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C. Silvia Duran

When President John F. Kennedy was assassinated on November 22, 1963, the United States investigative agencies--FBI, CIA, Secret Service, etc.--were asked to investigate the assassination. When the Central Intelligence Agency Mexico City Station learned that Lee Harvey Oswald had visited Mexico City during late September and early October, it reviewed the electronic surveillance files and found evidence of phone calls to the Soviet Embassy made September 27th, September 28th, and October 1st, that could have been made by Oswald. (See Electronic Surveillance Section.) Review of the electronics surveillance files also produced phone calls on September 27, 1963 between the Russian Consul and Silvia Duran, a secretary at the Cuban Consulate, where Oswald appeared to have been discussed. (See Soviet Electronic Surveillance Section.) In addition, the Mexico City Station found a September 28, 1963 phone call from Silvia Duran to the Soviet Consulate, where Silvia Duran stated that there was an American citizen at the Cuban Consulate who had previously visited the Soviet Consulate. (See Soviet Electronic Surveillance Section.) A final phone call was made on October 3, 1963 where the "alleged" Oswald identified himself was also found. (See Electronic Surveillance Section.)

At this point, the Mexico City Station determined that it would request the Mexican government--with whom it had a good relationship--to arrest Silvia Duran (as Silvia Duran was a Mexican citizen, she did not have diplomatic immunity) because she might shed some light on the circumstances surrounding the assassination.

The Mexico City Station sent a note to the gubernacion head, Luis Echevarria, with Silvia Duran's address, her mother's address, her brother's address, her license plate number, her home phone number, her place of work and a request that she be arrested immediately. (Note to Luis Echevarria, November 23, 1963, CIA No. 444; Cable re Oswald-Duran, MEXI 7029, November 23, 1963, CIA No. 441; Anne Goodpasture Chronology, WX 7241, Entry 36, November 23, 1963, CIA No. 635.) The Mexico City Station also suggested that Duran be held incommunicado until she could be questioned on the matter. (Ibid.)

The Mexico City Station did not receive prior authorization from CIA Headquarters to request the arrest of Silvia Duran by Mexican authorities. (See below.) Headquarters feared that such a request would jeopardize the clandestine relationship between certain Mexican government officials with the CIA, if it was disclosed that Americans were behind Duran's arrest. (Note written

by Winston Scott re phone call with Jack Whitten, November 23, 1963; Chronology prepared by Anne Goodpasture, WX 7241, entry 37, November 23, 1963, CIA No. 635.) Jack Whitten, Chief of Western Hemisphere/3, stationed at Langley Headquarters, telephoned Winston Scott, the Mexico Chief of Station, requesting that Silvia Duran not be arrested. (Ibid.) Scott told Whitten that he could not rescind the request and that Headquarters should already have received a cable stating that Silvia Duran had been arrested. (Ibid.) After Winston Scott's conversation with Jack Whitten, Scott called Luis Echevarria and stated that the Mexico City Station desired that all information received from Duran be forwarded immediately to the Mexico City Station and that her arrest and statements not be communicated to any leftist groups. (Chief of Station phone call to Luis Echevarria, November 23, 1963, CIA No. 440; Flash Cable from Karamissines to Mexico City Station, November 23, 1963, DIR 84916, CIA No. 403), Chronology of Anne Goodpasture, entry 46, November 23, 1963, CIA No. 636.)

On November 27, 1963, the Mexican government forwarded to the Mexico City Station a copy of Silvia Duran's ten-page signed statement. (Blind Memo re Lee Harvey Oswald and Silvia Duran, November 26, 1963, CIA #473.) She said, "Upon learning about the assassination

Silvia Duran and her husband speculated that President Kennedy might have been assassinated for racial reasons. When she became aware that the assassin was Lee Harvey Oswald, she ascertained that it was the same man who *a blonde +* approximately two months prior had been to the Cuban Consulate to solicit an intransit visa to Russia. Having taken his name from the special documentation he presented she knew that he was married to a Russian woman and belonged to the "Fair Play for Cuban Committee." She checked the data in the Consulate archives and became certain that it was the same individual who was blonde, short, dressed unelegantly and whose face turned red when angry. The Consul had denied the visa because to obtain an intransit visa from the Cuban government, it was imperative that he previously obtain a visa from the Soviet Consulate. Since obtaining a visa from the Soviets took four months and Oswald's Mexican visa expired soon Oswald became excited and Duran had to call the Consul who had an argument with him. The only aid she could give Oswald was advising that he see the Soviet Consul, and calling the person in charge of that office. The Soviet official told her that they would have to consult Moscow which would take four months. That afternoon, Oswald returned to the Cuban Consulate and Silvia Duran confirmed that he could get a Cuban visa only after he

received a Russian visa. She gave Oswald her name and business phone number but never gave him her address because she had no reason to give it to him. She knew that phoning the Soviet Consulate was not one of her duties and that if she did so she did it only to help Oswald. She gave Oswald her business phone number only because he would have to call subsequently to check whether he had obtained a visa. He never called back." Silvia Duran was released November 24, 1963 and rearrested November 27, 1963, when the Mexican government alleged that she was attempting to leave Mexico for travel to Havana. (Cable from Mexico City Station to Headquarters, November 27, 1963, MEXI 7101, CIA #493.) According to the Mexican officials who detained Duran a second time, there was no addition to her story. (Cable from Mexico City Station to Director, December 12, 1963, MEXI 7364, CIA No. 557-558.)

The Mexico City Station forwarded Duran's ten-page signed statement to headquarters on November 27, 1963. (Cable Mexico City Station to Headquarters, November 27, 1963, MEXI 7105, CIA No. 479; Chronology of Anne Goodpasture, November 27, 1963, entry no. 127, CIA No. 656.) The following day Headquarters sent a clarification cable to the Mexico City Station seeking to insure that neither

Silvia Duran nor the Cubans would have a basis for concluding that the Americans were behind her rearrest. (The cable stated, "We want the Mexican authorities to take the responsibility for the whole affair; Cable from Headquarters to the Mexico City Station, November 28, 1963, DIR 85371, CIA No. 464; Chronology of Anne Goodpasture, Nov. 28, 1963, WX 7241, entry no. 141, CIA No. 658.)

When the Central Intelligence Agency began to work with the Warren Commission, Headquarters cabled the Mexico City Station that their plan in passing information to the Warren Commission was to eliminate mention of telephone taps in order to protect their continuing operations. (CIA Cable from Headquarters to Mexico City Station, December 21, 1963, DIR 90466, CIA No. 549; Chronology of Anne Goodpasture, December 21, 1963, Entry No. 268, CIA No. 682) Headquarters cabled that they would rely on Silvia Duran's statements and on the Consular files which the Soviets gave the State Department (Ibid.); (Headquarters stressed that exact, detailed information from LITAMIL-7 and LITAMIL-9--penetration agents in the Cuban Embassy--on what Silvia Duran and other officials said about Oswald's visits and his dealings would be valuable and usable corroborative evidence.)

When the Central Intelligence Agency forwarded to the Warren Commission a copy of Duran's signed statement. It read as follows:

...she remembered...(that Lee Harvey Oswald) was the name of an American who had come to the Cuban Consulate to obtain a visa to travel to Cuba in transit to Russia, the latter part of September or the early part of October of this year, and in support of his application had shown his passport, in which it was noted that he had lived in that country for a period of three years; his labor card from the same country written in the Russian language; and letters in that same language. He had presented evidence that he was married to a Russian woman, and also that he was apparently the leader of an organization in the city of New Orleans called "Fair *** (Play) for Cuba," claiming that he should be accepted as a "friend" of the Cuban Revolution. Accordingly, the declarant, complying with her duties, took down all of the information and completed the appropriate application form; and the declarant, admittedly exceeding her responsibilities, informally telephoned the Russian consulate, with the intention of doing what she could to facilitate issuance of the Russia visa to Lee Harvey Oswald. However, they told her that there would be a delay of about four months in processing the case, which annoyed the applicant since, according to his statement, he was in a great hurry to obtain visas that would enable him to travel to Russia, insisting on his right to do so in view of his background and his loyalty and his activities in behalf of the Cuban movement. The declarant was unable to recall accurately whether or not the applicant told her he was a member of the Communist Party, but he did say that his wife***was then in New York City, and would follow him,*** (Senora Duran stated) that when Oswald understood that it was not possible to give him a Cuban visa without his first having obtained the Russian visa,***he became very excited or

angry, and accordingly, the affiant called Consul Ascue (sic),*** (who) came out and began a heated discussion in English with Oswald, that concluded by Ascue telling him that "if it were up to him, he would not give him the visa," and "a person of his type was harming the Cuban Revolution rather than helping it," it being understood that in their conversation they were talking about the Russian Socialist Revolution and not the Cuban. Oswald maintained that he had two reasons for requesting that his visa be issued promptly, and they were: one, that his tourist permit in Mexico was about to expire; and the other, that he had to get to Russia as quickly as possible. Despite her annoyance, the declarant gave Oswald a paper***in which she put down her name, "Silvia Duran," and the number of the telephone at the consulate, which is "11-28-47" and the visa application was processed anyway. It was sent to the Ministry of (Foreign) Relations of Cuba; from which a routine reply was received some fifteen to thirty days later, approving the visa, but on the condition that the Russian visa be obtained first, although she does not recall whether or not Oswald later telephoned her at the Consulate number that she gave him. (CE 2120 p. 37-40.)

The Central Intelligence Agency had relied on Duran's statements but had delted Duran's description of Oswald as blonde and short. (Supra.) It had also excised Duran's statement, "The only aid she could give Oswald was advising that he see the Soviet Consul, and calling the person in charge of that office" which alluded to Oswald asking for some type of aid at the Cuban Consulate. (Supra, p.)

VI. Information not available at the time of the
Warren Commission

A. Silvia Duran

1. House Select Committee on Assassinations 6/6/78
Interview of Silvia Tirado

Ms. Tirado (Duran divorced Horatio Duran in 1968)
was never questioned by American officials in 1963. Thus,
the Committee established contact with the Mexican go-
vernment and requested that the Mexican government make
Silvia Triado available for an interview. (Letter HSCA
to Mexican government, , JFK Doc. #)
The Mexican government complied on 6/6/78. Ms. Tirado
told the House Select Committee on Assassinations the
following:

Lee Harvey Oswald visited the Cuban Con-
sulate three times on September 27, 1963, not
twice as the Warren Commission previously re-
ported. (HSCA interview of Silvia Tirado, 6/6/78,
JFK Doc. p.) Oswald first visited the
Cuban Consulate at approximately 11:00 a.m.,
requesting an intransit visa to Cuba with Russia
as the final destination. (Ibid., 523-526) He
showed her some documents, then, left to ob-
tain photographs needed for his application.
(Ibid., 523-526)

Oswald returned at approximately 1:00 p.m. with four photographs. (Ibid., p. 526.) Ms. Tirado typed the application in duplicate, stapled a picture on top of each and had Oswald sign each in her presence. (Ibid., p. 527-8.) As identification, Oswald showed her documents he had brought: his Russian labor card, marriage certificate with the name of his Russian wife, his American Communist Party membership card and his "Fair Play for Cuba" membership card. (Ibid., p. 531)

Ms. Tirado found Lee Harvey Oswald's behavior suspicious because normally a Communist traveled only with his passport as belonging to the Communist Party was illegal in Mexico in 1963. (Ibid., p. 533.)

There was a procedure whereby the American Communist Party would arrange visa matters for their members with the Cuban Communist Party.

(Ibid., p. 532-533.) The American would then come to Mexico, visit the Cuban Consulate, and receive his visa immediately. (Ibid., p. 533.)

When Tirado asked Oswald why he did not have the American Communist Party arrange his trip to Cuba, he stated that he had not had the time.

(Ibid., p. 532.)

After explaining to Oswald that he had to acquire a Russian visa before he could receive a Cuban visa, Tirado jotted her name and business phone number on a piece of paper and gave it to Oswald who then left to get his Russian visa. (Ibid., p. 549, 534.)

Oswald returned to the Cuban Consulate between 5:00 p.m. and 6:00 p.m., which was after normal working hours, (10:00 to 2:00 p.m.) (Ibid., p. 543.) The guard called Tirado, stating that someone who did not speak Spanish was at the gate inquiring about a visa. (Ibid., p. 543-4.) As routine procedure, she asked the guard to escort the individual to her office. (Ibid., p. 544.) Oswald told her that he had acquired a Russian visa. (Ibid., p. 544.) Since he did not produce it when asked she called the Russian Consulate. (Ibid., p. 545.) The Consul told Duran that Oswald had been to the Consulate requesting a visa and had been told that the reply would take approximately four months. (Ibid., p. 545.) When she relayed the message to Oswald, he got very excited, insisting that as a person who had been in jail because of the Cuban Revolution he should receive a visa. (Ibid., p. 546.) Oswald stated that he could not wait that long because his Mexican visa expired in three days. (Ibid., p. 546.) At this point, Ms. Tirado informed Consul,

Eusibio Azcue, of the situation. (Ibid., p. 546).

Azcue had been in his private office which he shared with his upcoming replacement, Alfredo Mirabal. (Ibid., p. 546) Azcue politely explained the requisites for an intransit visa to Oswald. (Ibid., p. 546, 554) When he noticed that Oswald was a stubborn man he told Oswald that he was obviously not a friend of the Cuban Revolution, because he would otherwise understand that Cuba had to be extremely careful with the people it allowed in the country. (Ibid., p. 554) Azcue and Oswald yelled at each other. (Ibid., p. 551) Then Azcue went to the door, opened it and asked Oswald to leave. (Ibid., p. 554) Oswald did not revisit or telephone the Consulate. (Ibid., p. 554) Ms. Tirado described Lee Harvey Oswald as approximately five feet six, with blonde hair, weighing about 125 pounds, and with very little hair. (Ibid., p. 96)

B. The Cubans

When Lee Harvey Oswald allegedly visited the Cuban Consulate, Eusebio Azcue Lopez, a Cuban citizen, was the Cuban Consul. Because he had diplomatic immunity, the Cuban government had never been asked to make him available for questioning. (Azcue traveled from Mexico to

Cuba on November 18.) In an effort to investigate contact with the Cuban government the Committee asked the Cuban government to make Eusebio Azcue available for Committee and staff interviews. (Letter from HSCA to Cuban government, , JFK Doc. #) The Cuban government complied with the Committee's request on April 1.

During that interview Mr. Azcue alleged that the man he saw Jack Ruby shoot at the Dallas Police Station was not the same individual who visited the Cuban Consulate in 1963. (HSCA Interview of Eusebio Azcue, April 1 , pp. 12-21, JFK Doc. #) In addition, Mr. Azcue stated that Alfredo Mirabal, who in September 1963, had recently arrived from Cuba to assume the Consul's duties, had also been present during Oswald's visit. (Ibid., p.) The Committee traveled to Cuba a second time to interview Alfredo Mirabal. (See Cuba procedural write-up trip 2.) Subsequent to this second trip to Havana, the Committee asked the Cuban government to make Eusebio Azcue and Alfredo Mirabal available for the public hearings on September 18, 1978. (Letter HSCA to Cuban government, , JFK Doc. # .) The Cuban government complied with the Committee's request.

1. Eusebio Azcue Lopez told the House Select Committee on Assassinations at the Public Hearings on 9/18/78 the following:

An individual who gave the name Lee Harvey Oswald visited the Cuban Consulate on three occasions in late September and early October 1963. (Mr. Azcue could not pinpoint the exact dates of the visit.) (Public Hearing Testimony of Eusebio Azcue Lopez, 9/18/78, pp. 30-31.) The individual first visited the Cuban Consulate during workings hours, requesting an intransit visa to Cuba with Russia as the final destination. The man showed the secretary, Silvia Duran, some documents. (Communist party membership card, Fair Play for Cuba membership card, Soviet Union residence card, marriage certificate with the name of his Russian wife) which he believed would be sufficient to obtain a visa. (Public Hearing Testimony of Eusebio Azcue Lopez, 9/18/78, p.5-30) When the secretary would not grant him a visa, the man asked me to see whether upon examination of the documents Azcue could grant him a visa. (Ibid., p. 29-30) Azcue answered negatively. (Ibid., p. 30) The indi-

vidual then left to obtain photographs needed for his application. (Ibid., p. 20)

The man probably returned on September 27, 1963 with the photographs and completed the applications in Ms. Duran's presence. (Ibid., p. 32) As the amount of time required to process this document could have taken as long as twenty days or the response could have been negative, Azcue told the man that he could grant him a visa to Cuba, without consulting his government, if he had a Russian visa. (Ibid., p. 33) The individual then left to obtain his Russian visa. (Ibid. p. 33)

After the man left the Cuban Consulate, Azcue received a telephone call from the Soviet Consule. (Azuce could not precise the time of the phone call. (Public Hearing Testimony of Eusebio Azcue Lopez, 9/18/78, p. 34) The Soviet Consul explained that the man's documents were legitimate but that the Soviet Consulate could not issue a visa until it received authorization from Moscow. (Ibid. p. 35)

Emphasizing that the Cuban Consulate never received visitors after working hours (10:00 - 2:00) Mr. Azcue opined that the individual probably returned to the Consulate on September 28, 1963. (Ibid. p. 36) When Azcue explained to Oswald that he could not grant him a visa, the man made statements directed against

Cuba and called Cuba a bureaucracy. (Ibid. p. 38) At that point, Azcue became upset and asked the individual to leave the Consulate (Ibid. p.) Oswald did not revisit the Consulate. (Ibid. p. 38)

Mr. Azcue described the man who visited the Consulate as follows: a white male, between 5;6" and 5'7", over 30 years of age, very thin long face, with straight eyebrows and a cold look in his eyes. (Ibid. p. 50-51) Azcue alleged that he would never have identified Lee Harvey Oswald as the man who visited the Cuban Consulate in 1963.

2.

Alfredo Mirabal Diaz told the House Select Committee on Assassinations at the public hearings, 9/18/78, the following:

Lee Harvey Oswald, seeking a visa, visited the Cuban Consulate twice in September 1963.

(Public Testimony, Alfredo Mirabal Diez, 9/18/78, p. 117) (Mr. Mirabal could not pinpoint the exact dates of Oswald's visit but opined that the second visit occurred on September 27, 1963.) Since Mirabal could not speak English though he was the new Consul, ex-Consul Azcue handled the matter. (Ibid. p. 117) On both

