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DRAFT

Cuban-American

In Book V of the final report of the Senate Select Committee to Study Governmental Operations on the performance of the intelligence agencies in the investigation of the assassination, the FBI and CIA are criticized for their apparent failure to fully pursue leads surrounding the assassination of President Kennedy and then to fully report to the Warren Commission the results of the investigations they did undertake. One such lead concerned the travel from Texas to Mexico City of an ~~unidentified~~ Cuban-American on November 23, 1963, and then his flight to Havana on November 27. 1/ The lead was made more "interesting" by the fact that the Cuban-American reportedly attended a meeting of the Tampa chapter of the Fair Play for Cuba Committee on November 17, 1963. 2/ The House Select Committee on Assassinations examined the documents connected to that lead to determine: (a) whether the facts which were known by the FBI and CIA about that individual warranted further investigation and what investigation was undertaken; (b) whether any of that information was reported to the Warren Commission; and (c) whether the known facts suggest any involvement in the assassination of President Kennedy.

A chronology of the activities of the FBI and CIA on this lead amplifies the information which was in the possession of the two agencies.

### CIA Investigation

The first information on the travel of the Cuban-American appeared <sup>in early</sup> on December 3<sup>1</sup> 1963. At that time the Mexico City Station of the CIA sent a classified message to CIA headquarters that a source identified as LITEMPO/4 had requested of the Mexico City Chief of Station at 1300 hours on that date "urgent traces on U.S. citizen Gilberto P. Lopez." 3/ The source said Lopez arrived in Mexico on November 23 en route to Havana and that Lopez had disappeared with no record of his trip to Havana. According to the message, Lopez had a tourist card, carrying number 24553, which he obtained in Tampa on November 20, 1963 and his passport number was 310162. The message stated that Lopez left Mexico for Havana on November 27 via Cubana (Airlines). The classified message listed the cryptonym LIFIRE as the <sup>original</sup> source of information on Lopez's travel. It indicated the Mexico City Station had no traces on him. 4/

In another classified message <sup>of the same date</sup> dated December 3, 1963 from the Mexico City Station to CIA headquarters, the station reported also that the FBI office in Mexico City had been advised by Mexican authorities that Lopez entered Mexico on November 27 at Nuevo Laredo. 5/

In another classified message <sup>sent the next day</sup> dated December 4, 1963 to the Mexico City Station from CIA headquarters, the Agency reported that the State Department check on Lopez had produced nothing yet because of the difficulty in tracing records using only a name and passport number. 6/ The message contained this paragraph:

We assume you have not told <sup>6</sup> LITEMPO [SOURCE] that Lopez flew to Cuba on 27 November because you do not want to blow the LIFIRE operation. This problem is up to you. 7/

The LIFIRE operation referred to in the classified message to the Mexico City Station involved <sup>the obtaining of information on</sup> cooperation between the CIA and Mexican federal officials who participated in a plan of photographing passengers of flights departing for Havana. and obtaining the passenger lists of the Cubana flights. Mexican officials also had their own program to photograph the passports of the passengers arriving from Havana. 8/

On December 5, 1963 the Mexico City Station reported that the <sup>REPORTING</sup> LITEMPO/4 source had stated that Gilberto Lopez had crossed the Mexican border at Laredo, Texas on November 23, 1963 and registered in the Roosevelt Hotel in Mexico City on November 25 at 1600 hours in Room 203. 9/ <sup>the reporting source</sup> LITEMPO also reported that Lopez departed on a Cubana flight on

November 27 for Havana. That classified message stated additionally that <sup>the source</sup> LITEMPO/4 had <sup>sewn</sup> a good photograph of Lopez. 10/

The photograph of Lopez contained in his CIA 201 file has "27 November 1963" stamped on the back. In the photograph Lopez is shown wearing dark glasses and the background in the photograph is dark and indistinguishable.

In a dispatch <sup>the following day</sup> dated December 5, 1963 from the Chief of Station in Mexico City to headquarters, copies of the photograph of Lopez were attached and the dispatch stated <sup>when</sup> ~~that~~ the photograph was taken on the night of November 27, 1963 at the Mexico City airport by Mexican authorities as Lopez was boarding a Cubana flight. 11/ The dispatch gave the previously reported information of the numbers of Lopez's passport and tourist card and his entry into and departure from Mexico. The dispatch contained the additional information that Lopez was listed as the only passenger on Cubana flight #465 on November 27, 1963 to Havana; the flight contained a crew of nine Cubans. It said he used a U.S. passport and a Cuban courtesy visa. 12/ The dispatch had the following message: "Source states the timing and circumstances surrounding subject's travel through Mexico and departure for Havana are suspicious." 13/ The dispatch said also that the source "urgently" requested all available data on the individual.

Also on <sup>the same date</sup> December 5, 1963, CIA headquarters cabled the Mexico City Station and identified this Cuban-American as Gilberto Policarpo Lopez, who was born on January 26, 1940. 14/ It stated also that Lopez was not identical with a Gilberto Lopez who had been identified as active in pro-Castro groups in Los Angeles. 15/

<sup>IN</sup> On March 19, 1964, <sup>CIA headquarters received</sup> the Monterrey Station sent a classified message to headquarters that Enrique Ruiz Montalvo, an agent of the Mexican Federal Judicial Police, had <sup>stated</sup> informed the CIA that one of Ruiz's contacts reported in late February, 1964, that an American citizen named Gilberto Lopes was involved in the Kennedy assassination. 16/ The message said Ruiz's contact reported that Lopes entered Mexico on foot from Laredo, Texas about 1200 hours on November 13 carrying U.S. passport #319962, which was issued July 13, 1960. 17/ According to the dispatch, the contact related also that Lopes proceeded by bus to Mexico City "where he entered Cuban embassy"; it said that he left the Cuban Embassy on November 27 and was the only passenger for Cuba on flight #465. 18/ It said the contact reported that Lopes was issued Mexican travel form B, #24553, at Nuevo Laredo. 19/ According to the dispatch, Ruiz reported that he could not verify the contact's information, but thought it might be of interest to the United States government. 20/

The cable stated also that background information concerning the Monterrey base's contact with Ruiz <sup>Report</sup> was contained in a <sup>separate</sup> dispatch dated March 18 which was being pouched to headquarters. on March 20 21/

On March 20 <sup>the next day</sup> the Deputy Chief of the Mexico City Station cabled a classified message to headquarters in which it was stated that the information contained in the earlier dispatch which discussed <sup>the March report</sup> Ruiz's contact "jibes fully with that provided station by <sup>[SOURCE]</sup> LITEMPO 4 early December 1963." 22/

A 201 file was opened on Gilberto Policarpo Lopez by Agency headquarters on December 16, 1963. 23/ At that time his records indicated that no earlier 201 file had existed. The file contains a "Review of 201 file on U.S. Citizen" by Barry Gibson, an operations officer for the LAM/FI component of the Agency. 24/ In that review the file was classified as a "counterintelligence case (i.e., involving a foreign intelligence or security service)." 25/ The date of entry of that category in Agency records is indicated as January 22, 1975 in Lopez's file. 26/

#### FBI Investigation

In a report dated August 26, 1964, the FBI documented the results of its investigation on Gilberto Policarpo Lopez



which had been carried out in Key West, Florida. The report stated that Lopez's cousin, Guillermo Serpa Rodriguez, told the FBI that Lopez came to the United States for the first time some time after Castro first came to power. 27/ He stayed approximately one year and then returned to Cuba. 28/ Rodriguez stated that Lopez returned to Cuba because he was homesick and missed his family; he had parents and four brothers who still resided in Cuba. 29/

Rodriguez stated also that Lopez's brother Selito was a member of the Cuban militia at that time. 30/ Another brother, Raimundo Policarpo Lopez, had reportedly been sent to the Soviet Union to study by the Cuban government, according to Rodriguez. 31/

Rodriguez told the FBI that Lopez returned to the United States in 1960 or 1961 because he was afraid he would be drafted into the Cuban militia if he remained in Cuba. 32/

The FBI learned that Lopez married an American woman in Key West in August, 1962. 33/ According to Lopez's wife, he worked for a time with the Pepsi Cola Co. in 1962 and at the Molina and Murgia Bakery in Key West, which was owned by cousins. 34/ She said that he also worked for a construction company in Tampa in June, 1963. 35/

Lopez's wife told the FBI that Lopez began suffering from recurrent attacks of epilepsy and had to be confined at Jackson State Hospital in Key West in early 1963. 36/ She stated that he was treated by doctors from Coral Gables and Key West for the epilepsy. 37/ She stated that she did not believe he had a history of epilepsy before coming to the United States. 38/ She believed his convulsions were brought on by nervous tension and worry over his family in Cuba and may have been a reason for his return to Cuba in 1963. 39/

The wife said that in approximately November, 1963, she received a letter from Lopez saying he had returned to Cuba. 40/ The wife stated that she was surprised he had returned but that he had mentioned he was going back to Cuba when he left for Tampa in November, 1963. 41/ The wife gave her opinion that he returned because of his close relationship with his parents. 42/ The wife stated that she received another letter from him later from Cuba. 43/ According to the letter, he was working as an elevator operator in Havana. 44/ In that letter Lopez said he had received some kind of financial assistance for the trip from an organization in Tampa. 45/ According to the wife, Lopez did not have sufficient personal funds to pay the expenses to Mexico and Cuba. 46/ She said that he had never had contact with Cuban refugee organizations to her knowledge. 47/

Rodriguez told the FBI that Lopez left Key West in late 1963 to go to Tampa with the hope of being able to return to Cuba. 48/ Rodriguez said he believed Lopez wanted to return to Cuba because he was afraid of being drafted into the U.S. military. 49/ Rodriguez said Lopez was not involved in any pro-Castro activity while living in Key West, but that Lopez was "definitely" pro-Castro. 50/ Rodriguez recounted that in one instance he and Lopez actually had a fist-fight over Lopez's pro-Castro sympathies. 51/

In a report in March 196<sup>4</sup>, the FBI reported that Lopez had attended a meeting of the Tampa Fair Play for Cuba Committee on November 20, 19<sup>63</sup>~~62~~. 52/ The report also stated that at a meeting of the group on November 17, 1963, Lopez stated that he had been refused travel back to Cuba. He said at that time that he was waiting for a phone call from Cuba to get word on his departure to Cuba. 53/

According to that report in March, 1964, a member of the Tampa FPCC stated that she called a friend in Cuba on December 8, 1963 and was told that Lopez had arrived safely. 54/ The member had attempted to locate Lopez in Cuba through friends there because Lopez had not delivered gifts to persons in Cuba from people in Florida as he had promised to do. 55/ The member stated also that the Tampa chapter of the FPCC had given Lopez approximately \$190 for the return trip to Cuba. 56/ The member said that Lopez had gone to Cuba by way of Mexico because he did not have a passport. 57/

The March 1964 FBI report listed Lopez's passport as #310162, which had been issued in January, 1960, and his Mexican tourist card as "M8-24553, issued November 20, 1963 in Tampa. 58/ It stated that Lopez entered Mexico by private auto at Nuevo Laredo on November 23, 1963 and departed for Havana on November 27 as the only passenger on a Cubana flight, carrying a Cuban courtesy visa. 59/

According to the FBI file, Lopez's mother, Esperanza Rodriguez, was born in Key West, Florida. 60/ The file listed three cousins and four uncles who resided and worked in the Key West area with their families. 61/

Lopez's FBI file contains a memo from the Tampa office dated October 26, 1964 which states:

It is felt that information developed regarding the subject is not sufficient to merit consideration for the Security Index. 62/

The only information transmitted by the FBI to the Warren Commission on Lopez concerned a check at the Passport Office. 63/ The information the Bureau did send to the Commission about the Tampa chapter of the FPCC did not include any information on Lopez's activities. 64/ The CIA apparently did not provide any information on Lopez to the Warren Commission. As pointed out in the Senate report, this omission is made more egregious

by the fact that sources had reported within a few days of Lopez's departure for Havana and of the assassination that the circumstances surrounding his travel seemed "suspicious" and that in March, 1964, while the Warren Commission was well underway into its work into the investigation of the assassination, Lopez had reportedly been involved in the Kennedy assassination.

*CIA Task Force Report*  
In the 1977 ~~report of the Inspector General of the CIA~~, the Agency attempted to refute several "inaccuracies" in the Senate report regarding the reporting on Lopez's travel. That is apparently the only follow-up by the Agency on the lead after the Senate report appeared.

~~In the first place, The Inspector General's report~~ *JFR, first*  
corrected the statement in the Senate report that sources reported that Lopez appeared "suspicious" when he was surveilled in Mexico. *JFR* 65/ The IG report explained that the internal CIA document of <sup>*early*</sup> December 5, 1963 which characterized the man as suspicious was merely "cryptic and impressionistic rather than constituting a tangible basis for dramatic activity or final conclusions." 66/

The report stated additionally that the March 19 1964 cable from the Monterrey base which recounted the information on Lopez from the contact of the Mexican police and claimed Lopez was involved in the assassination was

incorrect on several points: Lopez's name was misspelled "Lopes"; it stated that Lopez entered Mexico on foot when the CIA repeated the FBI's conclusion that he had traveled by auto; it gave incorrect digits in Lopez's passport number; it stated that the Mexican tourist visa was issued in Nuevo Laredo and not Tampa; and it reported that he stayed at the Cuban Embassy. 67/ Based on these inaccuracies, the ~~Inspector General~~ <sup>TFR</sup> concluded that "the source patently was extensively misinformed." 68/ Based on that observation, the ~~Inspector General~~ <sup>TFR</sup> completely discounted the cable <sup>MARCH</sup> by the Deputy Chief of Station in Mexico City on March 20, 1964 that the Mexican police source information "jibed" with what had earlier been reported by the CIA's source. 69/

Presumably the discrepancies pointed out by the ~~Inspector General~~ <sup>TFR</sup> are meant to explain the fact that the CIA did not take more aggressive investigative steps to ascertain whether there might have been some connection between Lopez and the assassination. In that regard, the 1977 ~~Inspector General~~ <sup>TF</sup> report explains that the Agency had no other means of investigating Lopez at his disposal and had carried the lead as far as it was able by questioning a Cuban defector about Lopez. While the fact of the CIA's lack of access to further information about

Lopez may well be the case, that fact does not explain either the failure of the CIA to take more seriously the suspicions of the sources, or most importantly, to report whatever information it had to the Warren Commission. In that regard, the attempts <sup>IN</sup> ~~of the Inspector General~~ <sup>TFR</sup> to denigrate the value of the information provided on Lopez do not ~~diminish~~ <sup>explain</sup> the apparent ~~negligence~~ <sup>failure</sup> of the Agency ~~in~~ <sup>to</sup> seriously pursue the information as it was received. The Agency is not to be faulted for the strength of its intelligence gathering, but rather for the judgment which kept that intelligence from the governmental body, the Warren Commission, which was mandated to pass on the strength of exactly that kind of information.

From the information collected by the FBI, there appear to be <sup>plausible</sup> ~~well-explained~~ reasons both for Lopez's desire to return to Cuba and his solicitation of the help of a local FPCC chapter for that travel. His contacts in Florida appear on their face to be innocent ~~and nonpolitical~~ and not in any way connected with the assassination. Despite the suggestion by the Senate report of suspicion in the fact that Oswald "may" have been in touch with that same FPCC chapter, <sup>the HSCA Fund</sup> ~~no evidence appears~~ to suggest that Oswald was actually in touch with the Tampa FPCC, or that Lopez was connected in any way with Oswald or Dallas.

Despite what is now known about Lopez, the Warren Commission may well have wanted to lay to rest suspicions which would remain about Lopez, and satisfy itself that these circumstances in no way indicate foreign involvement in the assassination. The CIA has contributed to those suspicions by not airing the matter and explaining circumstances which could shed light on otherwise sinister appearing events.

The Committee has documented instances where the CIA decided to forego passing information to the Warren Commission out of a desire to not lay bare extremely sensitive sources and methods of intelligence. The LIFIRE operation certainly falls within that category and as soon as the CIA began receiving information that LIFIRE was the source of the information about Lopez's travel, the cables and messages reflected the desire to not reveal that method. It also seems plausible that the FBI likewise chose not to divulge what it had learned about Lopez because in doing so, it would have had to reveal the sensitive CIA operation which generated the initial information on Lopez's travel to Cuba on November 27.



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.
- 4/ Id.
- 5/ Classified CIA Document Mexi IN 72829, 3 Dec. 1963.
- 6/ Classified CIA Document \_\_\_\_\_, 4 Dec. 1963.
- 7/ Id.
- ~~8/~~
- 9/ Classified CIA Document Mexi 7253, IN 74227, 12/5/63.
- 10/ Id.
- 11/ Classified CIA Document 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.
- 22/ Classified CIA Document Mexi 8740, IN 43940, 20 Mar. 1964.

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

24/ Classified CIA Document.

25/ Id.

26/ Id.

27/ FBI Report, 8/26/64, 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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