

when Lee recovered his rifle after the alleged 10 April 1963 assassination attempt on the general.²³

As mentioned earlier, the FBI could not determine whether the slug taken from General Walker's home could have been fired from the alleged assassination rifle because of the mutilation of the bullet. In March FBI lab agents muddied the evidentiary waters even more around the Walker shooting with a report that spectrographic comparison between the lead alloy in the Walker slug and the lead alloy from a large fragment from the presidential limousine "did not compare". There was little comfort the FBI could take from this report unless it could prove that Oswald owned a second rifle or was using different ammunition in his presumed attempts on JFK and Walker. Otherwise, the spectrographic tests were exculpatory, the alleged presidential assassin was not the Walker sniper. Ivan W. Conrad, the assistant director of the FBI Crime Laboratory (BuLab) thought they might still tie Oswald to the Walker attempt if they could find bullets at any of the target ranges in and around the Dallas-Irving area where he practiced. Since Marina fed her FBI interrogators stories of Lee slipping off at night with the rifle to sharpen his skills, he thought Marina might provide some useful leads.²⁴

With the help of the Dallas-Irving police, the FBI checked on the gun clubs and questioned the owners and some patrons to see if they could identify Oswald with a rifle and scope that looked like C2766, the evidence tag number the Commission assigned to the Mannlicher-Carcano found on the sixth floor of the TSBDB. The FBI search came up empty. It was reported to Rankin "every allegation made concerning Oswald's target practice was fully run out but in each instance the allegation proved to be unfounded." Mosk noted in his 18-page memo that the FBI failed to find anyone "who could identify

Martin. While the request was bucked up to Justice for the attorney general's approval, Belmont recommended that Rankin and the Commissioners not be told about phone tap until it was in place; Hoover concurred.³¹ *W*

When Marina moved from the Fords to her own place in Richardson, Texas, the FBI was a step ahead of her. Before she moved into her own home agency technicians installed a "misur" (a "bug") at her Richardson address without telling Rankin or the Commissioners. By 2 March 1964 the "bug" and the phone tap were in place and FBIHQ sent eight agents to the Dallas office to help man the surveillance equipment around the clock. On 15 March 1964 FBIHQ decided on its own to discontinue all surveillance on Marina.³² *(see note)*

The electronic haul from the operation, 22 reels of tape, revealed nothing of Oswald's motives or any hint of conspiracy. The official FBI position, of course, from day one was that Oswald acted alone in the killing of President Kennedy. However, every FBI "June Mail" memo carried the slugline "Lee Harvey Oswald, Internal Security---Russia---Cuba." This was probably to cover the FBI's illegal wiretapping and bugging. By concocting a "national security" cover the bureau did not require a judge's permission for the electronic surveillance. The FBI admitted that this around-the-clock snooping into Marina's private life captured on the 22 reels of tape was of no evidentiary value.³³ This certainly came as no surprise to the bureau since it must have tumbled to the fact by this time that Marina knew nothing about the Kennedy assassination. Like Scheherazade in the ancient Persian chronicles, Marina spun out her stories to keep from being swallowed up by an act of incomprehensible and all-consuming horror and to escape being deported

-R.W.

to her country of birth whose interest in her fate could best be summed up--“return not desired.”³²

What the tapes did record were Marina’s most intimate feelings, her dream life, and sexual fantasies that she confided to Katya Ford, her Russian-speaking friend and confident, former host, and wife of her new business manager. They also recorded intercepts of Marina’s conversations with her lawyer, William A. McKenzie, a Dallas attorney recommended by Declan Ford to handle her legal battles with James Martin following the rupture in their personal and business relationship. FBIHQ developed a sudden case of cold feet on the Marina surveillance fearing it would kick back if it was leaked to the public.³³ Details of Marina’s negotiations with her lawyer and her erotic fantasy life were not, most Americans would have agreed, legitimate interests of the government even under the most generous interpretation of the overworked Cold War shibboleth of “national security.” Had this lawless abuse of Marina Oswald’s right to privacy reached the media it would have created a public relations debacle for the Hoover Bureau.³⁴

— R. Lee Jan 36 —

When FBIHQ suddenly terminated the surveillance, Assistant Director William C. Sullivan recommended that the Commission not receive the FBI report generated from the Marina tapes since “it does not appear the Commission specifically asked for a technical surveillance.” W. A. Branigan, FBIHQ’s man who headed up the Marina case, strongly supported ending the surveillance. Branigan worried that since the wiretap had picked up detailed conversation between Marina and her lawyer he argued--putting a nice point on it--that this was “undesirable” from a “legal standpoint” if it became public. Belmont, who was formally responsible for the entire investigation, “loathed to have this

type of material on record” less the Commission have access and leak to the press. FBIHQ leakers had suddenly become champions of preventive maintenance plumbing. Hoover naturally agreed to the suppression “because the Commission seems intensely alert to embarrass the FBI. . . .” Tolson, DeLoach, and Mohr, the rest of Hoover’s “General Staff”, all favored burying the report certain that someone on the Commission would leak it to the press. But when the Dallas field office asked if it should destroy the Marina tapes, Hoover ordered that Dallas permanently retain them.³⁵ 31

Given that the FBI discounted the tapes as having “no evidentiary value,” what possible use could the agency have for them? A September 1964 Branigan to Sullivan memo written after the Warren Commission Report was released gave an indication of FBIHQ’s intentions. Branigan’s memo reported in detail Marina’s criticism of the FBI during her first Commission session as a witness. Hoover and his bureau chiefs could be unforgiving and vindictive when it came to those with the temerity to criticize the agency. In her February 1964 testimony before the Commission Marina was outspoken in her criticism of the FBI. She unfavorably contrasted the agency with the high opinion she had of the Secret Service and the Dallas Police Department. It would hardly be breaking news where the Hoover FBI was concerned, if the director and his agency chiefs kept the tapes to threaten or publicly embarrass Marina when and if the opportunity arose.

Blackmail and character assassination were part of the Hoover FBI arsenal of dirty tricks used without compunction against its critics and perceived enemies.³⁶ 38

In September 1964 the Warren Commission submitted its findings to President Johnson and the American people. Officially, the nightmare of Dallas was over and the

nation was quickly swept up in LBJ's Great Society programs, a burgeoning civil rights revolution, and the distant rumblings of a war in Southeast Asia.

For Marina the nightmare never really ended but she moved ahead making a life for herself and her children. At the beginning of 1965 she enrolled in an intensive eight-week English language course at the University of Michigan under the sponsorship of an area church group. Her presence on the Ann Arbor campus generated immediate but short-lived interest and excitement. The Ann Arbor police department, campus security, and the university administration closely monitored her mail and her comings and goings. Ann Arbor Police Chief Rolland Gainsley, at the request of the FBI, discreetly covered her few press conferences. Gainsley reported her comments to the FBI and agent Wallace Heitman sent his Marina reports forward to FBIHQ. After the initial flash of publicity Marina became just another student on the large Michigan University campus. She finished her course without any further fanfare, returned to Dallas, remarried, and had another child.³⁷ 34

Ostensibly, Marina appeared on the path to a normal life. She surrounded herself with all the trappings of the contemporary American middle-class model of the good life: a caring and hard working husband, the sweet satisfaction of financial security, the joy of a new baby and a comfortable home in the Dallas suburbs. But Marina was haunted by memories and flashbacks of the nightmare of the assassination and the subsequent nine months when she was the object of intense government scrutiny. Marina Oswald Porter's burden was, if nothing else, *sui generis*: her first husband was "convicted" by a blue-ribbon presidential commission of committing the "Crime of the Century." This was a bleak legacy that could be a crushing weight for the Oswald children and their children's

children to carry through life. Marina once described this legacy as a “heavy object, a hammer in my mind.” Given time to reflect, it was natural that Marina wanted the reality to be otherwise. There were understandable psychological reasons why she felt compelled to rearrange the truth---that is, the “official truth” of Dallas---to wash away what threatened to be an indelible and crippling family stigma.³⁸ 40

Marina’s attempts to revise the “official truth” of Dallas started incrementally in 1964 and continued, despite great interludes of silence, for the next thirty years. Hers was not always a very popular course with the Oswald children. On Sunday, 6 September 1964 at the U.S. Naval Air Station in Dallas, Marina confronted Commission members for her third and last time. The Commission’s final report was already in final draft and ready for the printers, but Russell, Cooper, Boggs, and Rankin wanted one more go-around with their star witness.

During the course of the three-hour session Marina flabbergasted her questioners when she opined that Lee was shooting not at JFK but Governor John Connally. She could only speculate about Connally, explaining that he was Secretary of the Navy when her husband unsuccessfully petitioned to have his dishonorable discharge from the Marine Corps Reserves reversed. Marina inferred that her impulsive and hot-tempered husband harbored a festering grudge against Connally, a noted public figure and a “stupid bureaucrat” (Lee’s characterization) and made an attempt on his life to settle a score. This was a dramatic rearrangement of her February 1964 Commission testimony when Commissioner Boggs asked her if she believed Lee shot President Kennedy and Marina unhesitatingly replied: “Regretfully, yes.” Three years later she was subpoenaed to appear before the grand jury in the Jim Garrison case against Clay Shaw. Marina testified

that she believed Lee killed the president but rejected the notion that he was involved in any conspiracy.³⁹ 41


By the late 1980s Marina began to speak with cold conviction that Lee was a “government agent” and was set up to take the fall for the assassination. Needing to speak out she found a new voice. Marina was now certain her first husband did not shoot anybody. In a rare public appearance at a 1993 Harvard University conference on the assassination, Marina claimed that Lee “loved JFK and what he stood for.” She went on to assert to the largely sympathetic audience that Lee was a “patsy in a conspiracy to kill the president.” She rejected the government’s investigation and the Warren Report as a “historic miscarriage of justice.”⁴⁰ 42

In Marina’s own mind Lee was a victim just as she, too, felt victimized. It was as though Dallas had erased or blurred the boundary between his history and her own. She told one interviewer “Lee was buried, but I was buried even deeper by the weight of my humiliation.” As the Commission’s most damaging witness against her husband, she had come to see herself as “his executioner.” She blamed the Commission for leading her as a witness, maneuvering her with their questions so she became a spokesman to advance their predetermined conclusions that Oswald was the lone gunman.⁴¹ 43

Given the threats and other circumstances at the time that prompted Marina to help the Commission build its “reasonable” case against Lee her latter efforts to clear his name could be easily dismissed as self-directed therapy. The only way she had to alleviate her guilt for being an accessory to the Commission’s findings that Oswald committed the most subversive crime in our form of government was by publicly championing his innocence and, by extension, her own. However, to dismiss or

psychologise Marina away too quickly would overlook the Commission's ex parte and systematic efforts to prejudice the case against Oswald by what it chose to emphasize and what it intentionally ignored or suppressed. A review of some of the Commission's evaluation of Oswald makes the case that Marina's contention that her husband was a "government agent" not categorically unwarranted.

In its more than 900-page Report, much of it devoted largely or exclusively to Oswald, the Commission had to grapple with the troublesome question of motive. In Chapter Seven the Report turns its hand at trying to answer why Oswald did what the Commission concluded he did do. From the outset of the chapter the Report settles upon his "Commitment to Marxism or Communism" as the controlling explanation for Oswald's actions. The Report makes no effort to define or explain what it means by these terms nor does it produce any evidence of his alleged "commitment to Marxism or communism." The Report asserts that Oswald "resented the capitalist system", but that same paragraph includes the incongruous observation that when he was in the Soviet Union Oswald "spoke highly of the United States" and condemned the communists and the Soviet Union. The Marine officer in charge of the radar crew on which Oswald served testified that he never heard him say he was a communist or "thought of being a communist." Oswald's closest buddy in the Marines, Nelson Delgado, observed that Oswald was favorably excited about the Castro revolution but was not in favor "of the Communist way of life."⁴² Moreover, some of Oswald's favorite books were George Orwell's anti-authoritarian and anti-Communist classics *Animal Farm* and *1984*. His favorite piece of classical music was Peter Ilyich Tchaikovsky's *Queen of Spades*.⁴³

The 50-page chapter, under the misstated section “Return to the United States,” quotes excerpts from an Oswald essay entitled “The Collective.” According to the Commission this was Oswald’s “longest and clearest” piece of writing, basically detailing his work experience in the Minsk radio and television factory where he worked when residing in the Soviet Union. (It provided the kind of detail that would attract the attention of the intelligence community.) In his piece “The Collective,” Oswald spares neither the American Communist Party nor the Soviet system. He accuses the Soviets of “crimes unsurpassed even by their early capitalist counterparts” and blasts the Kremlin heirs of Stalinist mass exterminations, individual suppression and regimentation for “the murder of history and the prostitution of art and culture.” This was the kind of language that would have been warmly endorsed by the ultra right groups in Dallas. Having laid all this out, and more, in Chapter Seven the Commission still comes to the thudding conclusion that Oswald’s “commitment to Marxism and communism” was an “important factor” in his attempts to kill General Walker and President Kennedy. This motif--- commitment to Marxism and communism---was in the Commission’s eyes enough of an explanation for the ordinary understanding of the American people as to the “Why” of Dallas.⁴⁴ 

When the Report deals with Oswald’s record in the Marine Corps it suppresses facts and ignores circumstances that are inconvenient to the Commission’s prosecutorial case against the dead man charged with JFK’s murder. Oswald was not a model leatherneck. He was moody, disrespectful and occasionally insubordinate to those superiors who he regarded as his intellectual inferiors. The Report covers these incidents and his two court-martials in sufficient detail. At the same time the Corps was

uncharacteristically tolerant of Oswald's consuming and well-known interest in Marxism and the Soviet Union. While he was in the Corps Oswald studied the Russian language, played Russian songs, subscribed to Russian language newspapers, and brushed up on his *Das Kapital* when free time permitted. These were not the kind of pursuits the Corps expected of its "gyrenes", especially those with security clearances, when they were off duty. This open, in-your-face display of Russophilia predictably drew attention from his fellow Marines. Some of them took to calling him "Oswaldskovich" or addressed him as "Comrade," usually to his genuine delight.⁴⁵ 47

Oswald's self-professed Marxism and avid interest in things Russian never interfered with his Marine Corps security clearances. The Report hinted around that Oswald had a clearance "above the 'confidential' level" with access to certain kinds of classified material. Actually, when he served overseas, in the Philippines for instance, Oswald had "Crypto" clearance, which required "Top Secret" as a prerequisite. His Marine Corps MOS (Military Occupation Specialty) was Electronics Operator Airborne, which meant he worked with rather sophisticated radar equipment and systems. In May 1958 his radar crew played some role in the CIA's covert "Operation Strongback", an abortive attempt to topple the leftward-leaning government of Indonesia's President Achmed Sukarno.⁴⁶ JS

The Warren Commission knew about Oswald's Crypto clearance but suppressed it from the official record. It was never even discussed in any of the on-the-record executive sessions. The Commission became intensely interested in Oswald's tour of duty in the Philippines when it learned that an 18-year-old Marine in Oswald's outfit died of a gunshot wound while guarding the crypto van at Cubi Point, in the Philippines. The

dead Marine was Pvt. Martin D. Schrand. Schrand and Oswald had gone to the same advanced radar school in Biloxi, Mississippi, before being posted overseas in the same radar crew assigned to the ultra-secret crypto van. All six Marines attached to the crypto van had to have Crypto clearance, and that included Lee Harvey Oswald.⁴⁷ dg

Soon after the assassination the FBI went over Oswald's Marine Corps records and came across Schrand's death while on sentry duty on 5 January 1958. The FBI's interest was peaked by the fact that Oswald served with the unfortunate Schrand and by the rumors circulated by several Marines in Oswald's outfit that he may have been responsible for Schrand's death. After two criminal investigations into the case the Navy's official 1958 verdict was accidental death with "no other person or persons involved in the incident." After the FBI ran out its investigation into the rumors to no avail, Rankin requested that the Judge Advocate General's (JAG) office review the record on the off chance that the facts of the case just might, upon reexamination, point to foul play. What better collateral evidence of Oswald's criminally violent nature to bolster the Commission's "reasonable" case than tying him to the "murder" of Pvt. Schrand. JAG did forward to Rankin two copies of the Schrand investigation establishing beyond any doubt that the Commission was aware of the status of Oswald's security clearance. After a review of the facts and interviews with the Marines identified with the rumors of Oswald's involvement, JAG was satisfied with the correctness of the original verdict. The Commission and the FBI, faced with disappointment in the Schrand matter, had to bear down on Marina to salvage a scintilla of probative value in her testimony on the Walker shooting.⁴⁸ 50

That the Commission studiously failed to make mention of Oswald's Crypto clearance cannot be attributed, at least in any conventional understanding, to national security reasons. The U.S. Navy never classified the Schrand case. This suppression conforms with the extraordinary circumstances surrounding his discharge from the Marines and subsequent defection to the Soviet Union. With less than two months of his enlistment remaining Oswald asked for a "hardship discharge" to take care of his ailing mother. This was a spurious request and the Marine Corps had to know it was a flat-out lie. His discharge was scheduled for 11 September 1959. A week earlier Oswald applied for a passport from his stateside posting at Santa Ana, California.⁴⁹

With the full knowledge and support from the Marine Corps his passport was issued on 10 September 1959, just six days later. Along with his passport application there were standard Marine Corps forms he had to fill out. Oswald matter-of-factly noted on these forms that he intended to visit, among other countries, the Soviet Union and Cuba before enrolling as a student at Albert Schweitzer College in Switzerland and the University of Turku in Finland.⁵⁰ How did the Corps think Oswald was going to support his mother traipsing around communist countries and attending European institutions of higher learning? Why did alarm bells fail to go off when Marine PFC Oswald, with his unrevoked ultra-secret security clearance, flatly reported that he was going to spend some time in Russia and Castro's Cuba---at the height of the Cold War---before pursuing a university degree, and that with its knowledge that Oswald was a high school dropout?

While the Commission included all of this in its 26 volumes of hearings and exhibits, it made no attempt to explain away these glaring suspicious circumstances

overrunning Oswald's Marine Corps service records. It was all passed over and ignored as though it was as unremarkable as water running down hill. The Warren Report fails to expend a word on his fraudulent discharge and treated the issuance of his passport as administratively routine.⁵¹ The Commission could have gone a long way to alleviate suspicions if it could have sighted just one other service record from any branch of the military as unconventional as Oswald's before he found his way to Russia and announced his intentions to U.S. Embassy officials in Moscow that he was going to seek Soviet citizenship.

When the Commission turned to speculating on Oswald's motives for assassinating the president it mentioned, in addition to his "commitment to Marxism or communism," a desire to "go down in history as a well-publicized assassin."⁵² Before Marina began testifying before the Warren Commission she wrote a rather lengthy handwritten document in Russian. The piece was translated and appears as Commission Exhibit 994 and identified only in the table of contents as "Narrative prepared by Marina Oswald." When Marina gave her accounts of the Walker shooting, as mentioned above, they included elaborate details of Lee's preparation and his agitated state before the alleged attempt on the right-wing general.⁵³

In her narrative Marina recounts Lee's behavior when he visited her and the children at Ruth Paine's house on Thursday, 21 November 1963, the night before his rendezvous with history. She writes that Lee "was not particularly agitated." In fact, he played with June, his oldest toddler, "for a long time." Over dinner he told Marina he was tired of living alone and wanted to find an apartment large enough so he could be with her and the children. Marina demurred, she wanted to stay with Ruth Paine until after

Christmas so they “could celebrate the holidays with friends.” She mentioned President Kennedy’s visit to Dallas and whether she could view it on the television. Lee seemed disinterested and was of no help. While she busied herself about the house after dinner Lee retired early. When she came to bed shortly after midnight Lee was fast asleep. The next morning Lee slept through the alarm clock. When Marina woke him he was running so late that he did not have time to make his own breakfast, which was his usual practice. Before he left for work, Marina would later recall at her 6 September 1964 session with the Commission, Lee asked if she had bought shoes for June. This was the last normal husband-wife exchange of words that passed between Marina and Lee.⁵⁴ JB

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