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

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SHORT

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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of the questioning.

Mr. Goldsmith. Thank you, Mr. Chairman.

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

Mr. Phillips. David Atlee Phillips, [redacted] Bethesda, Maryland, 20034.

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

Mr. Phillips. Yes, I am.

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

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

In 1955 and 1956 I was in Cuba.

In 1957 and 1958 [redacted]

In 1959 and 1960 I was in Cuba again.

During the remainder of 1960 and 1961 I was in the Washington task force which worked on the Bay of Pigs operation.

In late 1961 I was assigned to Mexico City.

In early 1965 I became the Chief of Station [redacted]

I returned to Washington in 1967 and became the Chief of

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Cuban Operations for the CIA through 1969.

In 1970 I was the Chief of Station in [redacted]

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

In mid 1973 I was returned to Washington to become the Chief of the Western Hemisphere Division of the CIA.

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

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

Mr. Goldsmith. Are you affiliated with the Retired Intelligence Officers Association?

Mr. Phillips. Yes. I am the founder of that organization.

Mr. Goldsmith. Are you the president of that organization?

Mr. Phillips. I am sorry, sir.

Mr. Goldsmith. Are you presently the president of that organization?

Mr. Phillips. No, I am not the president. I am a member of the board of directors.

Mr. Goldsmith. Would you explain to the committee what the purpose of that association is?

Mr. Phillips. In 1975 I was personally concerned about what I thought was happening to the U. S. intelligence community. The clandestine operator is perhaps the only

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

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

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

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

Mr. Phillips. Absolutely not.

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

Mr. Phillips. No.

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

Mr. Phillips. Yes.

Mr. Goldsmith. You have read the letter?

Mr. Phillips. I have, sir.

Mr. Goldsmith. And do you understand the letter?

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

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

Mr. Phillips. Absolutely.

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

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

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

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

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

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

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

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

Mr. Phillips. Absolutely.

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

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

Mr. Goldsmith. And what was your earlier one?

Mr. Phillips. Paul D. Langevin.

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

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

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

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

Mr. Goldsmith. Would it be agency policy for an operational alias to be registered?

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

not necessarily be registered formally.

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

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

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

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

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

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

be in both places.

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

Mr. Phillips. Yes, I did.

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

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

Mr. Goldsmith. Was that in 1976?

Mr. Phillips. Yes, it was.

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

First you gave testimony pertaining to the nature of the CIA's Mexico City station's surveillance and operations against the Soviet and Cuban embassies and consulates specifically with regard to their photo surveillance operation and the wiretapping operations. Do you recall giving testimony to this effect?

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

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

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

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

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

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

Mr. Goldsmith. And then specifically there was a discussion in reference to the Oswald visit to Mexico City. Do you recall that?

Mr. Phillips. Yes, I do.

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

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

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

Mr. Phillips. Okay.

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

Mr. Phillips. Yes, sir, I recall.

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

Mr. Phillips. Sir, I don't.

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

Mr. Phillips. Yes, I recall that.

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

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

Will the clerk hand the witness a copy.

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

Mr. Phillips. Yes, sir.

Mr. Goldsmith. Read that paragraph.

Mr. Phillips. At the beginning of line 12?

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

Mr. Phillips. Yes.

Mr. Goldsmith. Do you recall giving that testimony?

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

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

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

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

Mr. Phillips. All right.

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

Mr. Phillips. Yes, I do.

Mr. Goldsmith. With regard to the transcript, the substance of your testimony was that it was treated in the normal way; the transcript was routed to a Mr. Manell who was in charge of Soviet operations in Mexico City and then later to you, and the reason it was routed to you was because of the Cuban mention in it. Do you recall giving testimony to that effect?

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

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

Mr. Phillips. All right.

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

Mr. Phillips. Yes, I do.

Mr. Goldsmith. Fine.

Mr. Phillips. If I may add something there.

Mr. Goldsmith. You will get a chance to go into the details later in the hearing. This is primarily for background purposes.

Mr. Phillips. I see. Very good.

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

Mr. Phillips. Yes, I do.

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

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

Mr. Phillips. Yes, I do.

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

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

Mr. Goldsmith. Fine. At that time you also gave testimony explaining to the committee why the cable was sent out several days after the intercept came in.

Mr. Phillips. Yes.

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

Mr. Phillips. Something along that line, yes.

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

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giving testimony to that effect?

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

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

Mr. Phillips. All right.

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

Mr. Phillips. Very good.

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

Mr. Phillips. That is correct.

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

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

Mr. Phillips. Yes, I do.

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

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

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

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

Mr. Phillips. Not to my knowledge.

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

from the CIA.

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

Mr. Phillips. This is a cable, yes.

Am I correct that this is a cable?

Mr. Goldsmith. Yes.

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

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

Mr. Phillips. All right, sir.

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

Mr. Phillips. 23 November 1963.

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

paragraph, and ask you to reread that, please.

Mr. Phillips. All right, sir.

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

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

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

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

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

Mr. Phillips. Not to my knowledge.

Mr. Goldsmith. Now I believe paragraph 1 of this cable makes reference to a conversation involving ~~Celia~~ Silvia Duran on September 28 and also two unidentified North Americans and the cable suggests that the person who contacted the Cuban

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

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

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

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

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

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

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

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

Mr. Phillips. I believe in my previous -- either in my testimony before the committee or in my day long session with the staff members before I gave them the names of people who I thought would be knowledgeable of that. They were a Mr. [redacted] a Miss Ann Goodpasture and possibly Mr. Robert Shaw.

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

Mr. Phillips. Well, she was an experienced CIA officer and so she had a number of responsibilities across the board as I recall them. Without making a depreciation she was sort of the Girl Friday to the Chief of the Station in the sense that he often called on her to handle a lot of things. Specifically though, however, I do recall that she did have the job of some sort of liaison with the outside unit where these tapes were done. I believe I recall her coming in and out of our office with suitcases -- not suitcases but briefcases that might have had tapes or transcripts or something

in them.

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

Mr. Phillips. Yes, I think that is an accurate statement.

Mr. Goldsmith. Was she in any way given more responsibilities than the case officers at the Mexico City station?

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

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

Mr. Phillips. Yes, sir.

Mr. Goldsmith. First of all, Douglas J. Fineglass, that was the pseudonym for Mr. Boris Tereshoff, was it not?

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

Mr. Goldsmith. Misco?

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

mentioning but I canno- say definitely that that is his pseudonym.

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

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

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

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

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

CIA document No. 177. Please read that cable.

Mr. Phillips. Yes, sir.

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

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

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

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

Mr. Goldsmith. Fine.

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

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

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

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

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

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

Would you read through that cable?

Mr. Phillips. Yes.

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

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

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

Mr. Phillips. That is correct.

Mr. Goldsmith. First drawing your attention to the names that appear on the cable in the upper left hand corner of CIA No. 10, it says L. A. Dillinger. I believe that refers to [redacted] At the bottom of the page authenticating also indicates L. A. Dillinger and the right hand portion of the page indicates W. C. Curtis. I believe that was Mr. Scott.

Mr. Phillips. Yes.

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

anywhere on this cable?

Mr. Phillips. It does not.

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

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

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

Mr. Phillips. No, it does not.

Mr. Goldsmith. Is there any reference in there specifically to a contact by Oswald with the Soviet embassy or consulate in reference to a visa?

Mr. Phillips. No, there is not.

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

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

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

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

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

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

Mr. Phillips. I am convinced that it is.

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

Mr. Phillips. I am convinced it is.

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

Mr. Phillips. Should I read it, sir?

Mr. Goldsmith. Yes, please do.

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

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

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

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

Mr. Phillips. Yes, sir.

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

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

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

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

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

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

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

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

Mr. Goldsmith. Right.

Mr. Phillips. Mr. Scott was a man with a near photographic memory. He was a stickler for detail.

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

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

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

Mr. Phillips. Quite close. I think he trusted me, trusted my judgment, and so it was a relatively close professional relationship. Mr. Scott is a man who if he likes someone and it is obvious that he likes them, and I felt that he liked me. He is an unusual man. I admired him in many ways and in some ways I didn't but it was a close relationship.

Mr. Goldsmith. Is it true that he was a very competent and demanding station chief?

Mr. Phillips. Absolutely.

Mr. Goldsmith. Before we leave this cable I would like to refer you to your testimony before the committee, specifically page 84 of that testimony, line 4.

Mr. Phillips. Yes, sir.

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

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

Mr. Goldsmith. When did you review the documents?

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

Mr. Goldsmith. In sanitized form?

Mr. Phillips. Yes, in sanitized form.

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

Mr. Phillips. All right, sir.

Mr. Goldsmith. Can you identify this document?

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

Mr. Goldsmith. What is the date of this particular document in the upper right hand corner?

Mr. Phillips. 1 October 63.

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

Mr. Phillips. Yes, undoubtedly.

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

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

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

Mr. Phillips. Yes.

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

Mr. Phillips. I am not positive but I think so. I must say for the record there is a line in there that surprises me. I did not recall that he said I was at your place indicating that he had been at the Soviet Union. I did not think that Lee Harvey Oswald had actually visited in person the Soviet embassy.

Mr. Goldsmith. Fine. But in substance that is the intercept that you recall or rather that is the transcript that you recall seeing in early October 1963 in reference to Oswald's contact with the Soviets?

Mr. Phillips. I cannot be positive. I see here it says the same person who phoned a day or so ago and spoke in broken Russian so apparently there are two messages referred to, so I am not positive that it is this one or the other one or both. Up at the top where it says the same person who phoned a day

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

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

Mr. Phillips. This is a transcript.

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

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

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

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

Mr. Goldsmith. Is there any indication in here that Oswald is saying "Why don't you do this" or intimating that the Soviets should talk to him?

Mr. Phillips. No, there is not.

Mr. Goldsmith. Let's take a look again at that cable that was sent by the [redacted] to headquarters. It is No. 177, CIA number 177.

Mr. Phillips. All right.

Mr. Goldsmith. Is it accurate to say that this transcript, the one that appears in the CIA No. 13, can be tied into the cable that was sent onOctober 1 that appears in CIA No. 177?

Mr. Phillips. Yes, I would say that that transcript is the basis for the first paragraph of this.

Mr. Goldsmith. Let's look now to CIA No. 14. You might

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

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

Mr. Phillips. I do speak Spanish, yes.

All right, sir.

Mr. Goldsmith. Can you identify this transcript?

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

Mr. Goldsmith. What is the date on which this conversation took place?

Mr. Phillips. 28 September 63.

Mr. Goldsmith. At approximately 1151 hours?

Mr. Phillips. I don't see that, counselor. Oh, yes, I see that now. Yes, 1151 hours.

Mr. Goldsmith. Is this the transcript that you read which triggered the cable to Washington, D. C., CIA headquarters?

Mr. Phillips. No, I don't think it was. It seems to me this is the one which became important after the assassination.

Mr. Goldsmith. Fine. Are you testifying that this transcript was not reviewed by anyone at the Mexico City station until after the assassination?

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

Mr. Goldsmith. Please clarify the record.

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

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

Mr. Goldsmith. All right. For purposes of clarification is your testimony then that your testimony is not that this was not reviewed until after the assassination but simply that it was not linked to Oswald until after the assassination?

Mr. Phillips. That is right, yes.

Mr. Goldsmith. These refer to CIA No. 17. Can you read that again? I believe this is a translation on the next page.

Mr. Phillips. All right.

Yes, sir.

Mr. Goldsmith. Can you identify this transcript?

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

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

Mr. Phillips. Yes, and I notice in the English translation at least it does mention something about a visa.

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

Mr. Phillips. I don't believe so because I don't believe this says this is Lee Harvey Oswald whereas the other one did so. This might have been a part of the reason why it was sent by the Soviet people and so forth, but I don't recall that this particularly was it, no.

Mr. Goldsmith. And there is also no indication in here, is there, of Oswald saying "Why don't we do this" or intimating that the Soviets should talk to him?

Mr. Phillips. No.

Mr. Goldsmith. Would you please refer now to CIA No. 19 and read that one?

Mr. Phillips. Yes, I have gone through it rapidly.

I do recall this.

Mr. Goldsmith. Would you identify this particular transcript?

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

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

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

Mr. Goldsmith. The reason for that is that it indicates on page 20 IV meaning Individual Voice. Ask Silvia.

Mr. Phillips. Yes, I see that now.

Mr. Goldsmith. Is this the transcript that you read which resulted in the cable being sent to Washington in reference to Oswald?

Mr. Phillips. I don't recall.

Mr. Goldsmith. There is no mention here of Oswald saying "Why don't you do this" or intimating that they should talk to him?

Mr. Phillips. No.

Mr. Goldsmith. How soon after the first intercept did you receive a transcript of Oswald's voice or rather Oswald's conversation?

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

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

Mr. Phillips. I am sorry.

Mr. Goldsmith. Specifically line 18.

Mr. Phillips. Yes.

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

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

Mr. Goldsmith. Oh, no, read it to yourself, please.

Mr. Phillips. I am sorry.

All right.

Mr. Goldsmith. Does this refresh your recollection as to -- well, first of all whether or not you actually saw the intercept after it came in? By intercept I am referring to transcript.

Mr. Phillips. Reading from this it makes it clear that I thought that I had seen the transcript and the cable which resulted from it but I cannot be positive despite that statement that I actually saw that transcript itself until after

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the assassination.

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

Mr. Phillips. I don't recall.

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

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

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

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

Mr. Phillips. I certainly can, sir.

Miss Berning. I don't know if we have a room at two. If you give me a moment, I will call and see if the room is available that early but I scheduled that for four.

Mr. Preyer. Scheduled at four.

Miss Berning. Yes.

Mr. Preyer. I think that four is not going to work so well in the future but I can be here at four today, so we

will just recess until four.

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

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

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

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

Mr. Preyer. Where is the room at four?

Miss Berning. 2212, Armed Services.

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

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

Mr. Goldsmith. I think we can do that.

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

- - -

Ward fls at 4pm

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?

Mr. Phillips. Yes, I have.

Mr. Goldsmith. And during the afternoon recess, did you at any time discuss your testimony before the Committee this morning with anyone?

Mr. Phillips. I did not.

Mr. Goldsmith. Or contact anyone in any way?

Mr. Phillips. I did not. I did not.

Mr. Goldsmith. For background purposes I would like to indicate to you that the allegations or the issues before this Committee are indeed very serious ones. The Committee is trying to determine who killed the President, whether there was a conspiracy. Specifically, in the area of Mexico City, the Committee is trying to determine what Oswald was doing there, if he was there at all. The Committee is also looking

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

The specific question of the cable traffic, the transcripts, the tapes, the photos bear directly upon these issues.

Can you see that?

Mr. Phillips. I understand that.

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

First, do you recall whether or not you actually signed off on the cable of October 8th from Mexico City Station to CIA headquarters?

Mr. Phillips. I believe now that I did not since I saw a copy of the cable, which I believe is the one you are referring to, and I did not see my signature on it.

Mr. Goldsmith. But would you concede that a fair reading of the record of your testimony in November would suggest that in fact you did sign off on that cable?

Mr. Phillips. That either I signed off on it or certainly was aware of its going, yes. Yes.

Mr. Goldsmith. Based upon the transcripts that we reviewed this morning, I think if we were to review each one

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

Mr. Phillips. Certainly.

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

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

The explanation as far as the Cuban embassy was concerned was that there was photographic coverage of the consulate, and as I recall it, he visited on a Friday when that camera was not in -- was not working.

The explanation for the following day, the Saturday, would be that at that time we didn't photograph people who went in on weekends. Afterwards I think Saturday coverage was instituted because of the Oswald thing.

Mr. Goldsmith. Okay.

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

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

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

Do you follow what I am saying?

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

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

Mr. Phillips. There should have been a picture.

Mr. Goldsmith. And to your knowledge was there such a picture?

Mr. Phillips. No, I never saw a picture of Lee Harvey Oswald, and I -- it was my -- I have always believed that no picture of him existed.

Mr. Goldsmith. After the assassination, was Win Scott upset about the failure of the photo surveillance units to obtain photographs of Oswald?

Mr. Phillips. I am sure I can say that he was disappointed.

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

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

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

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

Mr. Phillips. Yes, that was my understanding of why this message went out in sort of two parts.

Mr. Goldsmith. Do you know if the Agency made any effort to identify other non-Latins whom it saw either entering or leaving the Soviet or Cuban consulates or embassies?

Mr. Phillips. You mean generally or in the specific case of this unidentified --

Mr. Goldsmith. In the specific case of the Oswald issue.

Mr. Phillips. I obviously, I don't know what might have been done at headquarters, and I don't recall specifically of an effort made in Mexico, but answering your question in

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

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

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

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

How soon after the first intercept did you receive the transscript of Oswald's conversation?

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

Mr. Goldsmith. However, you do recall receiving that transcript prior to the time that the cable was sent out, the cable I am referring to, the cable of October 9th, 1963?

Mr. Phillips. I am sure I saw it because I read every

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

(Pause)

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

Mr. Phillips. Yes.

Mr. Goldsmith. And your recollection, I guess, based both upon the testimony from November of '76 that you read this afternoon, and any further thoughts that you had, is that you did in fact receive this transcript prior to the time that the cable went out October 9th, '63.

Mr. Phillips. I am sure I must have. I don't recall specifically that I dids. As I explained before, I was in the process in Mexico City of changing from one job to another, doing two jobs, and Mr. Robert Shaw was the man who really was sort of the detail man on these cuban operations at that time.

Mr. Goldsmith. You also indicated this morning that your testimony, based upon the transcript, the testimony that

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

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

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

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

Is that an accurate summary?

Mr. Phillips. I think that is accurate. That testimony was preceded the previous day -- I think that testimony was some three and a half hours. It was preceded by a day of

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 [redacted] 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. Doyou remember where you were when you discussed it?

Mr. Phillips. Either [redacted] 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 8th, 1963, you were in Mexico City?

Mr. Phillips. I left Mexico City at one time during that period to go to the funeral of a nephew who had been killed

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

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

Mr. Phillips. All right, sir.

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

Mr. Phillips. Yes.

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

Mr. Phillips. I see here something that looks --

Mr. Goldsmith. Upper left hand corner, 30 September '63.

Mr. Phillips. Yes, 30 September '63.

Mr. Goldsmith. Without reading through the entire cable, would you please take a look at page 12, CIA No. 12, and read what is written there.

(Whereupon, the witness read the document.)

Mr. Goldsmith. Michael D. Choaden refers to you, does it not?

Mr. Phillips. Yes, that is I.

Mr. Goldsmith. And it indicated that at least at that time September 30th, you were presently TDY Headquarters. What does TDY mean?

Mr. Phillips. Temporary duty.

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

Is that correct?

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

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

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

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

Mr. Preyer. May I just ask, where is headquarters? Is that Washington or --

Mr. Phillips. Yes, sir, that would be in Washington.

Mr. Goldsmith. Mr. Chairman, I only have one copy of this Agency document, so I will have the witness read it. I am referring now to CIA document 252. It is not a good quality copy, but could you try to read to the Committee this section?

Mr. Phillips. Mr. David Phillips, newly assigned chief, PB room in Ops -- that means Cuban operations -- in Mexico will arrive 7 October Eastern Air Lines for two days consultation.

This is to the station in Miami.

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Mr. Goldsmith. Right.

Does that -- go ahead.

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

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

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

Mr Phillips. Yes.

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

Mr. Phillips. It would be done in a case like this where in Mexico, of course, they would know my pseudonym , and in headquarters they would know my pseudonym, but not necessarily in a third station such as Miami.

Mr. Goldsmith. And my next question is, according to the cable, it indicates that your return in Mexico City was estimated to be October 9th --

Mr. Phillips. Yes.

Mr. Goldsmith. 1963.

So it seems to indicate that at the very least, from September 30th, '63 until October 9th, 1963, you were not in Mexico City.

Mr. Phillips. It certainly does.

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

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

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

Mr. Phillips. Yes, it does.

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

Mr. Phillips. No, sir, I cannot.

The only explanation that I can give is that I was suddenly involved in this Cuban business at a time when a lot was happening, and that when I was asked to testify in 1976, so many years later, my recollection of the events was that I was involved in Cuban matters, as indeed I would have been during that temporary duty in headquarters. I did not know -- I did not recall that I was at headquarters during that time.

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

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

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

Mr. Phillips. On the 8th.

Mr. Goldsmith. Mexico City Station, to headquarters.

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

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

Without going over the conflict again, is there a way that you can explain the discrepancies?

Mr. Phillips. The best explanation for the discrepancies I have is what I was referring to this morning saying that I would like to talk about the background under which I gave that testimony in 1976, what instigated it, and you said that I would have five minutes later to explain that, and it is, to me, the explanation of discrepancies in that testimony of 1976.

Mr. Goldsmith. I think now might be an appropriate time to give you a chance to discuss that.

Mr. Phillips. All right.

I retired from the CIA in 1975 to form this organization.

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

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

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

When a newspaper man talks long enough, sometimes you find yourself agreeing with him on the basis of facts that

don't really exist. For instance, during those conversations he said, well, I already know the whole story. Here I have all the documents I received under the Freedom of Information Act, the cables and that sort of thing.

So I half came away from my conversations with Mr. Kessler having absorbed some of the things that he was saying.

The second part of that thing was that I had a book that was about to be published. I was engaged in the business of trying to make a living by lecturing. I was on television shows and that sort of thing, and I don't think there is any question in my mind that at that time I tended to perhaps overdramatize a little bit my role. After all, if you write a book and spend a year doing it, you hope it will be sold and all that sort of thing.

Since that time, although I have continued this public activity, I have tried to be very, very careful, and I am not especially proud of the accuracy of that testimony, and I certainly am really surprised to realize that I was out of town for that period, even though it was still on Cuban matters. That is the best explanation I can give you, sir.

Mr. Preyer. We have a vote on the floor, if you are at a convenient breaking point here.

Mr. Goldsmith. I am.

Mr. Preyer. Would that suit you gentlemen?

We will take a ten minute recess to vote at this time.

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(A brief recess was taken.)

Mr. Preyer. The Committee will resume.

Mr. Goldsmith. Mr. Phillips, we have just had a brief recess, so for purposes of summarizing, I would like to review your last statement.

First, we have a situation here where there are conflicts between your version of the cables as described in your testimony in 1976 and the cables we showed you today. We also have conflicts between the transcripts that you talked about, or the one transcript in particular that you discussed, and those that we showed you today, and we have a situation where you were absent from Mexico City, and yet you told the Committee in November of '76 that you had signed off on a cable, that you had had a conversation with [redacted] and also that you had in fact seen the transcript when you couldn't have seen it until sometime after that.

Your explanation I believe in part is that you attributed this to a conversation that you had with a newspaper man, and also that before the Committee you overdramatized your role.

Is that an accurate statement?

Mr. Phillips. I hope that I didn't do it before the Committee. I think what you have said is accurate. I do not recall, did I say that I remembered distinctly signing off on the cable, or that under the circumstances I would?

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

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

Mr. Phillips. Absolutely not.

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

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

Mr. Goldsmith. Mr. Chairman, any questions?

Mr. Preyer. Mr. Sawyer?

Mr. Sawyer. I'll pass.

Mr. Preyer. Mr. Fithian?

Mr. Fithian. I have no questions on this part. We are going on with some others.

Mr. Goldsmith. Yes, we are.

Mr. Dodd. This is the questioning you are completing here regarding what we were on this morning, Counselor? Is that correct?

Mr. Goldsmith. Yes.

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

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

Mr. Goldsmith. I do have another area.

Mr. Preyer. I will withhold at this time.

Mr. Dodd. I will withhold as well.

Mr. Goldsmith. Fine. Thank you.

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

Mr. Phillips. Yes, I was.

Mr. Goldsmith. When?

Mr. Phillips. From the time of my arrival, which was the fall of 1961 until sometime in 1963.

Mr. Goldsmith. What does the term "covert action" mean?

Mr. Phillips. In its broadest sense, it is the propaganda, political action type thing. In this case, primarily it had to do with Cuba because the Cuban embassy in Mexico City was a focal point for their propaganda activities, and throughout Latin America they were sending couriers through and that sort of thing.

So in effect, as opposed to regular intelligence operations, running agents and getting information, I was more concerned with the media, not only in Mexico, but in Latin America,

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

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

Mr. Phillips. Yes.

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

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

Mr. Goldsmith. Understood.

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

Mr. Phillips. Well, generally speaking -- a lot of people use different definitions, but to me an asset is someone who isn't necessarily an agent, isn't necessarily on your payroll, someone who is cooperative with you, someone who on a witting basis knows they are helping you get a job done. Sometimes that can sort of spill over and say our assets include this agent who we pay and so forth.

So often it is used in the sense of someone who simply is either manipulable or someone who is helping you because they believe in the same things that you believe in or that sort of thing, and it can on some occasions refer to an agent.

Mr. Goldsmith. For purposes of consistency, now, if you

were working with a journalist -- this is by way of an example -- on a propaganda operation, assuming all this is on a witting level, would you characterize him as an agent or as an asset?

Mr. Phillips. Generally as an agent. I think it would depend on the audience you were talking to. If you were in a group here in Washington with people from different agencies, you might say we have an asset who can arrange this, but certainly in-house you would be more inclined to say "agent" than "asset", but it could be used both ways.

Mr. Goldsmith. How specifically would you carry out a particular propaganda operation? For example, if you wanted togenerate a particular story, what ways would you go about doing that?

Mr. Phillips. Well, often the stories you wanted to generate were the result of some sort of instructions from headquarters, perhaps just from Mexico, perhaps worldwide, perhaps for Latin America, in which we have the following points that we want to make, and specifically, you would go out and you would meet your agent or your asset, but generally your agent, and say look, what do you think about this, and he would usually agree with you and write, say, an editorial or a news story which made that point.

Mr. Goldsmith. Did you work with your agents personally or did you direct their work through one of your CIA

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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.

Mr. Goldsmith. So as a matter of routine, you would work directly with your agents, on some occasions. On other occasions you would work through subordinates.

Mr. Phillips. Yes.

Mr. Goldsmith. To what extent did you use one technique more than another?

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Mr. Phillips. I used the -- I did more sort of management than I did case officer work. That is, Mr. Shaw and someone working with Mr. Shaw would go out to meet people more frequently than I would. Then I would also go out and I would meet with an outside American who was not attached to the embassy who had agents working for him, and I would meet with him and plan what those agents would do at his direction.

But I would never meet those agents, or very seldom.

Mr. Goldsmith. Did any of the Cuban exile organizations that were in existence during the time you were in Mexico City have representatives in Mexico City?

Mr. Phillips. Yes, I believe that all have representatives in Mexico City.

Mr. Goldsmith. And did you use any of them in your covert action operations?

Mr. Phillips. We had contact with them and this and that and the other. We used one group of Cubans which was not really so much an exile organization but a group of Cubans who worked together at our direction. But in speaking of the different political groups, at different times from Mexico, a lot of them were met by people there, but I don't recall of any particular group that we worked with on a consistent basis.

I noticed in one of these cables I just read that it had to do with a groupcalled the JURE and so forth. Obviously they had made contact

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?

Mr. Phillips. I don't recall that I did. I recall at a later date a message coming out from headquarters which went to a number of stations which talked about steps which could be taken to counter the stories going around saying that the CIA was involved, but I recall that as being after

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

Mr. Goldsmith. Okay.

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

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

Now, I don't -- I was asked this once in a public debate and I believe I thought at the time it was [redacted] It was more likely now, I think, when I was in the [redacted] and when we were so busy in the [redacted] that we noted that message, but I am not sure if we did anything about it.

Mr. Goldsmith. Okay.

While you were in Cuba, were you also involved in covert action as you just described that term?

Mr. Phillips. Yes, I was.

Mr. Goldsmith. And was your job description there similar to the one that you just gave us in Mexico City?

Mr. Phillips. No, it was not.

The reason was that when I went to -- and I was in Cuba on two occasions. The first -- on the first occasion I was

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

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

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

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

Mr. Goldsmith. And while you were in Cuba, did you tend to have more direct personal contact with your agents or assets than you did in Mexico City?

Mr. Phillips. I would say less, because it seems to me there were a lot less agents.

Mr. Goldsmith. But on a relative basis, did you tend to have more --

Mr. Phillips. The first time, when I was in Chile, 1955,

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

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

Mr. Phillips. I meant Cuba, of course.

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

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

Mr. Phillips. In the sense that I was working, yes, because the public relations business went out of -- there was no public relations business, so when I was -- before I left Cuba, there simply was none of that. So any work I did was for the CIA, but it wasn't full time.

Mr. Goldsmith. What happened to your agents in Cuba after you left, do you know?

Mr. Phillips. I think generally the answer is that they went into exile.

Mr. Goldsmith. So most of them went to the States?

Mr. Phillips. Yes, I would guess so.

Mr. Goldsmith. And did you ever use any of them again?

Mr. Phillips. Yes. Now, wait a minute. I certainly used some of my assets, people I had known there, especially people who were in the newspaper business, and who then I would approach -- I approached in Miami at the time of preparations

for the Bay of Pigs, and saw to it that they got out exile editions of their newspapers.

Mr. Goldsmith. Were any of these assets involved in propaganda activities pertaining to the assassination?

Mr. Phillips. Not that I recall.

Mr. Goldsmith. Do you know a man known Salvatore Diaz Verson? Salvatore Diaz Verson?

I believe he was a Cuban journalist.

Mr. Phillips. I don't recall. I might have, but I don't recall him.

Mr. Goldsmith. Did you ever have any operational involvement with him for the CIA?

Mr. Phillips. I knew so many Cuban newspaper men, I was associated with a newspaper there in the sense that I wrote a column for it. I knew a lot of them. I was in the public relations business, or I tried to when I first got there. That, I might very well have but I don't recall any specifics of it.

Mr. Goldsmith. So you might have had operational activity or involvement with him but you don't recall the specifics.

Mr. Phillips. I might have, yes.

Mr. Goldsmith. Turning to your --

Mr. Phillips. I am sorry, what was the matrinymic, the third name?

Mr. Goldsmith. Verson, V-e-r-s-o-n.

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Mr. Phillips. The name seems familiar to me, but I don't recall the operational activity.

Mr. Goldsmith. He was an individual who was the source of a story that Oswald was seen with Sylvia Duran and a Cuban government official in a cafe sometime in October of '63?

Mr. Phillips. (The Witness nods in the negative.)

Mr. Goldsmith. You are shaking your head so I take it it doesn't ring a bell.

Mr. Phillips. No, it doesn't -- it is not ringing bells.

Mr. Goldsmith. Turning to your work --

Mr. Phillips. Salvadore Diaz Verson.

Mr. Goldsmith. Right.

Mr. Phillips. The name is familiar. It seems to me that I am now recalling that name in an extremely right wing Cuban editor or something like that?

Mr. Goldsmith. If you determine who that individual is after you leave the hearing room today, would you contact the Committee and give us that information?

Mr. Phillips. Of course I will.

Mr. Goldsmith. Thank you.

Mr. Phillips. I do now -- the bell is ringing that that is the name of an extremely right wing, conservative Cuban journalist of some kind.

Mr. Goldsmith. Do you recall now whether you had any operational involvement with him?

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Mr. Phillips. NO, I don't recall that I was connected with him. I may have been.

Mr. Goldsmith. Turning now to your work with the CIA in regard to the Bay of Pigs operation, did you also work on the covert action area in this particular regard?

Mr. Phillips. Yes, in a limited sense. I did not work on the political side, talking with the political groups. That was the job shared by two other people, at one time Howard Hunt did it. My work was propaganda primarily, the construction of a large radio station in the Caribbean, financing of exile newspapers so it was more propaganda type work, groups of doctors who would make statements and that sort of thing. It concentrated on the propaganda.

Mr. Goldsmith. In this particular case, did you have direct contact with your agents and assets?

Mr. Phillips. Yes,I did.

Mr. Goldsmith. On a frequent basis?

Mr. Phillips. Not frequently because I was stationed in Washington and they were generally operating out of Miami, and someone from our Miami office would see them on a regular basis. But I flew to Miami frequently and would meet with them and would see them.

Mr. Goldsmith. During your experience with the CIA, did you ever train any assets or agents in "psychological warfare"?

Mr. Phillips. Certainly not in a formal sense. I would in talking with them about radio broadcasts and things like that, I tried to give them the lessons of my experience, don't be too obvious with this point. If you think that you are going to defend Batista and be welcome back in Cuba, you are crazy, that sort of thing.

Mr. Goldsmith. Did you ever have any type of training sessions at the Berlitz Language School in Cuba?

Mr. Phillips. Training sessions at the Berlitz Language School. No. As a public relations client, when things weren't going very well with my public relations firm and I was taking French lessons, and I -- how did this -- I had French lessons from a Berlitz teacher, and I didn't pay them for the French lessons and they didn't pay me for some propaganda advice. There was an American who was running that office, but no, I don't recall using their school. I had an office and the French teacher came to my office.

Mr. Goldsmith. Did you ever work in Havana with a person whose name was Melton?

Mr. Phillips. That may have been the name of the man at the Berlitz school, but I am not -- I can't recall for sure.

Mr. Goldsmith. What happened to your agents and assets whom you worked with in the Bay of Pigs operation after the operation failed?

Mr. Phillips. Some continued in the Miami exile community. They went into radio stations and started their own programs. Some went into business, a number of different things.

Mr. Goldsmith. Were any of them involved in propaganda activities pertaining to the assassination of the President?

Mr. Phillips. If they were, I don't recall it. I am not aware of it.

Mr. Goldsmith. Did you know a man named Emilio Nunez Portuondo?

Mr. Phillips. Yes.

Mr. Goldsmith. Who was he?

Mr. Phillips. Emilio -- was he not at one time the, not the President of Cuba but the Chief of the Supreme Court or something very, very important and perhaps had something to do with, Ambassador to the United Nations, something like that?

I recall that.

Mr. Goldsmith. Did you ever work with him in any operational sense?

Mr. Phillips. I think I met him in Cuba. I can't recall that I worked with him in an operational sense.

Mr. Preyer. We have a vote on, I am sorry to say, but we will recess for approximately ten minutes.

(A brief recess was taken.)

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Mr. Preyer. The Committee will resume.

Mr. Goldsmith. Did you ever work with a man who was referred to as Douglas Gupton, G-u-p-t-o-n?

Mr. Phillips. Yes,I did.

Mr. Goldsmith. Was that his true name?

Mr Phillips. No.

Mr. Goldsmith. What was his true name?

Mr. Phillips. Douglas Gupton was the alias, not the pseudonym but the alias that I always used for him and that he picked up from me because my two best friends in high school were a fellow named Douglas something and a fellow named Billy Gupton, and that is what I was referring to this morning.

Mr. Goldsmith. And what was his true name?

Mr. Phillips. Bill Kent.

Mr. Goldsmith. Bill?

Mr. Phillips. Kent, K-e-n-t.

Mr. Goldsmith. What kind of working relationship did you have with Douglas Gupton?

Mr. Phillips. Very close because he was the officer who went to Miami who in effect worked for me during the Bay of Pigs business in the Miami locale.

So he met lots of those people.

Mr. Goldsmith. So you were in Washington, D. C. --

Mr. Phillips. That's correct.

Mr. Goldsmith. And Gupton was in Miami.

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Mr. Phillips. Miami.

Mr. Goldsmith. Was he a reliable and competent person?

Mr. Phillips. Yes, quite.

Mr. Goldsmith. Are you sure that his last name was Kent?

Mr. Phillips. I think so, William Kent.

Is it something like that? But I think it is William Kent.

Mr. Goldsmith. And he was an Agency case officer?

Mr. Phillips. Yes, he was a staff officer for the Agency.

Mr. Goldsmith. Getting back for a moment to the question of propaganda or psychohogical training sessions in Cuba, to your knowledge did such sessions take place not necessarily in the offices of the Berlitz School in Havana, but in an office in the building in which the Berlitz School was located?

Mr. Phillips. I have no recollection of that.

Mr. Goldsmith. I asked you earlier about a man named Melton.

Mr. Phillips. Yes.

Mr. Goldsmith. Did you ever have any operational involvement for the CIA with this man Melton?

Mr. Phillips. I am not sure. If Mr.Melton was the man who ran the Berlitz School, I did not, unless there was one of those casual things of he was one of the friendly Americans who passed you information, and to that degree I might very

well have because we became fairly friendly, but I don't recall that he was, had any -- that we asked him to provide cover or he ran a group. I don't recall that.

Mr. Goldsmith. Did he ever run any of these training sessions, propaganda or psychological warfare training sessions?

Mr. Phillips. Not to my knowledge.

Mr. Goldsmith. Did you have an office in the building in which the Berlitz School was located?

Mr. Phillips. I don't recall where -- I don't recall exactly where the Berlitz School was, whether it was in the same building I was in. I was in the building directly behind the Hotel Nacional, and I can't recall whether the Berlitz School was there or not. I didn't go to -- I went there once or twice to that thing, but I didn't go there for my classes.

Mr. Goldsmith. Did you know a person named Delphine Campanada?

Mr. Phillips. I don't recall that.

Mr. Goldsmith. To refresh your memory, would Delphine Campanada have been a person with whom Douglas Gupton worked?

Mr. Phillips. Very well could have been. He saw an awful lot of people. It is not ringing any bells with me right now.

Mr. Goldsmith. What about Ross Crozier, C-r-o-z-i-e-r?

Mr. Phillips. That name is familiar.

Mr. Goldsmith. Is it true that for purposes of refreshing your memory that Ross Crozier was a CIA case officer who worked with the leaders of a Cuban group known as the DRE, Directorio Revolucionario Estudiantil?

Mr. Phillips. Are we talking about Miami or in Cuba?

Mr. Goldsmith. No we are talking about Miami now.

Mr. Phillips. While I think of it, there was an American who worked for me in Cuba, an elderly gentleman, and I have been trying to think of his name. I don't think it is Melton. It could have been but anyway, back to Cuba, to Miami.

That may very well have been, but I don't recall meeting with him. I may have during my trips to Miami.

Mr. Goldsmith. Did you work with this group, the DRE through Mr. Gupton?

Mr. Phillips. Yes.

Mr. Goldsmith. And this would be in propaganda related activities?

Mr. Phillips. Yes.

Mr. Goldsmith. So basically Mr. Gupton worked with the DRE under your direction.

Mr. Phillips. Yes, and he also met with a number of other people, people who were running radio stations and newspaper -- radio programs and exile newspapers.

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But the DRE was a very important student group, both in Cuba and later in Miami.

Mr. Goldsmith. Turning to another area, I believe at the beginning of your testimony today we first raised the question of your pseudonyms, and one of them was Michael Choaden?

Mr. Phillips. Choaden.

Mr. Goldsmith. Choaden, and what was the other one?

Mr. Phillips. Paul Langevin, Paul D. Langevin, L-a-n-g-e-v-i-n, something very close, but I think that is correct.

Mr. Goldsmith. Now, when you dealt with one of your assets or agents, what name did you use?

Mr. Phillips. I never used my pseudonym. The pseudonym was for internal CIA use, and I always used an alias except in those some cases when I used a true name, but I always used an alias.

Mr. Goldsmith. And how many operational aliases did you say that you may have had?

Mr. Phillips. Well, over a period of 25 years I suppose a hundred.

Mr. Goldsmith. And how would that work? You would have one alias that you would use with one individual and another alias that you would use with a second individual?

Mr. Phillips. Yes. Sometimes you would -- if you moved

from one country to another and you might use the same alias you had used before simply because it was something you could remember, so you might use it with more than one agent. Often you would try and choose something that started at least with your initials, and that sort of thing, and I just used countless and different ones over the years.

Mr. Goldsmith. Was that standard practice for case officers to use that many operational aliases?

Mr. Phillips. Yes. I think it generally would be considered sloppy case officer work to use the same one for a long, long time with a number of different people. So often people would change them.

Mr. Goldsmith. But if you used as many as a hundred, wouldn't that make it difficult to remember which alias you used with a particular individual?

Mr. Phillips. Certainly it would. I certainly don't remember all the names that I used.

Mr. Goldsmith. Referring your attention now again to the time that you were in Cuba from 1958 to '60, did you ever know a man named Julio Lobo?

Mr. Phillips. Yes.

Mr. Goldsmith. And in what connection did you know Mr. Lobo?

Mr. Phillips. The connection began because Mr. Lobo's nephew, a man named Carlos Todd, was in a little theater group

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in which I was active. Julio Lobo was known to everyone in Cuba. He was the sugar tsar. I remember on one occasion I actually met with him. I believe it was in Cuba. It might have been later in Miami, but I actually met with Mr. Lobo. At that time he had gone to Spain to live, and it was either in -- it could have been in Washington but I believe it was in Cuba, but I do remember that on one occasion I actually met Mr. Lobo, I think only one time.

Mr. Goldsmith. Did you ever have any involvement with him in reference to your CIA activities?

Mr. Phillips. Mr. Lobo was considered an asset. He certainly was not a paid agent or anything like that. But yes, there -- I don't remember, an operation with him, whether we were just talking with him about propaganda or what, but what the specific was for that reason, whether we were asking him to cover some funds, pretend to be the source of some funds, I don't remember the exact reason.

Mr. Goldsmith. Did you have any operational activity with his nephew?

Mr. Phillips. Carlos Todd?

Mr. Goldsmith. Right.

Mr. Phillips. No. Carlos Todd was a very, very bright man, and I think he figured out very early in the game that I probably -- there was something funny about the fact that I was still living in Cuba without much public relations

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business, and this and that and the other, and I think he suspected that I was Agency, but I don't recall ever using him in an operational sense.

Mr. Goldsmith. Did you ever use Mr. Lobo for recruitment purposes, to recruit an agent?

Mr. Phillips. Now that you say that, it seems to me that perhaps that meeting with him had to do with something that was going on in Spain with some agent that we wanted to approach in Spain that he knew, possibly something like that. I don't recall the details.

Mr. Goldsmith. Did he ever suggest people to you to contact to use as agents?

Mr. Phillips. I am sure he did. I don't recall that he did to me specifically that one time we met.

Mr. Goldsmith. Have you ever heard of a person named Rufo Lopez Fresquet?

Mr. Phillips. Yes, I have.

Mr. Goldsmith. Who is that person?

Mr. Phillips. He was a government minister under Castro, one of Fidel Castro's original cabinet members who, like all the others, became disillusioned with Castro and came to this country. He was a very close friend of some friends of mine in the embassy, not connected with CIA, and I met him at some parties. I didn't have any personal relationship with him myself and never used him.

Mr. Goldsmith. Did he ever assist the Agency in any way with regard to recruitment?

Mr. Phillips. Well, remember that I was on the outside in Cuba, so I can't say precisely what the people in the station did. They may have dealt with him. It was my understanding that he was a very close friend of the chief of USIA in Cuba, and if the Agency used him, I don't know it. I did not.

Mr. Goldsmith. What about a person named Mariada Arensburg?

Mr. Phillips. Yes.

Mr. Goldsmith. Would you tell the Committee who this person is?

Mr. Phillips. My children were going to a school, and Mariada Arensburg, an American woman, was the number two or three person running that school, the vice principal or something like that. I got to know her because of the school. I later found out -- I did not know it then -- that she was politically active in trying to help some of the school who were trying to leave Cuba and that sort of thing, and I remember that she was a particular friend of Rufo Lopez Fresquet.

Then Mrs. Arensburg came to the United States, and I did have operational contact with her there.

Mr. Goldsmith. And when specifically was this incident?

Mr. Phillips. This was during the preparations for the

Bay of Pigs, and we were looking for someone who spoke perfect Spanish and knew Cuba to head a committee to cover-some broadcasting activities, and she was hired for that purpose.

Mr. Goldsmith. Was that the only time that you used her?

Mr. Phillips. Well, I didn't use her at all in Cuba. It was within -- that association was -- she stayed there for some time in that job. Yes, that is the only time I recall using her.

Mr. Goldsmith. Did you ever use her for recruitment purposes?

Mr. Phillips. No, I don't recall ever doing that.

Mr. Goldsmith. Did she ever suggest people to you to contact?

Mr. Phillips. Undoubtedly. We became very, very close friends, and we have seen each other frequently since those years, so undoubtedly she might have done some.

Mr. Goldsmith. What about a man named Jack Cogswell?

Mr. Phillips. Yes, an American businessman in Havana.

Mr. Goldsmith. Did you ever use him as a go-between between you and one of your agents or assets?

Mr. Phillips. I don't recall that I did. He might very well have been used by the station.

Can you do something to refresh my memory? That name is very familiar to me, an American businessman in Cuba.

Mr. Goldsmith. I am afraid I can't help you out on that.

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Mr. Phillips. Okay.

Mr. Goldsmith. Do you recall whether he may have helped you in your recruitment efforts?

Mr. Phillips. He may have because that name is very, very familiar to me.

I can't recall the instance if it is true.

Mr. Goldsmith. You will contact the Committee if you--

Mr. Phillips. I certainly shall.

Mr. Goldsmith. The name Samuel Kell, is that familiar?

Mr. Phillips. Vaguely.

Mr. Goldsmith. Could that person have been a military attache at the Havana embassy?

Mr. Phillips. Yes.

Mr. Goldsmith. Did you ever work with Mr. Kell?

Mr. Phillips. I did not.

Mr. Goldsmith. What about Ewing Smith?

Mr. Phillips. I don't recall that name.

Mr. Goldsmith. A political advisor at the embassy.

Mr. Phillips. Ewing Smith? I think that Ewing Smith must have not called himself Ewing but something else. I thought I remembered a man named David Smith who was a political advisor, but Ewing Smith I don't recall. But there was a man in the embassy named Smith.

Mr. Goldsmith. Have you ever heard of an organization called the Celula Fantasma?

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Mr. Phillips. I don't recall that.

Mr. Goldsmith. Do you recall ever attempting to penetrate that organization with an asset or agent?

Mr. Phillips. No, I don't.

Mr. Goldsmith. Mr. Phillips, you testified earlier that you were initially recruited by the Agency in Chile.

Mr. Phillips. Yes.

Mr. Goldsmith. When did you leave Chile?

Mr. Phillips. On the 14th of March of 1954.

Mr. Goldsmith. And after leaving Chile, were you ever involved in any CIA operations there again?

Mr. Phillips. In Chile?

Mr. Goldsmith. Right.

[redacted]

Mr. Goldsmith. Did you ever work with a man named Luis Posada?

Mr. Phillips. Yes.

Mr. Goldsmith. And who is Mr. Posada?

Mr. Phillips. I believe that he was a Cuban in Mexico City who ran this complex I was telling you about, the Cuban refugee center. I am not positive, but I know I worked -- that name is -- yes, I did work with him, and I think I

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recall that he was the man in Mexico City. I am not absolutely sure about that.

Mr. Goldsmith. What about a man named Lucillo Pena?

Mr. Phillips. I don't recall that one.

Mr. Goldsmith. Is it possible that you may have worked with Mr. Posada in reference to any Chile operations?

Mr. Phillips. Yes, it is quite possible.

Mr. Goldsmith. Did you ever work on any Castro assassination plots?

Mr. Phillips. I did not.

Mr. Goldsmith. In any manner whatsoever?

Mr. Phillips. No manner whatsoever. I didn't know about them until much later.

Mr. Goldsmith. Do you know a man named Victor Fernandez?

Mr. Phillips. I don't recall that name.

Mr. Goldsmith. What about Victor Ocarlos?

Mr. Phillips. No, sir, I don't recall that.

Mr. Goldsmith. What about a man named Antonio Veciana?

Mr. Phillips. Antonio Veciana?

Mr. Goldsmith. Yes.

Mr. Phillips. The only thing I know about Mr. Veciana is what I read in Jack Anderson's column and New Times Magazine.

Mr. Goldsmith. And what is that.

Mr. Phillips. I believe that Antonio Veciana was a man that I have met twice in my life, the first time under unusual

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circumstances, and the second time this morning when I -- I presume that that was Antonio Veciana who came out of the hearings this morning while I was waiting in the hall.

Mr. Goldsmith. And when was the first time that you met Mr. Veciana?

Mr. Phillips. If the man I am talking about, the man who was there this morning, is Mr. Veciana, I first met him on the 18th of September of 1976 when the Association of Former Intelligence Officers was having a convention at the Reston Convention Center, on a Thursday and Friday. On Friday the 18th in the morning, there was a telephone call and they said they were calling from Senator Schweiker's office, and they wanted to know whether three representatives from Senator Schweiker's office could come to our convention, and so of course I said yes, we would be delighted to have them.

They arrived for lunch and so I had them sit at my table. One was a Mr. Fonzi.

Mr. Goldsmith. Fonzi?

Mr. Phillips. Fonzi. One was a young lady whose name I don't recall, and one was a man who was introduced to me only as "the driver."

We had lunch and then I was asked by Mr. Fonzi, I believe it was Mr. Fonzi, if I would mind answering some questions about the Kennedy assassination, and I said fine, how long will it take? And he said, it will take a couple of hours.

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And I said really, that is very difficult for me because I was in charge of the convention and we were trying to make our schedule, but I did step into the hall, and at that time the man I believed to be Antonio Veciana put questions to me in Spanish, and we chatted for a while in Spanish. They left and I called Senator Schweiker's office and said I have just been asked questions about the assassination in Spanish. Is this man a member of your staff, because after we went in the hall he was introduced not -- no longer as the driver but as a member of Senator Schweiker's staff. So I called Senator Schweiker's office and said is this man, with whom I was speaking only Spanish, a member of your staff, and they said yes, he is.

I am putting together some things here. A story came out in New Times Magazine which would indicate that Mr. Veciana was taken to that meeting, as it said in that magazine, to find out whether or not I was a man called Morris Bishop. The man who I think is Veciana I saw again this morning.

Mr. Goldsmith. Did Mr. Veciana identify himself at that time?

Mr. Phillips. No, he did not.

Mr. Goldsmith. Did anyone identify him as Veciana?

Mr. Phillips. No one identified him, gave him any name at all.

Mr. Goldsmith. Maybe I missed your answer, but how did

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you determine if that was Veciana?

Mr. Phillips. Because after I saw the magazine, in June of last year, a year later, the circumstances related in the magazine story were obviously describing the incident where this gentleman came out to see me. Then I read an exact -- the name was not used there. He was identified only as a Cuban exile known as Carlos. Then I read in Jack Anderson's column almost precisely the same story, that the man said -- the story that he gave about being given a large sum of money by the CIA for termination pay and this and that and the other, was the identical story, and in Jack Anderson's column it identified him as Antonio Veciana.

Mr. Goldsmith. Have you ever used the named Firgault, F-i-r-g-a-u-l-t?

Mr. Phillips. As I -- I have already said I have used so many names I don't remember, but I feel positive that I didn't use that name. I just can't see myself dreaming that one up.

Mr. Goldsmith. Have you ever used a Belgian passport?

Mr. Phillips. Never.

Mr. Goldsmith. Did Julio Lobo ever suggest to you that Veciana would be a good asset?

Mr. Phillips. Not that I recall. It could have been but I certainly don't recall it.

Mr. Goldsmith. I think these are important questions now.

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We should try to be as precise as we can so that we don't have the same situation with you coming back again.

Mr. Phillips. Right.

Mr. Goldsmith. I'll ask the question again.

Did Julio Lobo ever suggest to you that Veciana would be a good asset?

Mr. Phillips. I have no recollection.

Mr. Goldsmith. What about Rufo Lopez Fresquet, did he ever suggest to you that Veciana would be a good asset?

Mr. Phillips. He did not. He never -- I don't think that I have ever had a conversation with him except meeting him at a party. No, he did not.

Mr. Goldsmith. And what about Mariada Arensburg?

Mr. Phillips. No, I don't recall that she did.

Mr. Goldsmith. Have you ever used the name John Bishop?

Mr. Phillips. Not to my knowledge. I don't think so, no.

Mr. Goldsmith. Jim Bishop?

Mr. Phillips. No.

Mr. Goldsmith. Maurice Bishop?

Mr. Phillips. Definitely not.

Mr. Goldsmith. You are certain that you have never used the name Maurice Bishop?

Mr. Phillips. I have thought about that a lot since I have seen it in the public print, and I am sure that I never

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used the name Morris or Maurice Bishop.

Mr. Goldsmith. I would like to show you a picture at this time or a sketch, and Mr. Chairman, there is a copy of that sketch in the briefing book in the section pertaining to the previous witness, and I would like to ask you if you can identify that person.

Mr. Phillips. No, I cannot.

It looks like me. It looks more like my brother, but it looks like me.

Mr. Goldsmith. Has your brother ever worked for the CIA?

Mr. Phillips. No, he has not. He is an attorney. And he has stayed at his law firm in Fort Worth, Texas.

Mr. Goldsmith. Do you know of anyone in the CIA who has used the name Maurice or Morris Bishop?

Mr. Phillips. No, I do not.

Mr. Goldsmith. Mr. Chairman, I have concluded with this section of my questioning.

Mr. Preyer. Do you have some further questions?

Mr. Goldsmith. Some, yes, but I could use a few moments if you are going to be asking some questions.

Mr. Preyer. All right.

Mr. Fithian, any questions?

Mr. Fithian. No questions.

Mr. Preyer. Mr. Sawyer?

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Mr. Sawyer. I'll pass.

Mr. Preyer. Mr. Dodd?

Mr. Dodd. Well, I was going to take it back, if I could, Mr. Phillips, to your response to the questions regarding the cable traffic, and I wonder if you might just briefly explain again for us how it was, according to your assessment, based on the cable traffic that you had before you, the copies of the cable traffic, anyway, and your own recollection, how it was that the word "Henry", "Lee Henry Oswald" happened to appear in the cable traffic, and then, of course, the indication off the word "Henry" of sic, indicating that someone knew at that particular time that that was not the correct middle name of the individual?

Mr. Phillips. Well, sir, obviously in my earlier testimony my recollection was that the message that went from Mexico to the United States said we have a fellow down here named Lee Henry Oswald. After that testimony and after having seen the messages, I realize now, I am convinced now that my recollection of the Henry came not from Mexico but from that message from the United States. What the origin of it was, why someone thought it was Henry and why someone put the "sic" on it, I do not know, sir. I do not know why it appeared in that cable Lee Henry Oswald.

Mr. Dodd. Would the indication of that, of the "sic" have been a notation that would have been made in Mexico or

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in Washington?

Mr. Phillips. As I recall it, it was on a copy of the cable which arrived in Mexico. That would be the answer to your question.

But it seems to me, as I recall the indicators, but I am not positive about that.

Mr. Dodd. Normally you wouldn't make an annotation like that before sending a cable?

Mr. Phillips. No.

Mr. Dodd. You would retype the cable.

Mr. Phillips. Yes, you are probably right.

Mr. Dodd. So the conclusion one would reach was that that was an annotation made in Washington?

Mr. Phillips. Yes, I think you would, but I don't know, sir. I really don't know.

Mr. Dodd. Thank you. That is all.

Well, let me just -- one other point. Was there ever in your experience, knowing the chief there, what is his name --

Mr. Phillips. Winston Scott.

Mr. Dodd. Win Scott. Was he the kind of individual that would have interchanged or used interchangeably the words, the letters "aka" and "sic" interchangeably as having the same meaning?

Do you appreciate that?

Mr. Phillips. Yes. I don't think so. He was an

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intellectual. His great secret was that he wrote poetry. He didn't want anyone else to know that. He was very well educated, extremely well read, and no, he is not the kind of man --

Mr. Dodd. He would appreciate the distinction.

Mr. Phillips. He would appreciate the distinction between the two.

Mr. Dodd. Thank you.

Mr. Preyer. You were Chief of Covert Actions in Mexico City in 1963.

Had you been in Mexico City in some other capacity for some time before that?

Mr. Phillips. Yes, sir, from the fall of 1961.

Mr. Preyer. From the fall of '61?

Mr. Phillips. That was the period I was Chief of Covert Action, until 1963, when I then was told that my new job would be chief of Cuban Operations. But in many aspects, those jobs sort of overlapped in a way because so much of my work in covert action in the first, in '61-'62, had to do with Cuba.

Mr. Preyer. Still related to Cuba, did the reporter Ron Kessler contact you originally about the story?

Mr. Phillips. Yes, sir, he called me.

Mr. Preyer. All right, I have no further questions at this time.

Mr. Phillips. Counselor, is it out of line for me to

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make one other remark about Morris Bishop as I know the case, or should I just let that one go?

Mr. Goldsmith. Please do.

Mr. Phillips. If the stories which I have read in the Jack Anderson column are accurate, and that Mr. Veciana's story is that he workeds for many years for the CIA and this and that and the other, and then was later given a large payment of $150,000 or something to reward him for his service, I can't say about all the time that I was in [redacted] and so forth, but as I recall it, those newspaper stories, if they are accurate, said that he says he received this large payment after I became the Chief of the Western Hemisphere Division back in Washington. I believe it said it was in September of '73. I became the chief in the summer of '73.

It is almost inconceivable to me that a payment of that sum could be made to a Cuban exile without my being aware of it. I certainly never signed off on that kind of payment, and as I recall the dates, I was sitting in that seat. So that meant that if he indeed did receive that kind of termination pay -- I have never heard of such a payment -- during that period, that Bill Colby must have done it, and I don't believe Bill Colby would have done it because he would have told me about it and kept me out of trouble.

But that one aspect I can say for the record quite surely, I really don't believe that anyone at CIA made a large payment

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in I think it was September of '73.

Mr. Goldsmith. Are you aware of any payments by anyone at the CIA to Veciana?

Mr. Phillips. None. Could have been.

Mr. Goldsmith. You said that you had a conversation with Veciana when you met him the first time.

Mr. Phillips. Yes.

Mr. Goldsmith. What was the substance of that conversation?

Mr. Phillips. I was simply answering questions. He was asking me questions in Spanish.

Mr. Goldsmith. What were the questions?

Mr. Phillips. Oh, I don't know. I just -- I had the funny feeling when he was asking the questions that what he really wanted was to listen to my accent in Spanish. I was -- thought the whole thing was strange because when he sat at the luncheon table, he didn't really eat very much. He spent all of his time looking around this room with some 275 former CIA people in it, as if he were looking for people. The questions had to do with, what were you doing in Miami, in Havana when you were there, this and that and the other.

I was quite, frankly quite surprised that I was being questioned in Spanish.

Mr. Goldsmith. Have you ever had any operational activity with a man named Gordon McClindon?

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Mr. Phillips. Operational activity?

No. Unusual social activity, including the time when I was going to school at William and Mary and I came to Washington to a now defunct girls' school in Silver Spring called National Park College, and when the prom was over I accepted a ride back to school with a convivial fellow. Unfortunately his school turned out to be Yale, and I went the wrong way, and it was Gordon McClindon who took me.

Since then we have become close friends and associates, but I have never had any operational activity with him whatsoever.

Mr. Goldsmith. And where does he work now?

Mr. Phillips. Mr. McClindon manages his investments. He is an extremely, extremely wealthy man. Some of the Congressmen may remember the man known on radio known as the old Scotchman, who was the first man who recreated ballgames with sound effects records, and he became very, very wealthy, and I am now engaged with him in a television venture. But I have never had any CIA activity with him at all.

Mr. Goldsmith. Does Mr. McClindon do any work with your brother in Texas?

Mr. Phillips. No, I think not.

Mr. Goldsmith. Do they know each other?

Mr. Phillips. I am sure they have met because Mr. McClindon ran at one time for the U.S. Senate. He has been

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well known in that Dallas-Fort Worth area. I am sure they have met each other. Whether they are friends or not, I don't know.

Mr. Goldsmith. We chatted earlier during the recess, and I asked you some questions about Howard Hunt.

To your knowledge, did Howard Hunt and Frank Sturgis know each other during the time that the Bay of Pigs operation was under way?

Mr. Phillips. My -- I am not real sure about this, but I believe that Howard Hunt certainly met him during that period before the Bay of Pigs. Howard for a time was living in Miami and he met a lot of Cubans when he was down there, and I think in a previous conversation we had, we were discussing the fact that Sturgis was connected with Pedro Diaz Lunz. I believe that it was at that time that Howard first met him. I am not positive.

Mr. Goldsmith. Do you recall a conversation with Howard in which he mentioned Sturgis?

Mr. Phillips. No, I don't. I had so many conversations with Howard Hunt and I don't remember the name Sturgis coming up, no. It was only after the Watergate business that it really meant anything to me.

Mr. Goldsmith. What about the name Frank Fiorini?

Mr. Phillips- Yes, that name meant more because that was the one that you heard more. Certainly I have heard

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of Sturgis, and this and that and the other, but I don't recall specifically Howard bringing it up. He might very well have.

Mr. Goldsmith. Is it your feeling, nevertheless, that Hunt and Sturgis knew each other in '61?

Mr. Phillips. Yes, but I can't be positive that that is true. It is possible that Howard met him afterwards, but I am not -- I have a feeling that they knew each other before. But I just can't be sure.

Mr. Goldsmith. Did you ever see them together?

Mr. Phillips. Not to my knowledge. I could have.

Mr. Goldsmith. I am going to read you a list of names very quickly. The names are Jerry Buchanan, Hal Hendrix, Lonnie Hudkins, Jeremiah O'Leary.

Have any of these people ever served as your assets or agents?

Mr. Phillips. First of all, Jerry Buchanan is very familiar. One of the names you mentioned doesn't strike any bells. The two newspaper men, Hal Hendrix and Jerry O'Leary certainly do. Jerry O'Leary happens to be a very close personal friend of mine.

In neither case did either of these two newsmen ever work for me or work for the CIA to my knowledge. They certainly -- and I know that they didn't work for me. They were both newspaper men, perhaps, but the two of them were the two top

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experts --

Mr. Goldsmith. Which two are you referring to now, Buchanan and O'Leary?

Mr. Phillips. No, not Buchanan. That's -- I just say that is familiar to me, but O'Leary and Hendrix.

Mr. Goldsmith. Hendrix.

Mr. Phillips. But when Hendrix, before he went to work first for Intercontinental Hotels and then ITT, was a top notch Latin American correspondent as Jerry O'Leary has continued to be, and so they did not fit in the category of assets or agents or anything else. They were certainly friendly newspaper people we exchanged information with. And one result of that is Jerry O'Leary is a close personal friend of mine. But he did not work for the Agency in any way.

As you know, Hal Hendrix later became involved in the Chile-ITT business and he was not an employee of the Agency.

Mr. Goldsmith. Have you ever given any of these individuals information pertaining to the assassination of the President?

Mr. Phillips. Oh, yes, certainly. I don't know about Hendrix, I don't know whether I have him, but I have known Jerry so very well for so -- we have dinner together and our wives, and this and that and the other. He has been on the intelligence beat. He has followed up and I have told him

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my side of things, told him what I knew and this that and the other.

Mr. Goldsmith. Could you be more specific in terms of the information that you gave him?

Mr. Phillips. Only in the sense that I have known Jerry O'Leary for so many years that when we get together at dinnertime we talk about what is going on in Washington. I don't recall specifically.

I do recall specifically that I haven't talked to him about details of my testimony before this Committee in 1976, for instance, not that, but I certainly have talked with him about the assassination.

Mr. Goldsmith. And you don't recall the substance right now?

Mr. Phillips. No. The general substance. I think I for the record should say that I have talked to a number of newspapermen generally about the assassination. I have been on the David Suskind talk show about it, etc., etc., etc.

Mr. Goldsmith. What about Jerry Buchanan?

Mr. Phillips. That name is familiar. I don't place it right now.

Mr. Goldsmith. You indicated that there were two people that you discussed the assassination with. O'Leary was one. Who was the other?

Mr. Phillips. I suppose that I would say that I -- I

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would have to say that I discussed it with Hendrix because when I used to see Hendrix on many occasions we would talk about everything that had to do with Latin America and I just, I think it is inevitable that we must have talked about the Kennedy Assassination. He knew I was in Mexico City and so forth. I certainly don't recall any specifics.

Mr. Goldsmith. Finally, did Howard Hunt or Frank Bender ever ask you to help finance the repair of an airplane, a B-25 owned by Frank Sturgis?

Mr. Phillips. Well, if it was --

Mr. Goldsmith. I will give you more background. The purpose of this would have been to have had Pedro Diaz Lunz fly leaflet missions over Cuba.

Mr. Phillips. Yes, I recall that Howard -- I don't believe it was Bender because Howard and Bender hardly ever got together. They weren't getting along very well in those days, but I do have the recollection of Howard coming to me and talking about the airplane, and I sort of had the idea that I gave them some money so that this man could drop some leaflets or something like that, but now that you refresh my memory, I think it was to repair the plane so that they could do it.

Yes, I recall that, but I recall it being Howard Hunt and not Bender.

Mr. Goldsmith. So it was Howard Hunt, and would this be

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an example of a situation which leads you to believe that Hunt and Sturgis in fact knew each other?

Mr. Phillips. Yes, I think so. I recall that Howard Hunt's book mentioned the fact that he had come to me and I said sure, you can have some money for the plane or something like that.

Mr. Goldsmith. I have nothing further.

Mr. Preyer. Have you written a book or are you writing a book? Did I get that from the testimony?

Mr. Phillips. Sir, I have written a book which has now been published, and dsuring -- in 1976 when I appeared before you I submitted for the record at that time the pages of the book which had to do with the Kennedy assassination. Since then I have written another book which is going to be published in October, but it is fiction and it does not have to do with assassination, with the Kennedy assassination.

Mr. Preyer. For the record, I will ask, have you ever seen or ever met Lee Harvey Oswald?

Mr. Phillips. Sir, I have not.

Mr. Preyer. Are there any other questions that anyone has at this time?

Mr. Fithian. I would like to ask two very sweeping questions just to satisfy my own curiosity.

You have been pretty close to this whole story of the assassination and were on the scene where part of it was

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played out.

Is it your judgment that Lee Harvey Oswald was a lone assassin?

Mr. Phillips. Sir, it is obvious that I don't have the information that you do, especially about Dallas.

But it is my belief that until I see some other evidence to the contrary, God knows I would like for it to come out that Fidel Castro was responsible or that the Soviets were responsible because there are so many people, especially on college campuses who are convinced the CIA did it. I found myself being accused publicly of perjury before the Congress by Mark Lane during debates on college campuses, so I would like for something like this to come out, but I know of no evidence to show that the Cubans or the Soviets put him up to it, and I just have to go along on the side that he was a kind of a loony fellow who decided to shoot the President, and he did. I just have to come down on that.

In a case on the west coast, two women tried separately to assassinate President Ford within a very short time of each other. We never hear the slightest suggestion that there was a conspiracy, and the reason, I believe, is that they missed. Lee Harvey Oswald didn't miss, and the American public doesn't want to believe that one man could murder Camelot. And so I come down on that side but that is just opinion.

Mr. Fithian. And you have no inkling that anyone in

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the organized crime sector might have had any interest in this.

Mr. Phillips. No, sir, I do not.

The Chairman asked me a minute ago if I had known Lee Harvey Oswald. I have a number of children yet to go through college, and I am in the lecturing business, and I could quadruple my income overnight if I could change the title to the CIA Man Who Knew Oswald. I would make half a million dollars next year. But I don't know of any such connections.

Mr. Fithian. Thank you, Mr. Phillips.

Mr. Preyer. Thank you, Mr. Phillips.

As was indicated earlier, when we complete the testimony, we do make available to the witness an opportunity to make a statement for five minutes. If you have a further statement that you would like to make at this time we will be happy to hear it.

Mr. Phillips. Sir, I think I just made more statement than you would want to hear.

I would like to say I would be delighted to come back to this Committee any time and try to be as useful as I can.

Mr. Preyer. Thank you, Mr. Phillips. We appreciate that.

May I ask you for one thing. Could you provide us with a picture of yourself about the year 1963? If you are like me, you probably only have those high school pictures available.

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Mr. Phillips. Generally speaking, sir, spies don't keep a lot of pictures of themselves, but I have one of them in a Navy uniform in Mexico City about that time when I was in a play, and I was playing the part of a Naval officer, and it is about 1963, and I can provide the Committee with that.

Mr. Preyer. Thank you.

Mr. Goldsmith. Mr. Chairman, excuse me. I would like to interrupt. Before I forget, I would like to have the photograph we showed Mr. Phillips marked as JFK Exhibit 104 and introduced into the record.

Mr. Preyer. Without objection, that is ordered admitted in the record.

(The document referred to was marked as JFK Exhibit No. 104 for identification.)

Mr. Preyer. We appreciate very much your appearing here today, Mr. Phillips, and at this time we will excuse you, and I hope we haven't inconvenienced you too much. We appreciate your arranging your schedule to be here today.

The Committee will recess at this time until 9:00 o'clock tomorrow morning in room 1310 of the Longworth Building.

(Whereupon, at 6:08 o'clock p.m., the Subcommittee recessed, to reconvene at 9:00 o'clock a.m., Wednesday, April 26, 1978.)

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