

Albert B. Jensen, Jr.  
Wesley J. Micheler  
February 18, 1964

Memorandum for Mr. Penkin

Re: Preliminary Report of Investigation in Area III -  
Lee Harvey Oswald: Background and Possible Motive

We are not yet able to set forth definitively the known facts in this area or to state precisely the questions which we must investigate further, because of the scope of our area and because we have been engaged in other activities relating to the examination of Mrs. Marguerite Oswald and Mr. Robert Oswald.

We can, however, preliminarily define certain general areas in which further investigation will probably not be productive, and those in which further independent work must be done in order to protect the integrity of the Commission's final report. Independent investigation will be necessary whenever i) the question at hand is basic to the investigation, ii) the FBI, Secret Service or other agency involved might have an interest of its own to protect, and iii) investigation reports available to us do not indicate the true flavor of what the witness or interviewee might have said. In many cases, particularly those relating to Oswald's motive, the demeanor and attitude of a witness may reveal more than the actual substance of his testimony.

Limitations of time and of manpower make it impossible for the Commission itself to hear all of the witnesses whose testimony should be a part of the record. Accordingly, we recommend that the Commission authorize staff members to administer oaths and to take the testimony, before a shorthand reporter by the question and answer method, of any witness whose testimony is not thought to be of sufficient importance to justify a full scale hearing before the Commission. In that way all of the testimony necessary to protect the integrity of the Commission's final report may be taken without undue imposition upon the time of the Commission itself.

We shall name or describe below witnesses whose testimony should be taken and state our views as to whether such testimony should be taken before the Commission or before a staff member. The witnesses will be described in connection with a discussion of the subject matter concerning which they should be questioned. The discussion of the subject matter itself will follow the outline of area III which we were given when we began work. We have modified that outline slightly. We note our modifications below.

#### A. Birth and Pre-School Days

We do not think that further testimony need be taken in this area. The FBI and Secret Service investigations do not appear to have uncovered any witnesses who have any clear and distinct recollection of Oswald's early life. The basic

source of information here will be the testimony of Mrs. Marguerite Oswald as supplemented by that of Mr. Robert Oswald and perhaps of Mr. John W. Pic.

It might be possible to develop leads for further investigation concerning the standard of living which the family enjoyed before Lee Harvey Oswald started school, on the basis of some of the documents produced by Mrs. Marguerite Oswald. They include letters to her from some of her former employers and might provide a method of getting at basic sources of information which have not been available previously.

These recommendations are subject to further consideration with the psychiatrists. They may show a much greater interest in this area than we might reasonably predict. If they do, we may well have to broaden our investigation.

#### B. Education

The basic source of information in this area will be the reports from the schools which Oswald attended. We have not yet determined whether or not all of those reports are in our files, but it does appear that the records from New Orleans are rather sketchy. If we do not have complete files the FBI should obtain the missing reports or obtain statements from the schools in question that the reports are not available.

It should be possible to find some students and teachers who remember Oswald from his school days. Staff members should examine a representative group of such persons. The

determination of who is to be so examined must await a complete analysis of all reports of the FBI and other investigatory agencies, and perhaps some preliminary field work by staff members.

The New York period and the reports concerning it are, of course, a special case. Final decisions should be made as to how the psychiatric consultants are to be used. The New York material should be analyzed and copies of all relevant documents forwarded to the psychiatric consultants. Staff members should take the testimony of Mr. John Carro, the Children's Court Officer who seemed most involved with Oswald's case. After Carro has been examined we must decide who else, if any, of the persons who had significant contact with Oswald during the time he lived in New York City should be examined.

#### C. Military Service

We have examined the files which have been produced by the Defense Department, but are not able to say whether or not they are complete. There are some indications that they are not. For example, those files do not include the so-called "brief" which Oswald presented to the Navy Review Board in his attempt to obtain a favorable review of his undesirable discharge. We understand that Mr. Rankin has requested the Defense Department to make that brief available to us.

*Done by letter  
7/12/64 JS  
Defense.*

We are not sufficiently familiar with the records of court martial proceedings to determine whether or not we have all of the records that do or should exist concerning Oswald's courts martial.

We also have considerable problems in interpreting the materials that we do have. For example, Oswald's military records indicate that he took a Russian language proficiency examination while in the Marines. They show the score which he received on that examination but CO 106 indicates in any intelligible way the actual level of his proficiency. Similar problems exist in evaluating his scores on other military tests. We recommend an interview with a knowledgeable Marine Corps officer who could help us to evaluate the records which we already have and to determine whether or not there are or should be additional records which have not yet been produced.

Concerning Oswald's study of the Russian language, there is little helpful material in his military records, except for the report, mentioned above, that he took a Russian language proficiency test. Any determination of the manner in which Oswald learned the Russian language will probably have to be based on FBI interviews of Oswald's fellow Marines. The FBI, of course, has already made some such interviews which must be studied in greater detail before we can make additional recommendations in this particular area.

Martin Eric Schrend's death while on guard duty at the Naval Air Station at Subic Bay, Philippine Islands, must be thoroughly investigated. The FBI reports which we have seen on this matter so far seem to be rather sketchy. Once again, we have not had time to study this incident in detail and are not able at this time to make any recommendations as to what further inquiry should be made. It may well be, however, that we should eventually try to locate other Marines who were stationed at Subic Bay at the time Schrend was killed and at least try to find out what those men thought at the time of the incident. Even though their attitude toward Oswald will probably be considerably colored by the events of November 22, 1963, they might be able to give us some insight into the question of whether or not Oswald was in any way involved in Schrend's death.

Mrs. Marguerite Oswald has, of course, already been heard on the question of what Lee Harvey Oswald said or wrote to her concerning his plans upon his discharge from active duty on September 11, 1959. The FBI has also interviewed some of the men with whom Oswald was stationed shortly before his discharge, but they have not been able to throw any significant light on the question of his future plans. Inquiry should also be made of Robert Lee Oswald on this point. Aside from that we can see little additional investigation which should be made. Perhaps we can recommend additional FBI investigation after we have finished analyzing the reports of that agency.

D. Activity Between June 1962 and September 26, 1962

1-2. General Facts Regarding Oswald's Return From Russia and Interview by FBI or Other Authorities Upon Arrival: The general facts regarding the return of the Oswalds from Russia may be pieced together from FBI reports which we now have. It appears from those reports that Oswald was interviewed on June 27, 1962 by Frederick J. Wiedersheim, of the Immigration and Naturalization Service, apparently at his office, 20 West Broadway, New York, New York. That interview is briefly referred to in Commission Document No. 9, the report of FBI agent Main, dated July 10, 1962. Wiedersheim's report is, however, mentioned only briefly by Main. Main does not indicate whether or not Wiedersheim prepared any written report of his interview with Oswald but only states that Wiedersheim "advised" that he had interviewed Oswald upon the latter's arrival in the United States. We should determine whether or not Wiedersheim's report is referred to in any other commission document. If not we should ask the FBI to obtain a copy of that report, if it exists. Since Wiedersheim is in New York and since Oswald's remarks upon his return to the United States may have significant bearing on the question of whether or not he was an agent of the United States Government, it might be well for a Commission staff member to interview Mr. Wiedersheim personally.

Commission Document No. 9 also indicates that Oswald was interviewed personally by FBI agents Carter and Egan on or about July 2, 1962. We think that all contacts which the FBI had with Oswald at any time must be thoroughly explored. Accordingly, we recommend that agents Carter and Egan both be interrogated on behalf of the Commission. Whether they are questioned before the Commission or before some staff member is a question which can only be decided after the Commission decides what approach it wishes to take toward the FBI. It does seem clear, however, that the testimony of these agents must be taken before staff members at the very least and preferably, at least as to the principal agents, before the Commission itself.

3 - Residences From June 1962 to September 23, 1963: We think that the testimony of at least one person who knew Oswald at each of his residences during this period should be taken before staff members. In some cases the testimony of such persons will probably be taken by reason of their being associates of the Oswalds during this period. For example, Messrs. Buhke and de Mohrenschildt will undoubtedly fall within that category. In addition to such people, however, an attempt should be made to find at least one other person who knew Oswald at each of his residences, such as landlords, landlord's agents or neighbors. The initial determination of whose testimony should be taken must be made on the basis of the FBI reports which we already have in our possession.



4 - Employment From June 1962 Through September 26, 1963:

The testimony of at least one person who was familiar with Oswald's work for each of his employers should be taken by staff members and perhaps the testimony of at least one such person should be elicited before the Commission itself. In addition, we should seriously consider examining key personnel of the employment agencies through which Oswald obtained his jobs, since it is possible that his various jobs could have been a device for giving him both mobility and a plausible cover, if he was a government agent of any sort.

We shall soon prepare a list of persons whose testimony should be taken in this connection.

5- Financial Status During the Period June 1962 Through September 26, 1963: This area must be investigated thoroughly by the staff because of the many charges which have been made concerning Oswald's ability to engage in activities which were beyond or at least thought to be beyond his apparent means.

We must check the persistent rumor that Oswald received cash through Western Union over a considerable period of time, allegedly in small amounts. The testimony of the responsible Western Union officials involved must be taken, at least before members of the staff and, depending upon the nature of their testimony, possibly before the Commission itself. All alleged sources of Oswald's funds during this period should be contacted directly by the staff and the information which we have concerning such sources and the funds which they supplied

to Oswald should be thoroughly checked and, if correct, verified by affidavit, at least. There is perhaps no more important an issue than Oswald's financial condition, because of the light that it can throw on the question of whether or not he was acting as an agent, either for the government of the United States or for that of any other country. As a result, we think that the steps outlined above must be taken in order to protect the integrity of the Commission's final report.

(- Associates During the Period June 1962 through

September 26, 1963: We recommend that the testimony of each of Oswald's principal associates during this period be taken before members of the staff. In addition, certain of the more significant associates should be examined before the Commission. In the latter category clearly fall the Paines, probably Supervisor Brult of the Texas School Book Depository, George de Mohrenschildt, Oswald's brother Robert, and perhaps Gary Taylor. A definitive recommendation as to whose testimony should be taken before the Commission and whose before staff members must await a detailed analysis of the FBI reports on each of the individuals involved. In some cases, an additional short interview by staff members might be justified before determining whether the individual concerned should be examined before the Commission or before staff members. In addition, the testimony of some of Oswald's associates before staff members may prove to be of such importance that it should be repeated or developed further before the Commission.

We understand that the FBI has been requested to do a complete background check on the defendant. It would appear that deLoach's testimony should be taken before the Commission itself, because of his intimate relationship with Oswald and because of the many rumors to the effect that he was a communist or at the very least a man of questionable character and, at times, (at least according to Mr. Gary Taylor-his son-in-law) a man who seemed to live beyond his apparent means. It is also clear, however, that such testimony can not be taken until after the FBI has completed their background check.

7- The Paines: We understand that the Commission plans to hear the testimony of Mrs. Ruth Paine after the completion of Mr. Robert Oswald's testimony. In view of that fact, comment about the testimony to be elicited from Mrs. Paine will be reserved until such time as the questions to be asked of her before the Commission are developed. After Mrs. Paine's testimony has been taken the problem of her husband's testimony can be approached more intelligently.

8- False Identification Cards in the Name of "Fidel": Marina Oswald has already testified that she thought that Oswald used the name "Fidel" simply because it rhymed with "Fidel." There is also some indication in the FBI reports that Oswald knew, while he was in the Marine Corps, an individual by the name of John R. Heindell, who was sometimes jokingly called "Fidel." (Commission Document No. 231, p. 3).

It should be noted that Oswald gave Hissell's name, or it might be thought to be a variation of it, as referenced in his application for employment with the William D. Reilly Company.

The fact that our friend Hissell's first name was Alex can be explained simply by the fact that Alex is the Russian word for Leo and that Oswald was called "Alex" by his Russian friends during the time that he was in the Soviet Union. In view of the above, and because a determination of why Oswald used that particular name is largely a matter of surmise, substantial further investigation does not appear to be justified. It might be worth, however, trying to determine just where and how Oswald prepared the fake identification card. FBI reports indicate that he made it by placing some kind of overlay on his own identification card. Perhaps that could have been done with machinery available at Jeggens-Chiles-Stovall or perhaps the card could have been prepared by using any ordinary type of reproductive process. That question should be checked further by the FBI.

9- Circumstances Surrounding Attempt on the Life of General Walker in April 1963: Since this area bears significantly on the question of whether Oswald was the type of man who could have assassinated the President and on his possible motive, it should be investigated thoroughly. We have not yet had an opportunity to examine the Dallas Police Department reports on the investigation they made in April of 1963. We do understand, however, that is was reported at the time that

the bullet fired at General Walker appeared to be one of .30 caliber. Present reports indicate that the Walker bullet was so badly shattered that it could not be positively identified as having been fired from Oswald's rifle.

We think that an independent ballistics expert should examine the bullet fired at General Walker and the bullets found in the Presidential car after the assassination and compare them to bullets which they themselves fire from the rifle which was found on the 5th floor of the Texas School Book Depository. It would seem that an independent ballistics expert should at least be able to determine whether or not the Walker bullet was fired from a .30 caliber weapon or from a smaller bore weapon, such as was allegedly used by Oswald.

Marina Oswald's testimony on the Walker incident should be closely analyzed. In addition Mr. George de Mohrenschildt should be closely examined to determine what, if anything, he knew of Oswald's supposed plans before the attempt was made and on what he, Marina and Lee Harvey Oswald said to each other or in each others presence when de Mohrenschildt raised the question after that time.

Marina said that Lee Harvey Oswald had told her that there was a gathering of some nature at a church near Walker's house on the night that Oswald supposedly fired at the General. We have not yet seen any independent verification as to whether there was such a gathering or not, or if there even is a church nearby. That should be checked and the FBI should try to

determined the names of some of the people who were present at that gathering, if there was one. They should then be interviewed by the FBI in the hope that further leads might be developed.

16. Rifle Practice During the Period June 1962 Through September 26, 1963: Marina Oswald has testified that Lee Harvey Oswald practiced sighting his rifle and working the bolt while they lived in New Orleans. She has also testified that he took the rifle from their apartment in Dallas (this must have been before they went to New Orleans) and allegedly went to Love Field to practice with it. Every attempt should be made to obtain independent verification of that testimony.

It seems to us that Oswald would have had to have fired the rifle in order to make sure that the scope was adjusted properly. So far there has been no testimony that he actually fired the rifle. Marina has stated that he took the rifle to Love Field but she has not said that he fired it there and could not in any event know that to be a fact. She has said that he spent some time cleaning it. Even if Oswald had fired the rifle and checked the accuracy of the scope prior to the time he left for New Orleans there is considerable possibility that the set of the scope might have been disturbed while the rifle was being transported to and from New Orleans.

In addition, it seems highly probable to us that Oswald could have fired a high powered rifle in the vicinity of Love Field a sufficient number of times adequately to check the scope, at least without attracting the attention of people who lived in the area and perhaps of police officers on duty nearby. We think that the FBI should interview people who live in the vicinity of Love Field to determine whether rifle shots and rifle practice are common phenomena there. A check should also be made as to how long it would take to get from Oswald's various apartments in Dallas to Love Field and Marina should be asked, if she has not been already, how long Lee Harvey Oswald was usually absent when he allegedly went to practice with the rifle.

There also have been reports from the FBI that operators of various rifle ranges in the Dallas-Fort Worth vicinity have stated that they saw Lee Harvey Oswald practicing at their ranges. These reports should be analyzed closely and if any of them appear to be at all creditable the testimony of the operators or proprietors of the rifle ranges involved should be taken before members of the staff.

11- Political Activity: This is a particularly sensitive area. Any statements as to Oswald's political activity, ideology or affiliations which may be set forth in the Commission's final report must be thoroughly documented and verified by independent staff research and questioning. It would be inadvisable to rely exclusively on reports of the FBI or Secret

Service in this particular area. Accordingly, we recommend that the staff should take the testimony of all individuals who have been significantly involved in Oswald's political activity or who have any significant information of the subject. Messrs. Gus Hall and Arnold Johnson of the Communist Party have already been advised that Mr. Nichols will contact their attorney, John J. But in order to make arrangements to question Johnson and Hall regarding any knowledge or information which either of them have as to Lee Harvey Oswald and his association their organization. We have recommended that a similar letter be addressed to Mr. Rowland Watts of the Workers Defense League concerning any information which Watts or Emmell Bobbs, National Secretary of the Socialist Workers Party, may have on the above subject matter. Other persons in similar situations should be similarly treated.

E. Activity Between October 3, 1963 and November 21, 1963

The remarks set forth above concerning the period of June 1963 through September 26, 1963 are also generally applicable here. For example, staff members should take the testimony of Oswald's landlady, housekeeper and other tenants who knew him, at least at 1026 North Beckley St. Mrs. Pains testimony will also be significant in connection with Oswald's activities during this period and will be covered when the questions to be asked of her before the Commission are prepared.



Oswald's employment at the Texas School Book Depository should be investigated in considerably greater detail than his employment with other firms during the period June 1962 through September 26, 1963. While some light should be shed by Mrs. Paine's testimony, the principal witness in this area will be Supervisor Truly. His testimony, which should be developed in co-operation with Messrs. Ball and Belin, probably should be taken before the Commission. We can better decide what other witnesses to examine after we have heard the testimony of Supervisor Truly and Mrs. Paine and have examined the relevant FBI reports in greater detail.

We must also explore thoroughly the possibility that Oswald might have practiced with his rifle on weekends during this period.

We must also examine Mr. Wesley B. Brazier concerning Oswald's transportation habits from Irving, Texas to Dallas, the events of the evening of November 21, 1963 and those of the morning of November 22, 1963. Brazier's testimony, the development of which calls for co-operation between Messrs. Ball and Belin and ourselves, should be heard by the Commission.

#### F. Psychiatric Analysis Based on All Known Information

The Chief Justice and Messrs. Rankin and Jenner have already discussed this area in some detail and have already made preliminary decisions as to the psychiatrists who will work with the Commission. Mr. Jenner, at the suggestion of

the Commission, has already conferred with H. G. ... who has indicated to Mr. Jurek the type of information and material in which a psychiatrist would be interested. As soon as that material can be developed it should be turned over to the psychiatrists so that we can in turn receive additional guidance from them as to additional material which they might like to have.

We also think that the remarks which Lee Harvey Oswald made after his arrest would be of considerable significance in determining his motive, assuming that he did assassinate the President. A transcript of those remarks should be obtained, if possible, so that they can be studied by us and perhaps turned over to the psychiatrists who will be working with us.

#### H. Rumors

We have also established a separate category entitled "Rumors" under which we will categorize all of the rumors concerning our case about which we have knowledge. We think that this would be a good procedure to be followed in each of the areas of investigation and that perhaps a list of all such rumors should be prepared by each area and circulated amongst the staff. The rumors could then be broken down by area and the individuals working within each area could take the responsibility for running down any of them that seemed to have any merit.

Conclusion

We have not yet been able to examine all of the relevant FBI and other reports now in our possession. That job must be finished and the reports must be indexed to the outline of our area before we can undertake any comprehensive program of independent investigation or even from definite questions for further checking by the FBI.

After that job has been completed we will be in a position to proceed along the lines generally outlined above.

A. E. J., Jr.  
W. J. L.

2/18/68