

## **Tom Hanks, Gary Goetzman, and Bugliosi's Bungle: A Comprehensive Review of *Reclaiming History* Part III**

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In Part II of this review, I demonstrated how Bugliosi ignored, discounted, or rearranged evidence for Oswald's innocence in the Kennedy assassination, e.g., the exculpatory results of the paraffin test, his whereabouts in the Texas School Book Depository before the assassination, and his poor marksmanship. I also noted how Bugliosi did the same with the Tippit shooting, most notably in regards to the issue of multiple wallets, and the lack of Oswald's fingerprints on the car. I then went on from there to elucidate in detail the stilted view of Oswald's short life that Bugliosi borrowed from CIA asset Priscilla Johnson. This view of Oswald tells only half a story. And by leaving out the half that indicates the outlines of an undercover intelligence agent, Bugliosi (via Johnson) leaves the larger part of the iceberg underwater. The part that is not revealed transforms the one-dimensional sketch that the authors portray.

A big reason that virtually all the "Krazy Kid Oswald" advocates partake in the Johnson camouflage is because if they don't, you can't portray Oswald as that Krazy Kid anymore. His life now attains rhyme and reason; he is understandable as a human being. But further, if you go the full disclosure route on Oswald, then the outlines of a conspiracy are clearly discerned—and Oswald is part of it, not as perpetrator or assassin, but as a pawn. Perhaps the best evidence for this is the events in Chicago and Mexico City, which occurred almost in tandem, right before JFK's murder. I 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*.

### **III.1**

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, namely, Edwin Black's remarkable essay on the attempt to murder JFK in Chicago in early November 1963. Of all people, he uses the authors of *Ultimate Sacrifice* to characterize Black's milestone work (Bugliosi, End Notes, p. 712). But *Ultimate Sacrifice*—as it does with everything else—seriously distorts Black's article, and robs it of its true meaning (see [http://www.ctka.net/ultimate\\_final.html](http://www.ctka.net/ultimate_final.html)).

For a comparison of what the author could have done with this startling story, we will soon compare Bugliosi's treatment of what happened in 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 specious book *Ultimate Sacrifice*. One main difference between the two writers is 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 up. So far from using that book to mischaracterize Black's work—as Bugliosi does—he used Black as a *starting point*. He then actually went to Chicago and did some field investigation. (This is a good place to comment on this particular shortcoming of *Reclaiming History*: there is very little evidence that Bugliosi went anywhere, to either visit sites, or to interview witnesses in person. In all the years he worked on this book, outside of going to Dallas, it appears he wrote the overwhelming bulk of it from his home office. Considering the time and money available, this reflects quite poorly on him and his book.)

As I wrote in my long discussion of *Ultimate Sacrifice*, once the reader compares the Black article (*Chicago Independent*, “The Plot to Kill JFK in Chicago,” November 1975) to the obfuscation in *Ultimate Sacrifice*, one begins to see just how important Black's seminal essay was. To begin his discounting of the 1975 piece, Bugliosi never describes who Black is, so the unsuspecting reader will probably think he's one of those zanies who Bugliosi spends so much time ridiculing. Not so. 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 written two excellent books on Israel and the Holocaust: a truly remarkable volume, *The Transfer Agreement*; and *IBM and the Holocaust*. (For how distinguished Black is, see <http://www.edwinblack.com/>.)

Obviously, with those credentials, you can't discredit the material by smearing the messenger—so in this case, Bugliosi just doesn't inform the reader who Black is. Then, in the main text, he describes what happened in Chicago by using all of—I counted them—38 words (p. 1245), stuck in the middle of a very long sentence, which includes the following clause: “although those failures almost assuredly did not contribute to what ultimately happened” (*ibid.*) Here he is referring to the Secret Service's failures in Chicago, and how they did not really impact what occurred in Dallas three weeks later. In light of what the full facts are, this is a bit preposterous. Why? To name one reason: the plot that was aborted in Chicago is so similar to what happened in Dallas that it could qualify as a dress rehearsal. 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 Douglass, Black's article is enough to tell you that. Consider just the comparison of Thomas Vallee, the prospective patsy 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 usually eagle-eyed prosecutor missed the similarities between Vallee and Oswald. 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, like the authors of *Ultimate Sacrifice*, he leaves out the code name of the informant. Black didn't. The informant's codename was “Lee” (Black, p. 6). Black put this on the first page of his article. How could Bugliosi have missed it?

Besides the similarities between Vallee and Oswald, the Chicago plot was 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 (James Douglass, *JFK and the Unspeakable*, p. 200). Furthermore, when Douglass visited the place where Vallee was working at the time, a print shop on Jackson Boulevard, 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 ....” (*ibid.*, p. 206) Yet, in defiance of logic and common sense, Bugliosi says that none of this information could have helped prevent what happened in Dallas—even though the actual circumstances were nearly the same! But this is the price a writer pays for not going to the places he writes about: You end up writing nonsense.

Douglass also talked to Thomas Vallee's sister. She told him that, like Oswald, her brother's ambition was to be a Marine. Like Oswald, he lied about his age to join the Marine Corps. Unlike Oswald, he succeeded in his subterfuge (*ibid.*, p. 204). Injured in the Korean War by a mortar shell, he suffered from severe mood swings. So what the Warren Commission and Priscilla Johnson 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 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, he moved back to Dallas right before the assassination. At around that same time, Vallee moved from New York back to Chicago (*ibid.*, p. 205). And his eventual place of work, like Oswald's, hovered right over Kennedy's motorcade route. You have to ask: How could anyone miss the clear points of comparison?

In addition to the FBI tip from “Lee”, Vallee was also spared because of 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 him 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 (*ibid.*, p. 207)—which, since Bugliosi never went to Chicago, he could not tell us about.

How accurate was “Lee’s” original information? It came in on Wednesday, 30 October 1963, three days before Kennedy’s scheduled visit on Saturday, 2 November. The four-man ambush was to occur along the motorcade route as it came in from the airport, down the Northwest Expressway, and into the Loop. On Thursday, 31 October, a landlady from a boarding house on the North side said that 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. 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 (*ibid.*, p. 201).

On Thursday night, two of the men were captured and interrogated. They 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 (*ibid.*, p. 213). Rowley phoned Chicago and told the local chief, Maurice Martineau, to send the top-secret report by special courier to Washington.

Besides Vallee, the other major character in this important episode is Secret Service agent Abraham Bolden. Bolden had been transferred out of the White House detail two years previously, because he had complained about the poor security that President Kennedy was receiving (*ibid.*, p. 200). Bolden, now in Chicago, felt that he would come under suspicion since he knew how this Chicago attempt was being hushed up.

He was right. On 18 November 1963, the IRS offered him a new assignment as an undercover agent investigating 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 that the President was soon going to be shot (*ibid.*, p. 214). When Dallas occurred, Bolden immediately noted the similarities between that crime scene and the one planned for Chicago. So did other agents. But Martineau told them to be quiet. Bolden obeyed—for a while.

But while in Washington in May of 1964, he tried to contact the Warren Commission to tell them of the Chicago plot and its similarity to Dallas. He tried to call Chief Counsel J. Lee Rankin about it. A fellow Chicago agent overheard him. The next day he was ordered back to Chicago to take part in busting a counterfeiting ring. When he arrived back home, he was arrested by fellow agents (*ibid.*, p. 215). The charge: trying to sell Secret Service files to counterfeiters. The chief witness against him later confessed that he was instructed to lie on the stand. Bolden ended up serving nearly four years in Springfield. While there, the authorities attempted to give him mind-altering drugs. While falsely imprisoned, his wife and family had their house bombed, their garage set on

fire, and a rifle fired through their window (*ibid.*, p. 216). Once Bolden was released, he had to rebuild his life. He did.

What does Bugliosi have to say about all this? As with Oswald's association with the CIA, he relies on the compromised House Select Committee on Assassinations (HSCA). They said that they were unable to document the existence of the hit team, and that Bolden's reliability was of questionable value (End Notes, p. 711). He then uses Bolden's trial against him—without telling the reader that the chief witness admitted that his testimony was perjured. Bugliosi concludes that if there was something happening in Chicago, it was all about Vallee. He can do this, because he never mentions Moyland's vow of silence, the landlady's information, or the informant's name of "Lee". And, as you can see from the quote at the start of this section, he doesn't tell the reader who the illustrious Black is, or detail the contents of his essay. Black spent eight months on his investigation: he visited four cities; he scrutinized hundreds of local, state, and federal records; he interviewed dozens of witnesses; he had his house broken into; and he was followed by a DIA agent (Black, p. 3). But, by never leaving his living room, Mr. Bugliosi knows better. He doesn't. If the reader compares Douglass or Black with *Reclaiming History* on this issue, it's like comparing day and night. It's the difference between real investigative reporting, and cheap polemics. See for yourself: you can read Black's essay at <http://www.blackop-radio.com/The%20Chicago%20Plot%20by%20Edwin%20Black.pdf>.

### III.2

I am going to 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. Yes: he uses the proven liar, and highly provocative suspect, David Phillips. Secondly, it is an object lesson in how the author discounts and dilutes the outlines of a conspiracy involving Oswald.

As most of us know, the official story has Oswald arriving in Mexico City on the morning of 27 September 1963, and checking into the Hotel del Comercio (*Warren Report*, p. 733). But I want to turn the clock back a little further. The Commission writes that Oswald left New Orleans by bus on 25 September, a little after the noon hour. He then arrived in Houston at 10:50 p.m. (*Warren Report*, p. 731). From here, early on the morning of 26 September, Oswald boarded a Continental Trailways bus and departed for Laredo, Texas. He then crossed over into Mexico at Nuevo Laredo that afternoon (*ibid.*, p. 733).

The Commission produced a witness who said he saw Oswald on the evening of 24 September, with two pieces of luggage, about to board a bus (*ibid.*, p. 730). No one knows for sure where Oswald spent the evening of 24 September (*ibid.*, p. 731). The Commission assumes that Oswald checked his baggage at the bus station on 24 September, and they say that, on 25 September, he collected a Texas unemployment compensation check at his post office box. He cashed the check sometime before noon at a Winn-Dixie Store. John Armstrong discovered something unusual about this check: Oswald's endorsement signature is not on

the reverse side (John Armstrong, *Harvey and Lee*, p. 604). Bugliosi does not note this, in either place where he discusses the transaction (Bugliosi, pp. 747–748; p. 1304). But, at first, he uses this check transaction to say that Oswald's presence in New Orleans on the morning of 25 September is firmly established (Bugliosi, p. 1304). There is also a dispute as to when Oswald 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 24 September (*ibid.*, p. 747)—but the postmark on the card says 25 September; a second postmark, by the main mail station, says 26 September (Armstrong, p. 605); and the FBI informant at the post office said it was submitted on 26 September (*ibid.*)—yet this is the time that the Commission said Oswald was leaving Texas to enter Mexico. Oddly, the card in evidence is not the original, but rather a copy (*ibid.*).

Now, all of these conflicts and questions in the record pertain to the time before Oswald even leaves 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.” (Bugliosi, p. 748) 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 (*Warren Report*, p. 731). 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 (Warren Commission, Vol. 1, p. 27; *Warren Report*, p. 868)!

As students of the case know, the Commission said that Sylvia Odio was wrong about one “Leon 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 that it was Oswald at Odio's door—but he moves the incident up to 24 or 25 September. He has to, or else he runs the risk of admitting to an imposter, either at Odio's, or in Houston boarding the bus to Laredo (Bugliosi, p. 1312). He also says that Oswald drove to Odio's with his two Cuban friends. Moving this up to 24 or 25 September creates problems as to when Oswald really cashed his unemployment check—which, as noted above, Bugliosi used to firmly establish Oswald in New Orleans on 25 September. It also creates a conflict with when he really dropped his change-of-address card in New Orleans. Or did someone else do both? Bugliosi acknowledges these possibilities and, rather humorously, he calls the Commission record “defective” in this regard (*ibid.*, p. 1311). And Bugliosi 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? He does not answer this question; he doesn't even pose it (*ibid.*, p. 1312)—probably because 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 envelopes him in it. As we shall see, Oswald is about to unwittingly star in a plot worthy of John Le Carre. As much as Bugliosi tries to deny it, he fails.

### III.3

The *Warren Report* tells us that on 26 September 1963 Oswald boarded Continental Trailways bus No. 5133 in Houston, headed for Laredo, at 2:35 a.m. (*Warren Report*, p. 732). What the report does not say is that the FBI could not find the teller who sold Oswald the ticket for this bus ride. The Bureau then searched seven other cities in the area, and another bus company, Greyhound—all with negative results (FBI Airtels from San Antonio and Dallas, 6 December 1963, 10 December 1963). The two drivers of the bus did not recall Oswald either (*ibid.*). The Commission placed him on the bus through the testimony of Dr. and Mrs. John McFarland, who boarded in Houston (*Warren Report*, *op. cit.*). The McFarlands testified to an unusually loquacious Oswald, who had no problems telling them the following: he was headed to Cuba via Mexico City; he was secretary of the Fair Play for Cuba Committee in New Orleans; and 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 that he was about to break the law (Philip Melanson, *Spy Saga*, p. 96). On the early afternoon of 26 September, 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, scheduled to arrive in Mexico City at 9:45 a.m. on 27 September.

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 odder is that Oswald's FM-8 card, used to record entry and exit means, is empty in this regard (Armstrong, p. 615). Furthermore, 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 arrived in Mexico to investigate (Philip Melanson, *Spy Saga*, p. 95). 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 5 December 1963 the FBI could not determine with certainty how and when Oswald crossed the border (FBI Airtel from San Antonio, 5 December 1963; Melanson, *ibid.*). One day later, a Mexican Customs Inspector gave the Bureau a luggage list, containing Oswald's name, peculiarly misspelled, to place him on bus No. 516 (FBI Airtel from San Antonio, 15 May 1964). Here's the problem with this record: the list was supposed to be for luggage stored in the baggage compartment. By all accounts, Oswald carried his one piece of baggage onto the bus. So why is his name on this list? (Armstrong, *op. cit.*)

The *Warren Report* tells us about two other witnesses who said that 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, where he said he had stayed on several previous occasions (*Warren Report*, p. 733). As the late Philip Melanson observed, the usually secretive Oswald “seemed compelled to leave an indelible impression among passengers concerning his pro-communist background and his alleged plans” (Melanson, p. 96). The two young girls were named Patricia Winston and Pamela Mumford. At the time that

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 (Warren Commission, Vol. 11, p. 221). Oswald's hair was straight.

The final 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 three sentences (*Warren Report*, p. 733). The FBI reports on Albert Osborne, a.k.a. John Howard Bowen, could constitute a lengthy pamphlet: this was 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; a man who had at least three aliases; a man who told the Bureau that he was a missionary, yet told passengers on the bus that he was a retired teacher who was writing a book on earthquakes (Melanson, p. 95). After his return from Mexico in 1963, he told the Bureau that 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. The man Bowen described as Oswald had a dark complexion with thin blond hair. This discussion of the Osborne–Bowen story could go on for pages on end; but, 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 (Melanson, *ibid.*).

How do Haines and Bugliosi deal with all of the above? In their biographical section on Oswald, Haines and Bugliosi decree that the evidence that Oswald was on the Flecha Roja bus was “conclusive” (p. 751), the actual source cited being CE 2195: a long FBI report on the Osborne–Bowen story. The closest it comes to “conclusiveness” is on pp. 2–3—yet this refers only to nameless informants who said they *saw* a passenger manifest, not to the manifest itself. The second source the authors rely on CE 2482. But this is actually the rebuilt manifest from the luggage list, discussed above—“rebuilt”, because of the peculiar way Oswald's name is misspelled. (Bugliosi could have compared it to pp. 18–19 of CE 2129, an FBI report on the baggage list, to confirm that fact.) Furthermore, the two Australian girls that 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?

Let me conclude this discussion by pointing out three more things about the evidence that Bugliosi uses to place Oswald on the Flecha Roja bus. CE 2195, the FBI investigation of Osborne, 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 having one bag, which the witnesses said he carried with him on the bus. So why was his name on the baggage list? The witness the Commission used to place Oswald going to the bus station to leave New Orleans had him carrying two bags. What happened to the second bag? Or

wasn't he describing Oswald? I note here that this discrepancy even bothered the Commission, and even *David Slawson!* But not Bugliosi.

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 26 September. The list was given to him by officers of Mexican Customs and Mexican Immigration. Reportedly, Oswald's name was not on that list (Armstrong, p. 616).

### III.4

The incredible thing about this puzzling chronicle of Oswald's trip to Mexico City so far is that 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, 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. And it should be added that getting him back is even worse: what seems to have happened in that agents of the Mexican President's office, probably at the behest of the CIA, made a mistake and put his name on a manifest for the wrong bus departing on the wrong day, i.e., a Transportes Frontera bus leaving on 2 October 1963 (Armstrong, p. 680–1), whereas the actual Mexican Immigration records have him leaving by auto on 3 October (*ibid.*, p. 678). The Transportes Frontera bus records were confiscated and altered, with Oswald's name entered as "Oswld" (see CE 2122). The problem with this bus is that it could not get him into Laredo and then Dallas at the right time. The FBI spent weeks figuring out that error, and then correcting it, i.e., getting him into Laredo on a *Transportes del Norte* bus, at a time he could catch a Greyhound into Dallas that would jibe with people seeing him there (*Warren Report*, p. 736–737). The other reason Hoover had to get him on a bus was that Oswald allegedly could not drive—so if he left Mexico by auto, it held out the possibility that he was there with unnamed friends—which, considering the nature of his activities there, could not be allowed to stand, especially in light of the Odio story. Hoover is quite explicit about this in an FBI cable to Mexico City, dated 12 March 1964, where he says, "Until we can prove Oswald was on a bus, this possibility will always exist that he left by automobile as indicated in Mexican Immigration Records." So the Bureau got him out of the car, off the wrong bus and onto the right one. (Most of the sordid story can be read in CE 2121, CE 2122, and CE 2530). None of this bizarre and suspicious back-story—not one drop—is related in *Reclaiming History*. Bugliosi never tells the reader about the original Mexican Immigration records with Oswald leaving by car, nor the wrong bus records, nor the confiscation and alteration of the bus manifest, nor Hoover's demanding memo (Bugliosi, pp. 760–1).

Let us now return to Oswald in Mexico City. The Commission states that when Oswald arrived in Mexico City on the morning of 27 September, he walked from the bus station to the Hotel del Comercio (*Warren Report*, p. 733). He stayed there for his entire trip. But yet, when the FBI first investigated this aspect of the story, they could find no one at the hotel who recalled Oswald (*Probe*, Vol. 4,

No. 1, p. 15). The only evidence to his stay there was his name on the hotel register. Yet this posed some problems. As I described in my first book, *Destiny Betrayed*, every name on the 27 September 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 27 September, and on the register for 28 September, Oswald's name is again in unique handwriting—and it is not the same handwriting as the previous day's (p. 264).

So the FBI had another 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 that he “was not completely certain how much she really remembered and how much she may have picked up by suggestion from newspaper reporters” (*Probe, op. cit.*).

Today, the narrative of this fascinating trip at this point—when Oswald is about to visit the Russian and Cuban consulates—can be supplemented by four major sources: the declassified version of the HSCA's *Lopez Report*; John Newman's two chapters on the subject in his important book, *Oswald and the CIA*; John Armstrong's long chapter in his book *Harvey and Lee*; and 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 counsel Michael Goldsmith. It took three passes for the Assassination Records Review Board to largely declassify the report. And if one reads the works by Newman and Armstrong, one sees how reliant they are on the revolutionary discoveries in the *Lopez Report*—and they, in some ways, built on the report because there were some things that surfaced in the interim to supplement it.

What Bugliosi says about the *Lopez Report* reveals a lot: he actually calls it a “giant dud” (Bugliosi, p. 1052). I guess he prefers what his colleague David Slawson did in his Mexico City inquiry. By all accounts, Sylvia Duran—the receptionist at the Cuban Consulate who talked to Oswald more than once—is a key witness. 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 Mexico City is this: they never interviewed her (*Lopez Report*, pp. 190–1); they relied on edited transcripts of her brutal interrogation at the hands of Mexican security forces (the DFS). During this ordeal, she was held in solitary confinement, and tortured. One of the most risible 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” (*ibid.*, p. 305). Some of the questions posed to her—attempting to outline a Cuban plot against JFK—appear to have been suggested by Phillips (Arm-

strong, p. 647). A real point of embarrassment today is this: when the CIA passed on the interrogation summary to the Commission, one of the things edited out was her non-matching description of Oswald (*Warren Report*, p. 302): she said he was short and blonde and fair (*Lopez Report*, p. 186).

Bugliosi writes that one of the problems he has with the *Lopez Report* is that he can't figure out what an imposter would be doing in Mexico City at the same time as Oswald (*ibid.*). As we shall see, the reason is this: as in *Le Carre*, the cover-up is being constructed 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. I will explain what I mean by this later.

Before getting to that climactic point, let us outline what Oswald was supposed to have done in Mexico, and let us 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* (p. 356), John Newman charts the sequence of events we are to believe Oswald was involved in from 27 September 1963 to 1 October 1963. 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 also visit Cuba. Oswald was supposed to have called the Soviet Consulate twice on Friday, the morning of 27 September. He then visited the Cuban Consulate and talked to Duran at about 11:00 a.m. 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 one to Cuba. Oswald then left to go to the Russian Consulate. There he runs into problems, since they tell him it will 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 leaves a call for the Soviets. They call back and explain what really happened. Oswald created a 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 28 September, there is a call at the Soviet Consulate with a woman's and a 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, 30 September. And, finally, there are two more calls to the Soviet Consulate, on Tuesday, 1 October, supposedly from Oswald alone.

To contradict Bugliosi's twin contentions that there was no imposter in Mexico City, and that the *Lopez Report* is a "giant dud", just look at the following chart: <http://www.maryferrell.org/mffweb/archive/viewer/showDoc.do?docId=799&relPageId=130>. It is from the *Lopez Report*, and 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 (pp. 593–4). 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 they are the wrong transcripts, then where are the right ones? And why did the CIA furnish the HSCA with these wrong ones? Further, on 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 after Friday (Newman, p. 368). And in an incisive five-page analysis, Newman shows how the dialog 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 (*ibid.*, pp. 364–8). For instance, the call ends with the Oswald imposter saying he will return to the Soviet Consulate to give them his address, that he left at the Cuban Consulate. Yet he never returned to give it to them. So what does this really mean? Bugliosi is 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 could explain their apparent failure in picking up Oswald. Winston Scott was the CIA Chief of Station; he is not mentioned in the *Warren Report*. David Phillips headed Cuban Operations out of Mexico; 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*. Elsie Scaleti received the memo from Mexico City about Oswald allegedly being at the Soviet Consulate and talking to KGB agent Valery Kostikov; Scaleti is not 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 Headquarters is detailed in the *Warren Report*. 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* (pp. 156–7). Not only does there appear to have been no inquiry done between 1 October 1963 and 22 November 1963, but the Agency lied about it.

In light of the above, it is surprising to realize that Bugliosi seems to prefer what the Commission did in this regard over what Lopez and Hardway did. Why did the Commission do what it did—that is, a non-inquiry? One reason is that the man running the Mexico City inquiry for them was Slawson. As I mentioned

at the end of Part II, Slawson was so enthralled by the Agency that he still felt loyal to them in 1994. In his interview with the HSCA, Slawson 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 (*Probe, op. cit.*, p. 14). So Slawson was a good choice to conceal what the Agency was doing with Oswald in Mexico City, for the key to understanding the Mexico City masquerade is encapsulated in the hoary adage from Sherlock Holmes: it's that the dog didn't bark. (I will soon make clear what I mean by that.) Bugliosi misses this mystery with a completeness that is almost astounding.

### III.5

*"I watched as David Phillips, his hands shaking noticeably, lit his third cigarette. He had forgotten he had two already burning, hardly touched ...."*

—Gaeton Fonzi, *The Last Investigation*

The man who caused Phillips to lose his equilibrium 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 Cuban conspirators in Mexico City, e.g., tales told by Gilberto Alvarado, Pedro Gutierrez, and Comer Clark (Fonzi, p. 279). For instance, Alvarado was a Nicaraguan informant to American Embassy personnel in Mexico. He said that Oswald had been recruited by Cuban G-2 agents to kill Kennedy, i.e., that Castro murdered JFK. 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 this was completely misleading. Each story coming out of Mexico City in this regard could be traced back to an asset run by Phillips (*ibid.*, p. 293). In fact, when I interviewed Lopez at his home about this issue, he said that the two set up a color-coded chart on the subject linking Phillips to each person involved in the disinformation campaign—including Alvarado. 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 Headquarters once they discovered Oswald in direct contact with the Russian Consulate—that is, with one Valery Kostikov of the KGB. This was known on 1 October 1963, yet the cable did not arrive at Langley until a week later, 8 October. Phillips tried to blame, of all people, the translators for this slow work.—yet the *Lopez Report* proves that they turned around urgent tapes in twenty-four hours (*Lopez Report*, p. 84)—which this job had to be. Phillips insisted that he knew that this was the reason for the delay, since he signed off on that late cable. He knew he signed off on it because it spoke of Cuban matters, which was his bailiwick in Mexico City. Lopez and Hardway found out that, first, Phillips did not sign off on the cable; and, second, that the cable did not "mention anything about the Cuban Consulate or Oswald's contact with it" (*ibid.*, p. 128). And perhaps most compellingly, they also found out that Phillips *could not* have signed the cable, because he was not

even in Mexico City at the time (*ibid.*)! So why was the cable sent out so late? Probably, firstly, in order to keep Oswald's profile low at the time; and, secondly, to not have to investigate him *at the time* he was supposed to be in Mexico City—then you ran the risk of exposing the masquerade. It was this necessity that Phillips had to lie about.

In light of the above frauds, it is hard to believe, but Bugliosi actually finds Phillips a credible witness: he values this proven liar's word over that of Ed Lopez (Bugliosi, pp. 1049–50).

I noted above that the *Lopez Report* introduced the public to a woman named Anne Goodpasture, assistant to both Phillips and Scott. In fact, she figures quite prominently in that extraordinary report—which 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. They do this to try to 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 at least 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. When they talked to Goodpasture, she named a gentleman who “made all the decisions and had all the responsibility involved in the operation” (*Lopez Report*, p. 47). 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 legwork (*ibid.*). Goodpasture then lied again, and said she was only the alternate case officer, who routed some of the product, and ensured its technical quality. The authors 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.” (*ibid.*)

When confronted with the facts in the Fitness Report, Goodpasture *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.” (*ibid.*, p. 49) 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 whom Goodpasture first tried to lay the responsibility off on was telling the truth: he only did the legwork for Goodpasture (*ibid.*). In other words, Goodpasture was deliberately misleading Lopez and Hardway, because she did not want them to know about her prime role in the CIA's photo surveillance operations.

But why? 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 phone taps and surveillance wires, she should have requested a photo from CIA Headquarters immediately. This should have happened in a timely manner, while Oswald was in Mexico City. As the *Lopez Report* chronicles, it did not. Goodpasture seems to know something

is wrong here; this is why she is deceiving Hardway and Lopez about her role in the surveillance operation.

It is hard to believe, but 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 inform the reader of her attempted deception about this matter to Lopez and Hardway (End Notes, p. 603).

The *Lopez Report* found three witnesses who said that Goodpasture "held the photographic production very tightly". The Tarasoffs, a husband and wife 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." (p. 51) The third witness was quoted as saying that the file "was tightly controlled by Ms. Goodpasture" (*ibid.*). This is important for two reasons. First, when I interviewed Lopez after reading the report the first time, I asked him who Goodpasture was. He described her as Phillips' assistant. So from what he discovered, she worked as much for Phillips as she did for Scott—probably more—so she had to have shared the Cuban portion of the take with him.

But there is a more important reason to emphasize the control that Goodpasture had over the CIA's photographic production at the consulates: the CIA refused to give Lopez and Hardway the actual production or the notes from the photo base at the Soviet Consulate called LILYRIC (*Lopez Report*, p. 44). They even lied about its hours of operation, saying that it was the same as another photo base called LIMITED. It was not (*ibid.*, p. 40). But there appears to be a good reason behind the fabrication: LIMITED operated from 2:00 p.m. to darkness each day of the week except Sunday; LILYRIC operated from dawn until 2:00 p.m. each day except Sunday (*ibid.*). Oswald, or his imposter, allegedly visited the Soviet Consulate on Friday and Saturday *before* 2:00 p.m.; therefore, LILYRIC should have photographed him. But yet the CIA would not show that photo cache to Lopez and Hardway. Why? In response to this key question, let me note that there is exactly one mention of LILYRIC in Bugliosi's 2,600 pages: "LILYRIC was located in a second-floor apartment also across the street from the embassy, but down the street a bit from LIMITED. It did not directly face the gate of the embassy ...." Bugliosi never tells the reader about its hours of operation, how it should have shot Oswald, or that the CIA refused to divulge its contents to Lopez and Hardway (End Notes, p. 600). He even tries to excuse this by writing that LILYRIC was not installed until after 1963 (*ibid.*). Evidently, he didn't read that "giant dud" *Lopez Report* completely: Lopez and Hardway saw the CIA's surveillance project reviews of 1961–63; and LILYRIC was included in all three reviews (*Lopez Report*, p. 40).

This is a good place to add another exception to what the CIA would give Lopez and Hardway: they would not give them the coverage or notes from the pulse-activated camera outside the Cuban Consulate (*ibid.*, p. 29). Why was it called "pulse activated"? 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." (*Lopez Report*, p. 303) Hard to believe that a camera like this

could have missed Oswald three times; yet Bugliosi does not tell the reader about the CIA's reluctance to give the HSCA the production or notes from this camera. Something else that Bugliosi does not tell you about this camera is that Phillips told another lie about its installation: he said that it was not installed until December 1963 (Armstrong, *Harvey and Lee*, p. 643)—which, if true, would help explain why there was no photo taken of Oswald when he visited the Cuban Consulate in September 1963. But the authors of the *Lopez Report* discovered a CIA dispatch from 26 September 1963, saying that the pulse camera had been tested and was in good working order (*ibid.*, Armstrong; *Lopez Report*, p. 18). So did it capture Oswald? We don't know, since the CIA won't tell us--which doesn't seem to bother the author(s) of *Reclaiming History* very much.

Here is something else not included in *Reclaiming History*—and, in fact, not even in the *Lopez Report*: on 27 October 1978, about two months before the HSCA was disbanded, Hardway wrote a memo to HSCA Chairman Louis Stokes. It said that on both 27 and 28 September 1963, about ten feet of film was taken from the cameras covering the Cuban compound, and developed. It then disappeared at CIA Headquarters. Oswald, or the man who posed as him, was likely in the film that was deep-sixed (Armstrong, p. 637).

Now, here is one reason that this may have happened: the description of Oswald as given by consul 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" (Armstrong, p. 646). Bugliosi tries to say that only Azcue described Oswald this way (Bugliosi, p. 1044); but as we have seen, this is false: in Duran's notes of the encounter with the man she said was Oswald, she described him much as Azcue did (Fonzi, p. 289). 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 that she had seen Oswald again on 28 September 1963. (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: *Lopez Report*, p. 190.) 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" (*op. cit.*, Fonzi). 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, and part of a pro-Castro group which had contacts with the Cuban Embassy. One night in September 1963, a man named Oswald approached him after a discussion meeting, who told them about his problem in getting a visa to Cuba. He asked if Contreras could help him through his contacts at the Cuban compound. That evening, Contreras called Azcue and a Cuban intelligence officer about the man. They thought that he was an agent provocateur attempting to penetrate leftist groups, so Contreras did not help him. Contreras' description of Oswald was similar in all respects to the ones quoted above by Duran and Azcue (Fonzi, pp. 289–290). (Bugliosi goes full bore in trying to discredit Contreras: he said that Contreras told his television producer that 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 referring to? End Notes, p. 608) And finally there was a woman named Elena Garra de Paz, a friend of

Duran's. She reported on a man who fit this description, whom she said she saw *with* Oswald—which, of course, is extremely interesting (*Lopez Report*, pp. 246, 259).

In 1978, Lopez located and interviewed two CIA assets who worked inside the Cuban Consulate during Oswald's visit. They both told him that the man accused of killing Kennedy was not the man they saw at the consulate, and they also told Lopez that they reported this to the CIA station in Mexico City (Fonzi, pp. 293–4).

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, 3 August 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 resembles Lee Harvey Oswald—but they do resemble the man described by Azcue, Duran, and Contreras (Armstrong, pp. 646–7; the actual pictures are reproduced on the CD accompanying *Harvey and Lee*).

Bugliosi can fulminate from now until Doomsday; the issue of an Oswald imposter in Mexico City will not go away.

### III.6

*She's a lying, conniving bitch. And if there was any justice in this world, she'd be in jail.*

—Ed Lopez to Jim DiEugenio, describing Anne Goodpasture

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 in the first week of October 1963, in order to link his picture to a call allegedly from him to the Soviet Embassy (*Lopez Report*, p. 126). But the delay in finding the photo of Oswald supposedly resulted in the cable not getting to CIA Headquarters until 8 October 1963—yet, even after the delay, this photo was not of Oswald. So why was it sent? The excuse given by Goodpasture in the *Lopez Report* is that it was the only photo of a non-Latin taken the day of the call, i.e., 1 October 1963 (*ibid.*, p. 137). (Goodpasture also testified that, in these situations, they would check the photos for a few days in advance of the call: *ibid.*, p. 138.) It is imperative to note here that Bugliosi accepts this same rationale from David Phillips in *Reclaiming History*—which clearly implies that Phillips and Goodpasture collaborated on this excuse (p. 1054). But it's not true. Lopez and Hardway discovered that there *was* another non-Latin male photographed, on 27 September, and that he had not been identified at that time (*Lopez Report*, p. 138). Why was his photo not considered or sent? (What makes this even worse is that the authors write that Goodpasture tried to change this man's name to a Latin-sounding one in order to conceal this fact from them: *ibid.*, p. 139.)

But furthermore, the photo of the Mystery Man was *not taken* on 1 October 1963, nor prior to that: it was taken on 2 October 1963 (*ibid.*). Why is this important? If the photo was taken on 1 October, it could conceivably be of Oswald since, he was still in Mexico City. But if it was taken on 2 October, 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 (*ibid.*, p. 140)! 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 thirteen 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 23 November 1963, which said that the photo Goodpasture sent to them of Oswald outside the Russian Embassy was not of Oswald, and requesting a recheck of the photos (*ibid.*, p. 141). It turns out that the Mystery Man was photographed two more times in October, and the CIA probably knew who he was: KGB officer Yuri Moskalev (*ibid.*, p. 179). After analyzing the situation, Lopez and Hardway concluded that Goodpasture actually knew by 11 October 1963 that the Mystery Man was not Oswald (*ibid.*, p. 159)—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 2 October 1963, 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.

It’s painful for me to note, but in his entire discussion of Goodpasture, Bugliosi never tells the reader about her role in misidentifying Oswald in the Mystery Man photo—nor how implausible her excuse for it is; nor 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.

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 phone lines under surveillance, prepared by monitors in the listening post (*Lopez Report*, p. 303). 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 (*ibid.*, p. 60). 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 the raw data, they could never compare what they were given with what was originally recorded. And since the Agency maintained that the original 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 that Duran says did not occur.

Anne Goodpasture received each resuma production by 9:00 a.m. the next day (*ibid.*). If a call synopsis looked interesting, Goodpasture gave the tape to the translators for a complete transcription (*ibid.*, p. 62) 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 (*ibid.*, p. 63). Goodpasture handled the Russian production; the Cuban transcripts went to two men, one of whom was Phillips (*ibid.*, p. 70). If a call was marked “urgent”, that tape would be translated within twenty-four hours, frequently on the same day that it was turned in (*ibid.*, p. 84). This is important, since at least one of Oswald’s alleged calls to the Russian Consulate fell into this category (*ibid.*, p. 126). Furthermore, Alan White told Lopez that any American citizen that spoke broken Russian in the Russian Embassy would be of operational interest and the call should be sent back to Washington (*ibid.*, p. 133). Again, Oswald’s calls fit White’s description, but they were not sent back.

Now, excluding the very long delay in getting the 1 October 1963 cable from Mexico City to CIA Headquarters about Oswald at the Soviet Embassy, there is another suspicious circumstance about Phillips and the tapes. On 1 October, Mexico City sent another cable to CIA Headquarters, asking to retain a diplomatic pouch for Michael Choaden, which was an alias for Phillips (Armstrong, p. 670). 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 Headquarters went to the Special Affairs Staff/Counter Intelligence unit, instead of Soviet Russia/Counter Intelligence. Phillips was part of the former (Armstrong, *ibid.*; Peter Scott, *Deep Politics III*, at the History Matters website). 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 potential access to material coming to CIA Headquarters from Mexico City on Oswald from each direction: Goodpasture gave him the Cuban Consulate originals in Mexico City, and he had access to any copies and transcripts at CIA Headquarters. This means that 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 any 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 that the cameras were not operative that day (*Probe*, Vol. 7, No. 2). When he asked for any Oswald audiotapes, Phillips said that 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. But he never got that far, because he was ousted (*ibid.*)—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.

Second, in this regard, there is the missing transcript of 30 September 1963. The Tarasoffs recalled a transcript of Oswald's that they typed, which the CIA has never produced (Newman, p. 356). The thing that made Mrs. Tarasoff's memory of this so indelible and accurate is that 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 (*ibid.*, p. 371). 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 transcribed from the Russian Embassy. She added that Oswald had asked for financial aid of some sort (*ibid.*). She further added that this call was marked "URGENT", which meant that 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 (*ibid.*, p. 376). Phillips could only have known this if he heard the contents of the 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* (*ibid.*, p. 377). Bugliosi acknowledges this call—although he changes the date to 1 October—but he does not reveal Phillips' (quite guilty) knowledge of the contents (Bugliosi, p. 1050)—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*. As I wrote in my review of that important book, the last two calls allegedly by Oswald on Tuesday, 1 October 1963, 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 that they had to be made, because in 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, whom the CIA will reveal on 22 November 1963 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 (Newman, pp. 617–8)—and, to quote myself, "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 that the tapes had to disappear. The reason that 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 ever will see.

### III.7

*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.*

—Lopez Report, p. 142

Bugliosi never mentions this pregnant phrase out of the *Lopez Report*. The very first time I read the report, it jumped out at me like a flashing spotlight. When I brought my annotated copy of the report to Eddie Lopez, I asked him about that other section, and told him I couldn't find it in the report. He gazed at me with a puzzled look. He then took the report from me 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 to me. He collected himself, and said softly, "They always hated that part." He paused, and added, "If I was them, I would have hated it too."

"Was Oswald an Agent of the CIA" is not in the *Lopez Report*, even today—even after the Assassination Records Review Board closed up shop. 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: James Angleton's CI/SIG. In my review of Newman's *Oswald and the CIA*, I explain that this is where Oswald's file at the CIA first appeared, but only after an odd delay, after he defected in November 1959 (Newman, p. 25) 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 (*ibid.*, p. 27). 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 1 October 1963 cable sent up by Mexico City, reporting Oswald's contact at the Russian Consulate—the one that took seven days to get to CIA Headquarters, and which Phillips lied about in his lame attempt to explain the suspicious delay. When that cable finally arrived, it went to the Mexico City desk. Desk officer Elsie Scaleti requested a name trace, and found that the 201 file of "Lee Henry Oswald" was marked "restricted". It was located at CI/SIG, and had to be signed off by Angleton's assistant, Ann Egerter. Before I explain why it 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 raised the question as to "whether there was a possibility he really was working for the Soviets or what" (*Lopez Report*, p. 143). In other words, was Oswald a Russian agent? Egerter also said that the cable created a lot of excitement, because Counter Intelligence suspected Kostikov was a KGB agent (*ibid.*). Egerter then added that Oswald "had to be up to something bad to be so anxious to go to the Soviet Union" (*ibid.*). 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 kept under surveillance by the Secret Service upon Kennedy's visit to Dallas? This is the Holmesian mystery that I referred to above: The dog that did not bark; the mystery that Bugliosi completely ignores.

To understand why it didn't bark, one has to go back about a week in time. On or about 23 September 1963, Angleton began to bifurcate Oswald's file: the FBI reports on Oswald's Fair Play for Cuba Committee exercises in New Orleans went into a new operational file, separate from his 201 file (Newman, p. 393). The FBI report went into a CI/SIG soft file, and also his Office of Security file. So when Scaleti went to get Oswald's 201 file, she was apparently unaware of this other file.

Two cables were written at CIA Headquarters, based upon the combination of the delayed Mexico City cable, and the segregated 201 file. On 10 October 1963, one is sent out to the Bureau, the State Department, and the Navy, describing a man who doesn't fit Oswald's description: he is 35 years old, has an athletic build, and stands six feet tall (Newman, p. 398). 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 that the latest information that Headquarters had on Oswald was a State Department 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, as Newman writes in his 2008 update, James Angleton was the one man at the CIA who had access to all of Oswald's information (*ibid.*, p. 636). He clearly did not inform Egerter of this. Further, Egerter left this incomplete 201 file at the Mexico City desk until 22 November 1963 (*Lopez Report*, p. 143). Hardway and Lopez discuss these two dubious cables for seven pages (pp. 143–150). Egerter and Scaleti cannot explain them. Either Hardway and Lopez were not aware of the bifurcation issue that began on 23 September 1963, or they discussed it in the section on Oswald that disappeared. Finally, although Egerter said that she suspected Kostikov was KGB, the information about him being an assassinations officer is not revealed until the day of the JFK assassination. One can imagine the impact that that revelation had on 22 November 1963: the alleged assassin of JFK met with the KGB agent in charge of political termination, seven weeks previously. But the fact that 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; and 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 caper 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 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 that the information would be concealed until 22 November 1963 was the removal of the FBI's Flash warning, which the Bureau had in place on Oswald since 1959. It was removed on 9 October 1963—the day before the CIA issued the two faulty cables! This ensured that Oswald would not be on the Security Index (*The Assassinations*, p. 222). 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 James Hosty and Marvin Gheesling, the man who removed the Flash warning (*ibid.*).

What is the end result of all this? The day after the assassination, on the morning of 23 November 1963, 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 23 November, with Oswald appearing to have direct Soviet and Cuban contacts, the threat of nuclear war enters the conversation. Johnson later told Warren Commissioner Senator 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" (Douglass, p. 231). 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. Hardway and Lopez write that Slawson's mission in Mexico City was to get formal testimony for authentication purposes (*Lopez Report*, pp. 190–1). Question for Mr. Slawson: authentication for what? If you do no investigation, what is there to authenticate (*Probe*, *op. cit.*)? By never talking to Duran, for instance, Slawson never heard about her non-matching description of Oswald—which could have unraveled the whole fraud.

This is not to say that 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, they 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 1 October 1963 intercept on Oswald had been discovered after the assassination (CIA Internal Memo of 13 December 1963). 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 23 November 1963 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 28 September call had been erased before the tape of the 1 October call was received (Newman, pp. 633–4). This is utter hogwash: as the *Lopez Report* establishes, the tapes were kept for ten days before being reused (p. 60). And, furthermore, as New-

man noted at the 2003 Duquesne Conference, there *was* a voice comparison made, and Goodpasture knew it. In addition, it is preposterous to suggest that a tape would be recycled over a weekend (*ibid.*, p. 165). But Goodpasture then surpassed this first deception by sending out another cable on 24 November 1963, saying that *all* the tapes had been erased (Newman, p. 634). How do we know that this was a deception? Because Goodpasture, when challenged by Jeremy Gunn of the Assassination Records Review Board on this point, admitted that a tape dub had been sent to the Texas border the night of the assassination. This was done through FBI agent Eldon Rudd, Hoover's attaché to the embassy (*ibid.*, pp. 653–4). Rudd later became a Congressman who vehemently opposed the creation of the HSCA, and refused to testify before the Committee.

Now, what does Bugliosi do with all of this utterly fascinating and oh-so-incriminating Mexico City material? It's actually painful to describe. Let's start off with this: in his entire discussion of the issue—in both the pages of the main text (pp. 1044–56), and his End Notes (pp. 592–611)—you will not find the name of James Angleton related to the cable traffic to and from Mexico City. (The only mention of his name at all is in relation 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 that Angleton was involved in prior to Oswald going to Mexico City, which caused the cables sent out from CIA Headquarters to be faulty. You also then eliminate the undeniable impression that the Mexico City masquerade appears to be a combination operation, with Angleton at Headquarters, and Phillips in the field.

Furthermore, Bugliosi also does not tell the reader about the wrong description of Oswald in the cable sent to the FBI, the Navy, and the 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. The other cable—the one to Mexico which was cut off all information after May 1962—Bugliosi actually calls a memo about Oswald's citizenship (End Notes, p. 604), even though Scaleti said that she knew that Oswald was a former defector, and that she was worried about him being tied in with the Soviets; even though Egerter knew at the time that it was sent that Kostikov was KGB. (Maybe Bugliosi thinks that the CIA is worried about the issue of citizens versus residents speaking to KGB agents.) And Bugliosi leaves out the curious fact that the following other persons signed off on that memo: William Hood of Western Hemisphere Division (a 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 (Newman, pp. 401–2). So, to settle a citizenship issue about Oswald, six people, including Helms' Deputy, had to sign off? Please. If that was truly the case, then all Scaleti had to do was give it to a researcher in Soviet Russia division to settle the point. What Bugliosi does not address is this: why did the cable have to go all the way up to Karamessines? And if all of these people signed off on it, how did all of them miss the fact that the cable contained false information?

But that's not even the worst part. In his entire discussion of Mexico City, Bugliosi never talks about President Johnson's 23 November 1963 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 Senator Russell on a following call. I even went to his 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 the issue of the Mexico City masquerade provoking the national security cover-up. It is very puzzling that Bugliosi could not find the space in 2,600 pages to even mention these crucial calls, nor the McCone meeting—especially in light of his promise at the start that he would not knowingly omit or distort anything (p. xxxix), and that he would set forth the critics' arguments “the way they, not I, want them to be set forth ...” (*ibid.*)

Furthermore, 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.” (*The Assassinations*, p. 224) Since, as we shall see, Hoover knew that 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 the Hoover call that day are clear. When the Hoover call comes on, there is fourteen minutes of silence, interrupted only by a “pop” about every seven seconds (see “The Fourteen Minute Gap” by Rex Bradford at the *History Matters* website). So, for all we know, that call could be even worse about Mexico City than the transcript describes.

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. To believe this canard, one has to disregard the following:

1. The 23 November 1963 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 25 November 1963 which stated that the Oswald tapes had been previously reviewed in Dallas.

5. Goodpasture's deposition to Jeremy Gunn of the ARRB, 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 that 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 Stanley Watson's testimony to the HSCA that the tapes existed after the assassination.
9. Dallas Special Agent in Charge Gordon Shanklin's conversation with FBI Chief Alan Belmont on 23 November 1963, 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 I think the point is made. Anyone who could believe Phillips on any aspect of the JFK case, but especially Mexico City, has been talking to Gus Russo for too long. And, as Bugliosi reveals in several places, he has.

There is a reason why I have discussed both Chicago and Mexico City in tandem. Grouped together, they show two things. First, some group was targeting President Kennedy in November 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, 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 Carré described in his masterpiece, *The Spy Who Came In from the Cold*, a plot of almost superhuman complexity. In this, you had the figures of Phillips in the field, and Angleton at Headquarters 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 accepted the invitation of Richard Helms to have him plan their escorted trip to Mexico City (*Probe, op. cit.*, p. 14).

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 (p. xlii.)

After reading the above, maybe one other person would agree with that: David Slawson.