald's trip to Mexico City and his contact with the Soviet Embassy there.<sup>1/</sup> Yet, according to the Warren Report, Oswald's visit to the Cuban Embassy "...was not known until after the assassination."<sup>2/</sup>

There are pieces of evidence which suggest that the FBI and the CIA did have knowledge of Oswald's contacts with the Cubans prior to the assassination, raising the possibility that these agencies may have misled the Commission on this point.

On November 12, 1963 Oswald mailed a letter to the Soviet Embassy in Washington, D.C. which related some of his activities in Mexico City the previous month.<sup>3/</sup> In the letter was a specific reference to Oswald's contact with the Cuban Consulate as well as his desire to travel to Cuba. A portion of it reads:

"Of course the Soviet embassy was not at fault, they were, as I say, unprepared, the Cuban consulate was guilty of a gross breach of regulations. I am glad he has since been replaced." <sup>4/</sup>

This letter was apparently intercepted and read by the FBI no later than four days before the assassination.<sup>5/</sup> In Warren Commission Document 49, under the section "Travel of Lee Harvey Oswald" there appears two paragraphs concerning information furnished the Bureau's Washington Field Office on November 18th by informant WF-T2. The information provided is a close paraphrase of Oswald's letter, (indicating that the informant or his source must have read it) with two notable exceptions. Oswald's references to Agent Hosty and the FBI, as well as his contact with the Cuban Embassy, were for some reason not included in the report.<sup>6/</sup>

The Bureau's handling of this matter raises several questions. Did the informant tell the Bureau about Oswald's reference to his contact with the Cubans? If he did not, why was this information omitted? And if he did, why was that information not included in the report of Commission Document 49?

It is not clear how much information concerning this letter was then relayed to the Dallas FBI office. The Warren Report only states that:

"On November 18 the FBI learned that Oswald recently had been in communication with the Soviet Embassy in Washington and so advised the Dallas office in the ordinary course of business."<sup>7/</sup>

The testimony of Special Agent James Hosty indicates that the Dallas FBI was not notified until November 22nd, and then only told that Oswald had "communicated" with the Soviet Embassy in Washington.<sup>8/</sup> Hosty, who was assigned the Oswald case, claims he was not told about the letter until after Oswald was in the custody of the Dallas police.<sup>9/</sup>

It is even more puzzling why the CIA would not have known about Oswald's contacts with the Cubans until after the assassination. It intercepted several phone calls between Cuban Consulate employee Sylvia Duran and the Soviet Embassy where Oswald's case was discussed, and even intercepted and taped a call where Oswald himself talked with an official of the Soviet Embassy from a phone in the Cuban Embassy.<sup>10/</sup> This particular call appears to be the conversation where it is alleged that Oswald offered to make a deal with the Russians.<sup>11/</sup> According to a Washington Post source, this call created considerable interest at the CIA station in Mexico City.<sup>12/</sup> This makes it even more unusual that the CIA would not have connected the "Lee Oswald" who contacted the Russian Embassy on October 1st with the American who contacted the Soviet Embassy from the Cuban Embassy on September 28th.<sup>13/</sup>

I do not think the CIA has ever given any public explanation for this question. It is probable, however, that the Warren Commission or its staff received one. As researcher Paul Hoch has pointed out, in an August 6, 1964 letter between Warren Commission staff members W. David Slawson and William Coleman, the latter asked "Why did the message which came back from Mexico indicate that Oswald was visiting only one of the Embassies and not both Embassies?" Slawson wrote in the margin of the letter, "I can explain." It might benefit the Committee, if it has not done so already, to contact Mr. Slawson who is now a Professor of Law at the University of California at Los Angeles.

Another reference to this problem is found in a November 27, 1976 Washington Post article by staff writer Ronald Kessler. A paragraph of the article states that:

"...the CIA claimed it was not aware of most of Oswald's activities in Mexico City before the assassination because Oswald had not mentioned his name in ... conversations with the Soviet and Cuban Embassies there."

I do not know where or when the CIA ever made this claim. Perhaps Kessler is simply quoting his CIA sources. Nevertheless, the same Post article casts considerable doubt on this possible CIA explanation by continuing that:

"Phillips, who saw the CIA transcripts of Oswald's conversation, the CIA translator in charge of preparing the transcripts and the typist who prepared them each told the Post that Oswald had mentioned his name in the conversations with the Cuban Embassies there."

In the Select Committee's press conference on December 31, 1976 Mr. Sprague told reporters that prior to the assassination the CIA prepared a draft of a communique intended for other Federal agencies which included information that

Oswald had intended to go to Cuba and to Russia. As I understood it, the CIA communique which was actually sent did not include this information. Any CIA pre-assassination communique which mentions Oswald's interest in traveling to Cuba would also appear to conflict with the Warren Report statement that the alleged assassin's contacts with the Cuban Embassy were not known until after Kennedy's death.

One other relevant item on this question is found among recently released CIA documents on the assassination. On March 12, 1964 several members of the Warren Commission staff (J. Lee Rankin, Howard Willens, William T. Coleman, Jr., Samuel Stern, Burt Griffin and W. David Slawson) met with three officials from the CIA (Richard Helms, Raymond Rocca and a person whose name is still withheld) in the office of Chief Consul Rankin. The Commission and the CIA each prepared separate accounts of this meeting, the former a March 12, 1964 Slawson to Records memo and the latter the recently released CIA Item 256 (whose author is not named). The CIA's version includes the following information:

"In Oswald's case, it was the combination of visits to both Cuban and Soviet Embassies which caused the Mexico City station to report this to headquarters..."

Slawson's memo does not contain any reference to a CIA communication to Headquarters or any mention of CIA pre-assassination knowledge of Oswald's contacts with the Cuban Embassy.

The Committee might profit by determining the author of the CIA memo and questioning him concerning this issue.

I would be pleased to answer any questions you or your staff might have on this memo.

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NOTES

1. Commission Document 631; Warren Report, p. 777.
2. Warren Report, p. 777.
3. Warren Report, p. 309, p. 739; See Commission Exhibit 15.
4. Commission Exhibit 15.
5. Commission Document 49, pp. 31-2; Also see Warren Report, p. 439.
6. Ibid.; Compare with Commission Exhibit 15.
7. Warren Report, p. 439.
8. Hearings and Exhibits, Vol. IV, testimony of James Hosty.
9. Ibid.; Warren Report, p. 440.
10. Commission Document 1084d, pp. 5-6; Washington Star September 21, 1975, p. 1; Also see "Chronology of Oswald's Movements in Mexico City" previously submitted to Donovan Gay by the author.
11. Washington Post, November 26, 1976, p. 1; This is the only call of Oswald's to the Russian Embassy mentioned in available Warren Commission records.
12. Ibid.
13. Commission Document 631; Commission Document 1084d, pp. 5-6.

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8. Hearings and Exhibits, Vol. IV, testimony of James Hosty, pp. 459, 462.
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