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27 October 1978

MEMORANDUM

To: The Honorable Louis Stokes, Chairman
The Honorable Richardson Preyer
The Honorable Samuel Devine
Chief Counsel G. Robert Blakey
From: Dan Hardway, Staff Researcher
Re: Lee Harvey Oswald in Mexico

CIA HISTORICAL REVIEW PROGRAM
RELEASE IN FULL 1998

- Attachments: 1) Letter of 13 October 1978 to Admiral Turner from Chairman Stokes (JFK Classified Document Number 142.)
2) Letter of 25 October 1978 to Chairman Stokes from Admiral Turner (JFK Classified Document Number 146.)

Chairman Stokes' letter to Admiral Stansfield Turner of 13 October 1978 raised a serious question of possible withholding of evidence by the Central Intelligence Agency in regard to the assassination of President John F. Kennedy. Specifically, the letter stated:

there appears to be a substantial basis for believing that...CIA surveillance photographs of Lee Harvey Oswald have not been made available for the Committee's review

and that there is "a strong circumstantial basis for concluding that Agency photographs of Oswald do exist." A sketch of this evidence was presented and the Committee's request for access to the photographs and a detailed explanation of the withholding of the photographs was reiterated.

Admiral Turner responded with a five page letter on 25 October. Regrettably, this letter is filled with inaccuracies and misleading statements. Several issues arise in Admiral Turner's letter and will be dealt with in the order in which they arise.

- 1) Admiral Turner states in the third paragraph of his letter that "there is no question about the sequence of events" regarding the

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pulse camera. Admiral Turner also states that "there was no pulse camera...opposite the entrance to the Cuban Consulate until December 1963." The documentary record made available to staff researchers and interviews conducted by staff members does not support such absolute conclusions. The question is at least open and it is the opinion of the staff members best acquainted with the area that the evidence, albeit circumstantial, tends to support an assertion that the pulse camera was in operation on September 27, 1963, and, although it is not as persuasive, on September 28, 1963 as well.

In 1961 the Consulate entrance to the Cuban diplomatic compound was closed due to frequent stink bombings. (The stink bombings were, incidently, instigated by the CIA.) In the middle of September 1963, the Consulate entrance was reopened. On 23 September, the agent who manned the photographic base house which had prior to this time covered the Cuban Embassy entrance called in the CIA photo-technician to consider ways to cover the Consulate entrance. At that time, the photo-base agent was not able to cover both entrances with the equipment and set-up available to him. On or about 25 September, the case officer in charge of the project asked the photo-technician to devise a way to cover the Consulate entrance. On 26 September, the technician tested an automatic triggering device and two cameras. Even though Admiral Turner implies in paragraph three of his letter that the technician (there was only one) had problems after the camera was installed and had to machine a part for the equipment, the documentation is clear that this occurred at the time of the initial testing on 26 September, before the equipment was ever taken to the

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observation post. On the morning of 27 September 1963, the photo-technician installed the triggering device and two cameras in the observation post (base house). The photo-base agent was instructed to test each camera for four days.

The triggering device worked smoothly but there were problems with the cameras. The first camera worked for one day and then broke down. The photo-base agent delivered ten feet of film from that one day of operation. The second camera, which had also been installed in the base on a second tripod on 27 September, broke down after four days of operation. The film from this camera's four days of operation was also turned over to the CIA Station in Mexico City. Unfortunately, the dispatches which report the above information do not specify exactly what dates the pulse camera was in operation. Staff members hoped to clarify this by interviewing the base agent involved, but the CIA refused to make him available. (It should be noted that our request to interview this individual has been renewed and we are awaiting the Agency's response.)

It is considered very likely that the one day that the first camera operated was the day it was installed, September 27, 1963, the date of Oswald's first visit to the Cuban Consulate. It is also possible that the second camera was put into operation on that same day or the following day, 28 September 1963, the second day that Oswald visited the Consulate.

So, what happened to the photographs? The initial dispatch says that the results of the camera test runs will be forwarded to Headquarters as soon as they are available. There is no record that this was done prior to the assassination. (If the test runs were indeed

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sent to Headquarters prior to the assassination it would add significant weight to the already considerable circumstantial evidence that a CIA Headquarter's staff officer found a surveillance photograph of Oswald on the day of the assassination.) In June 1964 the Mexico City Station notified Headquarters that it was forwarding the negatives from the pulse camera coverage of the Consulate as well as five undeveloped packages of film. The Station apologized for the delay in sending the negatives and films. The CIA was asked to grant HSCA staff members access to these photographs. The CIA responded that it could not locate the photographs because they had been sent to Headquarters by a "transmittal manifest". A transmittal manifest is "unaccountable"; i.e., the document and the material it transmits are not made a part of a permanent record and is, therefore, not retrievable. Admiral Turner's statement that the test photography was reviewed by staff members is totally without basis in fact. (It should be noted that Admiral Turner makes this unfounded assertion after admitting that there may indeed have been test photography on September 27: "On that date, or at some time not long afterwards, there was test photography of the entrance; that photography has been reviewed by your investigators.")

Even though the above data would tend to negate Admiral Turner's assertion that "there was no pulse camera...until December 1963" this statement is not totally without basis. In June 1965, the Mexico City Station sent Headquarters a dispatch to "familiarize Headquarters with the details of the pulse camera operation." The dispatch reports that a technician brought a pulse camera from

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Headquarters and installed it in mid-December 1963. On the basis of this dispatch Admiral Turner is arguing that a pulse camera was not used until December 1963. It is more likely that the cameras used prior to December did not function smoothly, hence the need for a new camera and the technician from Headquarters. But this in no way negates the probability set out above that the first two cameras were in operation on September 27 and 28, 1963.

2) Admiral Turner asserts in paragraph 13 of his letter that there are no photographs of Oswald in existence because "there was no photographic coverage of the installations that he entered, at the time he entered them." In relation to the Soviet Embassy Admiral Turner bases this statement on the fact that the photographic coverage of the Soviet gate by one of two bases with that responsibility ended at 11:46 AM on September 27, prior to Oswald's afternoon visit; and his (Turner's) flat unsupported statement that "there was no photographic coverage of the Soviet installation that weekend." (paragraph 8.)

There were two separate bases which covered the Soviet gate. The coverage from one of those bases was made available for review by HSCA staff members. That base did not cover the afternoon of September 27, 1963. It also was not working on September 28, 1963, a Saturday, although it did work four out of the eight Saturdays in September and October 1963.

Admiral Turner's assertion that there was no coverage of the Soviet gate on the weekend of September 28, 1963, is specious. There is evidence that the one base whose production was made available did not work that Saturday. But there is also documentary evidence

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that the two bases were run in conjunction, i.e., when one was not working the other one was so as not to duplicate effort. There is also documentation that coverage for the Soviet gate on Saturdays was standard operating procedure. Hence, the base that, according to the documented standard operating procedure, would have been working on the afternoon of the 27th and on Saturday the 28th is the base whose production is unaccountably missing. The Agency has not as yet offered any explanation as to why this production is "missing" or why the production from one base was retained while the production from the second was not. In addition, there is documentary evidence that the base whose production is missing produced the better quality photographs of the two bases. So, apparently, the reason why one was kept and the other not is not that the one which was retained was of superior quality. The reason also could not be that the two sets involved duplication because there is documentary evidence that the two bases did not duplicate effort.

3) Admiral Turner states that Win Scott's allegations that there
inaccurate." Admiral Turner points out that Mr. Scott's statements must be judged on the record, a record that Turner asserts is "remarkably complete." Unfortunately, the remarkable aspect of the record is that it is significantly incomplete in the two most critical areas; i.e., the production from the pulse camera and from the second base which covered the Soviet Embassy. These materials could repudiate or establish Mr. Scott's allegations, but, for whatever reason, the CIA has adamantly maintained that the materials are not available.

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The evidence that is available tends to support Mr. Scott's assertions. There is circumstantial evidence in addition to that set forth above concerning the photo-surveillance operations. Three CIA employees have told HSCA staff members that they have seen the photographs of Oswald. Other CIA employees have said that they have heard, at various times, that photographs of Oswald visiting the Consulates in Mexico City were obtained and were found at Headquarters on the day of the assassination.

It should also be noted that other "allegations" in Win Scott's manuscript that are not in agreement with the CIA's "company line" concerning Oswald's visit to Mexico are born out by other evidence. In addition to the circumstantial evidence that Scott's manuscript provides about the photographs, it also provides further circumstantial evidence that:

- 1) Oswald was seeking some form of assistance from the Soviets and Cubans in Mexico;
- 2) The Mexico Station knew of Oswald's contacts with the Cubans prior to the assassination and reported those contacts;
- 3) The Mexico Station was very interested in Oswald's activities during his visit; and
- 4) Scott knew, prior to the assassination, that Oswald's middle name was not "Henry" and inferentially that there is a transcript of at least one additional call that the CIA has not made available for review by this Committee. (There is also testimonial evidence that this transcript contains the conversation in which Oswald seeks aid from the Soviets and Cubans.)

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There is other supportive evidence, albeit circumstantial (although some of it is testimonial) for these propositions that was developed prior to the CIA's making the Scott manuscript available. In general, Mr. Scott's manuscript appears to be honest and reliable in light of the other evidence available to the staff.

Admiral Turner accurately notes that the information in Scott's manuscript is not consistent with the information provided to the FBI, Warren Commission and the CIA Headquarters. Admiral Turner cites this as support for his assertion that Scott's allegations are "very much in error." Another possible interpretation of the inconsistency is that, especially in light of the evidence that supports Mr. Scott's allegations, the questions raised about the CIA's actions regarding Oswald in Mexico City are now more than ever open to question. It should be noted that the evidence which supports Mr. Scott's various statements was developed before the manuscript was forced out of the Agency. Viewed in this manner Mr. Scott's manuscript is merely another piece of supportive evidence in an already persuasive circumstantial case.

4) Several minor points in Admiral Turner's letter which do not bear directly on the question of photographs are worth mention:

A) In paragraph nine, Admiral Turner states that the transcripts of Oswald's conversations with the Soviet Embassy were not linked to anyone until after the assassination. This Committee has received substantial and persuasive evidence that this is not the case. The evidence is testimonial and documentary in nature. It shows that the important substantive calls involving, or about,

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Oswald were linked to him by or about 15 October 1963.

B) Admiral Turner states that Silvia Duran's "testimony essentially corroborated" the CIA's analysis of Oswald's visits to the Consulates. In fact, the transcripts on which the CIA's analysis is based essentially contradict Silvia Duran's versions (there have been several) of Oswald's visits to her office in the Cuban Consulate. For whatever reason, Ms. Duran has lied about Oswald's visit to the Cuban Consulate on Saturday, 28 September.

Admiral Turner asserts that Duran's corroboration made it unnecessary "to expose the telephone surveillance." It is more likely the case that the necessity of not exposing the surveillance made it necessary to say that Duran's testimony "coroborated" the CIA's analysis. Indeed, Ms. Duran has yet to be confronted with this contradiction due to classification of the transcripts.

In summation, suffice it to say that Admiral Turner's letter is substantially inaccurate and misleading with the primary examples illustrated above.