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COMMISSION ON CIA ACTIVITIES WITHIN THE UNITED STATES

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D. OSWALD & THE WARREN COMM'N

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287-13

CENTRAL INTELLIGENCE AGENCY

OFFICE OF THE DIRECTOR

3 MAY 1975

Mr. David W. Belin
Executive Director
Commission on CIA Activities
Within the United States

Dear Mr. Belin:

I am attaching, per your request of 15 April, background materials relating to certain questions relating to Oswald and the Warren Commission.

Tab A is a classified Secret memorandum responsive to your request. Tab B is an unclassified version, which you can use as you see fit in whatever report you are preparing on the subject.

Additional details are available in the Office of the Inspector General should you wish to pursue this in greater depth.

Faithfully yours,

E. H. Knoche

E. H. Knoche
Assistant to the Director

Attachment: a/s

*logged
5-14-75
Belin*

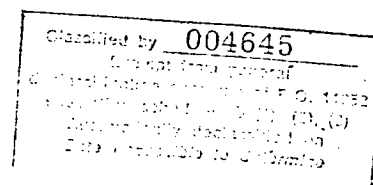
12 May 1 5

SUBJECT : Review of Agency Holdings Regarding Photograph of Unidentified Individual in the Warren Commission Report

REFERENCE: Memorandum from David W. Belin to E. Henry Knoche, dated 15 April 1975

1. In accordance with reference request, we have examined and summarized the record concerning a cropped photograph that was considered by the Warren Commission in the course of its investigation. The photograph (together with others of the same individual) originated from an intelligence operation conducted in October 1963 by the CIA and the Mexican security authorities.
2. Under the extraordinary press of effort to develop information on the assassin and the assassination, copies of the photograph were made available by CIA's Mexico Station Chief on the afternoon of 22 November to the local FBI representative. Later that day, assertedly on the decision of the Ambassador, copies were conveyed by an FBI representative on a special U. S. Naval Attache flight to the Dallas office of the FBI for possible use in the ongoing investigation. One photograph, cropped by the FBI, was shown to Mrs. Marguerite OSWALD (Lee Harvey OSWALD's mother) in Dallas on the evening of 23 November 1963 by an FBI agent.
3. The Warren Commission's report describes the sequence of events that ultimately resulted in Mrs. Marguerite OSWALD's allegation that she had been shown a cropped photo of Jack RUBY the day before he murdered her son. A further complication

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compounding this erroneous conclusion was the fact that, when she had been shown a copy of the same photograph in her appearance before the Commission, it had been cropped by the FBI in Washington in a slightly different manner.

4. Although in no way related to Lee Harvey OSWALD or his stay in Mexico City from the morning of 27 September 1963 to the morning of 2 October 1963, at least one set of photographs of the unidentified man originated during OSWALD's stay there. It is important, therefore, to an understanding of the acquisition and handling of the photographs by the Mexico Station to review what the Station ascertained and did with the information it developed about OSWALD in Mexico City, together with Headquarters action on that information.

5. From all credible evidence known to this time (none, incidentally, added since the exhaustive work of the Warren Commission), Lee Harvey OSWALD spent four (4) full days and two (2) partial days -- about 116 hours in all -- in Mexico City from about 10:00 a.m. 27 September 1963 to about 8:30 a.m. 2 October 1963. His place of residence was a small commercial traveler hotel, not frequented by "gringos" -- the Hotel Comercio -- where he was registered under alias. Exhaustive and detailed interviews and interrogation by the Mexican authorities and the FBI after the assassination established that, in the recollection of all hotel personnel, he left and returned late each day of his stay.

6. Allowing for the fact of late arrival and early departure, and assuming that he slept one-third of the time of his stay (38 or 39 hours), there remain some 78 hours of activity to be

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11. CIA's information can account only for very brief periods during 28, 29 September and 1 October. All coverage by CIA during the entire period was technical. The Station had no live source (living agent) coverage.

7. It should be noted that OSWALD was in no sense "under ~~Surveillance~~ investigation." None of the facts of his defection and stay in the USSR and return to the U. S., 1959 - 1962, were known to the Mexico Station or in its files before 10 October 1963. On that date, the bare bones of his biography were forwarded by Headquarters in response to a Station cabled report of 8 October which had forwarded, on a routine basis, what appeared to be a contact by an American for a visa to Cuba in transit to the USSR. This was indicated and deduced from technically acquired information on 1 October, which was the first and only occasion on that visit in which OSWALD was recorded as identifying himself (partially) by true name.

8. At no time during his stay in Mexico City did the CIA acquire a photo of OSWALD. A careful review of all coverage -- technical as well as photographic -- was conducted by the Station on 22 and 23 November 1963 after the assassination, including materials back to August 1963. This confirmed that there was no CIA photo coverage of OSWALD at any time during his Mexico trip or stay in Mexico City. Moreover, although it had made a cabled request on 15 October, the Mexico Station had no photo of OSWALD in its records, nor did it receive one from Headquarters -- which did not have one either -- before 22 November 1963.

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9. It must be stressed that what technical information the Station had was not (and normally is not) processed in "real time." The means of acquisition and the volume of the information preclude anything but the spot reporting of items judged to be of more than ordinary interest and, therefore, noted in summary logs. Full texts of selected items require consultation of the tape and either a full transcription or full translation or both. Photo coverage tends to become available in quantity lots which requires scanning and selection on a rapid and accelerated basis in four or five day "peaks." One of the "triggers" that normally operates to focus and accelerate more speedy review and reporting of this kind of raw intelligence is the mention of a name. This was precisely what occurred in the second of two conversations on 1 October, during which the speaker said he was "Lee OSWALD." It was this information reported by the Station to Headquarters in its first indication on OSWALD on 8 October 1963.

10. The Mexico Station did one more thing in its 8 October report on Lee OSWALD based on the 1 October information: it coupled the data with descriptive information it had acquired from a sensitive source -- a photograph of a male individual, apparently an American, who was observed entering an Embassy on 1 October. The Station reported this detail on the 8th as a matter of coincident fact. The Station did not assert or suggest that the data led to any deduction that the photo was in fact OSWALD or, indeed, was in any way related to OSWALD.

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11. One additional element of background must be stipulated now as the final precondition to understanding the relevance (or irrelevance) of the photo of the unknown individual placed in the chain of evidence on 23 November in Dallas by the FBI agent: what was the totality of CIA Mexico's coverage of OSWALD's activity as of the afternoon of the 23rd when all available coverage had been checked?

12. The totality of Mexico Station coverage on or reasonably inferable to be OSWALD consisted of five (5) voice intercepts. Each of these items, including the text of the raw intercepts, were read by, discussed with, and examined by Warren Commission staffers in Headquarters and at the Mexico Station during a stay from 8-13 April 1964. All were made available promptly to the FBI.

13. At about mid-day on 1 October, the camera registered the entry into an Embassy of a white-shirted individual. In the opinion of the Station, among all the persons photographed that day, he appeared to be the only non-Latin and possibly American who entered. On the chance that there could be an association between the identification data derived from the voice intercept and the descriptive data derived from the photograph, the Station reported the two elements as separate facts in its cable to Headquarters on 8 October.

14. The Station's action was not unusual and really amounted to an analytic "quantum leap," in terms of the primitive status of the OSWALD identification. Many examples of a similar kind of thing can be found in the day-to-day record of Station-Headquarters correspondence and reporting.

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15. On 22 November 1963 the Mexico Station cabled Headquarters at 2229Z time after learning of the arrest of Lee H. OSWALD, age 24, possibly in connection with the assassination, and referenced its earlier messages of 8-9 and 15 October and Headquarters' reply of 10 October. The Station requested by: "priority pouch a photo of OSWALD so that Station can check all recent coverage for OSWALD. Forwarding soonest copies of only visitor on 1 October who could be identical with OSWALD."

16. This obviously was for comparison at the Station which had estimated the age of the unidentified male whose photograph it had selected as having the "apparent age of 35."

17. The Station meanwhile had begun an exhaustive and accelerated review of all its technical and photographic intelligence. A dispatch was prepared in accordance with the indication given in the cable of 22 November. The dispatch noted that photo coverage of the unidentified individual had turned up on 4 and 15 October. The text of the 22 November 1963 pouched dispatch read:

"1. Attached are copies of the only photographs obtained. . . on 1 October 1963 which appeared to be an American. This same man visited [an] Embassy on 4 October 1963.

"2. Copies of these photographs were shown to the U. S. Ambassador on 22 November 1963 and a copy of each of the two photographs was given to Chief FBI, Mexico, on that date. . . .

"P. S. Photographs dated 15 October 1963 were inserted after typing of dispatch. These were taken as [the] person entered [an] Embassy."

18. The "Unidentified Individual" remains to this day unidentified. There is still no credible evidence, as far as CIA is aware, that the individual in the photograph had any connection with Lee Harvey OSWALD or the assassination of President Kennedy.

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