

JFK ASSASSINATION SYSTEM

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that something behind the Iron Curtain had been put in motion in his behalf. Our investigation of this particular problem has come up with the following results:

In the first place, both Chayes and McVickar have their dates wrong. This does not reflect on their capabilities, because they are undoubtedly basing their conclusions upon State Department memoranda which were in turn based upon statements made at the time by Oswald himself, and subsequent investigation has shown that these were probably inaccurate. Oswald's American passport, which he of course had in his possession at the time he traveled to Russia, was subsequently surrendered to the Department of State, after he was repatriated, and has since been placed in the hands of the Commission. Stamps on this passport show that the Soviet Tourist Visa was issued (not applied for) in Helsinki on October 14. Confidential information made available from a source which the CIA says is "very reliable" relates that Oswald arrived by airplane from London in Helsinki on October 10. Everything we know about his trip points to the fact that he proceeded to his destination, Moscow, as rapidly and as directly as his financial resources would permit. Despite statements made to fellow travelers along the way that he was "only a tourist" or "just a student on his way to college," he in fact wasted no time in sightseeing but made connections as rapidly as he reasonably could. Therefore, although we have no direct evidence indicating when he first applied for a visa, it seems highly probable that he applied for it as soon as he arrived in Helsinki, namely, on the 10th of October. Perhaps, however, his airplane arrived in Helsinki too late for him to have reached the Consulate before it closed that evening. Should this have

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Gutierrez came around a corner of a wall and bumped into the Cuban who was talking with the American, thereby seeing them both for a split second face-to-face. He apologized, the Cuban graciously accepted the apology, and all three men immediately continued walking in their respective directions. When he overheard their conversation, however, which must have been resumed almost instantaneously, Gutierrez turned around to get another look. Thus, he got a good look only of the backs of both men. Likewise, when he followed them to their automobile, he saw them only from a distance and again only their backs. The conclusion of the FBI representatives assigned to this case is that Gutierrez probably did see money being passed to a man who appeared to be an American, but that whether that man was Lee Harvey Oswald is by no means certain.

From reviewing his work schedule, which he says he rigorously adhered to, Gutierrez is able to fix the time at which he must have seen the Cuban and the American as 10:50 a.m. on October 1, give or take a very few minutes. From the CIA wire-tapping facilities in Mexico City we know that at exactly 10:30 a.m. on October 1 Lee Harvey Oswald telephoned into the Soviet Embassy and spoke very briefly with someone there. The conversation was short because he was not able to reach the person who was handling his case (the Consul) and therefore was quickly asked to call back on a different number. We do not know, nor do we have any way of finding out, from where Oswald was telephoning. At 11:30 a.m., exactly, he telephoned the number which had been given to him at 10:30 a.m. - the Russian Consulate - and had a slightly longer conversation about whether the telegram sent to Washington had been answered. The Cuban and Russian Consulates in Mexico City are located very close to one another, only

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now possess. Moreover, the sensitivity of this precise point had not been brought to the attention of the FBI interrogators. It is not inconceivable that when Nosenko says the first word the KGB received was when Oswald arrived in "Moscow" that he was speaking loosely and meant when Oswald arrived in "Russia" or "at the Russian border." Or what is even at least as likely, that Nosenko really does not remember the precise moment at which Oswald first made his intentions known to the Soviet Government.)

One other piece of evidence relating to the same point should be brought to the attention of the Commission. The following paragraph is an exact quote from a CIA report (Commission No. 698):

"c. October 1959: Stockholm newspaper, Dagens Nyheter, of 25 November 1963 states Lee OSWALD passed through Sweden during October 1959. Article also adds that OSWALD was unsuccessful in obtaining visa to the USSR in Helsinki which resulted in his returning to Stockholm. Two days after he arrived in Stockholm OSWALD traveled directly to Moscow. Concluding sentence of article states 'This indicates that the Russian Embassy (Stockholm) gave him a visa.' According to a reliable source there was no record that there was any request for a USSR visa processed through normal channels for OSWALD at any time during 1959, and source indicated it was difficult to explain how OSWALD might have received his visa in two days without going through normal channels. The only conclusion which can be drawn is that OSWALD must have received his visa directly from the Soviet Embassy in Stockholm which occasionally is done in special cases, but the source had no evidence to confirm this assumption."

The information contained in the foregoing paragraph is flatly at variance with the other CIA report, previously mentioned, to the effect that Oswald stayed in Helsinki after having arrived there on October 10, with the information obtained from Oswald's American passport, with his own statement to the American Embassy in Moscow on October 31, 1959, and with the documentary material given us by the Russian Government. All

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*Discrepancies but intended  
business of marital journey*

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makes no sense if the intent was to facilitate Oswald's return to his native country. It does make sense, however, if Marina was so important to the contemplated use of Oswald that the additional difficulties in connection with repatriation which would be added by the marriage, were worthwhile. It also makes sense, of course, on the hypothesis that Marina herself, rather than Oswald, is the Russian agent. This latter conjecture, though perhaps somewhat startling at first, is probably at least as plausible as the conjecture that Marina and Oswald were agents together. All the questioning which Marina has undergone since the assassination has shown that she is an intelligent, coolheaded woman. She had a rather unfortunate affair with her business manager after the assassination which might have been caused by her being carried away by her emotions. This is not necessarily evidence that she is not coolly calculating, however. The incident is equally explainable as a simple miscalculation on her part that it was either necessary or desirable from a survival viewpoint. Moreover, if the Russians were anxious to plant an agent in the United States, marrying her to a repatriating defector would be a comparatively easy means of transporting her here.

Facts tending against the speculations of the previous paragraph include the following: First, according to the statements of Marina herself and of her acquaintances, she learned practically no English as long as her husband was alive. This was supposed to be mainly because he was so jealous of her that he feared even this small degree of independence on her part, but also because she was so exclusively home and children oriented that she just did not care to make the effort to

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when she testified to the Commission that, as just related, Oswald had told her that he was going and why. The few witnesses we have who spoke with Oswald while he was on a bus going to Mexico City confirm what Marina has stated, that Oswald's intent was to evade the travel ban by reaching Cuba by way of Mexico.

The Mexican law-enforcement authorities and the CIA and FBI have all carried on extensive investigations within Mexico of Lee Harvey Oswald's activities there. These three groups have produced evidence which appears quite firm that when Oswald appeared at the Cuban and Soviet Embassies he told them that his destination was Russia, not Cuba, and that he only wanted an "in-transit" visa for Cuba in order that he might visit that country on his way to the Soviet Union. When he visited these embassies he carried with him newspaper clippings, letters and various documents (some forged by himself) purporting to show that he was a "friend of Cuba." With these papers, and with his proven record of previous residence in the Soviet Union and marriage to a Soviet national, he tried to curry favor with both embassies, but the attempt seemingly failed. His last known telephone call to the Russian Embassy in Mexico City ended with the Consular official with whom he was talking hanging up in the middle of a question Oswald was trying to ask, and Marina has testified that when she first saw him after his return to the United States he was discouraged and convinced that he would never reach Cuba.

When questioned on the discrepancy between his telling her that he wanted to get to Cuba and his telling the Cuban and Russian Embassies that his ultimate destination was Russia, Marina answered

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residency in the Soviet Union which related to one of the aforementioned seven areas of particular interest or which "might otherwise be of interest to the Commission." No such volunteer statements were forwarded to us by the Soviet Government. A second possibly suspicious circumstance we have observed is that a very high percentage of the signatures other than Oswald's on the documents are stated by our translators to be illegible or missing. [We believe that this might be significant because one of the few independent checks the CIA has on documents from the Soviet Union is the names they include. The CIA, for example, has frequently been able to tell us that a certain name in a letter to Oswald from a Russian acquaintance probably belongs to a person living at a certain city at a certain address, working at a certain plant, belonging to certain organizations, etc.] This kind of verification has been rendered impossible, either accidentally or on purpose, in the documents given to us. We have asked the CIA's opinion on this point, but so far have not received it.

J. An Overall Assessment of the  
Likelihood of Soviet Involvement

The Commission has been able to gather an impressively large amount of material on Lee Harvey Oswald's life in Russia and in the United States after he returned from Russia, and a considerable amount of material on Marina as well. Much of this has been examined in this memorandum, and over the last few months virtually all of it has been analyzed in detail by members of the staff of the Commission or by one or more of the various investigatory or intelligence agencies of the



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(One arrangement he made, for example, was to have passport photographs taken, for use in his application for a Cuban visa.) By late Saturday afternoon, September 28, however, he had pretty much hit a blank wall at both embassies. The Russians had told him firmly that they had sent a telegram to Washington about him, but that that was all they had authority to do; they could take no further action until Washington authorized them to do so, and that would probably be from five to six months later. The Cuban Embassy had even more firmly informed him that he could not get an "in-transit" visa to visit Cuba unless he could first show them a visa to visit Russia, so he was left with very little to do with either Embassy except to recontact the Russian one occasionally in the faint hope that they might have received an early reply to the telegram they supposedly had sent to Washington. At the Cuban Embassy he even got into a fight with the Consul, Eusebio Asque, because he insisted so strongly that as a "friend of Cuba's," he ought to be given a visa. So from Sunday through Wednesday morning, October 2, when he left Mexico City on a bus bound for the United States, apparently about all he did -- or all that we know about what he did -- was to make his travel arrangements, see the sights of the city and check a couple more times by telephone with the Russian Embassy to see if a reply to the telegram had arrived.

Our evidence that the events set out in the foregoing paragraph occurred is solid. It is obtained from several sources, the most important being the direct testimony of Senora Silvia Duran, the Mexican clerk at the Cuban Embassy who dealt with Oswald, and certain highly confidential sources employed by the CIA. The question is not whether

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these events occurred, but whether they were perhaps only a cover-up for other, more sinister activities going on at the same time. This is where the various rumors and claims of conspiracy come into consideration.

Some of them will be considered in detail later, but at this point it is enough to say that they almost all boil down to some sort of allegation that the Cubans passed money to Oswald while he was in Mexico City, as payment for assassinating the President. We have been informed by the Central Intelligence Agency that rumors focusing around a large amount of money having been handed to Oswald while he was in Mexico City (the most commonly mentioned sum was \$5,000) were current in Mexico City almost immediately after the assassination. The fact that these rumors were current should be kept in mind in assessing the information which follows.

In order that the Commission may directly assess some of the important bits of evidence bearing upon Oswald's contacts with the Cuban and Russian Embassies, we have attached hereto two documents. The first is a transcript of his telephone conversations with the embassies and the second is another transcript together with comments by the CIA, of a telephone conversation between two very high Cuban officials.

We have also recopied the essentials of the statement made by Silvia Duran, the Mexican employee of the Cuban Consulate in Mexico City who dealt with Oswald, when she was questioned by the Mexican police shortly after the assassination. The CIA has information from highly secret sources in Mexico which indicates that Senora Duran was telling the truth. Her statement, as forwarded to us by the Mexican government, is as follows:

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telephone conversations with the word, "Adios." Mrs. Roberts' statements on this subject infer that these conversations were carried on in some foreign language described by her as "German or Russian." From this it in turn can be inferred that the conversations alluded to were with Marina, because they would have been in Russian, and we have other evidence, which is quite firm, that he telephoned Marina almost every night. If this is the case, then the fact that he signed off with the word "Adios" has no particular significance. When Marina testified to the Commission she said that she does remember her husband occasionally using that term. If, however, the word "Adios" was used during an English-language conversation, we have, perhaps, an important unexplained piece of evidence. Mrs. Roberts is scheduled to be requestioned on this point.

The top local officials of both the CIA and the FBI in Mexico stated to representatives of the Commission during their visit to that city in April 1964 that, in their professional opinion, there was no conspiracy involving Lee Harvey Oswald or the assassination which had contacts in Mexico. Both men based their opinions upon their belief that if there had been any such conspiracy, although they might not by this time have been able to solve it, their sources of information and investigatory capabilities were sufficiently good so that they would at least have received some firm indication or "hard" evidence of its existence. The absence of any such evidence has convinced them that Lee Harvey Oswald's trip to Mexico was in all probability nothing more than it purported to be: an unsuccessful attempt to reach Cuba. In addition, since the time when the foregoing opinions were expressed, the CIA has succeeded in planting a spy very high in the Cuban military intelligence circles. He reports that so far, at least, his fellow officers know nothing more about Oswald than that he

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appeared at their Embassy to try to get a visa. Unfortunately, however, although the means of investigation at our disposal in Mexico have in our opinion been stretched to the utmost, there still remain gaps in our knowledge of what Oswald did while he was there. Essentially, for Sunday, Monday and Tuesday, September 29 through October 2, we can fill in only about five or six hours of his time, plus whatever time he slept. The final answer to the meaning of the Mexican trip, therefore, will probably never be given.

Finally, before ending our discussion of possible Cuban involvement, we would like to set forth in summary fashion some of the rumors and allegations of Cuban conspiracies which have come to our attention. In our opinion, only two are sufficiently serious to merit a detailed statement. These are summarized below. The other rumors are very briefly summarized, and references to the basic FBI or CIA sources dealing with them are given, in an appendix hereto.

1. Statement of Pedro Gutierrez Valencia.

On December 2, 1963 Senor Pedro Gutierrez Valencia wrote a letter to President Johnson, in Spanish, in which he stated that in the course of his duties as a credit investigator for a large department store in Mexico City he was in the Cuban Embassy in Mexico City on September 30, 1963 or October 1, 1963 for the purpose of conducting an investigation of one of its employees. The letter went on to say that as he was leaving the embassy he overheard a heated discussion in English between two men, one a Cuban and the other an American, in which he could understand only the words, "Castro," "Cuba," and "Kennedy." The Cuban was counting out



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about two blocks apart. It therefore seems unlikely that if Oswald had been at the Cuban Embassy he would have telephoned the Russian Embassy rather than walked over there, especially since by this time he was familiar with the personnel. However, it is also possible that he believed that he could get through to speak to the Consul if he telephoned, whereas if he showed up in person he might be rebuffed by the receptionist or the guard who by that time may have been able to recognize him and under orders to keep him out.

The CIA and FBI representatives with whom we have discussed this investigation point out that although they by no means rule out the accuracy of Gutierrez' observations for this reason alone, it is unlikely that money would be passed for a sinister purpose in such an open manner as was allegedly observed by Gutierrez. First, it is unlikely that an agent would be paid off right at the embassy or the consulate. Second, even if he were, the payoff would more probably be carried out in the privacy of a room. Nevertheless, investigation is continuing.

Unfortunately, Gutierrez' description of the automobile allegedly driven by the Cuban, a light tan Renault, happens to be a very popular make and color in Mexico City. A car answering this description was on one occasion observed in the vicinity of the Cuban Embassy and has been traced down through the records of the automobile-registration division in Mexico. The present owner cannot be ascertained, however, because the registration of the automobile (as is common in Mexico) has been maintained under the name of the original owner, who owned it several years ago, in order to avoid the payment of transfer taxes. Efforts to trace the automobile from

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owner to owner, beginning with the first, have been unsuccessful.

Surveillance of the Cuban Embassy is being maintained in the hope that the vehicle will reappear. Other lines of investigation have also been followed out, for example, photographs of persons seen entering or leaving the Cuban Embassy at about the time when Gutierrez was there have been examined, Gutierrez has tried to regain access to the Cuban Embassy so that he can determine whose credit he was investigating, etc., all so far with negative results.

2. Statement of Gilberto Alvarado Ugarte.

On November 26, 1963, Gilberto Alvarado Ugarte, a 23-year-old Nicaraguan secret agent, at the time seeking to penetrate the Castro forces in Cuba by going to Cuba from Mexico to receive guerrilla training on the island, came to the American Embassy in Mexico City and declared that he had witnessed Lee Harvey Oswald receiving a payoff to kill the President in the Cuban Embassy on September 18. Alvarado said that Oswald was given \$6,500, \$5,000 as compensation and \$1,500 for expenses. Alvarado recited that at noon on the 18th of September he went to the Cuban Consulate to turn some passport photographs over to the Consul, Eusebio Ascue, to be used in the fabrication of false travel documents so that he could leave Mexico for Cuba. He sat in the waiting room and saw a group of approximately eight persons enter the Consulate and go into Ascue's office and noticed that someone other than Ascue was sitting at Ascue's desk. He then asked a Cuban Consulate employee where the bathroom was, was told, and proceeded out of the waiting room in the given direction. While standing by the bathroom door, he said, he saw a group of three persons conversing in a patio a few feet away. One was a tall, thin Negro with reddish hair

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The comment made on Alvarado by the CIA field man on November 26 was, "He is young, quiet, very serious person, who speaks with conviction, knows enough English to understand conversation."

Alvarado was, of course, immediately subjected to intensive interrogation and investigation. Apparently even before he appeared at the Embassy on the 26th of November American intelligence knew that he was an agent for Nicaraguan anti-Communist forces. American intelligence checked back with Nicaragua and had this fact confirmed but learned that the Nicaraguans had no knowledge of Alvarado being in Mexico at that time, and they said that his presence there, as far as they were concerned, was unauthorized. They added that they knew nothing about any assignment of his to penetrate the Castro guerrilla training operations in Cuba. Apparently Alvarado was doing this on his own. (Ultimately, this part of Alvarado's story was to remain unshaken. Apparently he was indeed on his way to Cuba and had had dealings with the Cuban Consulate in Mexico City in connection with preparation of false travel documents. Whether he was doing this as a soldier of fortune, out of conviction for the Castroite cause or to place himself in a position where he would later be able to command a higher price from the Nicaraguan and other anti-Communist intelligence agencies for his information, we do not know.)

Both the Mexican and American authorities continued to interrogate and cross-check Alvarado's story. On November 30 the CIA was informed by the Mexican police that Alvarado had admitted to them in writing that his whole story about Oswald was false. He said that he had not seen Oswald at all, and that he had not seen anybody paid money in the Cuban Embassy. He also admitted that he never tried to telephone the American Embassy

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it was on a Tuesday, September 17, rather than September 18. (Alvarado did not know it at the time, but the 17th would make it even more unlikely than the 18th. On September 17 Oswald appeared at the Louisiana State Unemployment Commission in New Orleans and also cashed a check from the Texas Employment Commission at the Winn-Dixie Store Number 1425 in New Orleans.) On the basis of the polygraph results and the qualified retractions made by Alvarado when he saw the results, and on the basis of discrepancies which appeared in his story, the CIA in Mexico City concluded that in all probability he was lying, and that the reasons he gave to the Mexican police for lying were probably sincere. No further investigation of the Alvarado incident was carried on subsequent to the foregoing.

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and they were therefore dropping him. "Leopoldo" is also reported to have said "Leon" would do anything, saying that Leon had "laughed at" the Cubans, claiming they had "no guts." "It would be easy to kill Kennedy after the Bay of Pigs," he allegedly told Leopoldo.

Mrs. Odio is reported to have suffered a severe pshchological reaction at her place of employment when she first saw Lee Harvey Oswald's picture on television after the assassination, presumably because she was struck by the fear that her own group was somehow involved in the killing of the President

On November 1, 1963 Lee Harvey Oswald mailed a letter to the Communist Party in New York City. Among other things he mentioned that he had attended a meeting in Dallas on October 23, 1963 of a group headed by General Walker; investigation has led to the conclusion that this must have been an anti-Castro meeting.

With the sole exception of Mrs. Odio -- and even she is now apparently changing her story -- every member of the Dallas anti-Castro Cuban community who has been questioned on Lee Harvey Oswald denies ever having observed him or having had any contacts with him whatever prior to the assassination. Nor has any member of that community come forward to volunteer any information as to contacts with Oswald. However, Mrs. Odio has been checked out thoroughly through her psychiatrist and friends, and, with one exception -- a layman who speculates that she may have subconscious tendencies to over-dramatize or exaggerate -- the evidence is unanimously favorable, both as to her character and reliability and as to her intelligence. She is under psychiatric treatment for a disease

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rare in American women but apparently common among European women, known as "grand hysteria," the primary symptom of which is occasional blackouts. According to her psychiatrist, the symptoms definitely do not include hallucinations. It was one of these blackouts that she had when she first observed Oswald on television after the assassination. Moreover, some of the details of Mrs. Odio's story, as it was first related to the FBI after the assassination -- unfortunately, in a rather brief interview -- check with what we now know about Oswald. For example: he was described as quiet and reticent, an impression Oswald usually gave; "Leopoldo" later told Mrs. Odio they had checked back on him in New Orleans, which is where Oswald in fact had come from; Leopoldo said he was told by New Orleans that "Leon" was "loco," a term Carlos Bringuier may very well have used to describe him; and most importantly, of course, the name "Leon Oswald" is so close to "Lee Oswald" as to raise the strongest suspicions. Even if it was only "Leon," there is a similarity. We contemplate taking Mrs. Odio's deposition at the earliest opportunity, in an effort to follow this lead.

The evidence here could lead to an anti-Castro Cuban involvement in the assassination on some sort of basis as this: Oswald could have become known to the Cubans as being strongly pro-Castro. He made no secret of his sympathies, and so the anti-Castro Cubans must have realized that the law-enforcement authorities were also aware of Oswald's feelings and that therefore, if he got into trouble, the public would also learn of them. The anti-Cuban group may even have believed the fiction