

Schwartz Committee

~~CONFIDENTIAL~~
26 December 1975

Dave: Marston

As I mentioned on the phone, I am sending you a summary of comments made by David A. Phillips at his home on 22 December 1975. Although there is little of substance in what he said, it is clear that he is defensive of his Agency on this matter, and would rather the issue not be pursued.

(1) He said that a new investigation is acceptable to him, but that we cannot find any members of Congress willing to go into such an investigation if done in closed session. He mentioned that he had been offered 500,000 dollars to be the first ex-agent to call for a re-opening. (Although he did not say who had offered him the money, he has complained for some time that his retirement pay from the Agency has forced cutbacks in his life-style. Frankly, I think that if he really wants a re-opening, he would take advantage of the offer).

(2) I pressed him on the cable that accompanied the photo of a man thought to be Oswald in Mexico. He said that he listened via microphone to the man in the Cuban and Soviet consulates. This man, claimed by David to have been Oswald, called the Soviet consulate from the Cuban. He says it is his voice, and not the picture, that has given him the certainty that the real Oswald went to Mexico. Asked about the cable that went out with the photo in early October, he first said that no communication re the photo went out from Mexico until after 22 November. Then he said that if any such cable exists, it is a fabrication. I told him that if it is a fabrication, the CIA must have been responsible for it, since it found its way into the WC files. Finally, he remembered the cable, saying the photo is of a man in jeans in Mexico. (It seems to me that he must have heard the man in the Embassy, and told his cameraman to photograph him after assuming that the man was leaving the Embassy. If this is the proper sequence, then either a false Oswald, or another American left the Embassy when the man listened to as Oswald was expected to leave. David assured me that the man in the photo has not been identified).

(3) He claims that Gilberto Alvarado Ugarte was in his custody for eleven days. I pointed out to him that the cables sent to DC that are in your office files have Alvarado in the Embassy for a much shorter time. I also asked him why the cable claim that Alvarado was a "well known Nicaraguan Communist" when he is only 23. David did not comment on this point.

(4) I told him that WC transcripts show Dulles claiming that Hoover would probably not-cooperate. I asked him if the CIA would react the same way if one of their people was involved, and David said he assumed they would. Yet at the same time, he assured me that no Agency people, on any level, were involved.

(5) David claims that on 22 November he ran around the Embassy looking for photos of Oswald. When he found one, he put it on a plane to Dallas, where Bartwell D Odum (I add the name - David did not know it) took it to Mrs. Oswald, as told in Odum's deposition in the Report. (This is consistent with the information we have on that photo - it was in Washington on 22 November, and had been there for quite some time. Also, David put it on a plane about 4:00 pm Mexico time, I doubt that it could have gone faster Dallas and been in Odum's hands by the early afternoon Texas time to show to Mrs. Oswald).

9) A number of things caught David's eye by surprise and he was taken aback. He was surprised that Mahon is a Texan. He was surprised by the business surprised him - he did not comment. c. He took the same way to Oswald's arrival in Dallas with George DeLoach and others. He needed only when I spoke to him about the Bayard was it.

Of course, this is all guesswork, but I could not take notes on what he said over the phone on this specific topic, and reflected his attitude as a key informant. I know, and I know.

(2) David claims that on 22 November he ran around the Embassy looking for photos of Oswald. When he found one, he put it on a plane to Dallas, where Birdwell D Odom (I add the name - David did not know it) took it to Mrs. Oswald, as told in Odom's deposition in the report. (This is in contrast with the information we have on that photo - it was in Washington on 22 November, and had been there for quite some time. Also, if David put it on a plane at about 4:00 pm Mexico time, I doubt that it could have gone through Dallas and been in Odom's hands by the early afternoon Texas time to show to Mrs. Oswald.)

(3) A number of things caught David by surprise and he was taken aback. a. He surmised that Maken is a liar. b. The Atsugi business surprised him - he did not comment. c. He reacted the same way to Oswald's association with George Demenachid. d. He nodded only when I speculated that Richard Sawyer was CIA.

Of course, this is all from memory, as I could not take notes as we spoke. But overall, he was disturbed by the topic, and reflected his attitude on Dan Rather's program that I was there, and I know.