

V-11(2) SOU

James

3/20/62

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SCA - Mr. Michel Cieplinski

VO - Mr. Robert F. Hale

Immigrant Visa Case of Mrs. Marina E. OSWALD.

There is attached the Visa Office file in the case of the above-named alien, including a letter drafted for your signature to the Commissioner of Immigration and Naturalization and a priority telegram to the Embassy at Moscow.

Mrs. Oswald, nee Marina Nicholayevna Prusakova, born July 17, 1941 at Moloatovsk, Union of Soviet Socialist Republics, is the wife of Lee Harvey Oswald. Mr. Oswald, who was born October 19, 1939 at New Orleans, deserted to the Soviet Union in October 1959, shortly after completing a three-year enlistment in the United States Marine Corps. Although a report from the Federal Bureau of Investigation (contained in the file) stated he had had no known contact with the Communist Party of America and had shown no proclivities for communism, he stated to the Embassy at Moscow that he intended to become a Soviet national and to reveal to the Soviet authorities all the information he could about his training in the Marine Corps as a radio operator. Mr. and Mrs. Oswald were married April 29, 1961 and presently reside at Minsk, where a child was recently born to them. Mr. Oswald has now become disillusioned with life in the Union of Soviet Socialist Republics and wishes to return to this country with his family.

This office rendered an opinion on October 3, 1961 that Mrs. Oswald's case could be considered under the provisions of Section 212(a)(23)(I)(i) of the Immigration and Nationality Act in that her membership in the Soviet Trade Union for Medical Workers could be considered involuntary. The Passport Office has rendered an opinion that Mr. Oswald has not expatriated himself and may be issued a passport for his return to the United States. The Office of Special Consular Services has authorized a repatriation loan to Mr. Oswald. The Soviet authorities have issued exit documentation to Mrs. Oswald and have indicated that such documentation will be issued to Mr. Oswald upon completion of his travel plans.

However, the San Antonio District Office of the Immigration and Naturalization Service has now replied to the Visa Office that, while it has approved the petition granting Mrs. Oswald nonquota status as an immigrant, it will not waive the conditions imposed under the provisions of Section 212(g) of the Act against the issuance of immigrant visas in the Soviet Union. An Operations Memorandum was

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forwarded to the Embassy containing that information and pointing out that Mrs. Oswald would therefore be required to apply for her visa in a third country.

SOV has now recommended that the Department request Immigration and Naturalization Service to reconsider its refusal to waive the sanctions. The letter to Mr. Farrell and the telegram to Moscow have therefore been drafted for your signature.

Attachments:

Visa Office file on Marina E. P. Oswald.

cc: SOV - Miss James
PPT - Miss Knight
SCS - Miss Van Cott

SCA:VO:JEC:mpd:fb 3/20/62

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Virginia James Exhibit No. 3A