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LD/P 4-1739

CIA HISTORICAL REVIEW PROGRAM  
RELEASE IN FULL *+998*

6 - APR 1964

MEMORANDUM FOR: Mr. J. Lee Rankin  
General Counsel  
President's Commission on the  
Assassination of President Kennedy

SUBJECT : Reply to Questions Contained in Your  
Memorandum dated 12 March 1964

Attached herewith is the information which you requested  
in your memorandum dated 12 March 1964 and entitled "Certain  
Questions Posed by the State Department Files."

*SAME AS  
640-265*

(Signed) Richard Helms  
Richard Helms  
Deputy Director for Plans

Attachment: As stated above

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3 April 1964

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1. OSWALD's travel from Minsk to Moscow and return in July 1961 would normally have required prior authorization. Bearers of a Soviet "passport for foreigners" (vid na zhitelstvo v SSSR dlya innostrantsa) are required to obtain travel authorization from the Visa and Registration Department (OVIR) (or Passport Registration Department (PRO) in smaller towns) if they desire to leave the city (or oblast) where they are domiciled. This same requirement is believed to apply to persons, such as OSWALD, holding Soviet "stateless passports" (vid na zhitelstvo v SSSR dlya lits bez grazhdanstva).

2. The practicality of even "unauthorized" travel was demonstrated by events related by Bruce DAVIS, a United States citizen who defected from his US Army unit in Germany on 19 August 1960, and subsequently was sent to Kiev to study. After his repatriation in 1963, DAVIS told US authorities that he had made a total of seven unauthorized trips from Kiev during the 1961-1963 period. One of these trips was a flight to Moscow on 1 May 1961, only two months before OSWALD's flight. DAVIS was apprehended on two of his seven trips, and was returned to Kiev each time, the second time under escort. On both occasions he was merely reprimanded by the deputy chief of the institute at which he was studying. Since Marina had a Soviet citizen's internal passport, there would have been no restrictions against her making the trip to Moscow.

3. There are no legal restrictions against persons, including Soviet citizens, entering the American Embassy in Moscow; in fact, the Soviet government guarantees the principle of unhindered access to the Embassy. In practice, however, the Embassy perimeter is patrolled by uniformed militia [civil police] personnel, and the Embassy gate is guarded constantly by two militiamen. These "militiamen" are actually personnel of the Committee for State Security (KGB). Anyone who is not readily identifiable as a foreigner and who has not had his visit announced in advance, is stopped and asked for his name, documents, and business with the Embassy. Any Soviet citizen who does not have legitimate business with the Embassy is taken away for interrogation. Should someone force or bluff his way into the Embassy, he would be picked up when he departed.

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Such measures are taken, according to Soviet explanation, to protect the Embassy from intrusion by "hooligans" and other undesirable elements. OSWALD might well have been stopped by the militia at the gate, but since he carried a stateless passport and was probably identifiable as an American by name, accent and possibly clothing, would probably not have been prevented from entering. Marina also would probably not have been hindered, since she was the wife of a foreigner and had legitimate business in the Embassy.

4. OSWALD said that he asked for Soviet citizenship on 16 October 1959. According to his diary, he received word a month later that he could stay in the USSR pending disposition of his request, but it was another month and a half before he was given his stateless passport.

5. When compared to five other defector cases, this procedure seems unexceptional. Two defectors from US Army intelligence units in West Germany appear to have been given citizenship immediately, but both had prior KGB connections and fled as a result of Army security checks. Of the other three cases, one was accepted after not more than five weeks and given a stateless passport apparently at about the same time. The second was immediately given permission to stay for a while, and his subsequent request for citizenship was granted three months later. The third was allowed to stay after he made his citizenship request, but almost two months passed before he was told that he had been accepted. Although the Soviet Ministry of Foreign Affairs soon after told the US Embassy that he was a Soviet citizen, he did not receive his document until five or six months after initial application. We know of only one case in which an American asked for Soviet citizenship but did not take up residence in the USSR. In that instance, the American changed his mind and voluntarily returned to the United States less than three weeks after he had requested Soviet citizenship.

6. So far as we are able to determine, there is no Soviet law which would prevent a Soviet citizen married to a foreign national from accompanying his or her spouse from the USSR. This situation is also believed to have existed at the time of the OSWALDs' departure from the Soviet Union in 1962. In practice, however, permission for a Soviet wife

/ to accompany her

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to accompany her foreign national husband abroad is rarely given. In almost every case available for our review, the foreign national was obliged to depart the USSR alone and either return to escort his wife out, or arrange for her exit while he was still abroad. In some cases, the wife was never granted permission to leave. The majority of cases reviewed involve foreign students, exchange teachers, and other relatively transient persons, and while a number of cases have certain points in common, they bear little similarity to the OSWALD case; none involved a defector who married prior to repatriating.

7. The time lapse involved in Soviet processing of the OSWALDs' departure documentation appears to be normal. Marina began assembling the documents necessary for an exit visa in May 1961, and both OSWALDs actually applied on 20 August 1961, according to Marina's statement and OSWALD's diary. Marina's exit visa was issued at the time her new passport was issued, 11 January 1962, although she had been informed by Soviet authorities about 1 January 1962 that the visa would be issued. Lee OSWALD's exit visa was not issued until 22 May 1962, although he, too, apparently had been told in early January 1962 that the visa would be granted. The time lapse between actual application and notice of approval was over four months. By way of comparison, some Soviet wives have been held in the USSR for years, while in two specific cases involving Swedish national husbands, the Soviet wives were processed out in less than four months.

8. Issuance of a stateless passport (which may be called a sojourn permit or stateless person identity document - vid na zhitelstvo dlya lits bez grazhdanstva) is not unusual. Such a document was issued to US Army deserter Bruce DAVIS, who defected through East Germany to the USSR in August 1960 and was subsequently sent to Kiev as a student before he repatriated in July 1963. According to United States Embassy Airgram A-319, dated 4 September 1962, DAVIS was "officially documented by the Soviet authorities as a stateless person, which is normal for a non-Soviet citizen not in possession of a valid national passport." DAVIS, of course, did not have a passport when he deserted and OSWALD had left his at the US Embassy on 31 October 1959.

/Available exemplars of

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Available exemplars of stateless passports indicate that they are valid for one year from date of issue. An exemplar from the year 1960 (the year of issue of OSWALD's document) shows that it had been renewed for an additional one-year period beyond its original expiration date (as OSWALD claimed for his own document). Available exemplars show that the bearer was obliged to report to the local OVIR (Visa and Registration Department) or the PRC (Passport and Registration Department) office quarterly to register. We have no information to indicate whether OSWALD reported periodically for the same purpose.

9. There is no indication in State Department correspondence available to this agency that the content of the State Department communication (A-127) dated 1 February 1961 was transmitted to the Soviet Ministry of Foreign Affairs or to any other component of the Soviet government. US Embassy Dispatch 585, dated 28 February 1961 and referencing State Department Airgram A-127, forwarded the contents of OSWALD's letter postmarked 5 February 1961 and included the following statement: "OSWALD's present address as given on the envelope and in his letter is: Ulitsa Kalinina, House 4, Apartment 24, Minsk. The Department may wish to transmit this address to Mrs. Marguerite OSWALD. It would presumably fulfill the requirement in paragraph three of the Department's referenced Airgram." (Paragraph three requested the Embassy to inform the Ministry of Foreign Affairs of Mrs. Marguerite OSWALD's concern about her son.) It would appear from the statement quoted above, and from the absence of any other reference to action by the Embassy regarding A-127 that the contents of the airgram had not yet been transmitted to Soviet authorities. It is our understanding that State Department Airgrams are not encoded, but are forwarded in clear text by diplomatic pouch. We understand further that delivery time for such pouches varies from three to ten days, therefore Airgram A-127 would not have arrived at the Embassy before 4 February, and probably would not have arrived until several days later. Although the airgram may not have arrived until after the 5 February postmark date on OSWALD's letter, the possibility that the Soviets engineered the writing of the letter cannot be completely excluded, for the postmark could have been fabricated at Soviet technical facilities in Moscow as late as the day before OSWALD's letter was delivered to the Embassy. On the basis of available information, however, we have no reason to believe that the communication was intercepted or that OSWALD's letter was engineered by the Soviets.

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### ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

*C/SR/CI/R*

EXTENSION

NO.

DATE

*3 April 1964*

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

*C/CI/R+A*

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2.

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*BY HAND*

10.

11.

12.

13.

14.

15.

*DD/P*

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