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DRAFT

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(Insert A)

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to Davidson during the last week of
December, 1963. The contents of the message
were not known.

[DAVIDSON BACKGROUND]

At pages 30, 40, 61 and 103 of Book I of the Senate Intelligence Committee Final Report, reference is made to a reported five-hour delay of a Cubana flight from Mexico City to Havana the evening of President Kennedy's assassination, 22 November 1963. The Senate Intelligence Committee Report describes the delay as being from 6:00 P.M. EST to 11:00 P.M. EST. ^[p. 30] The most intriguing aspect of the report was that the reported delay was to await arrival at 10:30 P.M. EST of a private twin-engine aircraft, which deposited an unidentified passenger who boarded the Cubana aircraft without customs clearance and traveled to Havana in the pilot's cabin. ^[p. 40] The Senate Intelligence Final Report emphasized ^{the} CIA's apparent failure to follow up by inquiring further into the matter. ^[6.]

Book II of the Senate Intelligence Committee Final Report states that the CIA could not explain at the time of the writing of the report, why there was no record of a followup. ^[6.] The Central Intelligence Agency's 1977 Staff report explains that the Senate Intelligence Committee was advised that the Mexican authorities were asked about the reported flight delay, although there was no recorded response. ^[Staff report, p. 12] ^{Letter from CIA to Senate Intelligence Committee, 2/4/76}

The Central Intelligence Agency conducted regular surveillance of Cubana flights, filing cable reports to Headquarters. There was one unilateral [[] CIA surveillance team (SIFIRE) that observed []] arrivals and departures of Cubana flights, reporting any unusual incidents and [[] providing copies of []] flight manifests. The Mexican authorities ^[25] had a

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surveillance team [25] at the airport, which provided [25] photographs of passports and copies of passenger lists. [26.2.10.4 p.1] Additionally [a telephone tap operation (LIENVOY)] against the Cuban Embassy provided transcripts of conversations with the Cubana office and the Mexican Airport Control Office (ibid)

The [LIENVOY] transcripts record a series of discussions about the status of the 22 November flight -- when it was to arrive and when it departed.

[LIENVOY] These records show that the flight arrived at the airport at 16.20 hours Mexico City time; presumably it landed a few minutes earlier. [[LIENVOY TRANSCRIPTS, NOV. 22, 1963]] At one point prior to arrival of the aircraft, one person [speaking on the telephone] stated that the aircraft was due at 16.30 hours and "it will go" at 17.30, suggesting a quick turnaround that would have reduced unloading and loading time, as well as permitting to a ^{relatively} ~~messy~~ short period. However, the key report on the departure of the aircraft was a statement at 20.40 hours that the aircraft had taken off five minutes earlier, i.e., 20.35 hours. [[ibid., Nov. 22, 1963]]

The following facts stand out, in contrast to the presentation in the Senate Intelligence Committee Final Report:

12.13 a) The Cubana flight was on the ground in Mexico City for a total of four hours and about ten minutes. It was not delayed five hours, as reported in Book I.

13 b) The Cubana flight ^{departed} took off at 20.35 hours Mexico City time, 55 minutes ahead of the "alleged" arrival at 21.30 of a private flight with a secret passenger. ^{The departure} 20.35 hours also contrasts further with the alleged departure

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time of the Cubana flight, which the Senate Intelligence report stated to be 2200. The actual departure preceded substantially the reported arrival of the aircraft for which it allegedly was delayed.

In view of [the surveillance] coverage of the Cubana flight, it is very doubtful that the alleged activity involving the private twin-engine aircraft and passengers would have gone unnoticed or unreported had it occurred. [C.I.A.] Personnel in Mexico City at the time were aware of these sources and may have known the above facts, feeling no need to follow further.

from TAB B 77 IGR.

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The Passenger on the 27 November 1963 Flight

At pages 61-63 and 104, the SSC Final Report describes in considerable detail information concerning a Cuban-American who came to the attention of the CIA and the FBI in the period following the assassination of President Kennedy. The introductory comments of the SSC Final Report state that:

"... one source alleged that the Cuban-American was 'involved' in the assassination!"

- 14 The SSC Report states that the CIA reported the case to the FBI "almost immediately," but that the Bureau did not conduct a follow-up investigation "as part of (its) work for the Warren Commission." Further down the same page the SSC Report states that "(t)he FBI did investigate this individual after receiving the CIA report of his unusual travel." At page 63 the SSC Report observes that "...the suspicious travel of this individual coupled with the possibility that Oswald had contacted the Tampa chapter (of the Fair Play for Cuba Committee--FPCC) certainly should have prompted a far more thorough and timely investigation than the FBI conducted..." We do not know just what the Bureau did in this respect, nor have we tried to resolve the apparent inconsistencies in the SSC Report noted above, but the SSC Final Report contains considerable detail about the man, presumably reflecting the results of FBI inquiries.

While this section of the SSC Report is directed primarily at the FBI, we reviewed the reporting because of CIA's initial role in reporting about the man. There is also one implicit criticism of CIA, which will be noted.

Book V of the SSC Final Report has the following summary statement at page 104, in the chronology section:

"December 5- Mexico Station cables that someone who saw the Cuban-American board the aircraft to Havana on November 27 reported that he 'looked suspicious'..."

- 15 At page 61 it states that there "is no indication that CIA followed-up on this report (that the man was "involved in the assassination"), except to ask a Cuban defector about his knowledge of the Cuban-American's activities." (sic.)

The presentation of this matter in the SSC Report contains some inaccuracies. First, the Mexico City Station did not cable Washington that the man "looked suspicious." There was a cable, (Mexi-7253, IN74227, 12/5/63) dated 5 December 1963, but it reported that the man had "crossed at Laredo, Texas on 23 November," that he registered at a certain hotel in Mexico City at a certain time and departed for Havana "as only passenger on Cubana Flight on night 27 November," and that there was a good photograph of him taken at the airport. This was followed by a dispatch [HMMA-22579] 12/5/63) the same date, repeating the basic information in the cable, enclosing the photograph, and containing the following cryptic statement:

"Source states the timing and circumstances surrounding Subject's travel through Mexico and departure for Havana are suspicious." This comment is cryptic, at least, and--given that dramatic moment in history --doubtless reflects a preliminary comment of a person who was on the alert at that time for anything that might be construed as possibly unusual. The above quotation was the Station's actual report of the observation by the source, and is what was reported to the FBI; it differs from the quotation in the SSC Report. There was an internal memo (See Memorandum for the Record, 3 December 1963) in the Station that was even more cryptic, but

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16 which was in the nature of an informal reminder, which stated that the man was reported/ to have "looked suspicious"; but this formulation never found its way into the more careful statements that usually characterize official reporting. The point is that the observaiton was cryptic and impresionistic, rather than constituting a tangible basis for dramatic activity or final conclusions.

There is one piece of reporting that could confuse those reviewing the record, but which is essentially resolved when considered in the context of known facts. On 19 March 1964, [(MNTY-0829,) IN 43193, 3/19/64) Monterrey Base] cabled that a source of a local [(Monterrey)] "agent of the federal judicial police" had information on a man; the description seems to have the same Cuban-American in mind. The following should be noted about the report: it misspelled the man's name; it offered a bare statement that he "was involved in Kennedy assassination"; it states that he entered Mexico "on foot" from Laredo, Texas (according to the SSC Final Report, the FBI concluded that he entered by automobile); it asserts that he stayed at the Cuban Embassy in Mexico City (while the dates and times of his registration and check-out at a specific hotel in Mexico City, where he stayed, were known); it gave an incorrect number for his passport; and, it stated that his Mexican tourist card was issued in Nuevo Laredo (when it was known to have been issued in Tampa, Florida). The report, on its face, was factually incorrect on a number of known points. The source patently was extensively misinformed, the hard facts of his report being in error. The Chief of Base] at the time, when queried about the report in the course of the present review, could not recall it.

17 There is one additional aspect of the matter, in which the record is confused. If we are to comment negatively on the presentation by the SSC in its emphasis on report, we must point out that the Mexico City Station's response to the Monterrey report contributes to such confusion as may exist on the matter. When Mexico City received the Monterrey cable the Deputy Chief of Station replied (MEXI-8740, IN 43940, 3/20/64) that the information in the report "jibes fully with that provided Station by (Mexico City source) 4 December 63." It did not jibe in most respects, other than the date and place of entry into Mexico. The mistake of that cable cannot be explained today, but wrong it obviously was. It does, however, serve to highlight the basic unreliability of the report and indicate how it should be considered responsibly.

Implicit criticism of CIA's not collecting more information on the man is not well founded. It had no real sources with access to information concerning him; when a defector from Cuba became available with such information he was queried and the results were provided the authorities.

CUBAN AMERICAN FOOTNOTES

1. The Investigation of the Assassination of President John F. Kennedy: Performance of the Intelligence Agencies, Book V, Select Comm. to Study Governmental Operations, 4/23/76, p. 61. Senate Report No. 94-755.
2. Id.
3. Classified ^{CIA Document Mexi IN 72615 3 Dec 1963} ~~Staff~~ Summary of Review of CIA Documents, ~~MEXI 728, WFB~~
4. Id.
5. ^{Classified} CIA Document Mexi In 72829 3 Dec 1963
6. Classified CIA Document _____ 4 Dec¹⁹63
7. Id.
- 8.
9. Classified CIA Document Mexi 7253, IN 74227, 12/5/63
10. Id.
11. Classified CIA Document ~~Mexi 7253, WFB~~ ^{Mexi [MEXI 722, HMMA-22579,]} 12/5/63
12. Id.

13. Id.

14. Classified CIA Document _____ 5 Dec 1963

15. Id.

16. Classified CIA Document [MNTY 0829]
IN 43194, _____ 19 Mar 1964

17. Id.

18. Id.

19. Id.

20. Id.

21.

Id.

Classified Mex 8740, IN 43940
22. CIA Document _____ 20 Mar 1964

~~Person~~
23. ~~Person~~ Classified CIA Document, Personality File Action Request,
16 December 1963, #201-741600.

24. Classified CIA Document

25. Id.

26. Id.

8/26/64
27. FBI Report, ~~AB/NA~~, Serial 105-126109-12, p.

28. Ibid. at

29. Ibid. at

30. Ibid at

31. Ibid. at

32. Ibid. at

33. Ibid. at

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48.

49. Ibid. at

According to Lopez's F.B.I. file, he registered with the Selective Service at Key West on July 29, 1960 and was classified 4-F on February 23, 1962 due to a language barrier.

- 50.
- 51.
52. FBI Report, 3/31/64, Serial 105-126109-9
53. Ibid. at
54. Ibid
- 55.
- 56.
- 57.
- 58.
- 59.
- 60.
- 61.
62. FBI Report, 10/26/64, Serial 105-126109-13
63. Senate Report, The Investigation of the Assassination of President John F. Kennedy, Book V, p. 63.
64. Id.
65. See Senate Report, p. 104
66. CIA Classified Document, 1977 Inspector General's Report, Tab B, p. 16.
Id.
67. ~~Id.~~
68. Id.
69. Ibid. at 17