

RECEIVED
 FEB 8 1962
 INTERNATIONAL
 DIVISION

V
 WCBO20-WAA SA 6 J-ISW
 SAN ANTONIO TEXAS 2-8-62 0926S
 COMSR

JINS WA
 BEKEB 2-7-62 COEXM-MML PETITION OF LEE HARVEY OSWALD IN BEHALF OF
 WIFE MARINA N OSWALD COVERING FILE A12 530 645 FORWARDED TO COEXM
 QN 2-1-62 WITH RECOMMENDATION SANCTIONS NOT BE WAIVED AND PETITION
 BE DENIED BENED CO BETIL DAL

HOLLAND JINS

✓ BEKEB 2-7-62 COEXM-MML A12 530 645 2-1-62 BENED BETIL
 BS 0937S



761

*2/10/62
 Cont'd. in case
 and follow-up
 subject in file with
 them in Houston
 2/2/62*

COMMISSION EXHIBIT No. 1066

FILE: A12-530-645

San Antonio, Texas
 January 30, 1962

In the Matter of
 Marina N. Oswald
 Beneficiary

In Visa Petition Proceeding
 Waiver of Sanctions
 Lee Harvey Oswald
 Petitioner

DISCUSSION: The beneficiary of the subject petition, Marina N. Oswald, was born at Molotovsk, Arkhangelakaya Oblast, U.S.S.R., on July 17, 1941, and now resides with her husband, the petitioner, at Kalinina Street 4, Apt. 24, Minsk, U.S.S.R.

The petitioner, Lee Harvey Oswald, was born at New Orleans, Louisiana, on October 18, 1939, and no evidence has been adduced which indicates that he has lost his United States citizenship. His birth in this country has been adequately established. He enlisted in the United States Marine Corps on October 24, 1956, at the age of 17, and was honorably discharged on September 11, 1959. He re-enlisted as a private in the United States Marine Corps Reserve on that date and was given an undesirable discharge therefrom on August 17, 1960. Reasons for such discharge not determined.

On October 31, 1959, the petitioner appeared at the American Embassy in Moscow, U.S.S.R., and made request that his United States citizenship be revoked. He submitted to the Embassy at that time a hand-written statement wherein he stated in part, as follows: "My request for revocation of my American citizenship is made only after the longest and most serious consideration." "I affirm that my allegiance is to the Union of Soviet Socialist Republics." He advised the Embassy that he had contemplated the action for about two years before his discharge from the Marines. The Embassy advises that he was aggressive and arrogant and that he was contemptuous of any efforts in his interest. He gave as his principal reason for desiring expatriation, "I am a Marxist".

On February 28, 1961, the American Embassy at Moscow, received a letter from the petitioner wherein he requested the return of his passport and indicated that he desired to return to the United States, provided no legal proceedings would be instituted against him upon his return. It is noted that he was married to the beneficiary at Minsk, U.S.S.R., on April 30, 1961. He appeared at the Embassy on July 8, 1961, on his own initiative in connection with his desire to return to the United States with his wife. He stated at that time that although he had originally declared at the Embassy on October 31, 1959, that he would willingly make available to the Soviet Union such information as he had acquired as a Radar Operator in the United States Marine Corps, he had actually never been questioned by the Soviet authorities regarding his life or experiences prior to entering the Soviet Union and that such information had not been furnished to any organization of that Government.

COMMISSION EXHIBIT No. 1067

Office Memorandum • UNITED STATES GOVERNMENT

AL2 531 002
AL2 530 645
DATE: January 26, 1962

TO : District Director
San Antonio, Texas
FROM : L. A. Mack, Officer in Charge
Dallas, Texas

SUBJECT: Visa petition filed by Lee Harvey Oswald, AL2 531 002, in behalf of Marina N. Oswald, AL2 530 645.

Under existing procedures sanctions may be waived in an individual meritorious case for the beneficiary of a petition filed by a reputable relative where no substantial derogatory security information is developed. A substantial amount of derogatory security information has been developed in connection with the petitioner, and it is felt that he does not meet the criteria mentioned as to being reputable and considerable doubt has arisen with respect to any meritorious features of this case. It is reported that on his subsequent visit to the Embassy, he stated he had been completely relieved of his illusions about the Soviet Union, and also that much of the bravado and arrogance which characterized his first visit appeared to have left him. These unsupported declarations of the petitioner are not sufficient to relieve the doubts which have arisen regarding his loyalty to the United States. Sanctions will not be waived and the petition will be denied.

It is ORDERED that sanctions imposed under Section 243(g) of the Immigration and Nationality Act be not waived and that the petition be denied.

It is further ORDERED that this case be certified to the Deputy Associate Commissioner, Travel Control, for final decision.



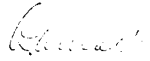
J. W. Holland
District Director

COMMISSION EXHIBIT No. 1067—Continued

Forwarded are classified files of subjects for your consideration as to whether sanctions under Section 243(g) of the Act should be waived. You will note that the petition has been endorsed approved with your facsimile signature and the initials of the Immigrant Inspector who processed the case. When presented for my review, I could not concur with the decision to approve; and, although, I do have the authority to approve family type petitions over your signature, I am not certain that this authority would extend in this type case.

It appears that the Department has found that the beneficiary is not ineligible to receive a visa. The petitioner emigrated to Russia in 1959 because of a dislike for the United States. On October 31, 1959 he attempted to renounce U.S. citizenship at the American Embassy at Moscow at which time he stated that he was a Marxist, had applied for Soviet citizenship and stated that he had offered the Soviets any information he had previously acquired as an enlisted radar operator in the U.S. Marine Corps. On November 2, 1959 subject furnished a hand written statement to the Embassy stating in substance he had entered the Soviet Union for the express purpose of applying for citizenship of the Soviet Union; that these steps were taken for strictly political reasons and also affirmed his allegiance to the Soviet Union. The Embassy at that time apparently decided to delay action on any formal execution of an oath of renunciation. As a consequence, subject later dropped his attempt to formally renounce citizenship. The Department now indicates that subject has had a change of heart and wants to return to the United States with his Russian wife; that they will probably revalidate his passport for direct return to this country. OI 205.3, as you know, provides that the District Director may waive sanctions in an individual meritorious case for a beneficiary of a petition filed by a reputable relative where no substantial derogatory security information is developed. I am of the opinion that both of these restrictions are present in this case.

You will also note that the Central Office on January 23, 1962 requested the status of this case. We advised that the investigation had been completed and action on the petition would be taken as soon as the investigative reports were prepared.



COMMISSION EXHIBIT No. 1068