

eration of the testimony of several witnesses suggesting that Oswald may have been seen in the company of unidentified persons of Cuban or Mexican background. Mrs. Odio was born in Havana in 1937 and remained in Cuba until 1960; it appears that both of her parents are political prisoners of the Castro regime. Mrs. Odio is a member of the Cuban Revolutionary Junta (JURE), an anti-Castro organization.⁷¹⁰ She testified that late in September 1963, three men came to her apartment in Dallas and asked her to help them prepare a letter soliciting funds for JURE activities. She claimed that the men, who exhibited personal familiarity with her imprisoned father, asked her if she were "working in the underground" and she replied that she was not.⁷¹¹ She testified that two of the men appeared to be Cubans, although they also had some characteristics that she associated with Mexicans. Those two men did not state their full names, but identified themselves only by their fictitious underground "war names." Mrs. Odio remembered the name of one of the Cubans as "Leopoldo."⁷¹² The third man, an American, allegedly was introduced to Mrs. Odio as "Leon Oswald," and she was told that he was very much interested in the Cuban cause.⁷¹³ Mrs. Odio said that the men told her that they had just come from New Orleans and that they were then about to leave on a trip.⁷¹⁴ Mrs. Odio testified that the next day Leopoldo called her on the telephone and told her that it was his idea to introduce the American into the underground "because he is great, he is kind of nuts."⁷¹⁵ Leopoldo also said that the American had been in the Marine Corps and was an excellent shot, and that the American said the Cubans "don't have any guts * * * because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that, because he was the one that was holding the freedom of Cuba actually."⁷¹⁶

Although Mrs. Odio suggested doubts that the men were in fact members of JURE,⁷¹⁷ she was certain that the American who was introduced to her as Leon Oswald was Lee Harvey Oswald.⁷¹⁸ Her sister, who was in the apartment at the time of the visit by the three men, and who stated that she saw them briefly in the hallway when answering the door, also believed that the American was Lee Harvey Oswald.⁷¹⁹ By referring to the date on which she moved from her former apartment, October 1, 1963, Mrs. Odio fixed the date of the alleged visit on the Thursday or Friday immediately preceding that date, i.e., September 26 or 27. She was positive that the visit occurred prior to October 1.⁷²⁰

During the course of its investigation, however, the Commission concluded that Oswald could not have been in Dallas on the evening of either September 26 or 27, 1963. It also developed considerable evidence that he was not in Dallas at any time between the beginning of September and October 3, 1963. On April 24, Oswald left Dallas for New Orleans, where he lived until his trip to Mexico City in late September and his subsequent return to Dallas. Oswald is known to

have been in New Orleans as late as September 23, 1963, the date on which Mrs. Paine and Marina Oswald left New Orleans for Dallas.⁷²¹ Sometime between 4 p.m. on September 24 and 1 p.m. on September 25, Oswald cashed an unemployment compensation check at a store in New Orleans;⁷²² under normal procedures this check would not have reached Oswald's postal box in New Orleans until at least 5 a.m. on September 25.⁷²³ The store at which he cashed the check did not open until 8 a.m.⁷²⁴ Therefore, it appeared that Oswald's presence in New Orleans until sometime between 8 a.m. and 1 p.m. on September 25 was quite firmly established.

Although there is no firm evidence of the means by which Oswald traveled from New Orleans to Houston, on the first leg of his Mexico City trip, the Commission noted that a Continental Trailways bus leaving New Orleans at 12:30 p.m. on September 25 would have brought Oswald to Houston at 10:50 p.m. that evening.⁷²⁵ His presence on this bus would be consistent with other evidence before the Commission.⁷²⁶ There is strong evidence that on September 26, 1963, Oswald traveled on Continental Trailways bus No. 5133 which left Houston at 2:35 a.m. for Laredo, Tex. Bus company records disclose that one ticket from Houston to Laredo was sold during the night shift on September 25-26, and that such ticket was the only one of its kind sold in the period of September 24 through September 26. The agent who sold this ticket has stated that Oswald could have been the purchaser.⁷²⁷ Two English passengers, Dr. and Mrs. John B. McFarland, testified that they saw Oswald riding alone on this bus shortly after they awoke at 6 a.m.⁷²⁸ The bus was scheduled to arrive in Laredo at 1:20 p.m. on September 26, and Mexican immigration records show that Oswald in fact crossed the border at Laredo to Nuevo Laredo, Mexico, between 6 a.m. and 2 p.m. on that day.⁷²⁹ Evidence set out in appendix XIII establishes that Oswald did not leave Mexico until October 3, and that he arrived in Dallas the same day.

The Commission noted that the only time not strictly accounted for during the period that Mrs. Odio thought Oswald might have visited her is the span between the morning of September 25 and 2:35 a.m. in September 26. The only public means of transportation by which Oswald could have traveled from New Orleans to Dallas in time to catch his bus from Houston to Laredo, would have been the airlines. Resignation disclosed no indication that he flew between these cities.⁷³⁰ Moreover, it did not seem probable that Oswald would travel from New Orleans, spend a short time talking to Sylvia Odio, and then travel from Dallas to Mexico City and back on the bus. Automobile travel in the time available, though perhaps possible, would have been difficult.⁷³¹ The Commission noted, however, that if Oswald had reached Dallas on the evening of September 25, he could have traveled by bus to Alhice, Tex., and there caught the bus which would leave Houston for Laredo at 2:35 a.m. on September 26, 1963.⁷³² Further investigation in that regard indicated, however, that no tickets were sold, during the period September 23-26, 1963 for travel from

Dallas to Laredo or points beyond by the Dallas office of Continental Trailways, the only bus line on which Oswald could have made connections with the bus on which he was later seen. Furthermore, if Oswald had traveled from Dallas to Alice, he would not have reached the Houston to Laredo bus until after he was first reportedly observed on it by the McFarlands.⁷²⁵ Oswald had also told passengers on the bus to Laredo that he had traveled from New Orleans by bus, and made no mention of an intervening trip to Dallas.⁷²⁴ In addition, the Commission noted evidence that on the evening of September 25, 1963, Oswald made a telephone call to a party in Houston proposing to visit a resident of Houston that evening⁷²⁶ and the fact that such a call would appear to be inconsistent with Oswald's having been in Dallas at the time. It thus appeared that the evidence was persuasive that Oswald was not in Dallas on September 25, and, therefore, that he was not in that city at the time Mrs. Odio said she saw him.

In spite of the fact that it appeared almost certain that Oswald could not have been in Dallas at the time Mrs. Odio thought he was, the Commission requested the FBI to conduct further investigation to determine the validity of Mrs. Odio's testimony.⁷²⁸ The Commission considered the problems raised by that testimony as important in view of the possibility it raised that Oswald may have had companions on his trip to Mexico.⁷²⁷ The Commission specifically requested the FBI to attempt to locate and identify the two men who Mrs. Odio stated were with the man she thought was Oswald.⁷²⁸ In an effort to do that the FBI located and interviewed Manuel Ray, a leader of JURE who confirmed that Mrs. Odio's parents were political prisoners in Cuba, but stated that he did not know anything about the alleged Oswald visit.⁷²⁹ The same was true of Rogelio Cisneros,⁷³⁰ a former anti-Castro leader from Miami who had visited Mrs. Odio in June of 1962 in connection with certain anti-Castro activities.⁷³¹ Additional investigation was conducted in Dallas and in other cities in search of the visitors to Mrs. Odio's apartment.⁷³² Mrs. Odio herself was reinterviewed.⁷³³

On September 16, 1964, the FBI located Loran Eugene Hall in Johnsendale, Calif.⁷³⁴ Hall has been identified as a participant in numerous anti-Castro activities.⁷³⁵ He told the FBI that in September of 1963 he was in Dallas, soliciting aid in connection with anti-Castro activities. He said he had visited Mrs. Odio. He was accompanied by Lawrence Howard, a Mexican-American from East Los Angeles and one William Seymour from Arizona. He stated that Seymour is similar in appearance to Lee Harvey Oswald; he speaks only a few words of Spanish,⁷³⁶ as Mrs. Odio had testified one of the men who visited her did.⁷³⁷ While the FBI had not yet completed its investigation into this matter at the time the report went to press, the Commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September of 1963.

The Commission has also noted the testimony of Evaristo Rodriguez, a bartender in the Habana Bar in New Orleans, to the effect that he saw Oswald in that bar in August of 1963 in the company of a

Latin-appearing man.⁷³⁸ Rodriguez' description of the man accompanying the person he thought to be Oswald was similar in respects to the description given by Sylvia Odio since both testified that the man may have been of either Cuban or Mexican extraction, and had a slight bald spot on the forehead of his hairline.⁷³⁹ Rodriguez' identification of Oswald was uncorroborated except for the testimony of the owner of the bar, Orest Pena; according to Rodriguez, Pena was not in a position to observe the man he thought later to have been Oswald.⁷⁴⁰ Although Pena has testified that he did observe the same person as did Rodriguez, and that this person was Oswald,⁷⁴¹ an FBI interview report indicated that a month earlier Pena had stated that he "could not at this time or at any time say whether or not the person was identical with Lee Harvey Oswald."⁷⁴² Though when testifying, Pena identified photographs of Oswald, the FBI report also recorded that Pena "stated the only reason he was able to recognize Oswald was because he had seen Oswald's picture in the news media so often after the assassination of President John F. Kennedy."⁷⁴³ When present at Pena's bar, Oswald was supposed to have been intoxicated to the extent that he became ill,⁷⁴⁴ which is inconsistent with other evidence that Oswald did not drink alcoholic beverages to excess.⁷⁴⁵

The Commission has also noted the testimony of Dean Andrews, an attorney in New Orleans. Andrews stated that Oswald came to his office several times in the summer of 1963 to seek advice on a less than honorable discharge from the Armed Forces, the citizenship status of his wife and his own citizenship status. Andrews, who believed that he was contacted on November 23 to represent Oswald, testified that Oswald was always accompanied by a Mexican and was at times accompanied by apparent homosexuals.⁷⁴⁶ Andrews was able to locate no records of any of Oswald's alleged visits, and investigation has failed to locate the person who supposedly called Andrews on November 23, at a time when Andrews was under heavy sedation.⁷⁴⁷ While Andrews' employees felt that Oswald might have been at his office, his secretary has no recollection of Oswald being there.⁷⁴⁸

Oswald Was Not an Agent for the U.S. Government

When the time of his release from the Marine Corps until the assassination, Lee Harvey Oswald dealt in various transactions with various agencies of the U.S. Government. Before departing the United States for the Soviet Union in 1959, he obtained an American passport, which he returned to the Embassy in Moscow in October 1959, when he attempted to renounce his U.S. citizenship. Thereafter, in the Soviet Union, Oswald had numerous contacts with the Cuban Embassy, both in person and through correspondence. Two months later, he applied for the return and renewal of his passport, which was granted him. His application concerning the admittance of his wife to this country was passed upon by the Immigration and Naturalization Service of the Department of Justice in addition to the State Department. And before returning to this country, he