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CIA PERFORMANCE ON THE INQUIRIES

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## CIA's Performance on the Inquiries

Book V of the SSC Final Report challenges the performance of the intelligence agencies during the Warren Commission inquiry, emphasizing things that it feels should have been done but which it asserts were not.

It is correct to say that CIA has not produced evidence or analysis that addresses every theory that has been advanced over the years. A record of the volume of CIA reporting to the FBI and the Warren Commission is at Tab E. As a practical consideration, every theoretical question that can be conceived cannot be answered conclusively; there simply may be no evidence at all, or if there is evidence somewhere it may not be accessible. The issue is what the intelligence agencies did -- in the present instance, what was the performance of CIA -- with Book V of the SSC Final Report portraying a pattern of neglect or avoidance that is not supported by the record.

The SSC Final Report offers a number of separate subjects in support of its case:

- a. It refers to an allegation by a person identified as "D" (pages 28-30, 41-42 and 102-103) that he overheard and saw Oswald being handed money in Mexico City for the purpose of assassinating President Kennedy; this was proven false, both by polygraph and by determining that Oswald was in New Orleans instead of Mexico City at the time the incident was supposed to have occurred. This subject is treated in a confusing and inconclusive manner in the SSC Final Report.

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b. A considerable portion of the Report is given to the AMLASH operation. The operation is described inaccurately. The Report assigns it characteristics that it did not have during the period preceding the assassination of President Kennedy, in order to support the SSC view that it should have been reported to the Warren Commission. This is treated in some detail at Tab D of this report.

c. Space is devoted to two aircraft flights from Mexico City to Havana, on 22 November and 27 November (see pages 60-63). The first of these flights, as described in the SSC Report, is based on an inaccurate report about a delay of the 22 November flight to meet a mysterious private aircraft; the correct story removes the basis for the inferences of the SSC version. The second of these flights had to do with a man whose significance arises from a patently erroneous report; the FBI investigated him thoroughly, as is apparent from the condensed summary in the SSC Final Report.

These examples illustrate the problem of commenting on the SSC Final Report, the question becoming that of how to deal with Congressional criticism presented on the basis of inaccurate factual perceptions. To treat the problem it was felt necessary to review the record in-depth and to report the findings, whatever they are.

Recognizing the possibility of error or oversight in 1964--both on the part of CIA and the Warren Commission--consideration was given to courses of action CIA might have taken to throw some light on the

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questions as understood at the time, as well as considering those questions that have developed since then. What would be the areas of inquiry? Oswald was an obvious subject of investigation.

Oswald was known to have been out of the country twice subsequent to his return to private life from the Marine Corps in September 1959. These overseas adventures were appropriate for CIA attention. The first of these overseas trips was when he went to the Soviet Union in October 1959 from which he returned in June 1962. The second of these trips was when he went to Mexico City in late September 1963, from which he returned in early October 1963.

In addition to these two areas of obvious specific inquiry for CIA, there is the problem of general foreign intelligence collection that might in some way produce information on the subject. The SSC Final Report adds to these considerations operations being conducted by CIA as part of a general U.S. program against the Castro regime. These four general areas of inquiry are covered below.

I. Travel to and from the USSR 1959-1962

On 26 November 1963 a cable was sent to Paris, Rome, Madrid, <sup>(14-6)</sup> (Copenhagen), <sup>(14-4)</sup> (Oslo), <sup>(14-1)</sup> (Helsinki), Brussels, The Hague, London, and Ottawa giving biographic information on Lee Harvey Oswald. It noted his discharge from the Marine Corps in September 1959 and his travel to the Soviet Union in October 1959, including sketchy details as to his employment and marriage while in the USSR. The cable requested:

"any scrap information which bears on President's assassination...."

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On 27 November the various addressee stations replied, with <sup>(14-1)</sup> (Helsinki) and London providing additional details on the travel of Oswald to the USSR. Additionally, London reported that a British journalist claimed that during his own imprisonment in Cuba in 1959 there was a U.S. gangster there by the name of Santos, who was living in luxury in jail because he could not return to the U.S.; the source stated that Santos was "visited frequently by another American gangster named 'Ruby'." (See pages 24--25, Tab C.)

Also on 27 November Ottawa reported the "delight" of the Cuban Embassy staff over the assassination of President Kennedy although the staff was instructed to "cease looking happy in public," in conformance with instructions from Cuba to "govern their actions by official attitude of Govt to which they accredited." <sup>(14-4)</sup> (Oslo) on the same date, reported that the Soviets were shocked, blaming the assassination on extreme right-wing elements. Otherwise, the initial responses produced no other information.

On 29 November The Hague and Frankfurt were queried about Oswald's travel back from the USSR. This query was followed on 2 December by a similar cable to Berlin, Frankfurt, Bonn and The Hague. Various reporting produced details about the travel of Oswald and his wife from the USSR through Germany and the Netherlands enroute to the United States in June 1962.

The other stations involved in these inquiries had no traces or information on Oswald; liaison services were also queried without

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detailed results although there were some [redacted] operations that produced peripheral information about the reactions of various groups under intelligence surveillance. Considerable exchanges were held with the Warren Commission on Oswald's Soviet record and its possible significance. No evidence was found tying the Soviet Union to Oswald's assassination of President Kennedy. Book V of the SSC Final Report, in not criticising the Agency's performance in this aspect of the investigation, seems to have accepted it as adequate, and it will not be detailed here.

II. Oswald Mexico Visit -- September-October 1963

The visit by Oswald to Mexico City, in his attempt to get visas for travel to the Soviet Union and Cuba, has received extensive attention. The details concerning the coverage of Oswald's visit to Mexico is treated in another annex to this paper (Tab F). The concern felt by all initially for the possible significance of Oswald's visit, and his contacts with the Cuban and Soviet embassies, was obvious at the time. The following statement is in a cable to Mexico City on 28 November 1963:

"We have by no means excluded the possibility that other as yet unknown persons may have been involved or even that other powers may have played a role. [redacted]

[redacted]

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allegations made by "D," about having seen Oswald taking money from Cubans in the Cuban embassy in Mexico City, received intensive attention from CIA and the FBI, working together closely on the matter, and with the Mexican authorities. This was demonstrated conclusively to have been a false allegation. Oswald was in New Orleans at the time of the reported incident, and the person making the allegations was demonstrated [REDACTED] to have been lying. After the allegations by "D" had been demonstrated to be false, Headquarters made the following statement to the Mexico City Station on 1 December 1963:

"Pls continue to follow all leads and tips.  
The question of whether Oswald acted solely on his own has still not been finally resolved."

Again, on 13 December 1963 the Mexico City Station was cabled as follows:

"Plse continue watch for Soviet or Cuban reaction to investigation of assassination, evidence of their complicity, signs they putting out propaganda about case. FYI [REDACTED] el  
[REDACTED]  
[REDACTED]

On 17 December 1963 Headquarters forwarded a dispatch to the Mexico City Station stated as follows:

"...Mexico City has been the only major overseas reporter in the case. While this partly dictated by the facts of Lee Oswald's

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life, we have not overlooked the really outstanding performance of Mexico City's major assets and the speed, precision, and perception with which the data was forwarded. Here it was relayed within minutes to the White House, [Department of State] and [the FBI].

**[REDACTED]**, the statements of Silvia DURAN, and your analyses were major factors in the quick clarification of the case, blanking out the really ominous spectre of foreign backing."

Essentially, Oswald's visit to Mexico City was investigated as thoroughly as possible, producing no evidence there of Soviet or Cuban complicity in the assassination of President Kennedy. If anything, events during Oswald's visit there are more subject to being seen as counter to such a possibility, given his troubles with both Cubans and Soviets. We do not offer this thought as the final word, but more simply that if it bears on the subject at all it is inconsistent with speculation that he had some special relationship with either nation.

It is noted that various allegations have been made in the press in connection with the House Select Committee on Assassinations inquiry concerning CIA information regarding Oswald's Mexico visit; these are commented on at Tab G.

### III. General Collection Requirements

On 22 November 1963 all CIA stations abroad received a cable from Headquarters with the following statement:

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"Tragic death of President Kennedy requires all of us to look sharp for any unusual intelligence developments. Although we have no reason to expect anything of a particular military nature, all hands should be on the quick alert at least for the next few days while the new President takes over the reins."

It is appropriate at this point to observe the general reaction to be expected from such a communication. Without any leads, other than those arising from Oswald's identification, the requirements to field stations were necessarily general. General reporting can be stimulated by general requests, if there is something to report, and this is what was undertaken. In addition, in any event, intelligence assets and liaison services overseas are quick to realize the significance of important information and will report it on their own initiative. It is significant, in the light of these considerations, that there has been the most limited reporting on the subject. Were there relevant or significant information on the subject it would have been reported either in responses to the expression of general interest, or spontaneously, if such information was known to Agency sources.

If one believes that there was a conspiracy, with Oswald involved, one must accept the likelihood that his fellow conspirators would not have shared their knowledge beyond the narrow circle of those directly involved. Conversely, if there were no conspiracy, there obviously

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would be nothing to report in the first place. The absence of concrete reporting seems to serve, regardless of which is the case, as the basis for the apparent SSC view that no collection effort was undertaken.

As has been noted above, there were initial CIA collection requirements to the field. What they could be realistically expected to produce must be related to whether there was any information to collect at all, and if so whether it was accessible. The requirements were issued, but in retrospect it is doubtful that they could produce much of the who-what-where-when-how information that typifies intelligence collection reporting. A reflection of the basic nature of the problem is found in the Headquarters cable to Mexico City on 17 December 1963 (note above) which contains the following comment about the limited reporting from other stations:

". . . this partly dictated by the facts of Lee Oswald's life. . ."

The SSC Final Report speaks in rather unqualified terms at page 10 about the resources of the intelligence agencies, including a description of "an extensive intelligence network in Cuba," suggesting that it was only necessary to ask to get. It is correct to say that there were sources in Cuba able to report on events, such as troop movements, but there were no penetrations of Castro's inner circle, where any information on the subject in question would exist. The distinction apparently was missed -- or ignored -- by the authors of the SSC Final Report. As stated by the Miami Chief of Station, quoted at page 58 of the SSC Report:

"Now if you are referring to our capability to conduct an investigation in Cuba, I would have to say it was limited."

This does not mean that such assets as there were did not have reporting

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requirements levied on them, in fact, there was considerable activity in this respect. In the course of the present review a number of case officers at the Station during that period have described the frenetic activity in this respect. The characterization by the Chief of Station as to passive collection by CIA inside the United States should not be extended to apply to what was done with reporting assets outside the United States, as the SSC Final Report attempts to do at the bottom of page 58.

The SSC Final Report has undertaken to paint this in very different terms than the record supports. The extensive reporting to the FBI and the Warren Commission provides a truer reflection of the level of activity by CIA (see Tab E), even if its sources did not bear on every question that has been concerned since then.

#### IV "Unpursued Leads"

At pages 60-67, in Book V of the SSC Final Report, there is a section that addresses leads that were felt to not have been followed by the intelligence agencies. This follows the section on CIA's Performance on the Inquiries. This section first addresses two Cubana flights to Havana from Mexico City on 22 November (the date of President Kennedy's murder) and 27 November 1963, raising questions about passengers reported to be aboard those flights.

By way of background it is noted that during that period Cubana flights traveled on a round trip basis between Havana and Mexico City every other day. More specifically, there were flights at this time on 22 November, 25 November and 27 November. The flights on

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22 and 25 November to Havana were passenger flights, while the one on 27 November appears to have been essentially a cargo flight, with one passenger, the man referred to in the SSC discussion. All flights to Havana apparently carried some freight.

CIA conducted regular surveillance of Cubana flights, filing cable reports to Headquarters. There was one (unilateral)<sup>24</sup> CIA surveillance team [redacted] that observed arrivals and departures of Cubana flights, reporting any unusual incidents and providing copies of flight manifests.

[redacted]  
airport [redacted]  
[redacted]  
[redacted] conversation with  
[redacted] e.

The 22 November 1963 Flight

At pages 30, 60, 61 and 103 of Book V of the SSC 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 SSC Report describes the delay as being from 6:00 P.M. EST to 11:00 P.M. EST. The especially intriguing aspect of the report was that the reported delay was to await arrival at 10:30 P.M. EST of a private twin-engined aircraft, which deposited an unidentified passenger who boarded the Cubana aircraft without customs clearance and traveled to Havana in the pilot's cabin. The SSC Final Report emphasized CIA's apparent failure to follow up by inquiring further into the matter.

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Book V of the SSC Final Report states that CIA could not explain, at the time of the writing of the SSC Report, why there was no record of a follow-up. In fact, the SSC was advised that the Mexican authorities were asked about the reported flight delay, although there was no recorded response. The current review revealed additional information from the surveillance noted above, which bears directly on the subject. In reviewing that information below, it is noted that the conversion of Mexico City time to Eastern Standard Time (EST) in the SSC Final Report tends to distort the time perspective somewhat. Mexico City times are used in the following discussion.

[REDACTED]

[REDACTED] Records show that the flight arrived at the platform at the airport at 1620 hours Mexico City time; presumably it landed a few minutes earlier. At one point [REDACTED]

[REDACTED]

The departure of the aircraft was [REDACTED] 2035 hours.

The following facts stand out, in contrast to the presentation in the SSC Final Report:

1. The Cubana flight was on the ground in Mexico City for a total of four hours and about ten minutes. It was not

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delayed five hours, as alleged.

2. The Cubana flight took off at 2035 hours Mexico City time, 55 minutes ahead of the alleged arrival at 2130 of a private flight with a secret passenger. This also contrasts further with the alleged departure time of the Cubana flight, which the report stated to be 2200. 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-engined aircraft and passenger would have gone unnoticed or unreported had it occurred. Personnel in Mexico City at the time were aware of these sources and probably knew the above facts, feeling no need to follow further.

The report in question was in error, and misled the SSC in its summary of the matter.

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."

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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'..."

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"),

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except to ask a Cuban defector about his knowledge of the Cuban-American's activities."

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, 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 on 25 November, that he checked out of the hotel at a certain time and departed for Havana "as only passenger on Cubana flight on night 27 November," [REDACTED] [REDACTED] This was followed by a dispatch the same date, repeating the basic information in the cable, [REDACTED] [REDACTED] 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 in the Station that was even more cryptic, but which was in the nature of an informal reminder, which stated that the man was reported

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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 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.

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