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HEARINGS

Before The

Executive Session

SELECT COMMITTEE ON ASSASSINATIONS

HOUSE OF REPRESENTATIVES

Tuesday, April 25, 1978

Witness - David Atlee Phillips

Washington, D.C.

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1 House of Representatives
2 Subcommittee on the Assassination of John F. Kennedy
3 of the Select Committee on Assassinations
4 Washington, D. C.
5 Tuesday, April 25, 1978

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Testimony of David Atlee Phillips

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E X E C U T I V E S E S S I O N

TUESDAY, APRIL 25, 1978

House of Representatives,

Subcommittee on the Assassination
of John F. Kennedy of
the Select Committee on
Assassinations,

Washington, D. C.

The subcommittee met, pursuant to notice, at 11:05 a.m.,
in room 2200, Rayburn House Office Building, the Hon. Richardson
Preyer (chairman of the subcommittee) presiding.

Present: Representatives Preyer, Dodd and Devine.

Staff Members Present: M. Goldsmith, E. Berning,
D. Hardway, J. Blackmer, W. Triplett, E. Lopez and G. Fonzi.

Mr. Preyer. The committee will resume its hearing.

Mr. Phillips, thank you for being here today. I know
that it was an inconvenience to you and we appreciate your
working out your schedule so you could be here.

Mr. Phillips. Yes, sir.

Mr. Preyer. We will ask you to be sworn, sir.

Do you solemnly swear that the evidence you will give to
the committee will be the truth, the whole truth and nothing
but the truth, so help you God?

Mr. Phillips. I do.

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TESTIMONY OF DAVID ATLEE PHILLIPS

Mr. Preyer. Thank you, Mr. Phillips.

I believe you have been given a copy of the rules of the committee.

Mr. Phillips. Yes, sir, I have.

Mr. Preyer. At this time I will give a brief statement concerning the subject of the investigation which we give to every witness.

House Resolution 222 mandates the committee to conduct a full and complete investigation and study of the circumstances surrounding the assassination and death of President John F. Kennedy in determining whether the existing laws of the United States concerning the protection of the President and the investigatory jurisdiction and capability of agencies and departments are adequate in their provisions and enforcement and whether there was full disclosure of evidence and information among the agencies and departments of the United States Government and whether any evidence or information not in the possession of an agency or department would have been of assistance in investigating the assassination and why such information was not provided or collected by that agency or department and to make recommendations to the House if the Select Committee deems it appropriate for the amendment of existing legislation and the enactment of new legislation.

The Chair will recognize Mr. Goldsmith for the beginning

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1 of the questioning.

2 Mr. Goldsmith. Thank you, Mr. Chairman.

3 Mr. Phillips, for the record would you state your full
4 name and address, please.

5 Mr. Phillips. David Atlee Phillips, [REDACTED]

6 [REDACTED] Bethesda, Maryland, 20034.

7 Mr. Goldsmith. Mr. Phillips, are you a former employee
8 of the CIA?

9 Mr. Phillips. Yes, I am.

10 Mr. Goldsmith. Would you give the committee a summary
11 of the positions that you held while you were at the agency?

12 Mr. Phillips. I was recruited by the CIA as a part time
13 assistant in 1950 in Chile where I was a newspaperman. I
14 continued in that capacity for some four years and became a
15 full time intelligence officer in 1954 [REDACTED]

16 In 1955 and 1956 I was in Cuba.

17 In 1957 and 1958 [REDACTED]

18 In 1959 and 1960 I was in Cuba again.

19 During the remainder of 1960 and 1961 I was in the
20 Washington task force which worked on the Bay of Pigs opera-
21 tion.

22 In late 1961 I was assigned to Mexico City.

23 In early 1965 I became the Chief of Station [REDACTED]

24 [REDACTED]
25 I returned to Washington in 1967 and became the Chief of

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1 Cuban Operations for the CIA through 1969.

2 In 1970 I was the Chief of Station in [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 In 1971 I went to [REDACTED] where I was Chief of Station.

6 In mid 1973 I was returned to Washington to become the

7 Chief of the Western Hemisphere Division of the CIA.

8 Mr. Goldsmith. When did you retire from the agency?

9 Mr. Phillips. On the 9th of May 1975.

10 Mr. Goldsmith. Are you affiliated with the Retired

11 Intelligence Officers Association?

12 Mr. Phillips. Yes. I am the founder of that organiza-

13 tion.

14 Mr. Goldsmith. Are you the president of that organiza-

15 tion?

16 Mr. Phillips. I am sorry, sir.

17 Mr. Goldsmith. Are you presently the president of that

18 organization?

19 Mr. Phillips. No, I am not the president. I am a member

20 of the board of directors.

21 Mr. Goldsmith. Would you explain to the committee what

22 the purpose of that association is?

23 Mr. Phillips. In 1975 I was personally concerned about

24 what I thought was happening to the U. S. intelligence

25 community. The clandestine operator is perhaps the only

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1 American that does not have a constituency and so I decided
2 to form an organization of former intelligence men and women
3 from all services to try to play some sort of constructive
4 role in the deliberations of intelligence in the future.

5 Mr. Goldsmith. Mr. Phillips, have you spoken to anyone
6 at the agency in reference to your testimony today?

7 Mr. Phillips. Have I spoken about my testimony today
8 with anyone at the agency? One person, Mr. Robert Shaw,
9 because before I knew I was going to be asked here we had
10 plans to have lunch together and I told him that I had been
11 asked to come down here and we decided that we would not have
12 on the agenda any discussion of what we talk about down here
13 and we did not.

14 Mr. Goldsmith. So you in no way discussed what you
15 thought might have been the substance of your testimony here
16 today?

17 Mr. Phillips. Absolutely not.

18 Mr. Goldsmith. And other than Mr. Shaw there was no one
19 at the agency that you spoke to in reference to your testimony?

20 Mr. Phillips. No.

21 Mr. Goldsmith. At this time I would ask the clerk to
22 show Mr. Phillips Exhibit 94. This is a letter from the
23 Acting Director of this committee to the chairman of this
24 committee. Would you please read that exhibit.

25 Mr. Phillips. Yes.

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1 Mr. Goldsmith. You have read the letter?

2 Mr. Phillips. I have, sir.

3 Mr. Goldsmith. And do you understand the letter?

4 Mr. Phillips. I understand it. It gives me complete
5 freedom to discuss things despite my secrecy with the agency.

6 Mr. Goldsmith. So that you would be obliged to testify
7 fully and truthfully before this committee.

8 Mr. Phillips. Absolutely.

9 Mr. Goldsmith. Mr. Phillips, is it true that it is
10 agency policy for case officers, for example, to have
11 pseudonyms?

12 Mr. Phillips. Yes. Of course all case officers have
13 a pseudonym.

14 Mr. Goldsmith. Will you explain to the committee what
15 the purpose of that pseudonym would be?

16 Mr. Phillips. A pseudonym is used so that on records
17 such as pay papers, all sorts of records that go back and
18 forth in a pouch in cable traffic you can refer to a person
19 without actually using his true name. It is a registered
20 thing that a person keeps throughout his career unless for
21 some reason it is blown, unless it becomes known publicly,
22 in which case the pseudonym is changed.

23 Mr. Goldsmith. Would the pseudonym also be used by a
24 case officer when the case officer contacts an agent?

25 Mr. Phillips. Very rarely. I don't know that anyone

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1 ever did it. Case officers would not use a pseudonym. A
2 pseudonym is always a first name, a middle initial and a last
3 name. A pseudonym can be Jim Smith.

4 Mr. Goldsmith. So you would distinguish between a
5 pseudonym and an operational alias, is that correct?

6 Mr. Phillips. Absolutely.

7 Mr. Goldsmith. What was your pseudonym while you were
8 at the agency?

9 Mr. Phillips. I have two. My last one was Michael C.
10 Choaden.

11 Mr. Goldsmith. And what was your earlier one?

12 Mr. Phillips. Paul D. Langevin.

13 Mr. Goldsmith. When did you assume the second one, if
14 you recall?

15 Mr. Phillips. Oh, I am going to take a stab at this.
16 I don't really recall.

17 Mr. Goldsmith. Fine. Do you recall which operational
18 aliases you have used in the past?

19 Mr. Phillips. No, because I would guess that in 25 years
20 that I may have used 200 -- a hundred, say.

21 Mr. Goldsmith. Would it be agency policy for an opera-
22 tional alias to be registered?

23 Mr. Phillips. Not necessarily formally. A pseudonym,
24 yes, is registered and you push the buttons and it comes out
25 of a machine. An alias might just go in the files, it might

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8

1 not necessarily be registered formally.

2 Mr. Goldsmith. In which files would an alias go into?

3 Mr. Phillips. In the operational files. An officer
4 might use an alias on a one time basis and use the name Jim
5 Smith on a one time basis and it would only be in that one
6 file. Some officers have a habit of using an alias over a
7 period of time because it is something that they can remember.
8 I remember that I had one alias I used on more than one occa-
9 sion which was the first name of one of my good friends in high
10 school and the last name of one of my good friends in high
11 school so that I could remember.

12 Mr. Goldsmith. So your testimony then is that the agency
13 does not have essentially a registered index of operational
14 aliases, is that correct?

15 Mr. Phillips. If they do, I was not aware of it.

16 Mr. Goldsmith. And your testimony would be that to the
17 extent that there was any record of these aliases it would be
18 in the files. By files do you mean files that were located in
19 the local station or at headquarters?

20 Mr. Phillips. Both. I think I should make it clear that
21 in the cases of aliases used by foreigners that probably those
22 aliases go into a central file. AKA, also known as, and there
23 might be a number but in the case of American staff officers
24 it might be in the file in the station, it might be in a file
25 at the headquarters because the paper was duplicated. It might

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1 be in both places.

2 Mr. Goldsmith. Mr. Phillips, did you previously give
3 testimony before this committee?

4 Mr. Phillips. Yes, I did.

5 Mr. Goldsmith. Was that in November? November 27, 1976?

6 Mr. Phillips. The formal testimony before the chairman
7 I believe was on a Saturday. I am not sure of the date. I
8 also talked to the staff the day before. I remember it was
9 the Thanksgiving holidays.

10 Mr. Goldsmith. Was that in 1976?

11 Mr. Phillips. Yes, it was.

12 Mr. Goldsmith. For purposes of review I would like to
13 go over with you and with the committee the substance of your
14 testimony that day.

15 First you gave testimony pertaining to the nature of the
16 CIA's Mexico City station's surveillance and operations
17 against the Soviet and Cuban embassies and consulates specif-
18 ically with regard to their photo surveillance operation and
19 the wiretapping operations. Do you recall giving testimony
20 to this effect?

21 Mr. Phillips. I did to the extent that I was aware of
22 the details but certainly I didn't talk about it.

23 Mr. Goldsmith. Understood. And at that time you also
24 gave testimony regarding the procedures for delivering tapes
25 from the outside surveillance unit to the Mexico City station,

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1 for getting tapes transcribed, for erasing and reusing tapes,
2 for dealing with conversations of special interests, for
3 routing transcripts of conversations contained on the tapes
4 to appropriate officers at the Mexico City station. Do you
5 recall giving testimony to this effect?

6 Mr. Phillips. I do, to the degree that I knew the
7 detail, and I recall at the same time that I gave the names
8 of persons who knew better than I what the details were, yes.

9 Mr. Goldsmith. Fine. At that time you also gave testi-
10 mony regarding the criteria that is applied for when an
11 intercepted conversation was considered sufficiently important
12 to warrant sending a cable to Washington, D. C.

13 Mr. Phillips. I don't recall that but I am sure that I
14 did.

15 Mr. Goldsmith. And then specifically there was a discus-
16 sion in reference to the Oswald visit to Mexico City. Do you
17 recall that?

18 Mr. Phillips. Yes, I do.

19 Mr. Goldsmith. For the purposes of further clarification,
20 you gave testimony regarding the substance of a transcript that
21 you reviewed and it pertained to an intercept of an Oswald
22 conversation. Specifically, the intercept was linked to Oswald
23 prior to the assassination and the particular time involved was
24 early October, late September of 1963. Do you recall giving
25 testimony to that effect?

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1 Mr. Phillips. Yes, and I believe that then I finally
2 came down in that testimony on the fact that I believe I
3 recall seeing a transcript after the assassination which
4 substantiated the story told by a Mr. Celia Duran from the
5 Cuban embassy.

6 Mr. Goldsmith. We will try to work this step by step.
7 I will get to that.

8 Mr. Phillips. Okay.

9 Mr. Goldsmith. My recollection is that you discussed
10 two intercepts and two transcripts but first was the transcript
11 that you reviewed in early October of 1963 and the substance
12 of that and the thrust of that conversation was more or less
13 as follows: Oswald was saying to the Celia that he spoke to
14 at the embassy, What have you heard about my visa? What news
15 do you have?

16 Mr. Phillips. Yes, sir, I recall.

17 Mr. Goldsmith. You also made the statement to the effect,
18 What's wrong? Why don't you do this? That should be a state-
19 ment to Oswald. Do you recall making that statement?

20 Mr. Phillips. Sir, I don't.

21 Mr. Goldsmith. Do you recall indicating that your opinion
22 was that Oswald intimated to the Soviets, Well, you really
23 should talk to me?

24 Mr. Phillips. Yes, I recall that.

25 Mr. Goldsmith. I see that you are hesitating somewhat.

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1 For purposes of refreshing your memory I would like briefly
2 to review that portion of the transcript with you.

3 Will the clerk hand the witness a copy.

4 Specifically I would ask you to refer to page 51, line 12.

5 Mr. Phillips. Yes, sir.

6 Mr. Goldsmith. Read that paragraph.

7 Mr. Phillips. At the beginning of line 12?

8 Mr. Goldsmith. Starting with line 12 to line 21.

9 Mr. Phillips. Yes.

10 Mr. Goldsmith. Do you recall giving that testimony?

11 Mr. Phillips. Yes, sir. If I may mention the context
12 and the circumstances under which it was given, the reason that
13 I was called on that holiday weekend is that there was a story
14 in the Washington Post by Mr. Ron Kessler and that story came
15 out in effect saying that I confirmed the fact that Oswald
16 had offered something to the Soviets and that information
17 about that first message was not passed to the Warren Commis-
18 sion, so those are the circumstances under which I was called
19 out.

20 I was working under the fact that I didn't think Mr.
21 Kessler's report without our various conversations on the
22 subject was an accurate reflection of what I thought and so
23 that paragraph was saying in trying to recall these things
24 that perhaps it was my total perception in looking back one
25 Lee Harvey Oswald was there trying to get a visa and my

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1 feeling that he was saying to them, Yes, you should give me
2 one. Thinking about that -- and I think I might have mentioned
3 this -- some of that may very well have come from the fact
4 that afterwards I read that when he went to Mexico City he
5 went with some papers to show them that he was a member of
6 the Fair Play for Cuba Committee and so forth.

7 Mr. Goldsmith. I believe, Mr. Phillips, that you did
8 at that time make a distinction between your recollection that
9 was based upon the transcript that you reviewed in October of
10 1963 and events subsequent to the assassination. We will get
11 into that distinction later on.

12 Mr. Phillips. All right.

13 Mr. Goldsmith. In addition you also testified before
14 the committee about an intercept that came to your attention
15 after the assassination; specifically it was a conversation
16 between Silvia Duran and somebody else and it was about Oswald.
17 Do you recall that?

18 Mr. Phillips. Yes, I do.

19 Mr. Goldsmith. With regard to the transcript, the sub-
20 stance of your testimony was that it was treated in the normal
21 way; the transcript was routed to a Mr. Manell who was in
22 charge of Soviet operations in Mexico City and then later to
23 you, and the reason it was routed to you was because of the
24 Cuban mention in it. Do you recall giving testimony to that
25 effect?

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1 Mr. Phillips. Yes. I am not sure that I said I was
2 absolutely positive of that but that is the way it should
3 have happened and I had that recollection.

4 Mr. Goldsmith. For purposes of further clarification
5 why don't we take a look at page 57, line 6, and have you
6 read that section. Read through to line 10, please.

7 Mr. Phillips. All right.

8 Mr. Goldsmith. Have you read that? Do you recall
9 giving testimony to the effect of the substance that I just
10 summarized for you?

11 Mr. Phillips. Yes, I do.

12 Mr. Goldsmith. Fine.

13 Mr. Phillips. If I may add something there.

14 Mr. Goldsmith. You will get a chance to go into the
15 details later in the hearing. This is primarily for back-
16 ground purposes.

17 Mr. Phillips. I see. Very good.

18 Mr. Goldsmith. With regard to the transcript, you also
19 gave testimony regarding a transcriber's note that the person
20 speaking spoke in very bad Russian and you had the understand-
21 ing that the person speaking was an American. Do you recall
22 giving testimony to that effect?

23 Mr. Phillips. Yes, I do.

24 Mr. Goldsmith. You also gave testimony with regard to
25 the cable that was sent from Mexico City to CIA headquarters

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1 and you indicated that this cable was sent approximately three
2 days after you first saw the intercept. Do you recall giving
3 testimony to that effect?

4 Mr. Phillips. Yes, I do.

5 Mr. Goldsmith. And you also indicated that in fact you
6 signed off on the cable because of the reference to a Cuban
7 situation. Do you recall that?

8 Mr. Phillips. I recall that I said I probably signed off
9 on it. It would have been part of my job and so forth, yes,
10 but I recall it.

11 Mr. Goldsmith. Fine. At that time you also gave testi-
12 mony explaining to the committee why the cable was sent out
13 several days after the intercept came in.

14 Mr. Phillips. Yes.

15 Mr. Goldsmith. And specifically you indicated that
16 Mr. Manell was busy, he sometimes procrastinated, and in fact
17 you considered the cable important and for this reason you
18 made some inquiries of him as to whether the cable had been
19 sent. Do you recall that?

20 Mr. Phillips. Something along that line, yes.

21 Mr. Goldsmith. With regard to the contents of the cable
22 the substance of your testimony was that it referred to Lee
23 Henry Oswald, it gave the physical description that did not
24 fit Mr. Oswald and it indicated that a contact with the Soviet
25 embassy had been made in reference to a visa. Do you recall

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1 giving testimony to that effect?

2 Mr. Phillips. I do. At a later date I decided that I
3 was wrong about the Henry originating in that cable.

4 Mr. Goldsmith. We will get into that later on.

5 Mr. Phillips. All right.

6 Mr. Goldsmith. I would like to indicate for the record
7 that in the event that I do not cover a question or raise a
8 question that permits you to answer what is on your mind, at
9 the end of the hearing you will be given five minutes to
10 address the committee to raise any additional points.

11 Mr. Phillips. Very good.

12 Mr. Goldsmith. Similarly, at the time of your testimony
13 you gave testimony to the effect that the cable made reference
14 to a photograph, it gave an incorrect description of Oswald
15 and that the reason for this was that either [] or
16 [] had put together a transcript of a man calling
17 the Soviet embassy about a visa with a picture of that man
18 who had been to the Soviet embassy so that a transcript and
19 a picture had been put together and I believe your testimony
20 was that in this case 1 and 1 did not equal 2.

21 Mr. Phillips. That is correct.

22 Mr. Goldsmith. You also gave testimony regarding the
23 cable that came from headquarters to the Mexico City station
24 on or about October 16 and that cable had the correct name of
25 Oswald according to your testimony. It gave the background

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1 of Oswald, his marriage to a Soviet citizen, his military
2 background. Further, it gave a correct description of Oswald.
3 I believe you indicated that the cable originated before
4 Oswald's contact with the Soviet embassy. Do you recall
5 giving testimony to that effect?

6 Mr. Phillips. Yes, I do.

7 Mr. Goldsmith. I would like at this point to go into
8 these areas in more detail.

9 First turning to the area of tapes, how long were tapes
10 retained as a matter of routine procedure in Mexico City in
11 1963 prior to the tapes being erased for reuse, if you know?

12 Mr. Phillips. All right. I must tell you that my
13 recollection is based on what I understood other people were
14 doing. I was never involved in the business of handling the
15 tapes per se, I never visited the place where the transcribing
16 was done and so forth but my recollection was that they were
17 usually kept for a couple of weeks or so and then they were
18 erased so that you would not have them piling up in a room
19 and reused again. I did not actually deal with the tapes.

20 Mr. Goldsmith. After the assassination did the Mexico
21 City station have in its possession a tape of Lee Harvey
22 Oswald's voice?

23 Mr. Phillips. Not to my knowledge.

24 Mr. Goldsmith. I would like at this time for the clerk
25 to give to Mr. Phillips a stack of materials that we received

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1 from the CIA.

2 I would ask you to refer to CIA document No. 198. For
3 the record I will indicate that these are materials that you
4 received from the Central Intelligence Agency yesterday and
5 the agency has made an effort to provide us with the documents
6 that we need. At the same time they have asked that we make
7 every effort to keep these documents secure and account for
8 them. In that regard they have numbered every document that
9 they have given to us and rather than introduce these documents
10 into the record I will simply be referring to the document by
11 the number that the agency has assigned to it. So in this
12 case we are referring to CIA No. 198.

13 Mr. Phillips. This is a cable, yes.

14 Am I correct that this is a cable?

15 Mr. Goldsmith. Yes.

16 Mr. Phillips. And it is the red number 198 that you are
17 referring to at the bottom of the page.

18 Mr. Goldsmith. That is correct. I ask if you would
19 please read through this cable.

20 Mr. Phillips. All right, sir.

21 Mr. Goldsmith. Now I believe you have identified this as
22 a cable. What is the date of the cable?

23 Mr. Phillips. 23 November 1963.

24 Mr. Goldsmith. I would like to refer your attention to
25 the second paragraph, specifically the second sentence of that

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1 paragraph, and ask you to reread that, please.

2 Mr. Phillips. All right, sir.

3 Mr. Goldsmith. Now according to the sentence it indicates
4 that the station is unable to compare voices because the first
5 tape was erased prior to the receipt of the second call. Does
6 this suggest to you that one tape was still in existence at
7 the time that the cable was sent? In other words, the cable
8 does not say all tapes re Oswald have been erased, it indicates
9 we are unable to compare voices because the first tape was
10 erased prior to the receipt of the second call.

11 Mr. Phillips. Yes. Obviously it means we cannot compare
12 voices because we do not have two.

13 Mr. Goldsmith. Therefore implying that there may still
14 be one.

15 Mr. Phillips. That reading could be put in there, I
16 suppose, yes.

17 Mr. Goldsmith. Based upon this, to your knowledge did the
18 Mexico City station after the assassination have in its posses-
19 sion a tape of Lee Harvey Oswald's voice or someone whom they
20 thought to be Lee Harvey Oswald?

21 Mr. Phillips. Not to my knowledge.

22 Mr. Goldsmith. Now I believe paragraph 1 of this cable
23 makes reference to a conversation involving ^{Sylvia} Celia Duran on
24 September 28 and also two unidentified North Americans and
25 the cable suggests that the person who contacted the Cuban

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1 and Soviet embassies on September 28 is Oswald. What I would
2 like to ask you is, do you think it was unusual for the first
3 tape to be erased quite so soon? In other words, one contact
4 is made on September 28, another is made on 1 October and
5 within four days the first tape is erased. Is there anything
6 unusual about that?

7 Mr. Phillips. Well, it is a question of judgment of the
8 people who are handling the case how important something is.
9 I do know that it was routine to erase tapes so that they
10 could be used again and I do know that the Soviet and Cuban
11 embassies, there were a number of unusual visitors over the
12 years. Some of them seemed to be sort of kooky, some of them
13 you didn't quite understand. Looking back I certainly agree
14 with this. This is the kind of thing that should not have
15 been erased. I don't think it was highly unusual, no.

16 Mr. Goldsmith. I would like to refer you now to CIA
17 document No. 239 and specifically in the middle of the page
18 I believe it says CS Comment and there is an asterisk and a
19 sentence after that. Would you please read that sentence.

20 Mr. Phillips. "Station to erase routine tapes. Soviet
21 embassy keeping normal two week lag."

22 Mr. Goldsmith. So according to this cable and also to
23 your testimony, the normal lag would be two weeks and yet we
24 have an erasure of cable, the Oswald tape, within several days
25 after its receipt. Based on that do you regard the erasure

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1 of the first Oswald tape as unusual, not in keeping with
2 routine procedure?

3 Mr. Phillips. No, it is not. The routine procedure I
4 now read here was a normal two week lag so doing it earlier
5 was certainly not keeping within the routine procedure.

6 Mr. Goldsmith. Do you know who the person would be that
7 the committee might address regarding the specific tape?

8 Mr. Phillips. I believe in my previous -- either in my
9 testimony before the committee or in my day long session with
10 the staff members before I gave them the names of people who
11 I thought would be knowledgeable of that. They were a Mr.

12 a Miss Ann Goodpasture and possibly Mr. Robert
13 Shaw.

14 Mr. Goldsmith. Turning for a moment to Miss Goodpasture,
15 what were her responsibilities at the Mexico City station?

16 Mr. Phillips. Well, she was an experienced CIA officer
17 and so she had a number of responsibilities across the board
18 as I recall them. Without making a deprecation she was sort
19 of the Girl Friday to the Chief of the Station in the sense
20 that he often called on her to handle a lot of things.

21 Specifically though, however, I do recall that she did have
22 the job of some sort of liaison with the outside unit where
23 these tapes were done. I believe I recall her coming in and
24 out of our office with suitcases -- not suitcases but brief-
25 cases that might have had tapes or transcripts or something

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1 in them.

2 Mr. Goldsmith: Is it fair to say that Winn Scott, the
3 Station Chief, relied on Ann Goodpasture a great deal?

4 Mr. Phillips: Yes, I think that is an accurate state-
5 ment.

6 Mr. Goldsmith: Was she in any way given more responsi-
7 bilities than the case officers at the Mexico City station?

8 Mr. Phillips: I certainly don't believe that she was
9 given operational responsibility -- that is, with cases that
10 were being run and that sort of thing. Since she enjoyed the
11 confidence of the Chief of Station, perhaps he did give her
12 some assignments non-operational in aspect that might be more
13 important than some of the case officers, yes, but she herself
14 of course was at that time certainly a middle grade officer.

15 Mr. Goldsmith: I would like now to refer you to CIA
16 document No. 206 which is a cable dated 23 November 1963 and
17 I ask you to read paragraph 4 which can be found on page 208.

18 Mr. Phillips: Yes, sir.

19 Mr. Goldsmith: First of all, Douglas J. Fineglass, that
20 was the pseudonym for Mr. Boris Tere^aff^s, was it not?

21 Mr. Phillips: I do not recall that it was. I remember
22 the last time I testified I thought it might have been a man
23 named George something.

24 Mr. Goldsmith: Misco?

25 Mr. Phillips: Misco. I do recall the name that you are

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1 mentioning but I cannot say definitely that that is his
2 pseudonym.

3 Mr. Goldsmith: Fine. In any event the cable here is
4 dated after the assassination and it indicates that Mr.
5 Fineglass, whoever he is, says that Oswald is identical with
6 the person in paragraph 1 speaking broken Russian, a call
7 from the Cuban embassy, 28 September, to the Soviet embassy.
8 There again we have another suggestion in the CB cable chapter
9 that after the assassination the agency in fact did have a
10 tape of Oswald's voice. Based upon paragraph 4, would that
11 be your judgment?

12 Mr. Phillips: No, simply because of my firm recollection
13 that a tape did not exist after the assassination. I am not
14 sure in my mind, counselor. I cannot remember whether the
15 reason that we had Oswald on tape was because we were covering
16 a Cuban phone and he happened to call the Soviet embassy or
17 whether we were covering a Soviet phone and picked him up that
18 way but I do go back to a very, very brief early message of
19 his contacts, not the one about ^{Sylvia} Celia Duran, so a tape would
20 have existed at one time of that I would think.

21 Mr. Goldsmith: Would that tape have been in existence
22 after the assassination?

23 Mr. Phillips: My recollection is that it was not in
24 existence.

25 Mr. Goldsmith: I would like now to ask you to refer to

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1 CIA document No. 177. Please read that cable.

2 Mr. Phillips. Yes, sir.

3 Mr. Goldsmith. What is the date on this cable?

4 Mr. Phillips. The date of the cable seems to be 9 October.

5 Mr. Goldsmith. 9 October would be the day that this
6 cable arrived at the CIA headquarters, is that correct?

7 Mr. Phillips. Yes, and since it is a routine cable it
8 might have been sent the day before or the same day.

9 Mr. Goldsmith. Fine.

10 Mr. Phillips. Probably the day before, I guess.

11 Mr. Goldsmith. Is this the cable that Mexico City station
12 sent to CIA headquarters in reference to Oswald?

13 Mr. Phillips. It is the one I recall being two pieces
14 that turned out not to fit, yes.

15 Mr. Goldsmith. Is this the cable that you more or less
16 prompted [redacted] to send?

17 Mr. Phillips. Yes. I would not like to over-emphasize
18 my role in prompting them to do it though but it is the one
19 that I recall that was delayed in going and as I recall finally
20 went out. [redacted] actually put the cable together as I
21 recall it.

22 Mr. Goldsmith. Okay. I would like now for you to look
23 at CIA document No. 10 that is about to be handed to you. It
24 is in the brown folder.

25 Would you read through that cable?

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1 Mr. Phillips. Yes.

2 Mr. Goldsmith. The language in the two cables appears
3 to be identical, however the date in cable and CIA document
4 No. 10 is 8 October. Would you explain to the committee the
5 difference between the copy that appears in CIA No. 10 and
6 the copy that appears in No. 177?

7 Mr. Phillips. This message of 8 October appears to be
8 one leaving the Mexico City station going to headquarters and
9 dated 8 October. Since it is a routine cable it would have
10 been processed during the evening by the communications people
11 and sent on to Washington in the next day or late that night,
12 so this appears to be the Mexico City copy of the cable we
13 looked at a moment ago.

14 Mr. Goldsmith. And the other would be the copy as it was
15 received by headquarters?

16 Mr. Phillips. That is correct.

17 Mr. Goldsmith. First drawing your attention to the names
18 that appear on the cable in the upper left hand corner of CIA
19 No. 10, it says L. A. Dillinger. I believe that refers to

20 At the bottom of the page authenticating also
21 indicates L. A. Dillinger and the right hand portion of the
22 page indicates W. C. Curtis. I believe that was Mr. Scott.

23 Mr. Phillips. Yes.

24 Mr. Goldsmith. And according to your testimony you
25 indicated signing off on this cable. Does your name appear

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1 anywhere on this cable?

2 Mr. Phillips. It does not.

3 Mr. Goldsmith. Is there any way you could explain that
4 to the committee?

5 Mr. Phillips. Well, obviously I didn't sign off on it.
6 When I was giving that previous testimony I was saying that
7 under routine circumstances a cable that had to do with Cuba
8 might have gone to me. This cable here has to do with Soviet
9 matters rather than the Cuban aspect of it and so for that
10 reason it would not have necessarily been necessary for me to
11 be interested in Cuba to sign it off. I do recall seeing this
12 cable before it was sent and perhaps that is the reason that
13 I thought I signed off. I recall seeing it in its typed form
14 before it went to the communications people but I obviously
15 did not sign it.

16 Mr. Goldsmith. Does the cable in any way refer to Oswald
17 as Lee Henry Oswald?

18 Mr. Phillips. No, it does not.

19 Mr. Goldsmith. Is there any reference in there specifi-
20 cally to a contact by Oswald with the Soviet embassy or
21 consulate in reference to a visa?

22 Mr. Phillips. No, there is not.

23 Mr. Goldsmith. Now I believe in your testimony before
24 the committee in November of 1976 you indicated that you had
25 signed the cable, that it referred to Oswald as Lee Henry

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1 Oswald and that it indicated that he contacted the Soviet
2 embassy in reference to a visa.

3 Mr. Phillips. In light of that I am quite sure that my
4 memory was inaccurate when I said that and that in looking at
5 this now certainly it is the cable that I had in mind when I
6 talked about that, yes.

7 Mr. Goldsmith. But you are certain that this cable was
8 shown to you or if not this cable, the contents of the draft
9 cable that [] wrote up prior to sending this one -- you
10 are certain that that was shown to you?

11 Mr. Phillips. I think I testified before that I think
12 that [] actually prepared the cable and my recollec-
13 tion was that she left it on his desk and he was her superior
14 and husband and then out it went. I see by this not only did
15 she prepare it but she was the authenticating author as well
16 so it might have gone out to the station. [] was out
17 of the office or something because his name does not seem to
18 be on it.

19 Mr. Goldsmith. But in any event this is the cable that
20 you read?

21 Mr. Phillips. I am convinced that it is.

22 Mr. Goldsmith. A draft of it prior to the cable going
23 out.

24 Mr. Phillips. I am convinced it is.

25 Mr. Goldsmith. Would you please refer now to CIA No. 183.

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1 Mr. Phillips. Should I read it, sir?

2 Mr. Goldsmith. Yes, please do.

3 Mr. Phillips. All right, sir. I have not read it
4 thoroughly but I do recall this message.

5 Mr. Goldsmith. Is this the cable that CIA headquarters
6 sent to Mexico City station responding to the cable of 10/9
7 from Mexico City station?

8 Mr. Phillips. It is my understanding that that is
9 correct, yes.

10 Mr. Goldsmith. Now reading the first paragraph of this
11 cable which is dated 11 October 1963 it refers to Oswald as
12 Lee Henry Oswald.

13 Mr. Phillips. Yes, sir.

14 Mr. Goldsmith. Your testimony in November of 1976, as
15 you have indicated before, is that the cable that came back
16 from headquarters corrected Oswald's name as that name was
17 sent up from the Mexico City station to headquarters yet this
18 cable from CIA headquarters refers to Oswald as Lee Henry
19 Oswald in fact, not using his proper name. In light of that
20 is there any way that you can explain the inconsistency
21 between your testimony and the cable?

22 Mr. Phillips. Yes, I feel quite sure about it now. I
23 have the recollection Lee Henry Oswald and I somehow came up
24 with the idea that in Mexico City we had decided Henry Oswald.
25 Later I saw a copy of this or something very close to it. I

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1 believe I might have been shown a copy during my testimony
2 but even before that in any event I saw this cable. I am
3 now absolutely convinced that I made that error remembering
4 this cable which described Lee Harvey Oswald. I wrote a book
5 and a portion of that had to do with Mexico City and Oswald
6 and in that book I said Lee Henry Oswald and I believe that
7 is where that Henry came from and I was incorrect in saying
8 it came from Mexico and doing [] a disservice about
9 it because I indicated that she or whoever was listening to
10 this -- and it must have been this Boris fellow -- but that
11 is the way it was. Now I am sure it was this message that
12 gave me the Lee Henry Oswald.

13 Mr. Goldsmith. Referring your attention to document
14 No. 183, there is an arrow pointing to the Henry and the
15 word "sic" underscored right next to the arrow. That is
16 Winn Scott's handwriting, is it not?

17 Mr. Phillips. It is such a small word I would hate to
18 say for sure but it looks to me like it was, yes.

19 Mr. Goldsmith. So apparently Mr. Scott recognized the
20 middle name Henry being incorrect and wrote down "sic" next
21 to it. What does the term "sic" mean as you know it, as that
22 term is customarily used?

23 Mr. Phillips. Certainly it meant this the way the
24 message arrived, this is the way it was written, but from what
25 I gather from there is -- well, the normal usage by putting

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1 that down this is the way they said it but it certainly does
2 indicate that he feels that it is not correct.

3 Mr. Goldsmith. Right.

4 Mr. Phillips. Mr. Scott was a man with a near photo-
5 graphic memory. He was a stickler for detail.

6 Mr. Goldsmith. Do you have any reason to believe that
7 when this cable was received in October of 1963 Mr. Scott
8 knew that cable's reference to Lee Henry Oswald was incorrect?

9 Mr. Phillips. No, I don't recall that, but reading this
10 obviously at whatever time he wrote that "sic" on there he
11 felt it was incorrect or he would not have spotlighted it that
12 way. But I don't have any recollection. I don't have any
13 recollection that we knew before this cable came back down
14 that it was Lee Harvey Oswald.

15 Mr. Goldsmith. What was your relationship like with
16 Mr. Scott?

17 Mr. Phillips. Quite close. I think he trusted me,
18 trusted my judgment, and so it was a relatively close
19 professional relationship. Mr

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1 Mr. Goldsmith. Before we leave this cable I would like
2 to refer you to your testimony before the committee, specif-
3 ically page 84 of that testimony, line 4.

4 Mr. Phillips. Yes, sir.

5 Mr. Goldsmith. Having read that, is it true that in your
6 testimony before the committee in November of 1976 you indicated
7 that you recall that the cable from headquarters straightened
8 out the record about Oswald's name?

9 Mr. Phillips. Yes, that is what I said. Having since
10 had a chance to review those documents I believe that my
11 recollection was false.

12 Mr. Goldsmith. When did you review the documents?

13 Mr. Phillips. Well, just now during my last testimony
14 I recall being shown that first brief cable.

15 Mr. Goldsmith. In sanitized form?

16 Mr. Phillips. Yes, in sanitized form.

17 Mr. Goldsmith. Would you please now refer to CIA No. 13
18 which is in that folder?

19 Mr. Phillips. All right, sir.

20 Mr. Goldsmith. Can you identify this document?

21 Mr. Phillips. This is an example of the transcripts which
22 were made from tapes from this telephone coverage.

23 Mr. Goldsmith. What is the date of this particular docu-
24 ment in the upper right hand corner?

25 Mr. Phillips. 1 October 63.

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1 Mr. Goldsmith. So is it fair to say that this is a
2 conversation that was tape recorded on 1 October 63?

3 Mr. Phillips. Yes, undoubtedly.

4 Mr. Goldsmith. And that the conversation came into the
5 Soviet embassy sometime after 0955 in the morning?

6 Mr. Phillips. Yes, I would say close to 9:55.

7 Mr. Goldsmith. Would you now read the transcript itself?

8 Mr. Phillips. Yes.

9 Mr. Goldsmith. Is this the transcript that you read which
10 prompted the Manells to send a cable to headquarters?

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1 or so ago and spoke in broken Russian speaks to Obyedkov.

2 Mr. Goldsmith. This cable does identify Lee Oswald,
3 does it not, or rather he identifies himself?

4 Mr. Phillips. This is a transcript.

5 Mr. Goldsmith. I am sorry. You are right, a transcript.

6 Mr. Phillips. Yes, it does identify Lee Oswald.

7 Mr. Goldsmith. Is there any reference in this transcript
8 to a visa?

9 Mr. Phillips. No, there is not. He says that he spoke
10 to the consular. One might gather that he was speaking about
11 visa matters but he does not say that.

12 Mr. Goldsmith. Is there any indication in here that
13 Oswald is

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1 want to read both 14 and 15. No. 15 is a translation.

2 However, I take it you are familiar with the Spanish.

3 Mr. Phillips. I do speak Spanish, yes.

4 All right, sir.

5 Mr. Goldsmith. Can you identify this transcript?

6 Mr. Phillips. Yes. This is obviously a transcript of
7 a conversation in which Spanish was spoken from the Cuban
8 embassy and consequently I would presume it was an intercept
9 from phones in the Cuban embassy but of course it could have
10 been on Soviet phones picking up a call if it was coming in
11 from the Cuban embassy.

12 Mr. Goldsmith. What is the date on which this conver-
13 sation took place

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1 Mr. Phillips. Oh, no. No, absolutely not.

2 Mr. Goldsmith. Please clarify the record.

3 Mr. Phillips. Oh, all right. As a matter of fact, I can
4 see by the notes here that it was reviewed by people and so
5 forth.

6 There is one thing that I would like to insert at this
7 moment for the record, something that I can't recall exactly
8 which might have a bearing. I was in Mexico City doing one
9 job when I first arrived in 1961. Later I was told that I
10 was going to leave that job and assume Cuban responsibilities
11 in the station. I don't recall the precise time I formally
12 changed from my old job to the Cuban one. I did know there
13 was a long period when I was wearing both hats -- not
14 officially to Cuba. So some of the Cuban documents, even
15 though I was very much interested at that time, I would not
16 have reviewed and it would appear from this, for instance,
17 that I didn't necessarily review this one because I see other
18 people's names on it.

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1 Mr. Phillips: All right.

2 Yes, sir.

3 Mr. Goldsmith. Can you identify this transcript?

4 Mr. Phillips: Yes. This transcript would be one of the
5 Soviet embassy regarding an incoming call from the Cuban
6 consulate on the 27th of September.

7 Mr. Goldsmith. At approximately 1605 hours, is that
8 correct?

9 Mr. Phillips: Yes, and I notice in the English trans-
10 lation at least it does mention something about a visa.

11 Mr. Goldsmith. Is this the transcript that you read
12 which resulted in a cable being sent to Washington, D. C.?

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1 Mr. Goldsmith. Would you identify this particular
2 transcript?

3 Mr. Phillips. This is a transcript of coverage of the
4 Cuban embassy and apparently what has happened here is that
5 there was coverage at both ends and it looks to me like it is
6 double tapping of a telephone possibly but this apparently
7 originated in the Cuban embassy and was tapped there. It is
8 in Spanish so it was the Spanish working on the translator.

9 Mr. Goldsmith. No, this tap would have been off the
10 phone from the Soviet embassy, would it not?

11 Mr. Phillips. Yes, I can see now that it was. Um hum.

12 Mr. Goldsmith. The reason for that is that it indicates
13 on page 20 IV meaning Individual Voice. Ask ^{Sylvia} ~~Carla~~ Da.

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1 Mr. Phillips. I am not sure that I received after the
2 conversation a copy of the transcript. What I am sure is that
3 the cable that went out as a result so I am not sure that I
4 saw these things until after the assassination at which time
5 of course going back but I don't recall that I actually saw
6 them. I may have but I don't recall them.

7 Mr. Goldsmith. Let's refer to page 75 of your transcript
8 testimony -- I am sorry, of your testimony.

9 Mr. Phillips. I am sorry.

10 Mr. Goldsmith. Specifically line 18.

11 Mr. Phillips. Yes.

12 Mr. Goldsmith. Would you read from line 18 through to
13 line 23?

14 Mr. Phillips. "Mr. Sprague, do you know approximately" --

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1 the assassination.

2 Mr. Goldsmith. Did you indicate to the committee at that
3 time that you were not sure whether or not you had seen the
4 transcript?

5 Mr. Phillips. I don't recall.

6 Mr. Goldsmith. But according to your testimony here you
7 did receive the transcript three days after the intercept came
8 in.

9 Mr. Phillips. Obviously that is the inference to be
10 drawn from the transcript, yes.

11 Mr. Goldsmith. Mr. Chairman, I have been told by the
12 clerk that we are going to be having a vote in a few minutes
13 so if you want to recess for lunch this might be an appropriate
14 time.

15 Mr. Preyer. I suggest that we recess until two o'clock
16 today if that is all right with you. Will you be able to be
17 back then?

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1 will just recess until four.

2 Mr. Dodd. Why don't you wait until you see if she gets
3 a room.

4 Mr. Preyer. We will be in session anyway so I don't
5 think that is going to make much difference.

6 Miss Berning. We can have the room at three but it will
7 take a while to get it ready so we could not do it much before
8 four.

9 Mr. Dodd. No chance of meeting in the other room?

10 Mr. Preyer. Where is the room at four?

11 Miss Berning. 2212, Armed Services.

12 Mr. Preyer. We will recess until four o'clock today.

13 I am going to have to leave close to six o'clock so I
14 hope we can finish in a couple of hours.

15 Mr. Goldsmith. I think we can do that.

16 (Whereupon, at 12:17 p.m., the subcommittee recessed,
17 to reconvene at 4:00 p.m., the same day.)

18 - - -

19 Ward fls
20 at 4pm

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AFTERNOON SESSION

(4:07 p.m.)

Mr. Preyer. The Committee will resume.

Mr. Phillips, if you will be seated, I recognize Mr. Goldsmith.

Mr. Goldsmith. Thank you.

TESTIMONY OF MR. DAVID PHILLIPS -- Resumed

Mr. Goldsmith. Mr. Phillips, during the afternoon recess, have you had the opportunity to read the transcript that was prepared of your testimony before the Committee in November of 1976?

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1 into allegations that Oswald was in some way connected
2 with the U.S. intelligence agency, whether or not Oswald
3 was an agent, whether the Agency was in some way involved
4 in the assassination. It is an allegation that has been
5 made, although the Committee is not predisposed in any way
6 towards resolving that issue.

7 The specific question of the cable traffic, the trans-
8 scripts, the tapes, the photos bear directly upon these issues.

9 Can you see that?

10 Mr. Phillips. I understand that.

11 Mr. Goldsmith. I would like to raise a couple of
12 questions with you pertaining to your testimony this morning.

13 First, do you recall whether or not you actually signed
14 off

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1 it would be possible to establish that Oswald visited the
2 Cuban embassy and Russian embassy or consulates a total of
3 five times. We could go through each one if you would
4 like but are you willing to accept my word for that?

5 Mr. Phillips. Certainly.

6 Mr. Goldsmith. In light of the fact that Oswald
7 visited these embassies and consulates a total of five
8 times, is there any explanation for how the Agency failed
9 to obtain a photograph of him?

10 Mr. Phillips. First, concerning his visits to the Soviet
11 embassy, until I saw those messages this morning in which Oswald
12 was saying I have paid a visit to your place, I had thought
13 until this morning that Oswald never -- that we didn't have
14 any record of the fact that he actually visited the Soviet
15 embassy in person, which of course would explain why there
16 was no photograph of him. ~~the~~

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1 I don't -- I am not sure that your answer was completely
2 responsive to my question. The first part of your answer was
3 that until you reviewed the cable traffic or transcripts, you
4 were not aware of the visit to the Soviet embassy.

5 Mr. Phillips. That's correct. I --

6 Mr. Goldsmith. But that doesn't indicate, that doesn't
7 explain why, if there was surveillance of the Soviet embassy,
8 Oswald's picture was not obtained.

9 Do you follow what I am saying?

10 Mr. Phillips. Yes. The only -- what I am trying to
11 say is that in my mind the only explanation was that he
12 indeed did not visit the Soviet embassy in person. I thought
13 that he did not.

14 Mr. Goldsmith. But assuming that he did, as I believe
15 the transcripts demonstrate --

16 Mr. Phillips. There should have been a picture.

17 Mr. Goldsmith.

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1 I don't recall -- I don't think that I would recall that he
2 was upset in the sense that he was berating anyone or anything.

3 Mr. Goldsmith. Did he discuss it with you at all?

4 Mr. Phillips. Mm-mm, not that I recall. And I think
5 it would be unlikely that he would since I was not involved
6 in the mechanical business of that photography.

7 Mr. Goldsmith. And I believe in your testimony of
8 November of '76 you indicated that the photograph that was
9 obtained that was mistakenly linked to Oswald was linked
10 to him because [] had a transcript before her.
11 The transcript indicated someone was going to the Soviet
12 embassy to obtain a visa, and she had a picture of a man
13 who left the embassy at about that time, okay?

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1 the general sense, yes, you always tried to find out who
2 it was, and what steps were actually taken, I don't know.

3 Mr. Goldsmith. For purposes of clarification, by my
4 question I meant when they made reference to that picture in
5 the cable that was sent to headquarters on October 8th, prior
6 to coming up with the conclusion that this picture was
7 Oswald, did they attempt to identify every other non-Latin
8 who visited those embassies?

9 Mr. Phillips. Yes, that was pretty standard procedure.

10 Mr. Goldsmith. I would like to get back and deal with
11 another matter that was raised this morning.

12 How soon after the first intercept did you receive the
13 transcript of Oswald's conversation?

14 Mr. Phillips. I don't recall precisely. Generally it
15 was a matter of -- they came pretty rapidly. It seems to me,
16 the next day or say within two days, something like that
17 was the normal time, but you will recall my previous
18 testimony that that transcript concerning his visit to the
19 Cuban embassy only was really important to us after the

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1 piece of paper that came from that monitoring establishment
2 which was in Spanish, in other words, coming from the Cuban
3 embassy, so I am sure that I saw it. But I also have the
4 recollection that it didn't mean anything to me, I am sorry
5 to say, until after the assassination when it was tied in with
6 previous conversations.

7 (Pause)

8 Mr. Goldsmith. For summary purposes, then, it would
9 appear that if standard procedure was followed, you would
10 have received that transcript within a few days of the
11 intercept having been made?

12 Mr. Phillips. Yes.

13 Mr. Goldsmith. And your recollection, I guess, based
14 both upon the testimony from November of '76 that you read
15 this afternoon, and any further thoughts that you had, is
16 that you did in fact receive this transcript prior to the
17 time that the cable

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1 you gave to the Committee in November '76 was based upon
2 information acquired after the assassination.

3 Is that an accurate statement, or is that a statement you
4 would now like to qualify?

5 Mr. Phillips. Well, what I said, counselor, was that
6 after that number of years, there are so many things that I
7 had read in magazines and heard on television talk shows and
8 that sort of thing, that it sometimes has been very difficult
9 for me, as it continues to be today, to remember when some-
10 thing comes up about the Oswald visit to Mexico whether I
11 have read that in the National Inquirer, or whether it is
12 something from my own memory.

13 Mr. Goldsmith. In the specific context of your testimony
14 before the Committee in November of '76, is it accurate to
15 say that the only time you ever indicated to Mr. Sprague, who
16 was the lawyer that was questioning you, that you were basing
17 statement upon after acquired information was in reference
18 to a quotation that appeared in a Washington newspaper quoting
19 you, and other than that you never indicated to Mr. Sprague
20 that your testimony before the committee that day was based
21 upon after acquired information?

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questioning by staff members which lasted I believe six hours, and during that time I may have made some reference, but yes, I didn't make a great point of saying that I was telling him things that I might have gotten somewhere else. I was trying to tell him things that I remembered to the best of my ability.

Mr. Goldsmith. Mr. Phillips, are you certain that prior to the 10/8, the October 8 cable being sent to CIA headquarters, that you discussed this with [] in Mexico City? By discussed this, I am referring specifically to Oswald's contact with the Soviet embassy?

Mr. Phillips. Yes, I believe we did discuss it.

Mr. Goldsmith. Do you remember where you were when you discussed it?

Mr. Phillips. Either [] walked into my office or I walked into his office. I think it may have been the latter, and we discussed -- I believe he said have you seen this or vice versa, or I brought up the subject some way, but I definitely remember reading it in its typed draft before it was a telegraphic message.

Mr. Goldsmith. Are you certain, Mr. Phillips, that at that time, which would be on or about October 8

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1 in an automobile accident, but I certainly don't recall that it
2 was at that time. No, I believe I was there. I can't be
3 absolutely positive. I may have -- often we went back and
4 forth to headquarters for consultation, and I made that trip,
5 but I don't remember being out of Mexico City at that time.

6 Mr. Goldsmith. I would like to ask you now to refer to
7 CIA Document No. 11.

8 Mr. Phillips. All right, sir.

9 Mr. Goldsmith. This is a cable to the Mexico City
10 station and others from the Director, is that correct?

11 Mr. Phillips. Yes.

12 Mr. Goldsmith. And the date is September 30, '63?

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1 Mr. Phillips. Temporary duty.

2 Mr. Goldsmith. Yes. So we know now that September 30th,
3 according to this cable, you were in headquarters.

4 Is that correct?

5 Mr. Phillips. Yes, that's correct, yes.

6 Mr. Goldsmith. Now, before you indicated that you
7 thought you were in Mexico City. Do you have any basis for
8 being able to explain why you thought you were in Mexico
9 City at that time?

10 Mr. Phillips. Only that I don't recall even now why I
11 was in headquarters on this TDY.

12 Mr. Goldsmith. I only have one copy of the next document
13 I am going to show you.

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1 Mr. Goldsmith. Right.

2 Does that -- go ahead.

3 Mr. Phillips. Not necessary meet or make reservations for
4 Mexico. Mr. Phillips ETA 9 October on Guest Air Lines.

5 So this would be a cable from headquarters saying that I
6 was stopping by in Miami for two days.

7 Mr. Goldsmith. My first question is, the cable refers
8 to you in your true name, does it not?

9 Mr. Phillips. Yes.

10 Mr. Goldsmith. Would that be in keeping with Agency
11 procedure, sending a cable referring to a case officer by his
12 true name?

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1 Mr. Goldsmith. Do you recall now where you were at that
2 time?

3 Mr. Phillips. It was during this period that I learned
4 that I was going to be shifted from one job to another and
5 go to Cuban operations, so I obviously went back to headquarters
6 to discuss Cuban operations, and on the way stopped because
7 Miami was concerned with Cuba, on the way back.

8 Mr. Goldsmith. Well, it would seem that the more
9 fundamental question is not even so much do you recall where
10 you were, but on what basis you gave testimony to the
11 Committee in November of '76 and earlier today describing
12 conversation that you had with [] and the cable that
13 was to be sent out when in fact you weren't even there.

14 Mr. Phillips. Yes, it does.

15 Mr. Goldsmith. Is there any way that you could explain
16 that?

17 Mr. Phillips. No, sir, I cannot.

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1 Mr. Goldsmith. So at the very least, the conversation
2 with [] never took place.

3 Mr. Phillips. If that cable went out on the 10th, and
4 I didn't --

5 Mr. Goldsmith. It went out on the 8th --

6 Mr. Phillips. On the 8th.

7 Mr. Goldsmith. Mexico City Station, to headquarters.

8 Mr. Phillips. No, not before it went. I obviously was
9 mistaken.

10 Mr. Goldsmith. There were also conflicts between your
11 description of the cables and the cables that we went over
12 this morning.

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1 One of the things that I did frequently, on a daily basis, was
2 talk to newspaper people. Our organization is sort of active
3 as a clearing house for the press on intelligence matters.

4 As a former newspaper man, I felt I knew how to talk to
5 newspaper people, and so I talked to them, and during when a
6 period when I literally have now talked to several hundred
7 newspaper people, only on two occasions did I think that I
8 was taken, and one of them was by an article in the Washington
9 Post by Mr. Ron Kessler which came out the day before my
10 testimony and was the reason that I was called down to
11 testify.

12 Mr. Kessler contacted me. We had a long lunch. We had
13 a second lunch. He talked to me on the phone a number of
14 times. A number of weeks went by, and he was talking about
15 Mexico City at the time of the Kennedy assassination, and
16 trying to get me to tell him everything he could. I didn't
17 realize until after the story came out, really, or towards
18 the very end of my conversations with him, that apparently Mr.
19 Kessler had talked to two other people who were in Mexico, a
20 translator and a secretary, and he told me that they said that
21 Lee Harvey Oswald told the Soviets that he wanted his ticket
22 paid for and he had lots of fabulous information to give them

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1 In any event, I accept what you have said as a valid
2 summary of what happened.

3 Mr. Goldsmith. Did anyone at the Agency -- and by Agency
4 I am referring to the CIA -- instruct you or ask you to give
5 that testimony in November of '76?

6 Mr. Phillips. Absolutely not.

7 Mr. Goldsmith. Having read that testimony during the
8 afternoon recess, were there any other parts of it that you
9 found to be untrue?

10 Mr. Phillips. Well, in reading it this afternoon and
11 looking back, I felt that I certainly had exaggerated the
12 extent to which I was pushing [] and I now know why.
13 I wasn't there to push him and so forth. But I don't recall
14 any specific thing that was untrue, no.</

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1 Mr. Dodd. Did you have any questions, Mr. Chairman,
2 that you were going to ask?

3 Mr. Preyer. Well, if you have a further area to go
4 into, I will withhold my questions until such time as you may
5 have finished.

6 Mr. Goldsmith. I do have another area.

7 Mr. Preyer. I will withhold at this time.

8 Mr. Dodd. I will withhold as well.

9 Mr. Goldsmith. Fine. Thank you.

10 Mr. Phillips, when you were in Mexico City in 1963,
11 were you at one time Chief of Covert Action?

12 Mr. Phillips. Yes, I was.

13 Mr. Goldsmith. When?

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1 providing materials for it, and trying to counter Cuban
2 influence.

3 Mr. Goldsmith. So your major target then was Cuba, is
4 that correct?

5 Mr. Phillips. Yes.

6 Mr. Goldsmith. And your goal would be to counter Cuban
7 influence.

8 Mr. Phillips. Yes, and part of my job was Soviet influence
9 as well, but it was largely Cuban, some Soviet.

10 Mr. Goldsmith. Understood.

11 Would you define for the Committee what the term "asset"
12 means in Agency jargon?

13 Mr. Phillips. Well, generally speaking -- a lot of
14 people use different definitions, but to me an asset is
15 someone who isn't necessarily an agent, isn't necessarily
16 on your payroll, someone who is cooperative with you, someone
17 who on a w

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subordinates?

Mr. Phillips. In a few cases I worked with them personally. However, there were other people who were subordinate who handled more people than I did.

Mr. Goldsmith. Well, when you say in a few cases, how many?

Mr. Phillips. On a regular basis, I think I really probably met with about two at a time, perhaps, something like that, of foreigners, of Mexicans, of foreigners. Then I might go out and see an American who in turn was working with them, but usually two or three, something like that. Not much more.

Mr. Goldsmith. I am not sure that I understand the answer. Two or three meaning what, during a particular time period, a month or a week you might see two or three agents directly?

Mr. Phillips. I might see them once or twice a week. What I am referring to is that I felt that I was the case officer for, I was the guy who went out and talked with, say, two or three of these agents at a time.

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they had made contact with us.

But I do not recall specific groups that we worked with from Mexico City.

Mr. Goldsmith. And you mentioned before that you did work with a specific group of Cubans.

Was that your own developed group?

Mr. Phillips. Yes, because -- one of the things they did, for instance was they had a reception center where people coming out of Cuba would be debriefed, and they would meet them just after they had come out and they would ask them questions that we prepared for them to gather information.

The sort of cover for the operation was the humanitarian. one of telling these people where to go to find a place to stay and this and that and the other. Our primary interest, however, was to gather intelligence from them by debriefing them.

Mr. Goldsmith. While you were in Mexico City, and after the assassination of the President, did you ever undertake any propaganda operation that pertained to the assassination of Mr. Kennedy?

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1 I left Mexico. I don't recall any such undertaking in Mexico.
2 It could have been, but I don't think so.

3 Mr. Goldsmith. Okay.

4 After you left Mexico, what specific propaganda operation
5 were you involved in with regard to the assassination?

6 Mr. Phillips. I don't recall that I was. I do recall
7 that there was what is known as a book message that went to a
8 number of stations which said, look, here is another viewpoint
9 about the stories that are going around. It specifically
10 referred to Mr. Mark Lane and said try and do this.

11 Now, I don't -- I was asked this once in a public debate
12 and I believe I thought at the time it was [] It was
13 more likely now, I think, when I was in the []
14 and when we were so busy in the [] that

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1 there as a staff officer of the CIA, under cover, using the
2 cover of my lectures. I had been lecturing on Latin America
3 previously, and so I was a covert action officer then.

4 I returned to Cuba in 1958, after having resigned from
5 the Agency, to establish a public relations firm. I was going
6 to make a million dollars type thing. I did retain, however,
7 an association with the Agency because they asked me if I
8 would work on a contract basis, and they gave me a much
9 smaller amount of money, and I worked. However, I concentrated --
10 I didn't do the -- the covert action was almost purely
11 propaganda type work and working with groups that weren't
12 revolutionary groups, such as students and labor and that sort
13 of thing, but not political groups.

14 Mr. Goldsmith. During the time that you were in Cuba
15 did you ever use the operational alias Mr. Abbott?

16 Mr. Phillips. I think I -- that sounds familiar. I
17 might very well have used that.

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1 '56, more or less the same; the second time greatly reduced.

2 Mr. Goldsmith. You just said Chile. You mean Cuba?

3 Mr. Phillips. I meant Cuba, of course.

4 The second time greatly reduced because that was when I
5 was starting a public relations firm and was only spending
6 literally part time on that.

7 Mr. Goldsmith. While you were in Cuba in I believe 1958
8 through 1960, was it, did you ever start spending full time
9 activity on covert action operations?

10 Mr. Phillips. In the sense that I was working, yes,
11 because the public relations business went out of -- there was
12 no public relations business, so when I was -- before I
13

