

## Chapter 6:

### Chicago and Mexico City

*“There are strong indications that four men were in Chicago to assassinate John F. Kennedy on November 2, 1963, twenty days before Dallas. Here’s how it happened.”*

*Edwin Black, Chicago Independent, November 1975*

In the last chapter the author indicated the weakness of the prosecutor’s case. Especially when it is attacked by someone who, unlike Gerry Spence, has a working knowledge of the evidence. It is appropriate now to turn to the indications of a large conspiracy forming around Oswald and President Kennedy. Perhaps the best evidence for this is the events in Chicago and Mexico City which occurred almost in tandem right before JFK’s murder. We will treat both subjects with the best source material available today. It is instructive to compare what is known of these two events today with Bugliosi’s treatment of them in *Reclaiming History*. In noting his sources, the reader can then decide if Bugliosi knowingly omitted or distorted anything. Which, as I noted in the Introduction, he said he would not knowingly do.

### **The Chicago Plot**

*“For a long magazine article trying to make something of the Vallee story ...see HSCA record 180-10099-10279....”*

This is how Bugliosi characterizes what is one of the most important pieces of research in the Kennedy case to appear in the 1970’s, prior to the creation of the House Select Committee on Assassinations. After discounting it, he goes on to name and source Edwin Black’s magazine article. Of all people, he uses the authors of *Ultimate Sacrifice* to characterize Black’s work.<sup>1</sup> But as we shall see, that book—as it does with everything else-- seriously distorts Black’s article and robs it of its true meaning.<sup>2</sup> Evidently, for Bugliosi--who doesn’t like *Ultimate Sacrifice*--the enemy of thine enemy is my friend.

For a comparison of what the prosecutor could have done with the startling Chicago story, we will soon compare Bugliosi’s treatment of what happened in

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### Chapter 6

<sup>1</sup> EN, p. 711-12.

<sup>2</sup> See the author’s review of *Ultimate Sacrifice*, at [ctka.net](http://ctka.net)

Chicago with what Jim Douglass did with it in his fine volume, *JFK and the Unspeakable*. It's quite a fair comparison. Both writers started from the same originating points. That is, both had in their possession the HSCA volumes, Edwin Black's marvelous article, and the book *Ultimate Sacrifice*. One main difference between the two writers was that once Douglass saw the difference between Black's essay and what the authors of *Ultimate Sacrifice* did with it, he realized that something was wrong. So far from using that book to mischaracterize Black's work—as Bugliosi does--Douglass used Black as a *starting point* and actually went to Chicago and did some field investigation. (This is a good place to begin to comment on this particular shortcoming of *Reclaiming History*. For there is very little evidence that Bugliosi went anywhere—including Chicago-- to either survey locales or to interview witnesses in person. In all the years he worked on his book, outside of going to Dallas, it appears he wrote the overwhelming bulk of it from his home office. Considering the time and money he had, this reflects poorly on him as an investigator.)

As this author wrote in his long discussion of *Ultimate Sacrifice*, once the reader compares the Black article in the *Chicago Independent*, Nov. 1975 issue, to the obfuscation in *Ultimate Sacrifice*, one begins to see just how important Black's seminal essay was. To begin his demeaning of Black's essay, Bugliosi never describes to the reader who Black is. In fact, he only mentions him in a parenthetical footnote. So the novice reader will probably think he's one of those zanies who Bugliosi spends so much time denigrating. Not so at all. Today, Black is one of the most respected investigative authors around. He has written several distinguished, and award-winning volumes like *War on the Weak* which describes how famous philanthropies sponsored eugenics experiments on disabled victims in the United States. He has also done two excellent books on Israel and the Holocaust: a truly remarkable book, *The Transfer Agreement*, and *IBM and the Holocaust*. Obviously, with those kind of award-winning mainstream credentials, you can't discredit the material by smearing the messenger. So, in this case, Bugliosi just doesn't inform the reader about Black's stature. Then, in the main text, he describes what happened in Chicago by using—I counted them-- all of 38 words.<sup>3</sup> This from a man who describes things as peripheral as the history of the Parkland Hospital building. And those 38 words are stuck in the middle of a very long sentence. And that sentence includes the following clause: "although those failures almost assuredly did not contribute to what ultimately happened".<sup>4</sup> He is referring to the Secret Service's failures in protecting President Kennedy. In light of what the full facts are, this is simply unfounded. Why? To name one reason: the plot that was aborted in Chicago is quite similar to what happened in Dallas three weeks later. So if the Chicago attempt had been fully investigated, and the information properly transmitted, it most likely *would* have had an effect on what happened in Dallas. Leaving out

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<sup>3</sup> Bugliosi, p. 1245,

<sup>4</sup> Ibid.

Douglass, Black's article is enough to tell you that. Consider just the comparison of Thomas Vallee, the prospective fall guy in Chicago, with Oswald.

--Like Oswald, Vallee was a former Marine who was stationed at a U-2 base in Japan.

--Like Oswald, the cover unit for Vallee's probable CIA recruitment was something called Joint Technical Advisory Group.

--Vallee had spoken bitterly of JFK, "We lost a lot of god men at the Bay of Pigs".

Somehow, the eagle-eyed prosecutor missed the similarities of Vallee with Oswald. For he never draws the comparison for the reader. Which is fairly obvious on its face. Further, Bugliosi notes that the FBI sent a teletype to Chicago warning of an attempt on Kennedy's life by a four man hit squad. But he leaves out the code name of the informant. Black didn't. It was "Lee".<sup>5</sup> Black put this crucial information on the *first* page of his article. How could Bugliosi have missed this?

But the resemblances between Vallee and Oswald are just the beginnings of the parallels between Chicago and Dallas. The plots were also similar in that Kennedy was to be caught in an ambush by marksman with high-powered rifles as he was driving in a motorcade.<sup>6</sup> Third, when Douglass visited the place where Vallee was working at the time, a print shop on Jackson Boulevard in Chicago, he observed the following:

From the roof I could look down and over to where JFK's presidential limousine had been scheduled to make a slow turn up from the Northwest Expressway exit ramp onto West Jackson....It was analogous to the slow curve the limousine would make in Dallas....<sup>7</sup>

But according to our esteemed prosecutor, none of the above information could have helped prevent what happened in Dallas. Mr. Prosecutor: Sometimes it pays to visit the places you are writing about. Then you wouldn't write such provable nonsense.

Douglass went even further. He also talked to Thomas Vallee's sister. She told him that, like Oswald, her brother's life ambition was to be a Marine. Like Oswald, he lied about his age to join up. Unlike Oswald, he succeeded in his subterfuge.<sup>8</sup> Injured in the Korean War by a mortar shell, Thomas suffered from severe mood swings. So what the Warren Commission and Bugliosi tried to make of Oswald—an alienated, sociopathic loner—they had made to order in Vallee. Another point of comparison that Bugliosi fails to mention is Vallee's association

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<sup>5</sup> Edwin Black, "The Plot to Kill JFK in Chicago", *Chicago Independent*, November of 1975, p. 6.

<sup>6</sup> Douglass, p. 200.

<sup>7</sup> Ibid, p. 206.

<sup>8</sup> Ibid, p. 204.

with the CIA. Vallee told Black that he had worked with the CIA at a camp near Levittown, Long Island training Cuban exiles. Finally, after Oswald was associated with Cuban exiles and their CIA allies in New Orleans, Oswald moved back to Dallas right before the assassination. At the same time, Vallee moved from New York back to Chicago.<sup>9</sup> And his eventual place of work, like Oswald's, hovered right over Kennedy's motorcade route. Again, let us recall the author's pledge to present e critics' arguments as they themselves would make them. This time though, the author could not make them fully since he didn't do the proper field investigation.

In addition to the FBI advance tip from "Lee", which led to the uncovering of the plot, another reason Vallee was spared was through the efforts of a policeman named Berkeley Moyland. The two frequented the same cafeteria. One day in October, the manager told Moyland about the disturbed Vallee and how he was making threatening remarks about President Kennedy. Moyland approached Vallee, told him who he was, and counseled him strongly against saying such things. Moyland then called the Secret Service who put Vallee under surveillance. When the tip came in from the FBI, they picked him up off the street under the pretext of not flashing his turn signal. Moyland was later told by the Treasury Department—which had jurisdiction over the Secret Service-- to remain silent about his experience with Vallee. He did. But before he died he told his son. Douglass found the son and that is how we know this part of the story.<sup>10</sup>

How accurate was the original information? It came in on October 30<sup>th</sup>, three days before Kennedy's scheduled visit on Saturday, November 2<sup>nd</sup> for the Army-Air Force football game. The four-man ambush was to occur along the route of the motorcade, as it came in from the airport down the Northwest Expressway and into the Loop. On Thursday, a landlady from a boarding house on the North side said four men had rented rooms from her. She had seen four rifles with telescopic sights in one of the rooms with a newspaper sketch of the president's route. She phoned the FBI.<sup>11</sup> Instead of busting the cell themselves, the Bureau passed the information to the Secret Service in Chicago. The Chicago office heard from James Rowley, head of the Secret Service in Washington, that J. Edgar Hoover had passed the baton to him on this one. It was the Secret Service's alone.<sup>12</sup>

On Thursday night, October 31<sup>st</sup>, two of the men were captured and interrogated. The wouldn't talk. But with two of the riflemen still at large, the Secret Service relayed a message to Washington that Kennedy should not come to Chicago. He did not. Meanwhile the agents involved were told to dictate oral reports to secretary Charlotte Klapkowski and then turn in their notebooks.<sup>13</sup>

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<sup>9</sup> Ibid, p. 205.

<sup>10</sup> Ibid, p. 207.

<sup>11</sup> Black, p. 5.

<sup>12</sup> Op. cit. Douglass, p. 201.

<sup>13</sup> Ibid, p. 213.

Rowley phoned Chicago and told the local chief Maurice Martineau to send the top secret report by special courier to Washington.

### **Abraham Bolden gets Railroaded**

Besides Vallee, the other major character in this important episode is Chicago Secret Service agent Abraham Bolden. Bolden had been a young Secret Service agent in Chicago who had been personally picked out by Kennedy to become the first black agent at the White House. Bolden had been transferred out of the White House detail because he did not like the poor security or the unprofessional attitudes furnished to President Kennedy by the White House detail. And he had complained about it.<sup>14</sup> Bolden felt that now he would come under real suspicion since he knew how this Chicago attempt was being hushed up.

He was right. On November 18<sup>th</sup>, the IRS offered him a new assignment in an undercover agent investigation of congressional aides. He would be given a new identity, and his old one erased. Bolden declined the offer, but he told his wife that something was odd. He felt the president was going to be killed.<sup>15</sup> When it happened, Bolden immediately noted the similarities between Dallas and Chicago. So did other agents. But Martineau told them to be quiet. Bolden obeyed. For a while.

But in Washington, in May of 1964, he tried to contact the Warren Commission. He wanted to tell them about the Chicago plot and the lax standards of the Secret Service White House detail, which he had seen up close. He tried to call Warren Commission Chief Counsel J. Lee Rankin about it.<sup>16</sup> He was overheard by a fellow Chicago agent, Gary McLeod. The next day he was ordered back to Chicago to take part in busting a counterfeiting ring. This was a ruse to get him out of Washington. For when he arrived back home, he was told by another agent, Gerard McCann, that he was not a team player. That he did not know when to keep his mouth shut. That the Secret Service had to protect itself. McCann went on rather unambiguously:

We have to know that we can trust the agents who are working for us and that when the chips are down, they will stick together as a team....Kennedy is dead. We did our best to protect him, and it didn't work out. We are not going to stand by and let you bury our careers and destroy the Secret Service.<sup>17</sup>

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<sup>14</sup> Ibid, p. 200.

<sup>15</sup> Ibid, p. 214.

<sup>16</sup> Bolden, p. 72.

<sup>17</sup> Ibid, p. 74.

Bolden now understood why he was called back. And why he was about to be arrested by fellow agents.<sup>18</sup> The charge: trying to sell Secret Service files to counterfeiters. One of the two chief witnesses against him later confessed that he was instructed to lie in the Bolden case.<sup>19</sup> Joe Spagnoli, a low level mobster, admitted this in open court. He even said he had been enlisted into this scheme by Bolden's prosecutor. When the prosecutor was asked to testify about these charges at a hearing for an appeal, he took the fifth amendment against self-incrimination.<sup>20</sup> The judge in Bolden's case, J. Sam Perry, was so biased against him that at the end of his first trial, he actually told the jury that, "In my opinion, the evidence sustains a verdict of guilty on counts one, two, and three of the indictment."<sup>21</sup> But the jury, even with perjured testimony, even with a wildly biased judge, would not convict him. But the appeals court refused to vacate the judgment or dismiss the case. Instead they sent the case back to Perry. And evidently, in Illinois, there is or was no right to file a peremptory challenge against a judge on charges of bias. Because Perry tried the second case also.

At the second trial, Bolden was running out of funds and could not hire a new lawyer. He wanted to since his first lawyer, George Howard, was being beaten down and severely limited by Perry. The Secret Service also interfered with his ability to secure evidence at a real estate office. This deprived him of evidence with which he could have impeached a prosecution witness.<sup>22</sup> When the jury retired to deliberate, they could not come to a verdict at the end of the first day. So, late in the afternoon, the judge called in the lawyers and said he was going to let the jury go home and come back the next day and discuss it further. Perry then said something odd:

If there are no objections, the jury will seal its verdict until the attorneys can be gathered and the verdict can be read in open court. I'm going to close the courtroom now, and I will advise the jury of my decision.<sup>23</sup>

How could a jury seal a verdict if they had not decided on one yet? As the court emptied out of the building, Bolden noticed the lead prosecutor go back and buzz for an elevator. He turned to Howard and said, "What's going on George?" He suspected that unlike what Perry had said, the jury was still deliberating. And if that was so, the prosecutor should not still be in court.<sup>24</sup> Bolden was suspicious because of what Perry had told the jury in open court at the first trial about his opinion of the case. Would he try something like that again, except in secret? Bolden's attorney pooh poohed that fear. But as Bolden was driving home, he turned on the radio. The news

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<sup>18</sup> Ibid, p. 85.

<sup>19</sup> Ibid, p. 195.

<sup>20</sup> Ibid, p. 215.

<sup>21</sup> Ibid, p. 161.

<sup>22</sup> Ibid, pgs. 180-81.

<sup>23</sup> Ibid, p. 185.

<sup>24</sup> Ibid.

announcer said there had been a verdict in his case. And it would be announced the next day. Bolden was found guilty.

Later, Bolden found out two things. That the other chief witness against him, Frank Jones, a man who was under indictment, had gotten together with the Secret Service in Chicago to manufacture a case against Bolden. The Jones case was later dismissed.<sup>25</sup> Second, after Perry dismissed the court the first day, he sent his deputy marshall down into the jury room “and had conversations with the jurors” about his case.<sup>26</sup>

Bolden ended up serving nearly three years and three months in at least four prisons, including Leavenworth and Springfield. While at Springfield, the authorities attempted to give him mind-altering drugs. While away, his wife and family had their house bombed, their garage set on fire, and a rifle fired through their window.<sup>27</sup> Once Bolden was released, he had to rebuild his life. He did.

What does Bugliosi have to say about all this? As with the phony trial in London, he relies on the HSCA. They said they were unable to document the existence of the hit team and that Bolden’s reliability was of questionable value.<sup>28</sup> If the HSCA wanted to verify the plot then all they had to do was interview Black’s witnesses. Of which there were several. They also could have requested the records that were turned in and sealed after the plot was thwarted. There is no evidence they did either. He then uses Bolden’s trial against him without telling the reader about any of the extenuating and outrageous circumstances noted above. Incredibly, he never talks about Bolden’s attempt to contact Rankin. Even though this was even reported in some papers.<sup>29</sup> It was also reported that Bolden told another agent that when he was in Washington, he planned on talking to the Commission about how bad the White House detail was.<sup>30</sup> Its quite clear that, as with the Victoria Adams/Sandra Styles incident, the prosecutor did not interview either Black or Bolden. Even though both were around. He concludes that if there was something remiss in Chicago, it was all about Vallee. He can do this because he never mentions Moyland. And he dismisses Black. Black spent eight months investigating his story, he visited four cities, and scrutinized hundreds of local, state, and federal records, he interviewed dozens of witnesses, and had his house broken into and was followed by a DIA agent.<sup>31</sup> In other words, he did the things a real investigative reporter should do.

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<sup>25</sup> Ibid, p. 202.

<sup>26</sup> Ibid, p. 225.

<sup>27</sup> Douglass, p. 216.

<sup>28</sup> EN, p. 711.

<sup>29</sup> *Altus Times-Democrat*, May 22, 1964.

<sup>30</sup> *The News and Courier*, May 21, 1964. These two news stories are housed at [abrahambolden.blogspot.com](http://abrahambolden.blogspot.com)

<sup>31</sup> Black, p. 3.

Black titles one section of his long report: the Cover-up. And he details the specifics of how it was done. And there can be little doubt from McCann's speech to Bolden, that his frame-up was part of it. That concealment was instrumental in Kennedy's assassination. For if all the details about Chicago had been properly collected and forwarded, Kennedy would not have been killed in Dallas. For the motorcade route would have been checked and any agent with moderate intelligence would have understood the parallel between the turn into Dealey Plaza and the turn off the expressway ramp in front of the warehouse building in Chicago. Both the FBI and Secret Service would have then monitored the buildings on that turn and found out about Oswald's recent hire. They would have then compared his profile with Vallee's, and that would have been that. That is what real professionals do. So when Bugliosi writes that the Secret Service's failures "almost assuredly did not contribute to what ultimately happened," this author could not disagree more. And the only way one can get away with the statement is to not fully inform the reader. With all the information we have now about Chicago, Bugliosi's claim is simply unsupportable. With the similarities between the two plots, it seems inescapable not to conclude that some force was stalking President Kennedy in the fall of 1963. The cover-up in Chicago allowed that force to succeed in Dallas. And if the FBI informant in Chicago was Lee Oswald, it makes the Dallas success both ironic and tragic.

### **From Chicago to Mexico City**

We will treat what Bugliosi does with Oswald in Mexico City at length. One reason for that is because one of the most startling revelations about *Reclaiming History* is this: Bugliosi actually uses David Phillips as a credible witness about this episode. Which makes sense, since as this author revealed in the second edition of *Destiny Betrayed*, prior to filming his mock trial in England, Phillips got in contact with the prosecutor. He was trying to get him to write a book about the JFK case. Because of that effort and his success at the phony trial, Bugliosi decided to go ahead and accede to Phillips' proposal.<sup>32</sup> This seems quite odd and ill-advised. For, as we shall see, David Phillips is a proven liar on this most important topic. He is also one of the most viable suspects in the Kennedy case. And he figures strongly in the Mexico City aspect of the Oswald story.

As most of us know, the official story has Oswald arriving in Mexico City on the morning of September 27, 1963 and checking into the Hotel del Comercio.<sup>33</sup> But, in order to gain a fuller picture of what the prosecutor does with this crucial episode, it is necessary to turn the clock back a little further. To the point at which Oswald began his journey south.

After Oswald left New Orleans, four events occurred very close to each other. The confluence of which suggest Oswald was being impersonated on the eve of his

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<sup>32</sup> DiEugenio, p. 364.

<sup>33</sup> WR, p. 733



Mexico City trip. They are the Henry McCluskey testimony about Oswald being in Dallas on the 25<sup>th</sup> or 26<sup>th</sup> of September; the Oswald to Horace Twiford phone call in Houston on the evening of the September 25<sup>th</sup>; the Mrs. Lee Dannelly testimony about Oswald being in Austin on the 25<sup>th</sup> and, of course, the famous Odio Incident where Sylvia Odio saw a man named Leon Oswald with two anti-Castro Cubans in Dallas on September 25<sup>th</sup> or, more likely, the 26<sup>th</sup>. It is physically impossible for all these incidents to occur if one believes the Warren Commission. The Commission writes that Oswald left New Orleans by bus on the 25<sup>th</sup>, a little after the noon hour. He then arrived in Houston at 10: 50 PM.<sup>34</sup> From there, early on the morning of September 26, Oswald got on a Continental Trailways bus and departed for Laredo, Texas. He then crossed over into Mexico at Nuevo Laredo that afternoon.<sup>35</sup>

Before discussing these important events, and the epochal ones which occurred afterwards, I think it is important to note how the Commission treated Oswald's departure from New Orleans. Marina Oswald left New Orleans with Ruth Paine on September 23<sup>rd</sup>. The assumption is that Oswald stayed in his Magazine Street apartment that evening. From the day of the 24<sup>th</sup> onward, the image of Oswald becomes blurred. And it doesn't come back together until after his arrival back in Dallas in October. Clearly, something was happening here beneath the surface.

The Commission produced a witness who said he saw Oswald on the evening of the 24<sup>th</sup> with two pieces of luggage about to board a bus.<sup>36</sup> The Commission then produced a bus driver who they attempted to use to place Oswald on a Canal Street streetcar on the way to the Continental Trailways station. The problem is that this witness could not recall the exact day, and evidently, could not positively identify the man as Oswald.<sup>37</sup> No one knows for sure where Oswald spent the evening of the 24<sup>th</sup>.<sup>38</sup> The Commission assumes Oswald checked his baggage at the bus station on the 24<sup>th</sup> and they say that on the 25<sup>th</sup>, he collected a Texas unemployment compensation check at his post office box. He cashed the check sometime before noon at a Winn-Dixie Store at 4303 Magazine Street, close to his apartment but two miles from the post office. John Armstrong discovered something unusual about this check. Oswald's endorsement signature is not on the reverse side.<sup>39</sup> Bugliosi does not note this in either place where he discusses the transaction.<sup>40</sup> But, at first, he uses this check transaction to say that Oswald's presence in New Orleans on the morning of the 25<sup>th</sup> is firmly established.<sup>41</sup> There is also a dispute as to when he

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<sup>34</sup> Ibid, p. 731.

<sup>35</sup> Ibid, p. 733.

<sup>36</sup> Ibid, p. 730.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid, p. 731.

<sup>39</sup> Armstrong, p. 604.

<sup>40</sup> Bugliosi, pgs. 747-48, p. 1034.

<sup>41</sup> Ibid, p. 1304.

filed his change of address form at the post office to redirect his mail to Texas. Bugliosi places Oswald at the post office submitting it on the 24<sup>th</sup>.<sup>42</sup> But the postmark on the card says 9/25. A second postmark, by the main mail station says 9/26.<sup>43</sup> The FBI informant at the post office said it was submitted on the 26<sup>th</sup>.<sup>44</sup> Yet this is the time the Commission said Oswald was leaving Texas to enter Mexico. Oddly, the card in evidence is not the original, but a copy.<sup>45</sup>

Now, all of these conflicts and questions are in the record before Oswald *has even left New Orleans!* And, in fact, the record is so confusing that Bugliosi and his first ghostwriter Fred Haines are forced to write the following: "It has never been conclusively established precisely when Oswald left New Orleans, what route he took from New Orleans to the Mexican border, or even what mode of transportation he took out of New Orleans."<sup>46</sup> The ambiguity about the unemployment check and the address card change are part of it. So is the fact that there is no bus ticket or receipt in evidence for Oswald from New Orleans to Houston. Thus, the Commission cannot even tell us the bus he left on.<sup>47</sup> And the person whose testimony they use to say he left New Orleans by bus is, of all people, Marina Oswald! Who happened to be in Texas at the time.<sup>48</sup> It is one thing to use a witness with credibility problems who has direct testimony on a matter. But to use such a person when she has no direct knowledge of the event is completely unjustified. And the Commission had to know that. But this is how desperate they were to get Oswald on a bus and out of New Orleans. So they had to cover up the fact that in her first Secret Service interviews, Marina said she had no knowledge of Lee going to Mexico City!<sup>49</sup> Therefore her testimony is not just irrelevant, its contradictory. Recall, Bugliosi has said Marina's credibility was good at the start. Did he forget about this issue?

By making this unproven claim, the Commission takes care of all four events I described above. They discard them all except for the phone call by Oswald to the Twiford home. Yet, when the sighting of Oswald in Austin with Selective Service employee Lee Dannelly was researched by journalist Ronnie Dugger, and he found two other witnesses to Oswald being there.<sup>50</sup> Henry McCluskey wrote a letter to the Commission saying Oswald was at the Texas Employment Commission in Dallas on the 25<sup>th</sup> or 26<sup>th</sup> to change the address on his unemployment claim. That letter

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<sup>42</sup> Ibid, p. 747.

<sup>43</sup> Armstrong, p. 605.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Bugliosi, p. 748.

<sup>47</sup> WR, p. 731.

<sup>48</sup> WC, Vol. 1, p. 27; WR, p. 868.

<sup>49</sup> Secret Service Report by Charles Kunkel "Activities of the Oswald Family from November 24 through November 30, 1963".

<sup>50</sup> Commission Exhibit 2137, p. 18.

disappeared.<sup>51</sup> But he also said that Oswald's presence there in September and on October 3<sup>rd</sup> could be verified by Oswald's Interstate Claims Card. This card did exist. The FBI and Warren Commission secured it. But when they printed it in the volumes they cut off the bottom of the card, which would have revealed the dates Oswald was at the TEC.<sup>52</sup> As everyone knows, the Commission said that Sylvia Odio was wrong about Oswald being at her apartment. It was really Bill Seymour, Larry Howard, and Loran Hall. Which, of course, was all later discredited. Thankfully, Bugliosi believes it was Oswald at Odio's door. But he moves it up to September 24<sup>th</sup> or 25<sup>th</sup>. He has to of course, or else he runs the risk of admitting to an imposter either at Odio's or in Houston boarding the bus.<sup>53</sup> He also says that Oswald drove to Odio's with two Cuban friends. This creates problems as to when Oswald really cashed his unemployment check, or did he? And when he really dropped his change of address card in New Orleans. Or did someone else? The prosecutor acknowledges these possibilities and, rather humorously, calls the Commission record "defective" in this regard.<sup>54</sup> But he goes no further than that. He doesn't take Dannelly seriously and, unsurprisingly, Henry McCluskey is not even in his index.<sup>55</sup>

And the author leaves open another interesting question: How did Oswald get to Houston from Odio's home in Dallas? Was he still with the two Cubans from Odio's? Bugliosi does not answer this query. He doesn't even pose it.<sup>56</sup> Why? Because in addition to the notion of Marina being a witness to Oswald being on a bus she did not see, Bugliosi has another problem. The Warren Commission says that Oswald left New Orleans on the 25<sup>th</sup> at 12:20 PM. He arrived in Houston that night at 10: 50 PM. Odio said it was not quite 9 PM when she had the three visitors at her door from New Orleans, one who she said was Oswald.<sup>57</sup> Let us say it was 8:30 PM. She said they stayed about 20 minutes.<sup>58</sup> If they left at about 8:50, and arrived in Houston at about 10:30 in order to get Oswald on the bus leaving 20 minutes later, this means they drove 225 miles in 100 minutes! Or well over 100 miles per hour. At night. This is why Bugliosi leaves himself the leeway to say the event happened on the 24<sup>th</sup>. The reader can see that the man who calls this a simple case is already freighted with problems galore. And the bus has not even started from Houston into Mexico yet. This is the first leg of what Philip Melanson called Oswald's Mexican Mystery Tour. And if Oswald began it in the company of two anti-Castro Cubans trying to enmesh him in a plot to kill Kennedy—which is what was happening at Sylvia Odio's--then everything else that follows further enmeshes him

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<sup>51</sup> Armstrong, p. 609.

<sup>52</sup> WC, Vol. 19, p. 403.

<sup>53</sup> Bugliosi, p. 1312.

<sup>54</sup> Ibid, p. 1311.

<sup>55</sup> Ibid, p. 1027.

<sup>56</sup> Ibid, p. 1312.

<sup>57</sup> WC, Vol. 11, p. 372.

<sup>58</sup> Fonzi, p.112.

in it. As we shall see, Oswald is about to unwittingly star in a plot worthy of John Le Carre.

## **From Houston to Mexico City**

The Warren Report tells us that on 9/26 Oswald boarded Continental Trailways bus No. 5133 in Houston, headed for Laredo at 2:35 am.<sup>59</sup> What the report does not say is that the FBI could not find the teller who sold Oswald the ticket for this bus ride. When they could not find the teller in Houston the FBI then searched seven other cities in the area, and another company, Greyhound. All with negative results.<sup>60</sup> The two drivers of the bus did not recall Oswald either.<sup>61</sup> The Commission placed him on the bus through the testimony of Dr. and Mrs. John McFarland who boarded in Houston.<sup>62</sup> The McFarlands testified to an unusually loquacious Oswald. One who had no problems telling them the following: 1.) He was headed to Cuba via Mexico City 2.) He was secretary of the Fair Play for Cuba Committee in New Orleans, and 3.) He hoped to meet Fidel Castro once in Cuba. As Philip Melanson has noted, it was illegal for an American to travel to Cuba at the time. So Oswald was announcing he was about to break the law.<sup>63</sup> On the early afternoon of the 26<sup>th</sup>, Oswald crossed the border from Laredo to Nuevo Laredo, Mexico. From Nuevo Laredo, he traveled to Mexico City aboard bus No. 516 of the Flecha Roja Bus Line, which was scheduled to arrive in Mexico City at 9:45 am on the 27<sup>th</sup>.

At the point where Oswald crosses over into Mexico, the report leaves out another interesting point of contention. The inspector at the border, a man named Maydon, recalled Oswald entering Mexico by auto. What makes this even more odd is that Oswald's FM-8 card, used to record entry and exit means, is empty in this regard.<sup>64</sup> Further, two mysterious men showed up at the Flecha Roja terminals--first in Mexico City and then in Nuevo Laredo—and confiscated both the original and the duplicate of the bus passenger manifest. This happened before the FBI got to Mexico to investigate.<sup>65</sup> The Bureau then tried to reconstruct the manifest from the F-8 forms submitted at the border. But Oswald's name was not on this list. As of December 5, 1963 the FBI could not determine with certainty how and when Oswald crossed the border.<sup>66</sup> One day later, a Mexican Customs Inspector gave the Bureau a luggage list with Oswald's name peculiarly misspelled on it to place him on

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<sup>59</sup> WR, p. 732.

<sup>60</sup> FBI Airtels, from San Antonio to Dallas, 12/6 and 12/10/63.

<sup>61</sup> Ibid.

<sup>62</sup> WR, p. 732.

<sup>63</sup> Melanson, p. 96.

<sup>64</sup> Armstrong, p. 615.

<sup>65</sup> Melanson, p. 95.

<sup>66</sup> Ibid; FBI Airtel from San Antonio, 5/15/64.

bus 516.<sup>67</sup> Here's the problem with this record: this list was supposed to be for luggage stored in the baggage compartment. Oswald carried his piece of baggage onto the bus. So why is his name on this list?<sup>68</sup>

The Warren Report tells us about two other witnesses who say they saw Oswald on his trip into Mexico City. The report describes them as two Australian girls. And again, the usually tight-lipped Oswald tells them all about his trip to Russia, and he also recommends a hotel in Mexico City for them. And he said he had stayed there on several previous occasions.<sup>69</sup> The Commission said he had not been there before. But they used the witnesses anyway. As the late Philip Melanson observed, the usually secretive Oswald "seemed compelled to leave an indelible impression among passengers concerning his procommunist background and his alleged plans."<sup>70</sup> The two young girls were named Patricia Winston and Pamela Mumford. At the time they met Oswald both of them were living in New York. They said that Oswald went out of his way to show them his Russian passport. The particular passport shown to the girls was not found on the original Dallas Police evidence list of Oswald's effects. But it did appear later when the FBI returned the evidence to the police. Mumford recalled Oswald as having thinning, curly, wiry hair.<sup>71</sup> Oswald's hair was straight.

The last person the Commission uses to place Oswald on this bus to Mexico City is the legendary John Howard Bowen. The report deals with him in all of three sentences.<sup>72</sup> The FBI reports on Albert Osborne, aka as John Howard Bowen, could constitute a lengthy pamphlet. This is a man who traveled from Knoxville to Mexico to Canada to the British Isles so frequently that the Bureau could not keep up with him. Because he was intent on deceiving them about who he was and who he worked for. A man who had at least three aliases. A man who told the Bureau he was a missionary yet told passengers on the bus he was a retired teacher who was writing a book on earthquakes.<sup>73</sup> After his return from Mexico in 1963, he told the Bureau he visited four cities in a couple of weeks. But he denied to the Bureau that he used two names. He also tried to deny that he sat next to Oswald on the bus to Mexico City.<sup>74</sup> The man Bowen described as Oswald was dark complected with thin blond hair. A man who could not be Oswald. But later on, he told a friend that he had been with Oswald on the way to Mexico.<sup>75</sup> The FBI concluded that his missionary work was a fraud.

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<sup>67</sup> FBI Airtel from San Antonio, 5/15/64.

<sup>68</sup> Op. cit. Armstrong.

<sup>69</sup> WR, p. 733.

<sup>70</sup> Melanson, p. 96.

<sup>71</sup> WC, Vol. 11, p. 221.

<sup>72</sup> WR, p. 733.

<sup>73</sup> Melanson, p. 95.

<sup>74</sup> *The Knoxville News Sentinel*, November 28, 1993.

<sup>75</sup> Ibid.

Bowen returned to Laredo on October 2<sup>nd</sup>. The day before Oswald. While Oswald proceeded to Dallas, Bowen then left for New Orleans. He shifted identities to Osborne, and presented false documents to the Canadian Embassy as proof of citizenship.<sup>76</sup> But he was given a passport and left through Canada to Europe. Osborne returned to New York on December 5<sup>th</sup> and began making his way back to Mexico. He then began to use his aliases to trick the FBI about who he was. But they finally concluded Bowen and Osborne were the same person. This discussion of Osborne/Bowen could go on for pages on end. Suffice it to say, Philip Melanson came to the conclusion that Osborne was a CIA agent meant to escort Oswald, or his imposter, to Mexico City.<sup>77</sup>

How do the authors, namely Haines and Bugliosi, deal with all of the above? In their biography section on Oswald, Haines and Bugliosi decree that the evidence that Oswald was on the Flecha Roja bus was “conclusive”.<sup>78</sup> The actual source cited for “conclusive” evidence in this regard is CE 2195. The closest it comes to such is on pgs 2-3. But this refers only to nameless informants who have said they *saw* such a passenger manifest with Oswald’s name on it, not to the manifest itself. The second source the authors use for their evidence is CE 2482. This is actually the reconstructed manifest from the luggage list, which was discussed above. And which should not have included Oswald’s name. Anyone can tell this is so because of the peculiar way Oswald’s name is misspelled. The same way it was spelled wrong on the luggage list. (Bugliosi could have compared it to pgs. 18-19 of CE 2129, an FBI report on the baggage list, to discern that fact.) Further, the two Australian girls the Commission say were on this bus, are not listed on the reconstruction.

Neither here, nor in the other section where Bugliosi discusses Mexico City—i.e. his section entitled “The Second Oswald”—does the author tell the reader about the two mysterious men who confiscated the original passenger manifest list. Can he really not have known about this crucial act?

But let us conclude this part of the discussion by pointing out three more things about the evidence the author uses to place Oswald on the Flecha Roja bus. In CE 2195, the FBI investigation of Osborne, it refers to the alleged assassin’s presence on the bus in these terms: “The person *using* the name Oswald....” (Emphasis added) Hmm. It also describes him with one bag. Which the witnesses said he carried with him on the bus. So 1.) Why was his name on the baggage list,? And 2.) The witness the Commission used to place Oswald going to the bus station to leave New Orleans had him carrying two bags. Where did the other bag go?

Finally, near the beginning of the FBI report on Osborne, it refers to a man named Harvey Cash, who was the American Consul in Nuevo Laredo. Cash had a list of persons who entered Mexico through that town on 9/26. The list was given to

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<sup>76</sup> Ibid.

<sup>77</sup> Melanson, p. 95.

<sup>78</sup> Bugliosi, p. 751.

him by officers of Mexican Customs and Mexican Immigration. Reportedly, Oswald's name was not on that list.<sup>79</sup>

(As spotty and as questionable and as contradictory as the above evidentiary record is for the journey down, Oswald's alleged journey back is even worse. It is so bad that the entire paper trail seems fabricated as a result of cooperation between the Mexican security forces and the Agency. The best chronicle of this sorry record is in John Armstrong's *Harvey and Lee*, pgs.677-89. Even for the Kennedy case, the evidentiary record adduced in those pages is shocking. The two pieces of evidence that advocates of Oswald actually being in Mexico City use are 1.) His picture on a visa application and 2.) Silvia Duran's name in his notebook. That is it. The problem with the first is that the FBI did a search of every photo shop near the Russian consulate, Cuban consulate and the Hotel del Comercio, that did these passport photos. Not one recalled Oswald coming in for a picture. See Commission Exhibit 2449, pgs. 1-3. Second, as Jim Garrison pointed out in 1968, Duran's name is printed, not written in Oswald's notebook. See DiEugenio, p. 361. Recall, the man Duran recalls as Oswald is not the historical Oswald.)

### **The Mexico City Charades**

The incredible thing about this puzzling chronicle of Oswald's trip to Mexico City so far is this: Oswald hasn't even signed in at his Mexico City hotel yet. The names of Ann Goodpasture, Valery Kostikov, Winston Scott, Boris Tarasoff, Silvia Duran, Elsie Scaleti, Charlotte Bustos, Ann Egerter, Eusebio Azcue, and above all, David Phillips and James Angleton, have yet to be invoked. That is how enduringly and almost maddeningly complex Mexico City is: Just getting Oswald there is a journey in itself. By all accounts, Duran--the receptionist at the Cuban Consulate who talked to Oswald more than once—is a key personage. Anyone interested in finding out the truth about Oswald in Mexico City would have to consult with her and evaluate her as a witness. All one needs to know about the Warren Commission inquiry into the subject is this: They never interviewed her.<sup>80</sup> They relied on edited transcripts of her brutal interrogation at the hands of Mexican security forces (the DFS) during which she was held in solitary confinement and tortured. One of the more embarrassing parts of the Warren Report is the endorsement the Commission gives the Duran/DFS summary. They write, "...the most important confirmation of Senora Duran's testimony, however, has been supplied by confidential sources of extremely high reliability available to the United States in Mexico."<sup>81</sup> Some of the questions posed to her--attempting to outline a Cuban plot against JFK—appear to have been suggested by David Phillips.<sup>82</sup> A real point of embarrassment today is this: when the CIA passed on the interrogation summary to the Commission, one of

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<sup>79</sup> Armstrong, p. 616.

<sup>80</sup> *Lopez Report*, pgs. 190-91.

<sup>81</sup> WR, p. 305.

<sup>82</sup> Armstrong, p. 647.

the things edited out was her non-matching description of Oswald.<sup>83</sup> She said he was short and blonde and fair.

But let's not get ahead of our story. The Commission states that when Oswald arrived in Mexico City on the morning of the 27<sup>th</sup>, he walked from the bus station to the Hotel del Comercio.<sup>84</sup> He stayed there for his entire trip. But yet, when the FBI first investigated this aspect they could find no one at the hotel who recalled Oswald.<sup>85</sup> The only thing certifying his stay there was his name on the hotel register. Yet this posed some problems.<sup>86</sup> Every name on the 9/27 entry list is in the same handwriting—except Oswald's. This was supposed to owe to the fact that on the first night, the guest writes in their own name, and on succeeding nights, the hotel clerk writes them in. Yet, eight other guests checked in on 9/27, and on the register for 9/28, Oswald's name is again in unique handwriting. And it is not the same handwriting as the previous day's.

So the FBI had a problem to solve. They decided to go back and do more and better interviews at the hotel. Apparently, they revived some dormant memories about the crime of the century. The Bureau found a maid who recalled Oswald, and the proprietress of the restaurant next door did also. Although the FBI report in relation to the latter should be noted. The agent said he "was not completely certain how much she really remembered and how much she may have picked up by suggestion from newspaper reporters."<sup>87</sup>

Today, at this point--when Oswald is about to visit the Russian and Cuban consulates-- the narrative of this fascinating trip can be seriously supplemented by four major sources. They are:

- 1.) The declassified version of the HSCA's *Lopez Report*
- 2.) John Newman's two chapters on the subject in his important book *Oswald and the CIA*
- 3.) John Armstrong's long chapter in his book *Harvey and Lee*, and
- 4.) Newman's later, updated essay originally published in *Probe* and excerpted in *The Assassinations*.

It must be made clear that without the first, the other three would either not exist, or would exist in much more tepid form. This long hidden report was written for the HSCA by researchers Ed Lopez and Dan Hardway, under the supervision of

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<sup>83</sup> WR, p. 302.

<sup>84</sup> Ibid, p. 733.

<sup>85</sup> *Probe*, Vol. 4 No. 1, "No. Lt. Columbo in Mexico City", p. 15.

<sup>86</sup> *Destiny Betrayed*, First Edition, by James DiEugenio (Sheridan Square Press: New York) 1992, p. 264.

<sup>87</sup> Op. cit. *Probe*.



counsel Michael Goldsmith. Why was it not included in the original HSCA volumes? According to a talk given by Lopez in Chicago, when it came time for the CIA to review the report for publication in the HSCA volumes, the going was a bit slow.<sup>88</sup> It took a few hours to get through the first two paragraphs. So the HSCA threw in the towel and classified the report. It took three passes for the Assassination Records Review Board to largely declassify the report. Having read many congressional reports on the operations and extensions of the Central Intelligence Agency and national security matters, I can say with certainty that no other report I have read ever got as deeply into the overt and covert manifestations of a CIA operation as did this one. The former refers to the electronic, photographic and human intelligence by the Agency of the Soviet and Cuban diplomatic compounds in Mexico City. The covert aspect refers to what Oswald, or his imposter, was actually doing there. From the amount of interviews, the sharp questioning of subjects, the access to communications and transcripts, to methods of surveillance and operation, to storage methods of tapes, to communications between Mexico City and CIA HQ in Langley, Virginia etc. etc.: all this access is virtually unprecedented. It is highly likely that many people at CIA wish the 410 page report had never been written, let alone declassified. And if one reads the works by Newman and Armstrong, one sees how reliant they are on the revolutionary discoveries in the report. And they, in some ways, built on the report because there were some things that surfaced in the interim to supplement it. Secondly, there are some things that, apparently, Lopez and Hardway either were not aware of or were not allowed to divulge. (The late Gaeton Fonzi told the author about this once. He said, "Eddie Lopez knows even more than what he's saying.")

What Bugliosi says about the *Lopez Report* reveals all you need to know about his writings on Oswald and Mexico City. With a straight face he actually calls it a "giant dud"<sup>89</sup>. Apparently, the prosecutor prefers what his friend and colleague David Slawson did in his Mexico City inquiry; like not even talking to Silvia Duran or Ann Goodpasture. And also accepting CIA summaries of interrogations done under duress. Bugliosi actually writes that one of the problems he has with the report is this: He can't figure out what an imposter would be doing in Mexico City at the same time as Oswald.<sup>90</sup> Bugliosi can't answer that question. Because if he does he runs the risk of exposing the keystone of a complex and multi-leveled plot which, as with Le Carre, the cover-up is being constructed even before the conspiracy is complete. For, according to Newman, it was the imposter's voice on the last calls to the Soviet Consulate which completed the national security cover-up. And it was that ersatz voice that necessitated a lie within the CIA to conceal it.

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<sup>88</sup> *Probe*, Vol. 6 No. 1, "Speech by Eddie Lopez, Chicago Symposium, April 1993", p. 28.

<sup>89</sup> Bugliosi, p. 1052.

<sup>90</sup> *Ibid*.

But before getting to that climactic point, let us outline what Oswald was supposed to have done in Mexico. And also sketch some of the major players involved in this episode and their relations with each other. In the valuable reissue of *Oswald and the CIA*, John Newman charts the sequence of events we are to believe Oswald was involved in from September 27<sup>th</sup> to October 1<sup>st</sup>.<sup>91</sup> These constitute his contacts with both the Cuban and Soviets consulates in order to secure an in transit visa to Russia, which allowed him to visit Cuba, on the way to the Soviet Union. Oswald was supposed to have called the Soviet Consulate twice on Friday, the morning of the 27<sup>th</sup>. He then visited the Cuban Consulate and talked to Duran at about 11:00 am. He explained to her what he wished to do and she had him sign some papers. She told him he had to go to the Russian Consulate in order to secure the visa and then return to her and she would complete the visa to Cuba. Oswald then left to go to the Russian Consulate. There he ran into problems since they told him it would take weeks, if not months, to secure that kind of visa. Oswald came back to Duran and tried to bluff her into thinking that his visit to the Soviet Consulate was successful. She did not believe him and left a call for the Soviets. They called back and explained what really happened. Oswald created a mild scene at this time and Cuban consul Eusebio Azcue had to come out, calm him, and get him to leave.

On Saturday, Oswald was supposed to have visited the Soviet Consulate again in a desperate state. He failed to get them to reconsider. At about noon on the 28<sup>th</sup>, there is a call at the Soviet Consulate with a woman and man's voice on one line (supposedly Duran and Oswald), and a Russian diplomat on the other. There then is a missing transcript, which probably took place on Monday, the 30<sup>th</sup>. And finally, there are two more calls to the Soviet Consulate on Tuesday, 10/1, supposedly from Oswald alone.

### **Someone Spoke the Wrong Languages**

To contravene Bugliosi's twin contentions that there was no imposter in Mexico City, and second, the *Lopez Report* as a "giant dud", we can look at the chart on page 130. If you know anything about Oswald you will see why it is nearly certain he did not make these calls credited to him. For the weight of the evidence is he did *not* speak fluent Spanish, but he *did* speak fluent Russian. This chart says he did the opposite: he spoke fluent Spanish but poor Russian. Are we to believe that between the time of Oswald's return from Russia and his trip to Mexico—about 15 months--Oswald virtually forgot Russian but fully acquired Spanish? Bugliosi deals with these puzzling transcripts in his End Notes.<sup>92</sup> He acknowledges the Spanish problem by saying that they can't be Oswald. He does not acknowledge the broken Russian problem. Concerning the former, he does not then ask the obvious follow up queries: If this is not Oswald, then who is it? And if it is the wrong transcript then 1.) Where is the right one? And 2.) Why did the CIA furnish us this one? Further, on

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<sup>91</sup> Newman, *Oswald and the CIA*, p. 356.

<sup>92</sup> EN, pgs. 593-94.

the Saturday call with Oswald and Duran allegedly on one end talking to the Russian Consulate, it would seem that not only is Oswald being impersonated, but so is Duran. Why? Because she has insisted that she did not see Oswald again past Friday.<sup>93</sup> And in an incisive five page analysis, Newman shows how the dialogue in this call is almost certainly ad libbed, since it has little or no relation to what has previously happened between the embassies and Oswald.<sup>94</sup> For instance, the call ends with the Oswald imposter saying he will return to the Soviet Consulate to give them his address. Yet, he didn't. But, beyond that, how could you forget your own address in the first place if you were applying for a visa? Somehow, Bugliosi gets so myopic in his upholding of the Warren Commission that he can't see through this patent silliness.

Now, in addition to explaining in almost excruciating detail the surveillance operations in Mexico City which should have picked up Oswald on his alleged visits to both the Soviet and Cuban consulates, the *Lopez Report* also introduced the people involved in the operation of those devices and who could explain their apparent failure in picking up Oswald. Winston Scott was the chief of station, he is not mentioned in the Warren Report. David Phillips headed Cuban Operations out of Mexico and he is not mentioned in the Warren Report. Anne Goodpasture formally served as chief assistant to Scott, and less formally as assistant to Phillips. She is not mentioned in the Warren Report. Boris Tarasoff and his wife did the translations out of the electronic surveillance collection. They are not mentioned in the Warren Report. Charlotte Bustos and Elsie Scaleti received the memo from Mexico City about Oswald alleging being at the Soviet Consulate and talking to KGB agent Valery Kostikov. Neither Bustos nor Scaleti are mentioned in the Warren Report, and in regards to Oswald in Mexico City, Kostikov is mentioned only barely. None of the crucial cable traffic between Mexico City and CIA HQ is detailed in the report. Or in the 26 volumes. And none of the communications afterward that are so important to Oswald and the assassination are discussed or even outlined. None of the alleged Oswald calls that should have been taped are detailed or chronicled in the Warren Report. Perhaps most crucially in pertaining to the JFK assassination, the Warren Report is shockingly devoid of any mention of a follow-up inquiry the CIA made about Oswald's visits and calls to both embassies. This is one of the most important revelations of the *Lopez Report*.<sup>95</sup> Not only does there appear to have been none, but the Agency lied about it.

I have compared the *Lopez Report* with what the Commission did with Mexico City not just to show that what the Commission did with this matter was a sick joke. But to begin to convey what *Reclaiming History* is really about. Bugliosi actually seems to prefer what the Commission did in this regard over what Lopez and Hardway did. He even says that Lopez and Hardway's efforts were doomed

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<sup>93</sup> Newman, p. 368.

<sup>94</sup> Ibid, pgs. 364-68.

<sup>95</sup> *Lopez Report*, pgs. 156-57.

from the start. Because nothing really happened in Mexico City.<sup>96</sup> As we shall see, nothing could be further from the truth. What happened in Mexico City triggered the national security cover up about Oswald, which made sure the Commission would not investigate what happened in Mexico City. Or who Oswald really was.

Why did the Commission not investigate Mexico City? Why didn't they spend day after day demanding to see files and cables at CIA HQ? Because that is what Lopez and Hardway did. To the point that the CIA decided to move the files into a safe at the HSCA. One reason is that the man running the Mexico City inquiry for the Commission was David Slawson. In his interview with the HSCA, he spoke very warmly of James Angleton's assistant Ray Rocca, and Commissioner Allen Dulles. He also said that he himself had thought of joining the Agency.<sup>97</sup> So Slawson had the perfect profile to conceal what the Agency was doing with Oswald in Mexico City. And Slawson was the perfect guy to help the Agency cover up the inexplicable national security failing that allowed Oswald to be where he shouldn't have: on the president's parade route in Dallas on 11/22/63. This is something that Bugliosi says he doesn't comprehend. Let's try and help the forlorn prosecutor.

### **The Deceptions of Phillips and Goodpasture**

There is a memorable scene in Gaeton Fonzi's fine book *The Last Investigation*. He describes an interrogation of Phillips where, although he already had a cigarette burning, hands shaking, he went ahead and lit up a second.<sup>98</sup> The man who caused Phillips to forget about his already burning cigarette was the co-author of the *Lopez Report*, Dan Hardway. As Fonzi describes it, one of the things Phillips was less than candid about was his relationship to those involved in disseminating false stories about Oswald and mysterious communist conspirators in Mexico City, e.g. the Gilberto Alvarado story.<sup>99</sup> Phillips had tried to say that he was distant from the people involved in this disinformation campaign. He was not. By prying loose documents from the CIA, Hardway and Lopez found out that Phillips' cover story was completely misleading. Each story coming out of Mexico City in this regard could be traced back to an asset run by Phillips.<sup>100</sup> In fact, when this author interviewed Lopez at his home about this issue, he said that he and Hardway had set up a color coded chart on the subject.<sup>101</sup> This led Hardway and Lopez to eventually believe that Phillips supervised the "false sponsors" aspect of the plot.

Here is another deception by Phillips exposed in the *Lopez Report*. One of the most disturbing discoveries by Lopez and Hardway was the delay by Mexico City in sending a cable to CIA HQ once they discovered Oswald in direct contact with the

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<sup>96</sup> Bugliosi, p. 1052.

<sup>97</sup> Op. cit. Pease, p. 14.

<sup>98</sup> Fonzi, p. 292.

<sup>99</sup> Ibid, p. 279.

<sup>100</sup> Ibid, p. 293.

<sup>101</sup> Author's 1994 interview with Lopez in Rochester, New York.

Russian Consulate, that is with one Valery Kostikov of the KGB. This was known on 10/1. Yet the cable did not arrive at Langley until a week later, on October 8<sup>th</sup>. Phillips tried to blame the translators for this slow work. Yet, the Lopez Report proves they turned around urgent tapes in 24 hours.<sup>102</sup> And urgent is what this had to be. Phillips said that he knew it was their fault since reason since he signed off on that late cable. Why did he sign off on it? Because it spoke of Cuban matters. Lopez and Hardway found out that Phillips didn't sign off on the cable. And the cable did not "mention anything about the Cuban Consulate or Oswald's contact with it."<sup>103</sup> In fact, the authors found out that Phillips *could not* have signed the cable because he was not even in Mexico City at the time!<sup>104</sup> Why was Phillips lying? Hardway came to believe that the cable was actually put together after the fact.<sup>105</sup> Why? In order to keep Oswald's profile low at the time. And secondly, not to have to investigate him *at the time* he was supposed to be in Mexico City. Because this ran the risk of exposing a masquerade. You couldn't have the dogs barking just then.

One of the most shocking revelations of *Reclaiming History* is that, apparently because of the relationship Phillips developed with the author, Bugliosi actually finds Phillips a credible witness. He values this proven liar's word over that of Ed Lopez.<sup>106</sup> But, perhaps even worse, Bugliosi was going to use Phillips as a witness for the prosecution in his mock trial!<sup>107</sup> With Phillips taking the stand, any credibility the program had—which was almost none—would have been gone. Because in any real trial, Phillips would have been indicted for perjury.

The *Lopez Report* introduced the public for the first time to a woman named Anne Goodpasture. In fact, she figures quite prominently in that extraordinary document. The report also exposes her as a liar. And this happens quite early. The first part of the *Lopez Report* describes in detail the CIA's photo surveillance operations over both the Russian and Cuban consulates. There is a reason Lopez and Hardway describe this surveillance in such cumbersome and dull detail: To try and decipher the mystery of why the CIA has never been able to produce a picture of Oswald either going in or coming out of either embassy; even though he allegedly visited them a total of five times. That should equal ten pictures. The authors wanted to find out who had overall responsibility for the day-to-day operation of the photo surveillance. Goodpasture named to them a gentleman who "made all the decisions and had all the responsibility involved in the operation."<sup>108</sup> Lopez and Hardway discovered that this man was the most junior operations officer in the entire Mexico City station in 1963, and his role in the photo operation was basically

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<sup>102</sup> *Lopez Report*, p. 84.

<sup>103</sup> *Ibid*, p. 128.

<sup>104</sup> *Ibid*.

<sup>105</sup> Fonzi, p. 293.

<sup>106</sup> Bugliosi, p. 1050.

<sup>107</sup> *Ibid*.

<sup>108</sup> *Lopez Report*, p. 47.

legwork.<sup>109</sup> She then tried, and lied again: she said she was only the alternate case officer who routed some of the product and ensured its technical quality. The authors finally got hold of her 1963 Fitness Report. It read in part, “Supervises work of three photo bases operating against Soviet Embassy; processes take; identifies Soviets and intelligence function.”<sup>110</sup>

When confronted with the facts in the Fitness Report, incredibly, she *still* tried to deny her true role. When the authors asked her why, if the Fitness Report was wrong, she did not correct it back in 1963, she said, “I think it was made on the basis of trying to get a promotion for me.”<sup>111</sup> Finally, Lopez and Hardway talked to Alan White, Deputy Chief in Mexico City under Win Scott in 1963. He finally settled the matter by saying that Goodpasture’s “main responsibilities were to handle the surveillance operations” and this included both photographic and electronic. White also certified that the officer who Goodpasture first tried to lay the responsibility off on was telling the truth. He only did the legwork for Goodpasture.<sup>112</sup> Now, this is important. And it explains why Goodpasture was lying. Because it means that Goodpasture would have been among the very first to see a photo of Oswald if he had entered either consulate. And if he was an unknown person, based on the audio taps and wires, she should have requested a photo and file from CIA HQ immediately. This should have happened in a timely manner while Oswald was there. As the *Lopez Report* chronicles, it did not. And Goodpasture seems to know something is wrong here. This is why she is deceiving Hardway and Lopez about her prime role in the surveillance operation.

As the reader may have guessed by now, Goodpasture’s name is not in the main text of *Reclaiming History*. In his End Notes, Bugliosi states that she was in charge of the photographic surveillance. He does not mention the audio tapes. But he fails to inform the reader of her lies about this matter to Lopez and Hardway.<sup>113</sup>

Continuing with that “giant dud”, the authors of the *Lopez Report* found three witnesses who said that Goodpasture “held the photographic production very tightly.” The Tarasoffs, the translating team, stated that they didn’t “routinely review or see all of the production from the Soviet Embassy photographic surveillance operation. They claim they only saw the photographs that Ms. Goodpasture thought were important enough to bring to their attention.”<sup>114</sup> The third witness was quoted as saying that the file “was tightly controlled by Ms. Goodpasture.”<sup>115</sup> This is very important for two reasons. First, when this author interviewed Lopez and asked him who Goodpasture was, he described her as

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<sup>109</sup> Ibid.

<sup>110</sup> Ibid.

<sup>111</sup> Ibid, p. 49.

<sup>112</sup> Ibid.

<sup>113</sup> EN, p. 603.

<sup>114</sup> *Lopez Report*, p. 51.

<sup>115</sup> Ibid.

Phillips assistant.<sup>116</sup> So from what he discovered, she worked as much for Phillips as she did for Scott. Probably more.

### **The CIA Refuses to Turn over Evidence**

But there is a more important reason to emphasize the control Goodpasture had over the photographic take. The CIA refused to give Lopez and Hardway the actual production, or the notes, from the photo base at the Soviet Consulate called LILYRIC.<sup>117</sup> They even lied about its hours of operation, saying that they were the same as another photo base called LIMITED. False.<sup>118</sup> But there appears to be a good reason behind the fabrication. LIMITED operated from 2 PM to darkness each day of the week except Sunday. LILYRIC operated from dawn until 2 PM each day except Sunday.<sup>119</sup> Oswald, or his imposter, allegedly visited the Soviet Consulate on Friday and Saturday before 2 PM. LILYRIC should have photographed him. There is exactly one mention of LILYRIC in Bugliosi's 2,700 pages. This is it: "LILYRIC was located in a second-floor apartment also across the street from the embassy...." He never tells the reader about its hours of operation, how it should have captured Oswald, or that the CIA refused to divulge its contents to Lopez and Hardway.<sup>120</sup> Bugliosi excuses this by writing that LILYRIC was not installed until after 1963. Evidently he didn't read the *Lopez Report* completely. Lopez and Hardway saw the surveillance project reviews of 1961-63. LILYRIC was included in all three reviews.<sup>121</sup>

This is a good place to also add another exception to what the CIA would give Lopez and Hardway. The CIA would not give them the coverage or notes from the pulse-activated camera outside the Cuban Consulate.<sup>120</sup> Why was it called that? Here is the definition of this camera : "A camera with a shutter that is automatically tripped by a triggering device activated by changes in light density."<sup>121</sup> Hard to believe a camera like that could have missed Oswald three times. Yet Bugliosi does not tell the reader about CIA's reluctance to give the HSCA the production or notes from this camera. Something else Bugliosi does not tell you about this camera is that Phillips lied about its working order. He said it was disabled until December of 1963.<sup>122</sup> Which could help explain why there was no photo taken of Oswald when he visited the Cuban Consulate three times on September 27, 1963. But the authors of

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<sup>116</sup> Op. cit. Lopez interview.

<sup>117</sup> *Lopez Report*, p. 44.

<sup>118</sup> Ibid, p. 40.

<sup>119</sup> Ibid.

<sup>120</sup> EN, p. 600.

<sup>121</sup> *Lopez Report*, p. 40.

<sup>120</sup> Ibid, p. 29.

<sup>121</sup> Ibid, p. 303.

<sup>122</sup> Armstrong, p. 643; Bob Tanenbaum speech at Chicago Midwest Symposium, 1994, *Probe*, Vol. 6 No. 1.

the *Lopez Report* discovered a CIA dispatch from September 26<sup>th</sup>, saying the pulse camera had been tested and was in good working order.<sup>123</sup>

Here is something else excluded from *Reclaiming History*. And, in fact, this is not even in the *Lopez Report*. On October 27, 1978, about two months before the HSCA was disbanded, Hardway wrote a memo to HSCA Chairman Louis Stokes. It said that on both September 27<sup>th</sup> and 28<sup>th</sup>, about ten feet of film was taken from the cameras covering the Cuban compound and developed. It then disappeared at CIA HQ. The man who posed as Oswald was likely in that film.<sup>124</sup>

Now, here is one reason that this may have happened. The description of Oswald as given by Cuban consul Eusebio Azcue and Duran does not fit the Oswald we know. They both described a man who was older, maybe 30, had blond hair, was fair, and was short—maybe 5' 5".<sup>125</sup> Bugliosi tries to say that only Azcue described Oswald this way.<sup>126</sup> As we have seen, this is not the case. In Duran's notes of the encounter with the man she said was Oswald, she described him much as Azcue did.<sup>127</sup> Now the HSCA—Robert Blakey working through his assistant Gary Cornwell—tried to talk her out of this description. Just as they tried to get her to say she had seen Oswald again on September 28<sup>th</sup>. (In this regard, it should be noted that the DFS also tried to talk her out of this part of her story when they imprisoned and tortured her.<sup>128</sup>) But after the HSCA report was released, Tony Summers tracked her down and showed her film of Oswald in New Orleans. She said "...the man on the film is not like the man I saw here in Mexico City." <sup>129</sup>

There was a third man who saw an Oswald imposter in Mexico City who fit the description above. His name was Oscar Contreras. He was a student active in leftist politics at National University at the time. He was part of a pro-Castro group which had contacts with the Cuban Embassy. One night in September of 1963, a man named Oswald approached him after a discussion meeting. He told them about his problem in getting a visa to Cuba. He asked if Contreras could help through his contacts at the Cuban compound. That evening Contreras called Azcue and a Cuban intelligence officer about the man. They thought he was an agent provocateur attempting to penetrate leftist groups. Contreras' description of Oswald was similar in all respects to the ones quoted above by Duran and Azcue.<sup>130</sup> Bugliosi goes full bore to discredit Contreras. He said Contreras told his television producer the incident with Oswald happened in 1959 or 1960. Oh, really? Then how could Contreras call the Cuban Consulate and how could the officials know who he was

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<sup>123</sup> *Lopez Report*, p. 18.

<sup>124</sup> Armstrong, p. 637.

<sup>125</sup> *Ibid*, p. 646.

<sup>126</sup> Bugliosi, p. 1044.

<sup>127</sup> Fonzi, p. 289.

<sup>128</sup> *Lopez Report*, p. 190.

<sup>129</sup> *Op. cit.* Fonzi.

<sup>130</sup> *Ibid*, pgs. 289-90.



referring to?<sup>131</sup> And there was a woman named Elena Garra de Paz, a friend of Duran's, who reported on a man who fit this description who she said she saw *with* Oswald. Which, of course, is extremely interesting.<sup>132</sup>

Need more evidence of an impersonator? In 1978, Lopez located and interviewed two CIA assets who worked inside the Cuban Consulate during Oswald's visit. They both told him the man accused of killing Kennedy was not the man they saw at the consulate. And they also told Lopez they reported this to the CIA station in Mexico City.<sup>133</sup>

Here is the capper in regard to all of this controversy concerning the physical description of Oswald and why the CIA could not produce a photo of him. On Thursday, August 3, 1978, Azcue was interviewed by CBS reporter Ed Rable. The Cuban consul produced photographs taken inside the consulate--obviously by Cuban cameras--of the man who identified himself as Oswald. Neither of the photos resemble Lee Harvey Oswald. But they do resemble the man described by Azcue, Duran, and Contreras.<sup>134</sup> Bugliosi can fulminate from now until Doomsday. The issue of an Oswald imposter in Mexico City will not go away. Bugliosi even says it makes no sense for the impersonator to not look like Oswald. Uh, Mr. Prosecutor, maybe that is why no picture was ever turned over?

### **Goodpasture and the Mystery Man**

One of the most fascinating parts of the *Lopez Report* is its description of Goodpasture's role in the famous Mystery Man photo debacle. This is a photo the Warren Commission printed that was allegedly identified by the CIA as Oswald outside the Russian compound. Yet it was clearly not Oswald. Lopez and Hardway tried to find out why this happened. There had been a search of the photographic surveillance for Oswald the first week of October in order to link his picture to a call allegedly from him to the Soviet Embassy.<sup>135</sup> But the delay in finding the photo of Oswald supposedly resulted in the cable not getting to CIA HQ until October 8, 1963. Yet, even after the delay, this photo was not of Oswald. So why was it sent? The excuse Goodpasture gave in the *Lopez Report* is that it was the only photo of a non-Latin taken the day of the call i.e. 10/1/63.<sup>136</sup> (Goodpasture also testified that, in these situations, they

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<sup>131</sup> EN, p. 608.

<sup>132</sup> *Lopez Report*, pgs. 246, 259.

<sup>133</sup> Fonzi, pgs. 293-94.

<sup>134</sup> Armstrong, pgs. 646-47. The actual pictures are on the CD that comes with this book, *Harvey and Lee*.

<sup>135</sup> *Lopez Report*, p. 126.

<sup>136</sup> *Ibid*, p. 137.

would check the photos for a few days in advance of the call.<sup>138</sup>) Goodpasture testified that since that photo was the only one of a non-Latin male during this period, this is why she chose to send it to CIA HQ. It is imperative to note here that Bugliosi accepts this same rationale from David Phillips in *Reclaiming History*. Which clearly implies that he and Goodpasture collaborated on this excuse.<sup>139</sup>

But it's not true. Lopez and Hardway discovered that there was another non-Latin male photographed on 9/27, and he had not been identified at that time.<sup>140</sup> Why was his photo not considered or sent? What makes this lie even worse is that the authors write that Goodpasture tried to change this man's name to a Latin sounding one to conceal this fact from them.<sup>141</sup>

But further, the photo of the Mystery Man was *not taken* on October 1st or prior to that. It was taken on 10/2/63, the day after the call.<sup>142</sup> Why is this important? If the photo was taken on October 1st, it could conceivably be of Oswald, since he was still in Mexico City. But if it was taken on 10/2 it likely could not have been him since he left early that morning. Goodpasture tried to explain all this as benign and not devious: a simple error in reading a log sheet. But unfortunately for her Lopez and Hardway found the log sheet. It is in black type with the separate days being marked off in columns typed in *red* percentage marks!<sup>143</sup> Under those circumstances Lopez and Hardway termed this "mistake" implausible. They found it even more implausible that Goodpasture would not realize this rather large identification error for 13 years--that is until 1976. What cinched the case for this being another lie was that the authors discovered a CIA cable to Mexico City dated 11/23/63. It said that the photo Goodpasture sent to them of Oswald outside the Russian Embassy was not Oswald. The cable then requested a recheck of the photos.<sup>144</sup> It turns out the Mystery Man was photographed two more times in October, and the CIA probably knew who he was: KGB officer Yuri Moskalev.<sup>145</sup> After analyzing the situation, Lopez and Hardway concluded that Goodpasture actually knew by

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<sup>138</sup> Ibid, p. 138.

<sup>139</sup> Bugliosi, p. 1054.

<sup>140</sup> *Lopez Report*, p. 138.

<sup>141</sup> Ibid, p. 139.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid, p. 140.

<sup>144</sup> Ibid, p. 141.

<sup>145</sup> Ibid, p. 179.

October 11th that the Mystery Man was not Oswald.<sup>146</sup> But she couldn't admit that. The illusion had to be maintained that they were confused down there.

But there is another possible reason for Goodpasture's "mistake". There was no CIA phone transcript of Oswald to link the photo to on October 2nd. So she *had* to push it forward a day to make the link between the photo and transcript stick. Thus making her "error" more tenable. To this author, this is one of the most important new revelations in the *Lopez Report*. In reading all of these dodges, evasions and fabrications by Goodpasture, it is hard not to make the argument that if she did not realize what she was doing before the assassination, she had to have realized it afterwards. And this is why she tried to distance herself from the surveillance operations in the first place. It is pretty clear she was part of the cover-up about Oswald in Mexico City. In light of this, one understands why Lopez reacted as he did when I first asked about her in my interview with him. When I asked who she was, he said, "She's a lying, conniving bitch and if there was any justice in this world, she'd be in jail."

Which makes it painful for me to note the following. In his entire discussion of Goodpasture, Bugliosi never tells the reader about her role in misidentifying Oswald in the Mystery Man photo. Or how implausible her excuse for it is. Or how Goodpasture let the record imply that she didn't fully realize her misidentification of the alleged killer of President Kennedy for well over a decade.

### **Did Phillips Fabricate Transcripts?**

This episode directly relates to the questions of the CIA surveillance audiotapes and the transcripts of those calls. In addition to his incomplete information about the CIA's refusal to turn over all photo coverage of the two consulates, Bugliosi also does not inform the reader of the Agency's reluctance to turn over the so-called resuma. As defined in the *Lopez Report* "resuma" is the daily summary of important conversations on surveilled phone lines prepared by monitors in the listening post.<sup>147</sup> The authors requested these in order to ascertain which calls were made by Oswald while he was there and if anyone joined him on the calls. But again, the Agency would not comply.<sup>148</sup> What this meant of course was that the authors had to deal with what *the CIA told them* were Oswald's calls to either consulate. Since the authors never saw

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<sup>146</sup> Ibid, p. 159.

<sup>147</sup> Ibid, p. 303.

<sup>148</sup> Ibid, p. 60.

the raw data, they could never compare what they were given with what was originally recorded. And since the Agency maintained that the original Oswald tapes did not survive, the transcripts given to them could not be compared to what they were transcribed *from*. In other words, the worst-case scenario, the CIA fabricating a call from Oswald to either consulate, would be possible. And as we have seen, the Saturday call to the Soviet Embassy with both Duran and Oswald on it is one Duran says did not occur.

Anne Goodpasture got the resuma production by 9 AM, the day after.<sup>149</sup> If a call synopsis looked interesting, Goodpasture gave the tape to the translators for a complete transcription.<sup>150</sup> Tapes would be held for ten days before they were reused, but -- and this is crucial -- they would be preserved for a longer time if requested.<sup>151</sup> Goodpasture handled the Russian production. The Cuban transcripts went to two men, one of whom was Phillips.<sup>152</sup> If a call was marked urgent, that tape would be translated within 24 hours, frequently on the same day it was turned in.<sup>153</sup> This is important, since at least one of Oswald's alleged calls to the Russian Consulate fell into this category.<sup>154</sup> Further, Alan White told Lopez that whenever an American citizen spoke broken Russian in the Russian Embassy, this made him of operational interest and that call should have been sent back to Washington.<sup>155</sup> Oswald's alleged calls fit White's description. They were not sent back.

Now, excluding the very long delay in getting the 10/1 cable from Mexico City to CIA HQ about Oswald at the Soviet Embassy, there is another suspicious circumstance about Phillips and the tapes. On 10/1, Mexico City sent a cable to CIA HQ. It said to retain a diplomatic pouch for Michael Choaden, which was an alias for Phillips.<sup>156</sup> This date is interesting because it is allegedly the date of the first Oswald/Kostikov intercept. After this date, the material in Oswald's 201 file to CIA HQ now went to the Special Affairs Staff/Counter Intelligence unit, instead of Soviet Russia/CI.<sup>157</sup> Phillips was part of the former. And as John Newman has noted, James Angleton tried to keep Oswald's files from going to the Soviet Russia division. So now Phillips had

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<sup>149</sup> Ibid.

<sup>150</sup> Ibid, p. 62.

<sup>151</sup> Ibid, p. 63.

<sup>152</sup> Ibid, p. 70.

<sup>153</sup> Ibid, p. 84.

<sup>154</sup> Ibid, p. 126.

<sup>155</sup> Ibid, p. 133.

<sup>156</sup> Armstrong, p. 670.

<sup>157</sup> Ibid.

potential access to material coming at CIA HQ from Mexico City on Oswald at both ends. Which means Goodpasture gave him the Cuban Consulate originals in Mexico City, and he had access to any copies and transcripts at CIA HQ. This means he was in a unique position to alter the original tapes or phony up a transcript. And as long as the original tape was held incommunicado, no one could prove the difference. Are there indications that this happened?

When Richard Sprague was helming the HSCA, he was quite interested in Mexico City. When he asked Phillips for a photo of Oswald, he was told the cameras were not operative that day.<sup>158</sup> When he asked for any Oswald audiotapes, Phillips said they had been recycled. So Sprague went out and interviewed the translating team himself. The translators looked at one of the transcripts he showed them and the woman said, "This is not the transcript I typed." Sprague asked if the typewriter they used was still around. It was, and Sprague brought it back to Washington to test the typewriter script against the type on the transcript. He never got as far as conducting the test because he was ousted.<sup>159</sup> But if the typescript had been altered to make this unrecognizable transcript, Phillips would have been a prime suspect in the alteration, since no one had closer proximity to the tapes and transcripts than he did.

Also in this regard, there is the missing transcript of September 30th. The Tarasoffs recalled a transcript of Oswald's that they typed which the CIA has never produced.<sup>160</sup> The thing that made Mrs. Tarasoff's memory of this so indelible and accurate is this: It was in English. The other transcripts are typed in the language spoken, Russian or Spanish. This was the only one in which Oswald allegedly spoke and identified himself in English.<sup>161</sup> She told the authors of the *Lopez Report* that she was genuinely puzzled that the CIA did not have it. She recalled it as a lengthy transcript and one she personally did from the Russian Embassy. She added that Oswald had asked for financial aid of some sort.<sup>162</sup> She further added that this call was marked URGENT, which meant it was to be translated quickly and preserved. She was not mistaken about this call. At least one other person heard it before it disappeared. That someone else was Phillips. He told Ron Kessler of the *Washington Post* about this call.<sup>163</sup> Phillips could only have known this if he heard the contents of the

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<sup>158</sup> *Probe*, Vol. 7 No. 2, "Interview with Richard A. Sprague", p. 21.

<sup>159</sup> *Ibid*, p. 22.

<sup>160</sup> Newman, p. 356.

<sup>161</sup> *Ibid*, p. 371.

<sup>162</sup> *Ibid*.

<sup>163</sup> *Ibid*, p. 376.

original tape recording because on no other transcript is there any such mention of financial aid. Why was the transcript not produced for the authors of the *Lopez Report*? One other person alludes to this call: Winston Scott in his manuscript *Foul Foe*.<sup>164</sup> Bugliosi acknowledges this call--although he changes the date to Oct. 1--but he does not reveal Phillips' (quite guilty) knowledge of the contents.<sup>165</sup> Therefore he does not have to explain how Phillips heard it, yet it does not exist today.

Third, and perhaps most importantly in regard to altering the tapes, is the information in John Newman's Epilogue to the 2008 reissue of *Oswald and the CIA*. The last two calls allegedly by Oswald on Tuesday, October 1st to the Soviet Consulate are quite suspicious since they are in broken Russian. But Oswald spoke fluent Russian. So how could this be him? Yet, Newman says they had to be made. Because on the Duran calls to the consulate on Friday and Saturday--by both the real and the ersatz Duran--Oswald's name was not specifically mentioned. So the problem was this: There was no direct record made between Oswald and Kostikov, who the CIA will reveal on 11/22/63 as a covert KGB agent in charge of assassinations in the Western Hemisphere. But this direct connection did appear in those two calls in broken Russian.<sup>166</sup> The necessity was such that the risk was run of exposing the charade by not having Oswald's voice on the tapes. And this is the reason, as we shall see, that the tapes had to disappear. The reason the risk was taken at all is hinted at in the *Lopez Report*. But in a part of that report that no one has ever seen. Or will likely ever see.

## **The Missing Section**

Predictably, Bugliosi never mentions a very pregnant phrase out of the *Lopez Report*. It is very hard to think that he missed it since it jumps out like a flashing spotlight. On page 142 of the report, it reads: "This group's purpose and interest in Oswald is detailed in another section of this final report dealing with whether or not Lee Oswald was an agent or asset of the Central Intelligence Agency." When this author interviewed Eddie Lopez, he asked him about the section, "Was Oswald an Agent of the CIA?" Because it was not in the report. Lopez paused and then he took the report and started shuffling through the pages. After he failed to locate it he muttered in frustration, "It isn't there. It's gone." He then sat down and returned the report. He collected himself

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<sup>164</sup> Ibid, p. 377.

<sup>165</sup> Bugliosi, p. 1050.

<sup>166</sup> Newman, pgs. 617-18.

and said softly, "They always hated that part." He paused and added, "If I was them, I would have hated it too."<sup>167</sup>

Bugliosi never mentions this key fact: "Was Oswald an Agent of the CIA?" is not in the *Lopez Report* even today. Even after the Assassination Records Review Board has closed up shop. And to this author's knowledge, no one recalls seeing it in the declassification process. Not even the man who badgered the ARRB on the issue of Oswald in Mexico, John Newman. To understand why the CIA had to deep six it, we have to understand the group Hardway and Lopez are referring to in the above quote. It is James Angleton's CI/SIG. In this author's review of Newman's *Oswald and the CIA*, it is explained that this is where Oswald's file at CIA first appeared. But this was only after an odd delay after he defected to Russia in November of 1959.<sup>168</sup> As Newman points out, it should not have gone there. It should have gone to the Soviet Russia Division of Angleton's Counter-Intelligence domain.<sup>169</sup> From this, and other oddities in the filing system, Newman privately concluded that Oswald was acting as an off the books counter-intelligence agent of Angleton.

Now, what Lopez and Hardway are referring to in the quote above is what happened to the 10/1 cable sent up by Mexico City reporting Oswald's contact at the Russian Consulate. The one that took seven days to get to CIA HQ, and which Phillips lied about in his lame attempt to explain the suspicious delay. When that cable finally reached CIA HQ, it went to the Mexico City desk. Desk officer Elsie Scaleti requested a name trace and found that "Lee Henry Oswald's" 201 file was marked restricted. (Sprague jokingly refers to this odd middle name with, if you were trying to disguise yourself, "Whoever heard of giving your first and last name, and only changing your middle name?"<sup>170</sup>) Oswald's 201 file was located at CI/SIG and had to be signed off on by Angleton's assistant, Ann Egerter. Before we explain why this is so significant that the Agency made a section of the report vaporize, let's examine what Egerter and Scaleti told Lopez and Hardway about their first reaction to the cable.

Scaleti told the authors that when she opened the Oswald file the cable became quite significant. When asked why that was so, she replied that any former Russian defector who again tried to get into contact with the Soviets

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<sup>167</sup> Op. cit. Lopez interview.

<sup>168</sup> Op. cit. Newman, p. 25.

<sup>169</sup> Ibid, p. 27.

<sup>170</sup> Op, Cit, *Probe*, Sprague interview.

raised the question as to "whether there was a possibility he really was working for the Soviets or what."<sup>171</sup> In other words, was Oswald a Russian agent? Egerter also said the cable created a lot of excitement. She said it was because counter intelligence suspected Kostikov was a KGB agent.<sup>172</sup> Egerter then added that Oswald "had to be up to something bad to be so anxious to go to the Soviet Union."<sup>173</sup> Again: Was Oswald a Russian agent working with other Russian agents?

So the question now becomes: If this was the initial reaction, then how did that reaction not mushroom, but actually get dimmed down? To the point that Oswald was never interviewed by any agency of government upon his return from Mexico. And, incredibly, was not even put on the FBI's Security Index so he could be surveilled by the Secret Service upon Kennedy's visit to Dallas. How did this happen? It is a mystery that, in respect to Mexico City, Bugliosi completely ignores. In fact, in one of the most shocking statements in a book that is full of them, he writes, "The allegation that someone was impersonating Oswald in Mexico City is completely devoid of merit."<sup>174</sup> Mr. Prosecutor: If it was devoid of merit, why did Goodpasture do her salsa dance with the Mystery Man? Why did it take seven days for the 10/1 cable to reach Langley, headquarters of the CIA? And why did Phillips lie about it? (Or as Lopez jokingly said to me, "Maybe it sent it by Pony Express and they forgot about it?"<sup>175</sup>) And, perhaps most importantly, as we shall see, why was the false voice on the tapes made to disappear?

## **Angleton Enters the Picture**

To understand some of this, we must go back about a week in time. On or about September 23, 1963 James Angleton began to bifurcate Oswald's file. The FBI reports on Oswald's FPCC exercises in New Orleans went into a new operational file, separate from his 201 file.<sup>176</sup> The FBI report went into a CI/SIG soft file, i. e. not integrated with the central system, and also his Office of Security file. So when Scaletti went to get Oswald's 201 file, she was apparently unaware of this other file.

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<sup>171</sup> *Lopez Report* p. 143.

<sup>172</sup> *Ibid.*

<sup>173</sup> *Ibid.*

<sup>174</sup> Bugliosi, p. 1056.

<sup>175</sup> *Op. Cit.* Lopez interview.

<sup>176</sup> Newman, p. 393.



Two cables were written at CIA HQ based upon the combination of the delayed Mexico City cable and the segregated 201 file. On October 10th one cable is sent out to the Bureau, State Department, and the Navy. It describes a man who doesn't fit Oswald's description. He is 35 years old, has an athletic build, and stands six feet tall.<sup>177</sup> This description resembles the wrong Mystery Man photo.

At almost the same time, a second cable goes to Mexico City. This one has the right description, but was missing something important. It said the latest info HQ had on Oswald was a State Dept. memorandum from 1962. This was not true. The FBI report and other materials about Oswald in New Orleans were in the other file. Now Egerter, Angleton's trusted assistant, signed off on both cables. What makes this odd is that Newman writes in the 2008 update of his book that James Angleton was the one man at CIA who had access to all of Oswald's information.<sup>178</sup> He clearly did not inform Egerter of this. Further, Egerter left this incomplete 201 file at the Mexico City desk until 11/22/63.<sup>179</sup> Hardway and Lopez discuss these two dubious cables for seven pages.<sup>180</sup> Egerter and Scaletti could not explain them. Either Hardway and Lopez were not aware of Angleton's maneuvering on September 23rd, or they discussed it in the section on Oswald that disappeared. Finally, although Egerter said she suspected Kostikov was KGB, the information about him being an assassinations officer was not revealed until the day of the assassination. One can imagine the impact that revelation had on that day: The alleged assassin of President Kennedy met with the KGB agent in charge of political liquidations seven weeks previous. But the fact it was not revealed until then helped keep the dimmer down on the spotlight.

So here you have a defector who was in the Soviet Union for nearly three years. He returns and gets involved in pro-Castro leafleting and also violently confronting anti-Castro Cubans in New Orleans. He is eventually arrested for the latter. While in jail he is interviewed by the FBI. Right after this he goes to Mexico City and visits both the Cuban and Russian Consulates, attempting to get to both countries. He creates dramatic scenes at both places. And the capper is this: While there he talks to the KGB's officer in charge of assassinations in the Western Hemisphere. In light of all this, when Oswald arrived back in Dallas, the alarm bells should have been ringing on him

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<sup>177</sup> Ibid, p. 398.

<sup>178</sup> Ibid, p. 636.

<sup>179</sup> *Lopez Report*, p. 143.

<sup>180</sup> Ibid, pgs. 143-50.

throughout the intelligence community. Especially in view of Kennedy's upcoming trip to Texas. He should never have been allowed on the motorcade route. The Secret Service should have had the necessary information about him and he should have been on their Security Index. Yet none of this happened. At the time his profile should have been rising, the false cables were working to lower it. And the final stroke, which made sure the information would be concealed until November 22, 1963, was the removal of the FBI's Flash warning, which the Bureau had in place on Oswald since 1959. It was removed on October 9th. The day before the CIA issued the two faulty cables! This made sure Oswald would not be on the Security Index.<sup>181</sup> The fact that Oswald should have been on the Security Index is verified by Hoover's actions afterward. He censured, demoted, or transferred a number of agents for that specific failure. Including the FBI agent in Dallas who handled the Oswald file, James Hosty, and Marvin Gheesling, the man who removed the Flash warning.<sup>182</sup>

What is the end result of all this? The day after the assassination, on the morning of the 23rd, J. Edgar Hoover tells President Johnson about Oswald in Mexico City and his visits to both the Cuban and Russian compounds. Afterwards, CIA Director John McCone also talks to LBJ about Mexico City in person. So immediately, on 11/23, with Oswald appearing to have direct Soviet and Cuban contacts, the threat of nuclear war enters the conversation. Johnson later told Warren Commissioner Sen. Richard Russell that the question of Kennedy's murder had to be removed from the Mexico City arena. Why? Because ". . . they're testifying that Khrushchev and Castro did this and did that and kicking us into a war that can kill forty million Americans in an hour."<sup>183</sup> So the masquerade in Mexico City had its desired impact. It stopped any real attempt to search for the actual facts of this case. It was too dangerous. Oswald was a Red and he was talking to both the Cubans and Russians on the eve of the assassination. And CIA wannabe David Slawson was sent to Mexico City to make sure (either wittingly or unwittingly) that nothing about the Phillips/Goodpasture/Angleton masquerade was uncovered. In regards to the Warren Commission cover-up of all this, Hardway and Lopez write that Slawson's mission in Mexico City was getting formal testimony for authentication purposes.<sup>184</sup> Question for Mr. Slawson: Authentication for what?

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<sup>181</sup> DiEugenio and Pease, p. 222.

<sup>182</sup> Ibid.

<sup>183</sup> Douglass, p. 231.

<sup>184</sup> *Lopez Report*, pgs. 190-91.

If you do no investigation, what is there to authenticate?<sup>185</sup> By never talking to Duran for instance, Slawson never got to hear about her non-matching description of Oswald. Which could have unraveled the whole fraud.

## **Goodpasture Fixes the Problem**

This is not to say the plot was perfect. It wasn't. As Newman notes, the alleged Oswald tapes had to be made to disappear. Since it was not Oswald's voice on them, it threatened to expose the plot. Only the transcripts could be allowed to survive. But as CIA officer John Scelso noted in an internal memo, a copy of the October 1st intercept on Oswald had been discovered after the assassination.<sup>186</sup> Shortly afterward, Scelso would be removed from his duties as liaison to the Warren Commission from the CIA. (He eventually retired early.) Richard Helms would replace him with James Angleton. Who, of course, knew exactly what to send the Commission about Oswald and what not to send. But the cover-up about the existence of the tapes after the assassination was put in place earlier by the trusty Goodpasture. On the afternoon of 11/23 she sent out a cable stating that a voice comparison between two of the alleged Oswald calls had not been made at the time of Oswald's visit because the tape of the 9/28 call had been erased before the tape of the 10/1 call was received.<sup>187</sup> This is utter hogwash. As the *Lopez Report* establishes, the tapes were kept for ten days before being reused.<sup>188</sup> And further, as Newman noted at a conference at Duquesne University in 2003, there *was* a voice comparison made *and Goodpasture knew it*. Further, it is preposterous to state that a tape would be recycled in a matter of 72 hours over a weekend.<sup>189</sup> The disposal routine was never that fast, because it would not allow enough time for everything to be heard.

But Goodpasture then surpassed this first deception by sending out another cable on the 24th saying that *all* the tapes had been erased.<sup>190</sup> How do we know this was a deception? Because Goodpasture, when challenged by

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<sup>185</sup> Op. cit, *Probe*, Pease. As mentioned in this *Probe* article, the ARRB declassified the Warren Commission report on Mexico City, sometimes called the Slawson-Coleman report., since both Slawson and William Coleman wrote it. It is about 35 pages long, and, to be kind, is only a cursory inquiry.

<sup>186</sup> CIA Internal Memo of 12/13/63

<sup>187</sup> Newman, pgs. 633-34.

<sup>188</sup> *Lopez Report*, p. 60.

<sup>189</sup> *Ibid*, p. 165.

<sup>190</sup> Newman, p. 634.

Jeremy Gunn of the ARRB on this point, admitted that a tape dub had been sent to the Texas border on the night of the assassination. This was done through FBI agent Eldon Rudd, Hoover's attaché to the embassy.<sup>191</sup> Rudd later became a Congressman. Apparently, aware of that he was caught up in, he vehemently opposed the creation of the HSCA and refused to testify before the Committee.

### **Bugliosi Says: Don't Worry Baby**

Now, what does Bugliosi do with all of this utterly fascinating and oh so incriminating Mexico City material? It is actually kind of painful to detail. Let's start off with this: In his entire discussion of the issue, in both the pages of the main text and his End Notes, you will not find the name of James Angleton related to the cable traffic to and from Mexico City.<sup>192</sup> (The only mention of his name at all is to Win Scott's death.) If one eliminates Angleton, then one does not have to mention Oswald's restricted 201 file at CI/SIG, or why it was there. Further, one does not have to detail the very suspicious bifurcation issue Angleton was involved in prior to Oswald going to Mexico City. Which caused the cables sent out from CIA HQ to be faulty. You also then eliminate the undeniable impression that the Mexico City masquerade appears to be a combo operation: one with Angleton at HQ and Phillips in the field.

Further, Bugliosi also does not tell the reader about the wrong description of Oswald in the cable sent to the FBI, Navy, and State Department. And if you don't do that, then you avoid mentioning how that description resembles the false Mystery Man photo (which wasn't Oswald), and how that traces back to Anne Goodpasture. About the other cable, the one to Mexico which was missing all information after May 1962, Bugliosi actually calls that a memo about Oswald's citizenship.<sup>193</sup> Even though Scaleti said she knew Oswald was a former defector and she was worried about him being tied in with the Soviets. Even though Egerter knew at the time it was sent that Kostikov was KGB. (Maybe Bugliosi thinks that the CIA is worried about the issue of citizens versus residents speaking to KBG agents?) And Bugliosi leaves out the curious fact that the following other persons signed off on that memo: William Hood of Western Hemisphere Division (close friend of Richard Helms), Stephan Roll from Soviet Russia, Jane Roman and Ann Egerter of Counter Intelligence, John Scelso of Western Hemisphere, and Thomas Karamessines, assistant to Richard Helms, who was Director of Plans at the

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<sup>191</sup> Ibid, pgs. 653-54.

<sup>192</sup> See pages 1044-56 in text and pgs. 592-611 in the End Notes.

<sup>193</sup> EN, p. 604.

time.<sup>194</sup> So, to settle a citizenship issue about Oswald, six people, including Helms' Deputy, had to sign off? If that was truly the case, all Scalet had to do was give it to a researcher in Soviet Russia division to settle that citizenship point. What Bugliosi does not address is this: Why did the cable have to go all the way up to Karamessines? And if all these people signed off, how did all of them miss the fact that the cable contained false information?

But that's not even the worst part of what the prosecutor does. In his entire discussion of Mexico City, Bugliosi never talks about President Johnson's 11/23 call with Hoover. He never mentions Johnson's meeting with McCone. Consequently he doesn't have to mention the resultant fear instilled in LBJ by Oswald's Mexico City associations. And how these were expressed to Sen. Russell on a following call. This author even went to Bugliosi's chapters on LBJ and his section on the origins of the Warren Commission to find this extremely important material. It wasn't there. This, of course, eliminates how the Mexico City masquerade provoked the national security cover-up. It is very puzzling that Bugliosi could not find the space in 2,700 pages to even mention these crucial calls or the McCone meeting. Especially in light of his promise at the start that he would not knowingly omit or distort anything.<sup>195</sup> And that he would set forth the critics' arguments "the way they, not I, want them to be set forth ... ."

Further, Bugliosi also fails to mention another very important point about Hoover and Mexico City. The FBI Director himself came to understand that the CIA had pulled a deception on the Bureau. Seven weeks after the assassination, Hoover was reading a memo about how to keep abreast of CIA operations in the USA. He wrote on the margin, "OK, but I hope you are not taken in. I can't forget the CIA withholding the French espionage activities in the USA nor the false story re Oswald's trip to Mexico, only to mention two instances of their double-dealing."<sup>196</sup> Since, as we shall see, Hoover knew the voice on the tapes was not Oswald's, this is one issue he had to be referring to. I should add one other point about Hoover here. Rex Bradford has discovered that the tape of this extremely important Hoover/Johnson call is missing. The oddest part of its disappearance is this: The calls around this Hoover call that day are clear. When the Hoover call comes on, there is 14 minutes of silence interrupted only by a "pop" about every seven seconds.<sup>197</sup> So, for all we know,

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<sup>194</sup> Newman, pgs. 401-02.

<sup>195</sup> Bugliosi, p. xxxix. This issue will be brought up throughout this part of the book.

<sup>196</sup> DiEugenio and Pease, p. 224.

<sup>197</sup> See Bradford's essay, "The 14 Minute Gap", at the History Matters web site.

that call could be portray something even worse about Mexico City than what is in the transcript.

## **The Tapes did not Disappear**

Quite naturally, since Bugliosi finds Phillips a credible witness, the author buys his story about the Mexico City Oswald tapes being routinely destroyed before the assassination.<sup>198</sup> To believe this canard, one has to disregard the following:

1. The 11/23 call from Hoover to LBJ in which he mentioned the tape being in possession of the FBI.
2. A five-page memo from Hoover to LBJ of the same day where he tells LBJ that his agents have reviewed the tape and the voice is not Oswald's.
3. Similar memos from Hoover to James Rowley of the Secret Service and Clyde Tolson of the FBI in which he said the same.
4. A memo from FBI agent Burt Turner of 11/25 which stated the Oswald tapes had been previously reviewed in Dallas.
5. Goodpasture's deposition to Jeremy Gunn in which she relates how a tape dub got to Texas.
6. In that same deposition Gunn mentions to her that he talked to two former members of the Commission who said they heard the tapes.
7. Winston Scott's statements to his wife that he had a vinyl recording of Oswald's calls in Mexico City.
8. CIA officer's Stanley Watson's testimony to the HSCA that the tapes existed after the assassination.
9. Dallas SAC Gordon Shanklin's conversation with FBI Chief Alan Belmont on 11/23 where he mentions his agents listening to the tape.
10. John Scelso's internal CIA memo referred to above.

I could add at least three or four other official sources. But the point is made. Anyone who could believe Phillips on any aspect of the JFK case, but especially Mexico City, has lost both objectivity and perspective. As, throughout this book, Bugliosi reveals he has. If Robert Blakey's HSCA had been a real investigation, Phillips would have been indicted for both perjury

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<sup>198</sup> Bugliosi, p. 1050.

and obstruction of justice, as would his assistant Goodpasture. In fact, Tanenbaum and Sprague wanted to do just that before they were deposed.<sup>199</sup>

There is a reason why I have discussed both Chicago and Mexico City in tandem. Arranged together, they show two things. First, some group was targeting President Kennedy in November of 1963. If they did not succeed in Chicago, they would learn from their errors and succeed, with almost the same tactical operation, in Dallas. Second, someone rigged the system from the inside in advance. For if either incident had been exposed properly as it happened, President Kennedy would not have been killed in Dallas. Third, the complex and multi-leveled Mexico City masquerade is the dramatic and clear evidence we have of, as Richard Case Nagell termed it, "a big conspiracy". As Le Carre described in his masterpiece *The Spy Who Came in From the Cold*, it is a plot of almost superhuman complexity. In this you had the figures of Phillips in the field and Angleton at HQ shepherding it. But that large enterprise could not have succeeded without the incredible incuriosity of David Slawson and, to a lesser extent William Coleman, who did the limp investigation of Mexico City for the Commission. At the invitation of Richard Helms, who helped plan their escorted trip.<sup>200</sup>

Bugliosi here actually seems to favor the pathetic work of Slawson and Coleman over the monumental effort of Lopez and Hardway. That tells you all you need to know about the value of the discussion of Oswald and Mexico City in *Reclaiming History*. But by relying on Slawson, Bugliosi can uphold another statement he makes in his Introduction. Namely that not the smallest speck of evidence has ever surfaced showing that any of the critical community's suspect groups, including the CIA, was in any way involved in the assassination.<sup>201</sup>

But in his deference to Slawson, Bugliosi leaves out a rather revealing incident about the man. When the Assassination Records Review Board was just starting up in 1994, they called a conference of authorities to convene in Washington to offer advice on avenues of approach to the declassification process. That is, what should they look for and where. One of the people they invited was Slawson. Another was John Newman. Inevitably, the subject of Oswald and Mexico City came up. The ARRB wanted to know if when Slawson and Coleman went there, did they hear any tapes of Oswald. So a member of the ARRB asked the Warren Commission lawyer if he had heard any such tapes while he was in Mexico City.

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<sup>199</sup> *Probe*, Vol. 6 No. 1, "Speech by Bob Tanenbaum, Chicago Symposium, April 1993", p. 26

<sup>200</sup> Op. cit. Pease in *Probe*.

<sup>201</sup> Bugliosi, p. xlii.

With a detachment that bordered on diffidence, Slawson replied with, "I'm sorry but I'm not at liberty to discuss that." There was a pause while everyone took in what the Commission counsel just said. Another board member explained to the Slawson that there was no classification problem anymore. Congress had passed a law that made the ARRB the governing board on this issue, and the president had signed the law. Their function was to seek out any lost or hidden or classified records. And the tapes were one of them. Therefore, they asked Slawson again, "Did you listen to the Mexico City tapes?" Slawson again responded with, "I'm sorry, but I'm not at liberty to discuss that."<sup>202</sup>

In relation to the ARRB and the mystery surrounding his dead president, David Slawson chose to defy the law in deference to privileged information given to him by the CIA 30 years ago. This is the man Bugliosi trusts in relation to Oswald, the CIA and Mexico City. No further comment on the subject is necessary.

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<sup>202</sup> Newman, pgs. xiii-xiv, 2008 edition.