

Report, ... H. Post-Russell Ford

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TO : The Commission
J. Lee Rankin

FROM : William T. Coleman, Jr.
W. David Slawson

SUBJECT : Oswald's Foreign Activities: Summary of Evidence
Which Might be Said to Show that There was Foreign
Involvement in the Assassination of President Kennedy

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cases even the information itself must be withheld from the public. For example, the fact that a Russian KVD employee may secretly have tried to warn Oswald not to come to Russia, if disclosed, might result in the employee being severely punished or even executed. [Similarly, even disclosing the information gained from certain wiretapping facilities would necessarily disclose the existence of the facilities, where the nature of the information is such that we could not have learned it except through these facilities.]

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I. SOME GENERAL CONSIDERATIONS

A. "Foreign Involvement" Defined

We have intentionally chosen the words, "foreign involvement," to describe the problems with which we are concerned in this memorandum. The words were chosen because they are extremely broad, covering every thing from a comparatively innocent arrangement for propaganda purposes, such as, for example, an agreement whereby Oswald might have served the propaganda purposes of the Castro Government in New Orleans and Dallas in exchange for that Government paying his printing expenses plus some small additional compensation, to the most serious kind of conspiratorial connection, as would be the case if a foreign power had ordered Lee Oswald to kill John F. Kennedy. By "foreign involvement," however, we do mean something more concrete than simply emotional or ideological influence. The Commission already possesses evidence, and indeed so does the general public, that Oswald considered himself a Marxist and that he sympathized wholeheartedly with the Castro regime: he openly spread pamphlets in its behalf on the streets of New Orleans and he took its side in radio

that something behind the Iron Curtain had been put in motion in his behalf. Our investigation of this particular problem has come up with the following results:

In the first place, both Gnyas and Kevichar have their dates wrong. This does not reflect on their capabilities, because they are undoubtedly basing their conclusions upon State Department memoranda which were in turn based upon statements made at the time by Oswald himself, and subsequent investigation has shown that these were probably inaccurate. Oswald's American passport, which he of course had in his possession at the time he traveled to Russia, was subsequently surrendered to the Department of State, after he was repatriated, and has since been placed in the hands of the Commission.--Stamps on this passport show that the Soviet Tourist Visa was issued (not applied for) in Helsinki on October 14.

Oswald arrived

from London in Helsinki on October 10. Everything we know about his trip points to the fact that he proceeded to his destination, Moscow, as rapidly and as directly as his financial resources would permit. Despite statements made to fellow travelers along the way that he was "only a tourist" or "just a student on his way to college," he in fact wasted no time in sightseeing but made connections as rapidly as he reasonably could. Therefore, although we have no direct evidence indicating when he first applied for a visa, it seems highly probable that he applied for it as soon as he arrived in Helsinki, namely, on the 10th of October. Perhaps, however, his airplane arrived in Helsinki too late for him to have reached the Consulate before it closed that evening. Should this have

Second, the Soviet authorities may have been entirely ignorant of Oswald's pending arrival, but when he did arrive he, Oswald, immediately made known his strong sympathy with the Communist cause, his intention to defect and possibly even the fact that he had been a radar operator in the United States Marine Corps and the "fact" (doubtful) that he possessed secret information related to this job which he was ready to disclose. If this is the way Oswald conducted himself at the Soviet Consulate at Helsinki, then indeed his application would have been handled with dispatch. American Embassies throughout the world would presumably do the same thing if they believed they had a potential defector who possessed valuable information. Oswald himself claimed that he said nothing out of the ordinary to the Russian Consulate in Helsinki; he told the officials at the American Embassy in Moscow on October 31, when he appeared there in an attempt to renounce his citizenship, that he had said nothing to the Russians about defecting until he arrived in Moscow. Likewise, Yuri Ivanovich Nosenko, the Soviet KGB agent who defected to the United States in February 1964 (and whose reliability has not yet been ascertained) claims that the KGB at least had no knowledge whatever of Oswald until he appeared in Moscow.

Nosenko's testimony on this point cannot be taken with absolute assurance. Besides the obvious fact that whether he is sincere or whether he is a Soviet plant has not yet been determined, there is also the fact that to date the only report available to the Commission on what Nosenko has said about Oswald was obtained through the FBI, and the FBI interrogators did not have the detailed knowledge of Oswald's travels which we

~~has been brought to the attention of the FBI interrogators. (It is not~~
been brought to the attention of the FBI interrogators. (It is not
inconceivable that when Nosenko says the first word the KGB received
was when Oswald arrived in "Moscow" that he was speaking loosely and meant
when Oswald arrived in "Russia" or "at the Russian border." Or what is
even at least as likely, that Nosenko really does not remember the precise
moment at which Oswald first made his intentions known to the Soviet
Government.)]

~~Another piece of evidence relating to the same point should~~
be brought to the attention of the Commission. [The following paragraph
is an exact quote from a CIA report (Commission No. 698):

"c. October 1959: Stockholm newspaper, Dagens Nyheter,
of 25 November 1963 states Lee OSWALD passed through
Sweden during October 1959. Article also adds that
OSWALD was unsuccessful in obtaining visa to the USSR
in Helsinki which resulted in his returning to Stockholm.
Two days after he arrived in Stockholm OSWALD traveled
directly to Moscow. Concluding sentence of article
states 'This indicates that the Russian Embassy (Stockholm)
gave him a visa.']

it was difficult to explain
how OSWALD might have received his visa in two days with-
out going through normal channels. The only conclusion
which can be drawn is that OSWALD must have received his
visa directly from the Soviet Embassy in Stockholm which
occasionally is done in special cases, but the source had
no evidence to confirm this assumption."]

The information contained in the foregoing paragraph is flatly
at variance with the other CIA report, previously mentioned, to the effect
that Oswald stayed in Helsinki after having arrived there on October 10,
with the information obtained from Oswald's American passport, with his
own statement to the American Embassy in Moscow on October 31, 1959, and
with the documentary material given us by the Russian Government. All

of the latter could be lies or forgeries, however, including even the American passport, since it was in Oswald's possession for about two weeks before he came into the Embassy -- two weeks when he was in the hands of the KGB in the Hotel Berlin and in a hospital in Moscow. The CIA itself is apparently of the opinion that the information which places Oswald in Helsinki, rather than Stockholm, is more reliable. It certainly fits the other evidence we have of Oswald's travel better than does the "Stockholm" report.

The foregoing summarizes or sets out all the information available to us at this time on the problem of whether Oswald obtained his visa unusually quickly.

The final judgment which must be made on all this data is of course, what conclusion may legitimately be drawn if it is assumed first, that Oswald did get his visa unusually early, second, that the quick issuance of a visa was significant, and third, that its significance was that the Soviets had warning well ahead of time that Oswald was coming to Russia to defect? Even all this does not necessarily add up to a conclusion that Oswald was ever used as an agent by the Soviet Government. It could add up to the conclusion that they hoped to get him to Russia so that he could there be analyzed for possible use as an agent and then so used only if the examination of him resulted in a favorable conclusion. It could also mean something less serious, for example, that they knew or suspected that Oswald was going to defect and wanted to make it as easy as possible for him to get into Russia so that they would be sure to obtain the propaganda benefits of his defection before he had a chance

Some light on what was happening behind the scenes has been shed by Yuri Ivanovich Nosenko, the recent Soviet defector. If we can assume that his statements are sincere. The rest of our information comes from the records of the American Embassy in Moscow, the memories of some of the officials there, and the notes of two newspaper reporters, Miss Aline Mosby and Miss Priscella Johnson, who interviewed Oswald in his hotel room during this period. The following is a capsule outline of the major events as we think they occurred:

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<u>Date</u>	<u>Event</u>
October 16, 1959	Oswald arrives in Moscow from Helsinki. On this same day he told his Intourist guide, Rina Shirokova, that he wanted to become a Russian citizen. He did <u>not</u> notify the American Embassy in Moscow of his arrival.
October 22	When told by the Soviets that he could not become a citizen and must leave Moscow within two hours, Oswald slashed his wrists in an attempt to commit suicide.
October 22-29	Oswald was confined in a hospital in Moscow and treated for a self-inflicted wound on his left wrist.

permanently in Russia, and said, "Oswald was not regarded by the KGB as being completely normal mentally nor was he considered to be very intelligent." [The CIA has not yet given us an evaluation on the reliability of Nosenko, but they indicated that they ought to be able to give us an evaluation soon. As developed elsewhere in this memo, the authenticity of Nosenko is of high importance.]

C. Special benefits granted to Oswald while

he was in the Soviet Union: Do they show that

he was being paid to receive training as a

Soviet Agent?

Once he was accepted as a resident alien in the Soviet Union Oswald, by no means, lived "just like a Russian." On the contrary, he was given all sorts of special benefits which a Russian citizen in his position would not have obtained. The question is not whether he received special benefits, but whether his receiving them indicates that he was undergoing some sort of training as a future agent of the Soviet system, or at least that he was being indirectly bribed to become such an agent. We want to emphasize that the problem of interpretation here is not simply whether he was being "bribed," but whether he was being bribed for the specific purpose of setting him up as some sort of foreign agent. For there is no question but that the special treatment amounted to a bribe. Oswald recognized this fact himself in his Diary, and Marina and Nosenko both say that it is standard practice in the Soviet Union for Americans and other foreign defectors from countries with high standards of living to be

from him since early November 1959, when it had received his undated letter from the Hotel Metropole asking that his renunciation of citizenship be accepted. The new letter from Oswald was dated February 1, 1961, and asked that he be readmitted to his native country. The breaking of Oswald's 16-month silence at this time coincided exactly with a request sent by the Department of State in Washington to its Moscow Embassy on February 1, 1961, informing the Embassy that Oswald's mother was worried about him, inquiring as to his whereabouts and asking that he get in touch with her if possible. We had wondered whether the coincidence of these two events was accidental or whether it represented Soviet interception of the request by Oswald's mother, interpretation of that request as a possible softening of the attitude of the American Government toward Lee Oswald and their -- the Soviets' -- suggestion to Oswald that he therefore act immediately to seek readmission to the United States. { We have been informed [by the CIA] that } the request from Marguerite Oswald went from Washington to Moscow by diplomatic pouch, and thus the Russians should have had no opportunity to intercept it. However, this does not preclude the possibility of a leak in the Washington office from which the request came or a leak in the American Embassy in Moscow, where it was received. In order to have given the Russians time to act upon the leak, however, it would seem that it would have had to occur in Washington rather than Moscow.

When receiving a new passport one must see that the information about the bearer and his children below 16 years of age has been properly entered, as well as the marriage data and stamp. It should be borne in mind that all citizens from 16 to 40 years of age receive passports valid for a limited period of time. When the validity of the passport expires, the citizen should apply to the passport office for a new passport. It should be born in mind that living without a passport or registration book, an invalid passport, or acceptance for work without a passport or registration book, constitutes violation of passport regulations. Persons guilty of such violations of the passport regulations are liable to prosecution.

When asked to comment on the point by representatives of the FBI, Nosenko simply replied that there was no law in the Soviet Union which would have prohibited Oswald's travel. Unfortunately, as has so frequently occurred in connection with Nosenko, the questioners were not sufficiently schooled in the intricacies of the situation to pose their question exactly. We now have reason to believe that while there are no laws in the Soviet Union prohibiting an ordinary citizen from traveling, resident foreigners, such as Oswald, are at least theoretically so prohibited. Anyway, we have also posed this question to the CIA, and its response is as follows:

1. OSWALD'S travel from Minsk to Moscow and return in July 1961 would normally have required prior authorization. Bearers of a Soviet "passport for foreigners" (vid na zhitelstvo v SSSR dlya inostrantsa) are required to obtain travel authorization from the Visa and Registration Department (OVR) (or Passport Registration Department (PRO) in smaller towns) if they desire to leave the city (or oblast) where they are domiciled. This same requirement is believed to apply to persons, such as OSWALD, holding Soviet "stateless passports" (vid na zhitelstvo v SSR dlya lits bez grazhdanstva).

2. The practicality of even "unauthorized" travel was demonstrated by events related by Bruce DAVIS, a United States citizen who defected from his US Army unit in Germany on 19 August 1960, and subsequently was sent to Kiev to study. After his repatriation in 1963, DAVIS told US authorities that he had made a total of seven unauthorized trips from Kiev during the 1961-1963 period. One of these trips was a flight to Moscow on 1 May 1961, only two months before OSWALD'S flight. DAVIS was apprehended on two of his seven trips, and was returned to Kiev each time, the second time under escort. On both occasions he was merely reprimanded by the deputy chief of the institute at which he was studying. Since Marina had a Soviet citizen's internal passport, there would have been no restrictions against her making the trip to Moscow.

Oswald's arrival at the American Embassy was on a Saturday, according to the Historic Diary, the place was closed for business but after some inquiry he was able to reach Mr. Richard E. Snyder, the Consul, on the telephone. Oswald notes in the Diary that the consular officials lived in the same building as they worked, so presumably he and Snyder spoke over some sort of house telephone. Again according to the Diary, Snyder came down immediately, shook his hand, and spoke briefly with him. The upshot of the conversation was that Oswald should return on Monday, July 10. This he did, but in the meantime, apparently because of something said by Snyder, although we have no clear evidence that this was the case, Oswald telephoned Marina long distance and asked her to fly to Moscow the next day, Sunday, which she did.

3. The Oswalds staying at the Hotel Berlin

While they were in Moscow, Oswald and Marina stayed at the Hotel Berlin, the same place Oswald stayed when he entered the country in 1959. The CIA has informed us that the Hotel Berlin and its "minister

hotel," the Metropole (where Oswald also stayed in 1959), which are under the same administration, are the regular foreign-tourist hotels in Moscow. Presumably, therefore, they are heavily infiltrated, if not controlled, by the MVD.

Marina says that she and Oswald got a room at the Hotel Berlin because rooms in Moscow were at a premium, there being a film festival going on at the time, and Oswald was remembered at the Berlin and therefore able to get a room despite the difficulties. The CIA has confirmed that an international film festival was in fact occurring in Moscow during July 1961.

1. The alleged unusual rapidity with which the Oswalds were able to obtain permission from the Soviet Government to leave Russia.

Despite the fact that Marina had come to Moscow, when Oswald appeared at the Embassy on Monday she waited outside instead of coming in with him. However, on Tuesday she had a conference with John McVickar on her aspects of the contemplated return to the United States, i.e., the problems and procedures connected with her entry into the United States as a "nonquota immigrant." It is interesting, and apparently purely coincidental, that the same two men who dealt with Oswald when he defected to Russia were the ones who dealt with him and Marina when he sought to reenter the United States.

Primarily on the basis of the Monday interview, the American Embassy concluded that Oswald had not expatriated himself despite his attempts to do so in the fall of 1959 and his actions thereafter, and wrote a memorandum to this effect to the Washington Department of State.

when she testified to the Commission that, as just related, Oswald had told her that he was going and why. The few witnesses we have who spoke with Oswald while he was on a bus going to Mexico City confirm what Marina has stated, that Oswald's intent was to evade the travel ban by reaching Cuba by way of Mexico.

The Mexican law-enforcement authorities [and the CIA and FBI] have all carried on extensive investigations within Mexico of Lee Harvey Oswald's activities there. These [three groups] have produced evidence which appears quite firm that when Oswald appeared at the Cuban and Soviet Embassies he told them that his destination was Russia, not Cuba, and that he only wanted an "in-transit" visa for Cuba in order that he might visit that country on his way to the Soviet Union. When he visited these embassies he carried with him newspaper clippings, letters and various documents (some forged by himself) purporting to show that he was a "friend of Cuba." With these papers, and with his proven record of previous residence in the Soviet Union and marriage to a Soviet national, he tried to curry favor with both embassies, but the attempt seemingly failed.

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and Marina has testified that when she first saw him after his return to the United States he was discouraged and convinced that he would never reach Cuba.

When questioned on the discrepancy between his telling her that he wanted to get to Cuba and his telling the Cuban and Russian Embassies that his ultimate destination was Russia, Marina answered

I. Documentation furnished by the
Soviet Government at our request

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In the latter part of March the Department of State, at our request, handed Ambassador Dobrynin a letter from Mr. Chief Justice Earl Warren to Secretary of State Dean Rusk requesting that the Soviet Union furnish the Commission with "further details of his Oswald's activities during his residence in the Soviet Union, including copies of any official records which the Soviet authorities may find it possible to supply." The letter went on to describe seven areas of particular interest to the Commission. A copy of the letter has been attached to this memorandum so that the description of the areas of particular interest can be read in detail if this is felt to be desirable.

The response of the Soviet Government has been received. It is difficult to assess the extent to which it has complied in good faith. Some records which might have been given to us have not been, but in some cases this could very well be because they are no longer in existence. For example, no application for a tourist visa made in Helsinki, Finland, on or about October 14, 1959 was forwarded to us despite the fact that we specifically requested documents of this type; but it is entirely possible that in the more than four years which elapsed between the time when Oswald filled out this very routine document and the time of the assassination, it was destroyed in the ordinary course. There are other deficiencies in the Soviet response which are not so easily explained. The very last paragraph of the letter from Mr. Chief Justice Earl Warren asks for copies of any statements, before or since the assassination of President Kennedy, volunteered by Soviet citizens who knew Lee Harvey Oswald during his

...to have written it in the hope that by entering into the

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somehow been "in on" some secret and mysterious dealings involving the Soviet Embassy in Mexico, some benefit, however small, could be salvaged from the otherwise total failure of that trip.

H. Yuri Ivanovich Nosenko

In February 1964, Yuri Ivanovich Nosenko asked for asylum in the United States. His position in the Soviet Union was that of a high official with the KGB, and he was attending a conference in Geneva at the time of his escape. In the course of his interrogation by the CIA, it turned out that he had knowledge of Oswald. [His testimony in respect to Oswald was given to representatives of the FBI and passed on by the Bureau to us. A copy of the Bureau's final report on Nosenko is attached to this memorandum.] Nosenko's reference to Oswald's Intourist guide and "his" impressions and evaluations of Oswald should probably be to "her" impressions and evaluations, since we know from other sources that the guide was probably a woman, Rina Shirokova.

The FBI summary of the statements of Nosenko, if true, would certainly go a long way towards showing that the Soviet Union had no part in the assassination. [However, one cannot but be struck by the rare coincidence between the sudden notoriety of Lee Harvey Oswald and the fact that a Soviet official who defects turns out to be a man with primary knowledge about Oswald. If, after the CIA opinion has been formed, doubts still exist with respect to the authenticity and sincerity of Nosenko, then the Commission must face the vexing question of why the Soviet Union chose this method to place this "information" in the hands of the United States. In our opinion, Nosenko should be asked to testify to the Commission as soon as the CIA has completed its evaluation of his

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in Texas on Nov. 1st, agent of the FBI James P. Hasty warned me that if I attempt to engage in FPCC activities in Texas the FBI will again take an "Interest" in me. This agent also 'suggested' that my wife could 'remain in the U. S. under FBI protection,' that is, she could defect from the (refuse to return to the) Soviet Union. Of course I and my wife strongly protested these tactics by the notorious F.B.I.

"(It was unfortunate that the Soviet Embassy was unable to aid me in Mexico City but) I had not planned to contact the Mexican City Embassy at all so of course they were unprepared for me. Had I been able to reach Havana as planned (I could have contacted the Soviet Embassy there for the completion of rapid have been able to help me get the necessary documents I required assist me.) would have had time to assist me but of course the (stupid) stupid Cuban Consule was at fault here, I'm glad he had since been replaced by another."

Information produced for the Commission by the CIA is to the effect that the person referred to by Oswald as "comrade Kostin" was probably a man named "Kostikov" employed ostensibly as a member of the Consular staff of the Soviet Union in Mexico City. He is actually a KGB agent, however, as are many of such employees. We have also identified the Cuban Consul referred to in Oswald's letter as probably Senor Eusebio Azque. This man was in fact replaced. We asked the CIA to look into this and their response reads:

"We surmise that the references in Oswald's 9 November letter to a man who had since been replaced must refer to Cuban Consul Eusibio Azque, who left Mexico for Cuba on permanent transfer on 18 November 1963, four days before the assassination. Azque had been in Mexico for 18 years and it was known to us as early as September 1963 that Azque was to be replaced. His replacement did arrive in September. Azque was scheduled to leave in October but did not leave until 18 November.

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residency in the Soviet Union which related to one of the aforementioned seven areas of particular interest or which "might otherwise be of interest to the Commission." No such volunteer statements were forwarded to us by the Soviet Government. A second possibly suspicious circumstance we have observed is that a very high percentage of the signatures other than Oswald's on the documents are stated by our translators to be illegible or missing.

This kind of verification has been rendered impossible, either accidentally or on purpose, in the documents given to us. We have asked the CIA's opinion on this point, but so far have not received it.

J. An Overall Assessment of the

Likelihood of Soviet Involvement

The Commission has been able to gather an impressively large amount of material on Lee Harvey Oswald's life in Russia and in the United States after he returned from Russia, and a considerable amount of material on Marina as well. Much of this has been examined in this memorandum, and over the last few months virtually all of it has been analyzed in detail by members of the staff of the Commission or by one or more of the various investigatory or intelligence agencies of the

88 Federal government. Our conclusion, as already stated, is that all the "Russian" evidence is consistent with Lee Harvey Oswald's having been substantially what he purported to be and no more, that is, it is consistent with his not being an agent of the Russian government.

The fact that the evidence on Oswald's life in Russia is consistent with the conclusion just stated is of course highly important; however, this alone is not sufficient reason to conclude that Oswald was fact not a Russian agent. A high proportion of all the evidence on Lee Harvey Oswald which relates to his travel to and life in Russia derives from sources that could have been fabricated or otherwise falsified. The main sources of such evidence are his own statements after he returned to the United States, the letters he wrote from Russia to members of his family; Marina's statements to friends after she came to America and her testimony to the Commission, and all sorts of writings and documents dating from the Russian period or shortly thereafter. All of these sources could have been put together by the KGB or be the result of its careful "coaching."

OK The question therefore rises, How are we to access whether or not what we know as Oswald's "real life" is not just a "legend" designed by the KGB and consistently lived out by Oswald thereafter? Yuri Ivanov Nosenko, if he is sincere, would provide a conclusive answer; namely, that what we know is the truth and not a legend. Unfortunately, the CIA cannot give us quite the assurance of Nosenko's reliability that we would need to rely solely upon his testimony. We are therefore forced to fall back upon Oswald himself, and ask, from all we have learned about him -- literally from his infancy until the day of his death -- whether he was

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(One arrangement he made, for example, was to have passport photographs taken, for use in his application for a Cuban visa.) By late Saturday afternoon, September 28, however, he had pretty much hit a blank wall at both embassies.

The Cuban Embassy had even more firmly informed him that he could not get an "in-transit" visa to visit Cuba unless he could first show them a visa to visit Russia, so he was left with very little to do with either Embassy.

At the Cuban Embassy he even got into a fight with the Consul, Eusebio Asque, because he insisted so strongly that as a "friend of Cuba's," he ought to be given a visa. So from Sunday through Wednesday morning, October 2, when he left Mexico City on a bus bound for the United States, apparently about all he did -- or all that we know about what he did -- was to make his travel arrangements, see the sights of the city and

Our evidence that the events set out in the foregoing paragraph occurred is solid. It is obtained from several sources, the most important being the direct testimony of Senora Silvia Duran, the Mexican clerk at the Cuban Embassy who dealt with Oswald.

The question is not whether

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these events occurred, but whether they were perhaps only a cover-up for other, more sinister activities going on at the same time. This is where the various rumors and claims of conspiracy come into consideration. Some of them will be considered in detail later, but at this point it is enough to say that they almost all boil down to some sort of allegation that the Cubans passed money to Oswald while he was in Mexico City, as payment for assassinating the President. We have been informed by the Central Intelligence Agency that rumors focusing around a large amount of money having been handed to Oswald while he was in Mexico City (the most commonly mentioned sum was \$5,000) were current in Mexico City almost immediately after the assassination. The fact that these rumors were current should be kept in mind in assessing the information which follows.

In order that the Commission may directly assess some of the important bits of evidence bearing upon Oswald's contacts with the Cuban and Russian Embassies, we have attached hereto two documents.

We have also recopied the essentials of the statement made by Silvia Duran, the Mexican employee of the Cuban Consulate in Mexico City who dealt with Oswald, when she was questioned by the Mexican police shortly after the assassination.

Her statement, as forwarded to us by the Mexican government, is as follows:

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telephone conversations with the word, "Adios." Mrs. Roberts' statements on this subject infer that these conversations were carried on in some foreign language described by her as "German or Russian." From this it in turn can be inferred that the conversations alluded to were with Marina because they would have been in Russian, and we have other evidence, which is quite firm, that he telephoned Marina almost every night. If this is the case, then the fact that he signed off with the word "Adios" has no particular significance. When Marina testified to the Commission she stated that she does remember her husband occasionally using that term. If, however, the word "Adios" was used during an English-language conversation we have, perhaps, an important unexplained piece of evidence. Mrs. Roberts

~~is scheduled to be requested on this point.~~

FBI has no objections to releasing this segment re their work in Mexico.

The top local officials of both the CIA and the FBI in Mexico stated to representatives of the Commission during their visit to that country in April 1964 that, in their professional opinion, there was no conspiracy involving Lee Harvey Oswald or the assassination which had contacts in Mexico. Both men based their opinions upon their belief that if there had been any such conspiracy, although they might not by this time have been able to solve it, their sources of information and investigatory capabilities were sufficiently good so that they would at least have received some firm indication or "hard" evidence of its existence. The absence of any such evidence has convinced them that Lee Harvey Oswald's trip to Mexico was in all probability nothing more than it purported to be: an unsuccessful attempt to reach Cuba.

Unfortunately, however,

although the means of investigation at our disposal in Mexico have in our opinion been stretched to the utmost, there still remain gaps in our knowledge of what Oswald did while he was there. Essentially, for Sunday Monday and Tuesday, September 29 through October 2, we can fill in only about five or six hours of his time, plus whatever time he slept. The final answer to the meaning of the Mexican trip, therefore, will probably never be given.

Finally, before ending our discussion of possible Cuban involvement, we would like to set forth in summary fashion some of the rumors and allegations of Cuban conspiracies which have come to our attention. In our opinion, only two are sufficiently serious to merit a detailed state-

~~ment. These are summarized below. The other rumors are very briefly~~

summarized, and references to the basic FBI ~~or CIA~~ sources dealing with them are given, in an appendix hereto.

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[Handwritten initials]

June 11

1. Statement of Pedro Gutierrez Valencia.

On December 2, 1963 Senor Pedro Gutierrez Valencia wrote a letter to President Johnson, in Spanish, in which he stated that in the course of his duties as a credit investigator for a large department store in Mexico City he was in the Cuban Embassy in Mexico City on September 30, 1963 or October 1, 1963 for the purpose of conducting an investigation of one of its employees. The letter went on to say that as he was leaving the embassy he overheard a heated discussion in English between two men, one a Cuban and the other an American, in which he could understand only the words, "Castro," "Cuba," and "Kennedy." The Cuban was counting out

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Gutierrez came around a corner of a wall and bumped into the Cuban who was talking with the American, thereby seeing them both for a split second face-to-face. He apologized, the Cuban graciously accepted the apology, and all three men immediately continued walking in their respective directions. When he overheard their conversation, however, which must have been resumed almost instantaneously, Gutierrez turned around to get another look. Thus, he got a good look only of the backs of both men. Likewise, when he followed them to their automobile, he saw them only from a distance and again only their backs. The conclusion of the FBI representatives assigned to this case is that Gutierrez probably did see money being passed to a man who appeared to be an American, but that whether that man was Lee Harvey Oswald is by no means certain.

From reviewing his work schedule, which he says he rigorously adhered to, Gutierrez is able to fix the time at which he must have seen the Cuban and the American as 10:50 a.m. on October 1, give or take a very few minutes.

The Cuban and Russian Consulates in Mexico City are located very close to one another, only

about two blocks apart. It therefore seems unlikely that if Oswald had been at the Cuban Embassy he would have telephoned the Russian Embassy rather than walked over there, especially since by this time he was familiar with the personnel. However, it is also possible that he believed that he could get through to speak to the Consul if he telephoned, whereas if he showed up in person he might be rebuffed by the receptionist or the guard who by that time may have been able to recognize him and under orders to keep him out.

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~~The CIA and FBI representatives with whom we have discussed this investigation point out that although they by no means rule out the accuracy of Gutierrez' observations for this reason alone, it is unlikely that someone would be passed for a sinister purpose in such an open manner as was allegedly observed by Gutierrez.~~ First, it is unlikely that an agent would be paid off right at the embassy or the consulate. Second, even if he were, the payoff would more probably be carried out in the privacy of a room. Nevertheless, investigation is continuing.

Unfortunately, Gutierrez' description of the automobile allegedly driven by the Cuban, a light tan Renault, happens to be a very popular make and color in Mexico City.

The present owner cannot be ascertained, however, because the registration of the automobile (as is common in Mexico) has been maintained under the name of the original owner, who owned it several years ago, in order to avoid the payment of transfer taxes. Efforts to trace the automobile from

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owner to owner, beginning with the first, have been unsuccessful.

2. ^{The Nicaraguan} Statement of Gilberto Alvarado Ugarte.

On November 26, 1963, Gilberto Alvarado Ugarte a 23-year-old

Nicaraguan secret agent, (at the time seeking to penetrate the Castro forces in Cuba by going to Cuba from Mexico to receive guerrilla training on the island,) came to the American Embassy in Mexico City and declared that he had witnessed Lee Harvey Oswald receiving a payoff to kill the President in the Cuban Embassy on September 18. Alvarado said that Oswald was given \$6,500, \$5,000 as compensation and \$1,500 for expenses. Alvarado recited that at noon on the 18th of September he went to the Cuban Consulate to turn some passport photographs over to the Consul, Eusebio Ascue, to be used in the fabrication of false travel documents so that he could leave Mexico for Cuba. He sat in the waiting room and saw a group of approximately eight persons enter the Consulate and go into Ascue's office and noticed that someone other than Ascue was sitting at Ascue's desk. He then asked a Cuban Consulate employee where the bathroom was, was told, and proceeded out of the waiting room in the given direction. While standing by the bathroom door, he said, he saw a group of three persons conversing in a patio a few feet away. One was a tall, thin Negro with reddish hair

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The comment made on Alvarado by the CIA field man on November 26 was, "He is young, quiet, very serious person, who speaks with conviction, knows enough English to understand conversation."

Source Alvarado was, of course, immediately subjected to intensive interrogation and investigation.

Apparently he was [indeed] on his way to Cuba and had had dealings with the Cuban Consulate in Mexico City in connection with preparation of false travel documents. Whether he was doing this as a soldier of fortune, out of conviction for the Castroite cause or to place himself in a position where he would later be able to command a higher price from the Nicaraguan and other anti-Communist intelligence agencies for his information, we do not know.)

Both the Mexican and American authorities continued to interrogate and cross-check Alvarado's story. ^{OK} On November 30 the ~~CIA~~ ^{OK} was informed that Alvarado had admitted ^{OK} in writing that his whole story about ^{OK} Oswald was false. He said that he had not seen Oswald at all, and that he had not seen anybody paid money in the Cuban Embassy. He also admitted that he never tried to telephone the American Embassy

about the matter and that his first contact was in person on November 26 when, as we now know, he spoke to an Embassy security officer. He still maintained that he did in fact repeatedly visit the Cuban Embassy, however, as related above. The Mexican authorities stated that they were inclined to believe the last part of the story. (Alvarado) said that the motive in telling the fabrication was to help get himself admitted to the United States so that he could there participate in action against Fidel Castro. He said he hated Castro and hoped that the story he made up would be believed and would cause the United States to "take action" against Castro. In the meantime, American intelligence agencies in Mexico had checked back with Washington and learned that on the 17th and 19th of September information we had indicated that Oswald was in New Orleans. Although still theoretically possible, this of course made it unlikely that he was in Mexico City on the 18th.

Still later, American authorities reinterrogated (Alvarado) (Alvarado) at first claimed that he had been pressured into retracting his statement to the Mexican police and that the retraction, rather than his statement, was false. He said that he did, in fact, see the things he claimed to have seen. American interrogation of him continued and part of it was carried on in connection with a polygraph machine. When told that the polygraph indicated that he was probably lying, Alvarado said words to the effect, "I know such machines are accurate, and, therefore, I suppose I must be mistaken." He then added that he was uncertain as to the date when he saw someone "who looked like Oswald" at the Cuban Embassy, and perhaps

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it was on a Tuesday, September 17, rather than September 18. (Alvarado) did not know it at the time, but the 17th would make it even more unlikely than the 18th. On September 17 Oswald appeared at the Louisiana State Unemployment Commission in New Orleans and also cashed a check from the Texas Employment Commission at the Winn-Dixie Store Number 1425 in New Orleans.) On the basis of the polygraph results and the qualified retractions made by Alvarado when he saw the results and on the basis of discrepancies which appeared in his story (the CIA) in Mexico City, concluded that in all probability he was lying, and that the reasons for lying were probably sincere. No further investigation of the Alvarado incident was carried on subsequent to the foregoing.

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for Nixon

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DECLASSIFIED
E.O. 11652, Sec. 1.4
By MAG NZRS Date 9/29/76

MEMORANDUM

August 22, 1964

To: J. Lee Rankin

From: W. David Lawson

Subject: Language in the Possible Foreign Conspiracy section of the Report relating to "N"

This memo has been released with deletion of this paragraph (M.M.)

You asked that I set forth the language which I propose to use in the Possible Foreign Conspiracy section of the Report which covers the use and non-use of information obtained from "N". I do not propose to use any information from "N" which the Soviet Union would be able to trace to him rather than to Soviet defectors generally. Information supplied by "N" which bears on the general practices and procedures of the KGB and is, therefore, not traceable to him, will be used but attributed to the CIA and its "stable" of Soviet Defectors. This is a thoroughly honest attribution; the defectors other than "N" are in most cases fully able to supply this information. In one case, I hope to use some particular information supplied both by "N" and Madame Furtseva, but it will be attributed solely to Madame Furtseva. The language of the sections I propose to use is quoted below:

I

(Taken from page 3 of the Introduction.)

"In approaching the question of foreign involvement, the Commission has received valuable assistance from the Central Intelligence Agency, the Federal Bureau of Investigation, the Department of State and other Federal agencies with special competence in the field of foreign investigation. The CIA has made an especially valuable contribution by supplying the Commission with information originating with defectors from the Soviet intelligence services and bearing on secret practices and procedures which would be applicable in the Soviet Union to a case like that of Oswald's during his stay there.

Some of the information furnished by the above-mentioned agencies, and many of their sources for that information, are of a highly confidential nature. Nevertheless, because it believes that the fullest possible disclosure of all the facts relating

WDSL:lawson/sah
cc: Mr. Rankin
Mr. Willens

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by authority of 012208
date 21 MAY 1976

21 MAY 1976
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SCHEDULE OF EXECUTIVE ORDER 11652, EXEMPTION CATEGORY:
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- 2 -

to the assassination of President Kennedy is of the highest importance, the Commission has included in this Report all the information furnished by these agencies which it considered in coming to its conclusions, and, in addition, all the information which would have contradicted those conclusions if it had been considered, even though the Commission did not regard it as sufficiently reliable to be considered. This second category of information consists mostly of rumors and speculations, some of them almost wholly frivolous. The Commission included it notwithstanding that fact, however, in order that the public could decide for itself the correctness of the conclusions in this Report, by testing them against all the evidence which tends to contradict them.

"The only relevant information which has not been included in the Report is that which is consistent with the Commission's conclusions but highly confidential and derived from sources the reliability of which is so low or so uncertain that the Commission was not able to rely upon it in coming to its conclusions. Thus, even if this information should later be wholly discredited, none of the conclusions in the Report would be affected; the relatively little advantage to be gained by including it, therefore, was not deemed sufficient to override the serious compromise of national security which disclosure would involve.

"Secret sources of information, as contrasted with the information itself, have in many instances been withheld. The continued use of such sources and, where secret informants are involved, the very lives of such informants would be placed in jeopardy if names, positions or other identifying characteristics were to be disclosed."

II

(Taken from page 41 of the section dealing with Oswald's defection in the Fall of 1959. (Footnote No. 135 is to the CIA; Footnote No. 136 is to Madame Furtseva; footnote No. 137, as the text states, is to the Historic Diary.)

"The Commission has information from confidential sources that the normal Soviet procedure for handling would-be defectors is to give the KGB the initial task of examination and assessment. 135/ Presumably this was done with Oswald. His rejection on October 22,

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which triggered his suicide attempt, therefore, probably means that the KGB had conducted its examination between October 16 and October 22 and had concluded that Oswald was of limited value to the Soviet Union. The Commission has other information from a source of unknown reliability that when the news of Oswald's rejection and dramatic suicide attempt reached Madame Fortsova, a prominent Soviet official and a member of the Praesidium, she personally intervened and asked that he be permitted to reside in the Soviet Union. ^{139/} If this information is correct, it explains the change in Oswald's fortunes which occurred after he was released from the Boykinskaya Hospital. The Commission can only speculate on what branch of the Soviet Government took charge of Oswald after Madame Fortsova's intervention, if it in fact occurred, or why she decided to intervene. Sympathy for what appeared to be a very appealing case certainly may have played a role. It may also have been of some significance that had a young American who had presented himself as a devout convert to the Communist cause been summarily rejected, the resulting publicity would have been unfavorable to the Soviet Union. In any event, it is interesting to note that the apparent shift of Oswald's case from the KGB to some other Ministry of the Soviet Government shortly after his release from the hospital is supported by the entries in his Diary commenting that the officials he met after his hospital treatment were different from those with whom he had dealt before. ^{140/}

III

(The following is the first paragraph of the conclusion.)

"The Commission has thoroughly investigated the possibility that Lee Harvey Oswald was a secret Soviet agent. The specific facts and circumstances, so far as they are known, relating to Oswald's defection to the USSR, his residence there in Minsk, and his return to the United States in 1962 have been carefully evaluated. The defectors from the Soviet intelligence service who are now working with the Central Intelligence Agency, some of whom were still working with Soviet intelligence when Oswald was in Russia, have all failed to furnish any information indicating that Oswald was a Soviet agent. The Commission concludes that there is no credible evidence of Soviet involvement in the assassination, and that the facts that have been obtained strongly negate any conclusion that Oswald was an agent of the Soviet government."