

INTERCEPTS AND PHOTOGRAPHS "Please, no evidence which may conflict with the report." OLIPHANT

p. 122 The above four conversations which occurred on 9/27 and 9/28 contain almost all of the substantive information that was available to the Mexico City station on OSWALD from the Soviet electronic intercept operation. These conversations were not linked to OSWALD prior to 8 October 1963 when [MEXI-6453] IN 36017 was sent to Headquarters reporting OSWALD's contact with the Soviet Embassy on 1 October 1963 (494)

The conversations discussed above were linked to Lee Harvey OSWALD by 16 October 1963, the date that the Mexico City Station opened its "P" file on OSWALD. (495) The process by which, and the events leading up to, the linkage of OSWALD to the intercepted calls will be discussed in the following section on the Mexico City Station's actions regarding the OSWALD case prior to the assassination.

A photograph of an unidentified individual who visited the Soviet Embassy was incorrectly linked to OSWALD prior to the assassination. (496) The manner in which this mistake was made and the consequences of that mistake will be discussed in the following sections on the Mexico City Station's actions prior and subsequent to the assassination of President John F. Kennedy.

p. 81 "An examination of the production from these operations failed to reveal a photograph of OSWALD. (320) This Committee has not been able to rule out the possibility that a photograph of OSWALD was obtained in Mexico City by these operations since the material made available for review was incomplete. (321)"  
[Agency withholding - implication]

p. 90 This Committee cannot state with certainty that a photograph of Lee Harvey OSWALD was not obtained by the photosurveillance operations in Mexico City because of three reasons: (a) the photographs from LILYRIC, the "alternate" photographic base which covered the Soviet Embassy main gate, and the photographs from the pulse camera, which covered the Cuban Consulate entrance, with the exception of a few samples, were not made available for review by the CIA; (b) testimony from knowledgeable people that it would have been unlikely that the photosurveillance would have missed someone whom it had at least five chances of recording; (361) and (c) reports that such a photo did, in fact, exist. (362)

"... Simply put, this Committee has not seen all of the photographs produced by the photosurveillance operations in Mexico City (363) Hence, it cannot conclude that a photograph of OSWALD does not exist among those photographs it has not seen. [Writer fails do note that the Station, in November 1963, reviewed all photographs and found nothings - see cable traffic.]

p. 107 "The Agency's withholding of certain production materials from the photographic bases has prevented the Committee from determining whether a photograph of Lee Harvey OSWALD was taken.

by these photographic surveillance operations. [How does one "withhold" material when there is none to withhold?]

p. 114 "Material removed from SCOTT's safe now in possession of the CIA provides critically important circumstantial evidence that the CIA photosurveillance operations obtained photographs of OSWALD:

"(OSWALD's) visits and conversations are not hearsay; for persons watching these embassies photographed OSWALD as he entered and left each one; and clocked the time he spent on each visit." (469)

"This Committee believes that a photograph of Lee Harvey OSWALD was probably obtained by CIA photosurveillance in Mexico. There are allegations that such a photo was found; there is testimony that such a photo should have been obtained; the CIA's withholding of materials; Ms SCALETI's strange lapse of memory regarding the events of 11/22/63; and Mr. SCOTT's manuscript; these things, in the Committee's view, would tend to indicate that a photo of Lee Harvey OSWALD was obtained. On the other hand the consistent testimony that a photo was not obtained in Mexico; the absence of any record of transmittal of the photo to Headquarters (the weight of this consideration is mitigated by the fact that there were methods of communication available that were not incorporated into the CIA's record keeping systems); and the testimony of Ms SCALETI and Mr. SCALSO that a photo was not discovered would tend to indicate that, in fact, the allegations that SCALETI found a photo of LHO are false."

[A review of 1963 traffic shows no photograph was found of LHO. The Station would have reported finding one, if it had.]

p. 115 This study has demonstrated that the information from the Soviet Embassy taps and from Headquarters was available to the Mexico City Station prior to the assassination of President John F. Kennedy. In addition to the Agency acknowledged information, there is a distinct possibility that the Station had available to it one additional telephone intercept transcript, and one or more surveillance photographs.

p. 117 Telephone intercepts [not related to OSWALD]

9/27/63	10:30am	Man calls Soviet Military Attache regarding a visa for Odessa. (Spanish)
9/27/63	10:37am	Man calls Soviet Consulate regarding visa[s] for Odessa. (Spanish)
9/27/63	1:25pm	Man calls the Soviet Consulate and asks for the Consul. (Spanish)

...

10/3/63	?	Man calls the Soviet Military Attache. (Spanish and English)
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[None of the above calls was initiated by Lee Harvey OSWALD.]

p. 118 After the assassination CIA's Mexico City Station passed copies of seven of the above listed conversations to the U. S. Embassy Legal Attache. (471) The 9/27 10:30 and the 9/27 1:25 calls listed above are not included in this dissemination. (472) The cover memorandum states:

"Attached are photostatic copies of transcripts of all conversations from technical operations of this office which are possibly pertinent in this case. (473)"

"The HSCA has not been able to determine why the 9/27 10:30 and 9/27 1:25 calls were not included in this memorandum. While the 1:25 call could be considered unrelated, it is unlikely that the same would apply to the 10:30 call since the 9/27 10:37 call is included in the memorandum.

"At the bottom of each attachment page to the SCOTT memorandum, a summary of the conversation is provided. (474) The Station questioned the relevancy of only one of the seven calls presented in the memorandum. The summary of the 10/3 call says:

"By context of other conversations by OSWALD and the fact that this called [sic] spoke in broken Spanish and English rather than Russian which he used previously, it is probable that this caller is not OSWALD. (475)

[OSWALD did not speak Spanish - see DURAN's remarks, etc. Therefore, any call in Spanish was considered to have been made by OSWALD. Nor has it ever been confirmed that OSWALD wanted to go to Odessa. According to his wife's correspondence to the Soviet Embassy in Washington, D. C., she wanted to go to Leningrad. There is no record that he wanted to go elsewhere.]

The HSCA has not been able to determine why the 9/27 10:30 and 9/27 1:25 calls were not included in this memorandum. While the 1:25 call could be considered unrelated, it is unlikely that the same would apply to the 10:30 call since the 9/27 10:37 call is included in the memorandum. [Later review by qualified professionals of the Agency determined that the four calls listed on page 2b were not relevant, OSWALD did not initiate them - the reasons are given above.]

A judgement that this call [10/3/63] did not pertain to LHO could be ~~based~~ based on the following facts:

- 1) the caller spoke broken Spanish;
- 2) the caller did not have the number of the Consulate;
- 3) the caller did not know that visas were issued at the Consulate; and
- 4) the caller states that he is seeking a visa, not that he is checking on an application already made.

The majority of the evidence indicates that LHO could not speak Spanish. (476)

In light of DELGADO's assertions, it is possible that OSWALD had at least a limited knowledge of Spanish. It should be noted that the 10/3 transcript listed above indicates that the caller spoke in broken Spanish. (477) The fact that this conversation was in Spanish, should not by itself rule out the possibility that OSWALD made the phone call. ...

[The writer choses to ignore the most important and relevant reason that the 10/3 call was not made by OSWALD - OSWALD left Mexico City early in the morning of 2 October 1963!]

p. 139 LILYRIC base production "has not been made available for review". [Agency withholding]

p. 140 "finds implausible A. GOODPASTURE could make a mistake in light of her outstanding fitness reports". [impugning G's integrity as a witness]

p. 141 "No record exists that would indicate a reply to this cable [DIR 84888, 11.23.63] by Mexico City Station. [See reply by Mexico City - MEXI-7029, 23.11.63, which references DIR-84888 - writer did not read file carefully.]

p. 141 "The likelihood that a photograph of OSWALD was indeed obtained makes the "explanation", proffered by GOODPASTURE et al, even more implausible. (560) At this time the Committee cannot conclude why the original mistake was made even though it does find the explanation offered by GOODPASTURE et al, to be highly implausible.

"Regardless of why the mistake was made, OSWALD's contact with the Soviet Embassy and the mistaken [emphasis added] photographic identification of him were reported to Headquarters." [There was no "mistake" at the time; station said photograph appeared to be an American".]

p. 146 See paragraph 3 of cited cable - not accurately cited; portion left out; writer did not check his notes.

p. 147 Re SCALETI's testimony - "she claimed [accurate physical description] could not be disseminated due to a third agency rule"! [This absolute crap - she could have referred to accurate description contained in other agency files without violating "3rd

agency rule".] For if description was obvious at variance, she could have made a caveat which would have pointed up the discrepancy.]

*W inaccurate  
-  
piece of information  
could be pointed  
out so as not  
to mislead.*

p. 149 See citation - "... she had said that the cable and teletype had been prepared simultaneously by three [emphasis added] knowledgeable people. [! she wrote both cables - her name appears on both!] "She said that it had obviously been a mistake that doesn't matter now! ..." [shows a lack of professionalism!] The remainder of her comment is accurate - she would not have included the physical description. - umph!]

p. 151 - regarding TK's signature on the outgoing cable: SCELSO claims it went to TK "because it involved disseminating information on an American citizen ..." [BS! The authenticating officer was C/WH, therefore the releasing officer had to be the DDP or his assistant - TK.] [Further comment: An indication that unqualified personnel reviewing raw information do not understand even after being briefed, how an intelligence agency works.]

p. 153 We could just as well have sent this cable out without TK releasing it. [obviously SCELSO does not understand how cables were released in the DDP - if C/WH is <sup>authenticating</sup> releasing officer, DDP is <sup>the releasing</sup> authenticating officer (or his assistant).]

p. 155 "Hence, the assertion in the 1977 TF Report that 'OSWALD was not an investigative responsibility of the CIA' (595) is seemingly inaccurate and misleading." [This is hogwash!] The fact that a person identifying himself ~~as~~ by name was sufficient to warrant a cable to hqts. on a routine basis, for a name trace.] No one in Mexico City had the slightest idea as to whom OSWALD was. It was not until a name trace had been run in HQDTS that it was realized that he had defected to the USSR.]

p. 155 Even though the CIA denies such an agreement (if it was ~~in writing~~)

See next page  
where repeated.



was in writing) that covered the CIA's investigation of American citizens in Mexico, this Committee is certain, on the basis of the above detailed evidence, that such an agreement existed, either formally or informally. (594) Hence, the assertion in the 1977 TFR that "OSWALD was not an investigative responsibility of the CIA" (595) is seemingly inaccurate and misleading.

p. 156 "... two assertions of the 1977 TFR are important:

(1) that it was not discovered that OSWALD was seeking a visa to Russia and that he had also been in contact with the Cuban Embassy until November 22, 1963; and (2) that the Station did nothing other than ask headquarters on 15 October for a photograph of OSWALD" because no other government agency had made an official request for further information. (596) It has already been shown that the 'official request' that the Agency claims was not forthcoming was, in fact, not necessary and that, as a matter of fairly routine operating procedure, the CIA headquarters requested a follow-up on the information already reported about OSWALD.

[See Hqdt's regulation re reporting on Americans - was in effect then. It would have been necessary for the Station to receive a request (official) from the FBI, the Navy, or State, for the Station to initiate an OFFICIAL investigation. Also, headquarters did not ask for a follow-up, Headquarters ask that any additional information which might come to the Station's attention be reported to Washington. Such a statement is not a requirement, it shows interest and asks that the Station forward additional information but without setting up an official investigation.] The text of the cable is as follows: "Please keep HQS advised on any further con-

tacts or positive identification of OSWALD. -

NB: DIR-74830 was written by BUSTOS on 10 October; it was not given any priority slug; it went out at 2229Z; it could have been authenticated by C/WH/3 and released by C/WH; the cable was probably written late in the evening, therefore, C/WH would have authenticated - KING did not sign, his OPS officer signed - HOOD - therefore, TK would have released for the DDP. It might be interesting to know if ADDP means assistant or acting. However, whatever the case, its is not suprising that TK signed off. No matter what SCELSON said.]

p. 156 It should also be noted that the CIA Headquarters also, by notifying the interested government agencies that "Any further information received on this subject will be furnished to you". (597) belied the necessity of one of the agencies making an official request for further action. [This latter statement is a routine statement to indicate to the recipient that the case is not closed. If the recipient is interested, he would ask for additional information and might give us specific requirements.]

p. 157 There are several marginal notations on this document [DIR 74830, 11.10.63]. Perhaps the most interesting is the notation "sic" with an arrow drawn to the "Henry" in the name Lee Harvey OSWALD". That notation was made by Win SCOTT when he read the cable on the day it was ~~made~~ received in Mexico. (598) This notation struck Committee investigators as very strange because it was a possible indication that Win SCOTT knew, at the time the cable was received, that Lee OSWALD's middle name was not "Henry". [The notation on the cable was not made by SCOTT;

~~It was~~

it was made by ROCCA when he reviewed the file after its arrival in headquarters ca. 1970.

p. 159 If SCOTT did in fact make this notation prior to the assassination of John Kennedy, this Committee has not been able to determine why "sic" was used. (602) [Inasmuch as SCOTT did not make this notation, ROCCA did, the entire argument HARDWAY builds from page 157 - 159 is based on an inaccurate determination as to who made the notation.] In footnote no. 602, HARDWAY states

"SCOTT's manuscript may provide a clue when he writes that during his first contact with the Soviet Embassy, OSWALD 'gave his name very slowly and distinctly'. (Foul Foe manuscript, p. 267.) If OSWALD used his middle name at that time it would explain why SCOTT wrote 'sic' by "Henry". But it should be noted that OSWALD's name does not come up in any of the transcripts made available by the CIA until 10/1/63, and OSWALD's middle name is not given in that transcript. It is possible that there is one additional transcript, possibly of the conversation that SCOTT, on page 267 of his manuscript, refers to as OSWALD's 'first contact', which, if in existence, has not been made available to this Committee."

From SCB ltr to STOKES, 30 November 1978: I [DCI] understand the question arising from the draft manuscript of Mr. SCOTT, who had served as Chief of Station there. It seems to have been written between his retirement and his death in Mexico City. While neither of us is able to examine him on the thoughts in his mind at the time of the writing, both of us know that what he put in that manuscript is inconsistent with what he reported to the Warren Commission investigators and FBI representatives at the time when he was responsible, as well as what he and his Station reported to CIA Headquarters in Washington. ... at least part of what his draft states is refuted by the record; for instance, OSWALD did not spell out his name, nor did he give his middle name, in the telephone conversation that he had with the Soviet installation on the day before he left Mexico City to return to Texas. ... Quite frankly, Mr. SCOTT's writings, during the period that he hoped to sell a manuscript about his life, not only are in contradiction to the facts as he knew and reported them on this point, when it was his responsibility to report them, but on other facts as well. His singular version on this point must be dismissed, not lightly but on the basis of clear evidence to the contrary."

p. 160 "Hence, we know that OSWALD's "P" file was opened on or about 15 October 1963 [See cover sheet to DIR 74830, 11 October 1963] and that SCOTT asked that "all" information be included in the file. There is substantial reason to believe that most, if not all, of the information available to the Station was incorporated into the file at that time. (608)"

p. 161 "This Committee believes that Station personnel did, between October 11 and October 15, go back and recheck the transcripts and connect the important substantive calls to OSWALD. ... It should have been possible at that point to compare tapes to see if they were in fact the same caller. Indeed, a notation made by GOODPASTURE on a newspaper article in 1964 suggests that this was the case. "The caller from the Cuban Embassy was unidentified until Hqs sent traces on OSWALD and voices compared/~~with~~ by (TARASOFF)." (613) [The action taken here was several months after the fact. As indicated in the Mexico City files, TARASOFF recognized at the time that there was a similarity between conversations between "OSWALD" and the Soviet Consulate. The determination did not become firm (the determination was based upon what TARASOFF remembered - not because he went back to tapes!]

p. 143 - etc. The writer tries to make missing facts support a hypothesis which does not exist - in other words he's out to get the Agency, and any supposition on his part becomes fact!]

p. 149 "... she had said that the cable and the teletype (dissemination) had been prepared simultaneously by three knowledgeable people." [ BUSTOS signed both cables - what's about the 3 "knowledgeable people"?]

p. 150 The second point of interest that is illustrated by the 10 October cable and teletype is the inference that can be made from reviewing paragraph 3 of the teletype, paragraph 5 of the cable, and TK signing off on the cable, that the CIA was asking for, and promising, a further investigation of OSWALD without a specific request from any other government agency who might have had, as the 1977 TFR says, 'investigative responsibility'." [The statement in the cable was a routine request to keep Hqs informed if any additional information came to the Station's attention - this was not a requirement for an investigation.]

"The request for further investigation and dissemination contained in paragraph 5 of the 10 October cable to Mexico was the reason that the cable was sent to the ADDP for release. (588)" [This is the opinion of an unqualified person reading raw traffic.] [This point has already been discussed above.] [Much attention has been given to SCELISO's testimony which is not accurate.]

p. 161 This Committee believes that Station personnel did, between October 11 and October 15, go back and recheck the transcripts and connect the important substantive calls to OSWALD. Under normal operating procedures a tape of OSWALD's calls to the Soviet Embassy should not have been erased until 16 October, 4 to 5 days after the case took on added significance. (611) The one transcript of the call on 10/1/63 that had definitely been linked to OSWALD prior to receipt of the 10/11 cable core a reference to an earlier conversation by a man who spoke broken Russian, the text of the 10/1 call allowed that the prior

call had probably occurred on September 28, 1963. (612)"

[HARDWAY is pushing - The files do not support "the Committee's belief that the Station did, between October 11 and October 15, go back and recheck the transcripts. The Russian translator in the Station did remark that "the same person who telephoned a day or so ago and spoke in broken Russian" speaks to OBYEDKOV". At that time, the identity of a caller and the contact was the reportable item, it was done. There was no connection in the Station's mind that Lee OSWALD was possibly the same as Lee Harvey OSWALD. The HSCA wants to say that the reference to an earlier conversation in "broken Russian" means the Station did check back (as they would say we should have) and, ergo, we knew about the Cuban contact too.]

p. 161 "A notation made by GOODPASTURE on a newspaper article in 1964 [21 October] suggests that a comparison of the tapes containing "broken Russian" between 11 and 15 October -

"The caller from the Cuban Embassy was unidentified until HQ sent traces on OSWALD and voices compared by [TARASOFF]."

p. 162 "An examination of documents in LHO's Mexico City Station P file and the cable traffic from Mexico City to Headquarters after the assassination, raised a possibility that at least one tape of OSWALD's voice existed as late as 16 October 1963.

(614)"

[According to SCENSO, it was belief that the tapes were probably still in existence at the time of the assassination. The HSCA notes, however, that the testimony of the persons at the Mexico City Station "is consistent in saying that the tapes did not exist at the time of the assassination. See MEXI-7054 (IN

67378), 24 November 1963 - FOIA No. 84-565 which states that "a recheck shows tapes for this period already erased".] This cable was Station response to DIR 84886, 23 November 1963 which asked Station to review all LIENVOY tapes and transcripts since 27 September to locate all material possibly pertinent to subject reference (MEXI-6453). See also MEXI-7023 (IN 67108), 23 November 1963, which states that "In view OSWALD in the Soviet Union and fact he claimed on 1 Oct LIENVOY to have visited Sov "unidentified North American" Emb 28 Sep, SUBJECT para one (DURAN puts ~~OSWALD~~ on line to Soviet Consulate) probably OSWALD. Station unable compare voice as first tape erased prior receipt second call!" - 28 September tape erased before 1 October tapes received.]

p. 163 HARDWAY refers to 21.10.64 article by ALLEN & SCOTT and GOODPASTURE's note to effect TARASOFF compared ~~with~~ voices.\*

p. 164 According to HARDWAY statement in MEXI-7023 that a voice comparison was not possible because of the first tape being erased ~~prior~~ prior to the second tape being received is inconsistent with the statements made in testimony and in other cables. (622) and with the procedure then in effect at the Station at that time. (623) It is, therefore, considered highly unlikely that a tape would be held only one or two days, the situation that is implied by the statement in MEXI-7023.

\*There is some confusion in GOODPASTURE's testimony - She stated that the caller from the Cuban Embassy was unidentified until HQS sent traces on OSWALD. Now that would have been in answer to the cable dated the 8th October. Their cable (DIR- ) was 18 October, "and voices compared by FEINGLASS [TARASOFF]." He compared the Cuban Embassy voices with the others, with OSWALD's call, in which he used his name."

NB: TARASOFF testified that he had not been queried at all about OSWALD in 1963 and that he had not done a voice comparison. (626)

<sup>03</sup>  
[redacted] testified that TARASOFF did not do a voice comparison but connected the two conversations in his marginal comments in the transcripts on the basis of memory. (627)

P. 166 Whether or not TARASOFF or someone else did a voice comparison of the tapes, it is likely that the tapes did exist until at least the 16th of October and would have been available for such a comparison. It is possible that the connection between the 10/1/63 call and the 9/28/63 call was made on the basis of TARASOFF's memory. in any event the record clearly indicates that the tapes should have been available, and probably were available, as late as 16 October. (628) This is significant because it was after receipt -f the 10/10 cable from Headquarters that the OSWALD case took on a more than routine coloring.

p. 167 The increased significance that the OSWALD visit took on during the period from 11 October to 16 October 1963, could have provided the Station with reason to retain the OSWALD tapes. (629)

p. 168 On the whole most CIA officers wh- testified stated that, if a tape of OSWALD's voice existed at the time of the assassination, they did not know anything at all about it. (631) One CIA officer (SCELSO) testified that he believed the tapes did exist at the time of the assassination. "Yes, the tapes were still in existence. (632)"! [It appears from testimony, etc., TARASOFF may have made the comparison from memory.]

p. 169 "... the conversations were linked to OSWALD prior to the assassination and probably by the time that the "P" file was opened on or about 16 October 1963. (636)" [HARDWAY is still pushing.]



p. 170 On 15 October 1963, <sup>03</sup> [redacted] drafted a local dissemination regarding OSWALD's contact with the Soviet Embassy. (640) By this date at least the 10/1 10:45 call, the 9/28/ 11:51 call, the 9/27/ 4:05 pm call, and the 9/27 4:26 pm call had been linked to OSWALD. (641)

[The 16 October 1963 memorandum to the Ambassador et al refers only to the 1 October 1963 call. It makes no reference to any other calls. "It was determined by the Station (by OSWALD's own statement by telephone) that OSWALD had been at the Soviet Embassy on 28 September 1963 and had talked with Valeriy Vladimirovich KOSTIKOV ... ." There is nothing in the memorandum regarding the other calls. These other calls were not reported to the FBI until 25 November 1963. This CSCI included as attachments transcripts of three calls on 27 September, 1 call on 28 September, one call on 1 October, and one on 3 October 1963. In other words the other calls available to the Station were not linked to OSWALD until the Station reviewed its holdings after the assassination of Kennedy. HARDWAY is really pushing to prove his hypothesis - don't allow the evidence to conflict with the hypothesis!] - The files do not support his hypothesis nor, apparently, do the testimonies of CIA employees; can one trust their statements after fifteen years. Details become blurred.

P. 171 When asked why the 10/16 memorandum said that there was no clarifying information on OSWALD's 'request' when it was known by this time that he was seeking a visa, <sup>02</sup> [redacted] said that "They had -no need to know all those other details."! [The reason why the Station did not know what OSWALD was talking about was the

Station had not yet learned the purpose of OSWALD's contact with the Soviet Embassy, nor had the Station learned that OSWALD had first contacted the Cuban Consulate. It was not until after the assassination that the Station put together the information (transcripts) it had on OSWALD's contacts with the Cuban and Soviet Consulates.]

p. 171 Even though the Station's actions after the 10/11 cable were not highly extensive, it is inaccurate and misleading to say that those actions were limited to requesting a photograph of OSWALD from Headquarters. Other actions included rechecking the transcripts and discovering the substantive ones that concerned OSWALD and reporting the information in MEXI 6453 ... in a misleading manner. [This is absolute crap - it's the Gospel according to Saint Dan! The files do not support this hypothesis.]

Hence, the fact that OSWALD was seeking a visa and had been in contact with the Cubans as well as the Russians was known prior to the assassination, and the Station's actions prior to the assassination were more comprehensive than merely requesting a photograph; although if any action other than a file check was taken, no record of that action has been made available to this Committee.

p. 172 Possible that information developed by Station after 11 October 1963 was reported to Headquarters - SCALETI said such a report "would have been expected". SCELSO agreed that such information should have been reported to Headquarters.

p. 173 SCALETI said she could not recall that Mexico had sent any other information to Hqts before the assassination. SCELSO

was certain that this information was reported but could not recall the form of the report or whether it occurred before or after the assassination. Allan WHITE, DC, had no knowledge before the assassination of any information being sent to Hqts. GOODPASTURE was unsure - it was not until after the assassination that Hqts was informed of OSWALD's contact with the Cubans.

p. 174 <sup>02</sup> [redacted] was certain a second cable reporting OSWALD's contacts with the Cuban Embassy had been sent to Hqts before the assassination. She did not send such a cable, but knew that one had been sent. PHILLIPS had no knowledge of a second cable.

p. 176 HARDWAY cites SCOTT's manuscript - "(O)n page 777 of (the Warren) report the erroneous statement was made that it was not known that OSWALD had visited the Cuban Embassy until after the assassination! Every piece of information concerning Lee Harvey OSWALD was reported ~~to~~ immediately after it was received to: U.S. Qmbassador MANN, by memorandum; the FBI Chief in Mexico, by memorandum; and to my Headquarters by cable; and included in each and every one of these reports was the conversation OSWALD had, so far as it was known. These reports were made on all his contacts with both the Cuban Consulate and with the Soviets. (656) [See remarks above regarding the validity of SCOTT's manuscript as to an accurate record of events in Mexico City before and after the assassination.]

177 SCELSON was asked whether or not the Station was ever criticized for this failure to report in the face of a specific request to do so by CIA Hqts. [There was no specific request from Hqts. Hqts merely asked to be kept informed on any further contacts or

positive identification of OSWALD. This request was not one to initiate an investigation.]

p. 178 Perhaps the nature of the CIA Mexico City Station's handling of the OSWALD case prior to the assassination can best be summed up in Dave PHILLIPS' response when he was asked how he would characterize that handling: "At the very best, it is not professional, at the best." (659)

p. 184 In view of what is now known about the standard operating procedures and about the Station's actions prior to the assassination, the Station's confusing and somewhat contradictory reporting after the assassination is strange. (684) It is possible that these confusions and contradictions arose out of the crisis atmosphere at the Station and the rush to report information. This Committee has not found any solid evidence that there were sinister qualities in the reporting after the assassination.

HARDWAY's argument is to prove that the Mexico City Station knew about OSWALD's activities in Mexico City before KENNEDY's assassination. He makes reference to various cables which, according to the Agency, indicate that the Station had not reviewed its telephone tap or photographic production in a serious manner until the news of KENNEDY's assassination. It's true that the Station had transcripts of telephone calls (five in all) which concerned OSWALD; either he identified himself or, from the context of the call, the call related to OSWALD. HARDWAY does not accept facts, he tries to make a case out of hypothesis - when the facts do not coincide with his preceptions he then manipulates the evidence so that he can make a case that the Station knew about OSWALD's contacts with the Cuban ~~COMINT~~ and the Soviet Consulates. When the facts are not there, he hypothesises. This may be acceptable in a legal summary, but when presenting a counterintelligence case, facts are the basis for any conclusions.