

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, Arkhangelskaya 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.

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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(r) 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

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