

THE STRANGE CASE OF THE DEFECTOR'S PASSPORT

Oswald puzzle deepens

By Jack A. Smith

ONE YEAR AFTER he returned to the United States following his two-and-one-half-year sojourn in the Soviet Union, during which he renounced his country and sought to affirm allegiance to the U.S.S.R., Lee H. Oswald applied to the State Department for a passport to visit Europe and the Soviet Union. After considering the application for one day, the department issued the passport June 25.

Why was the State Department so amenable in granting a passport to a self-proclaimed Marxist and one-time defector to visit the Soviet Union a second time? This is but one of two urgent questions raised during the last week to confront the Warren commission which is investigating the assassination of President John F. Kennedy in Dallas Nov. 22—a murder Oswald is accused of committing.

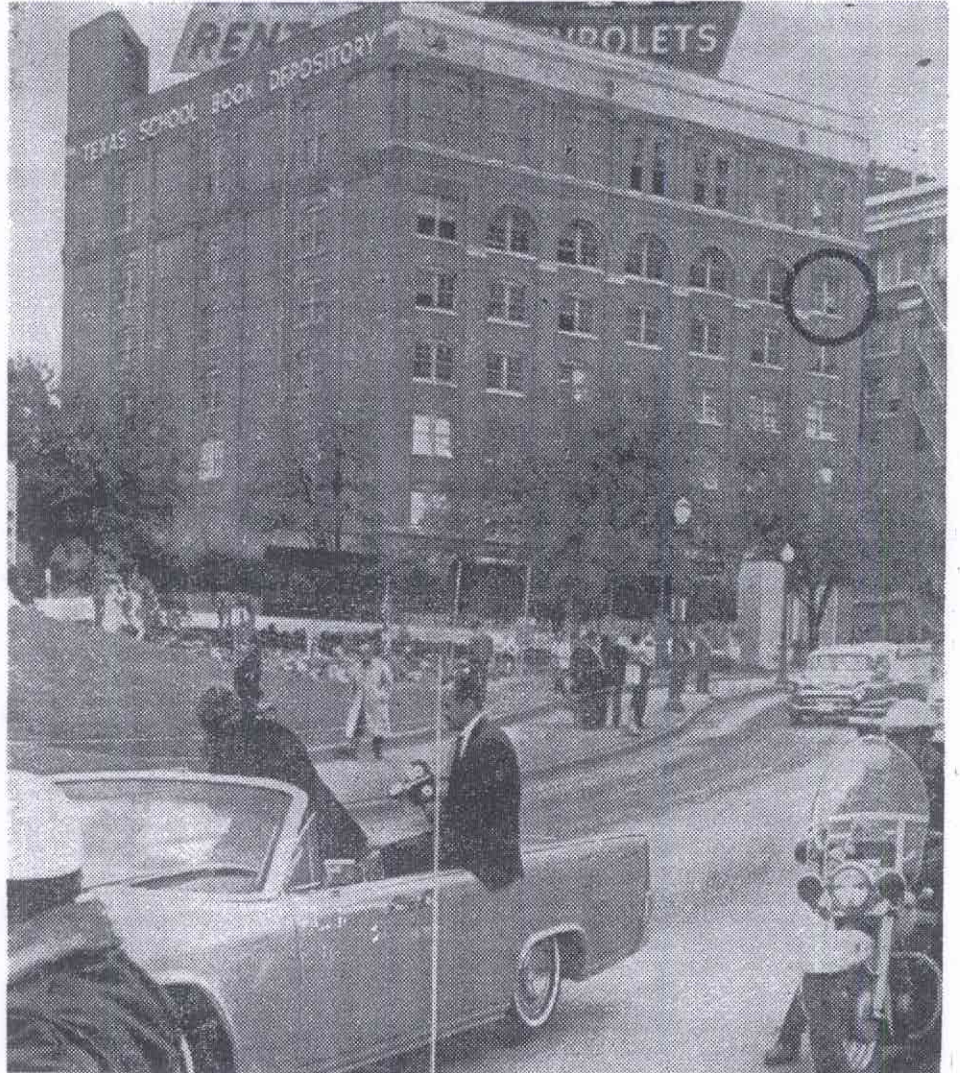
AN FBI LINK? The other involves the possibility that Oswald was an undercover informant for the FBI. The Philadelphia *Inquirer* reported Dec. 8 that FBI agents attempted to recruit the alleged assassin shortly after he moved to Dallas from New Orleans in September. According to the newspaper, which did not indicate whether or not Oswald had accepted the FBI assignment, an agent "named Hosty" (Joseph Hosty, of the Dallas bureau) had a lengthy discussion with the former defector in a car outside the home where his family was staying in Irving, Texas.

During his stay in New Orleans and Dallas, Oswald claimed to be the chairman of local Fair Play for Cuba Committees—groups that did not exist in those cities, according to national FPCC—and received considerable publicity for his pro-Castro activities. In New Orleans, however, he is known to have offered his services to a Cuban counterrevolutionary group.

It is an open question whether the seven-member Warren commission will delve into these and other questions that involve matters of national security and the prestige of the investigative agencies on which the panel depends.

THE FBI REPORT: The commission, headed by Chief Justice Warren received on Dec. 10 the much-publicized FBI report indicating—according to leaks—that the former Marine is guilty of firing three shots from the sixth floor of the Texas Book Depository, two of which sufficed to kill America's 35th President. The report contains information collected from the Dallas Police force, U.S. Secret Service, Central Intelligence Agency and the FBI itself. Each of these agencies may have reason to be circumspect about particular aspects of the case against Oswald as they relate to their own organization. The panel has been granted subpoena powers, but that is no guarantee that it will be able to uncover information not already supplied by the four police agencies.

as new questions arise



SECRET SERVICE AGENTS RE-ENACT THE KENNEDY ASSASSINATION
Circle marks the window from which the shots were fired in Dallas

● If the Secret Service were lax in protecting the President, would this appear in the official report?

● If Jack Ruby—the nightclub operator who murdered Oswald Nov. 24—was allowed in proximity of the accused assassin because of past services rendered, would the Dallas police reveal this to the public?

● If the FBI had enlisted Oswald as an agent, would this appear in the official report?

● If Oswald had been involved in espionage activities for the U.S., would the CIA allow this to become known?

The composition of the panel itself is another problem. Five of its members are Republicans and three are Southerners. All but one have no investigatory experience—and he is Allen Dulles, former head of the CIA, who may be considered especially sensitive about the possibility of Oswald's being an American agent. Other members include Rep. Gerald Ford (R-Mich.), an ardent FBI support-

er, and conservative John J. McCloy.

PRESS LEAK: Portions of the FBI report condemning Oswald have been made public since the assassination, apparently to quell rumors of a "plot" to kill the President that are circulating around the world. The report, according to a "leak" from "various government sources," indicates that Oswald was "the lone and unaided assassin," who was later shot by Ruby, about whom "evidence is lacking of any personal acquaintance."

On Dec. 6 Dallas police charged that Oswald had attempted to kill Maj. Gen. Edwin Walker, a Dallas resident and ultra-rightist, who was narrowly missed by a bullet fired into his home April 10, shortly after Oswald had purchased the rifle allegedly used to kill Kennedy. Unable to prove, because of fragmentation, that the bullet was fired from the same rifle, police base their evidence on a statement said to have been made by Oswald's Russian-born wife, Marina, and

a reference to Walker that police said was found in the notebook belonging to the suspect. Neither the notebook nor the wife, who is being held incommunicado by federal agents, has been produced to substantiate the charge.

MOTHER'S BELIEF: Despite the mounting circumstantial evidence against her son, Mrs. Marguerite Oswald told a news conference that she believes Oswald is innocent. She said her son probably became panic-stricken after the President was shot, fearing the crime would be attributed to him because he was a known defector and in the area of the crime. Thus, she said, he went home "to get a gun to protect himself."

Mrs. Oswald released to the press 16 of the 18 letters she received from her son during his stay in the Soviet Union. Two of the letters were withheld by the FBI. In his correspondence, Oswald indicated an eagerness to return to the U.S. and dissatisfaction with Russia. "Don't worry, mother," he wrote in one of the letters. "I will never become a Soviet citizen." In none of the letters did Oswald express anger toward the U.S. The letters confirm the statement made a

week earlier by a Fort Worth public stenographer that Oswald was bitterly critical of the Soviet Union. The stenographer typed notes for a book dealing with the hardships Oswald said he encountered in Russia.

THE RUSSIAN VIEW: The Soviet Union is known to have distrusted Oswald during his entire residence. According to UPI, the Soviet consular file on the suspected assassin, turned over to the State Department as a goodwill gesture shortly after Kennedy's death, indicated "the Russians judged Oswald to be more of a crackpot than Communist."

Oswald is said to have sought an exit visa from the Soviet Union 11 months after writing an affidavit stating: "I affirm that my allegiance is to the Soviet Socialist Republic." Two years after signing the affirmation, Oswald wrote to Sen. John Tower of Texas, implying that he was being held in the Soviet Union against his wishes (although the Soviet Union rejected his citizenship bid). He returned to the U.S. five months later—in June, 1962.

It is not confirmed whether Oswald conferred with U.S. officials after his return, but past practice would make it probable that he had—on his own or the government's initiative. Considering the nature of the book he was writing, and his negative reaction to life in the Soviet Union, Oswald's application for a passport to revisit Russia one year later and the State Department's immediate consent raises a crucial point: for what purpose would he return?

A THEORY: Three months after receiving his passport, and either shortly before or after his alleged conversation with the FBI agent, Oswald showed up in Mexico City, where he sought travel visas at the Soviet and Cuban Embassies, both of which rejected his application. Oswald is reported to have become extremely angry in both cases and to have created a disturbance.

Two months later, the President was murdered. Emerging from these puzzling elements is the theory that Oswald, notoriously ambivalent with a history of

schizophrenic tendencies, attempted to enlist himself as a U.S. agent; received approval from the government, but was frustrated by the suspicion of the Cuban and Soviet governments. In anger and revenge for his latest setback, it is postulated, he struck out at the nearest and most meaningful symbol of the oppression he felt he had experienced all his life—in this case the President of the United States, who was conveniently deposited before his gunsights shortly after noon Nov. 22.

POLICE CRITICIZED: Police handling of the circumstances surrounding the case against Oswald and his murder were severely criticized by the American Civil Liberties Union, the Emergency Civil Liberties Committee and several independent bar groups. The ACLU charged the Dallas police and prosecuting officials with gross violation of Oswald's civil liberties and said it would have been "simply impossible," had Oswald lived, for him to have obtained a fair trial. The organization also criticized the communications media.

In its indictment, the ACLU asked: 1) "How much time elapsed before he was advised of his right to counsel?" 2) "How much time elapsed before he was permitted access to a telephone to call his family and an attorney?" 3) "During what periods and for how long was Oswald interrogated?" 4) "What methods of interrogation were used?" 5) "Was he advised of his right to remain silent?"

FBI ROLE: The conduct of the FBI has also come into question. Mrs. Ruth Paine, the Quaker woman who befriended the Oswalds, said the FBI questioned her on two occasions about Oswald, the last time just three weeks before Kennedy's death. The agent attached to the Dallas bureau denied Mrs. Paine had been interviewed. Oswald's mother told reporters that an FBI agent showed her a picture of a man the evening before her son was shot by Ruby, asking if she could identify the man. Two days later, Mrs. Oswald said she saw the same picture in a newspaper—a picture of Ruby. The FBI denies it showed the mother Ruby's picture.

The FBI report—one week after significant portions of it had been released to the press—was still undergoing "completion" by the Justice Department. It is doubtful the commission will conduct public hearings into the case, so the possibility exists that the only version of the killing for the next several months will be that "leaked" so far by the FBI.

The Ruby trial, postponed until Feb. 3, may result in certain disclosures, but the full story may—or possibly can—never be told. A Justice Department official has declared that the government report "may never be absolutely complete. We expect to go on turning up new facts for years."

MORE QUERIES: Until then, the questions must and will be asked. Why did the State Department issue a passport to Oswald? How could the President have been shot through the front of the throat after his car had passed the building from which the shot allegedly was fired, and was turning a curve away from it? How could a cheap rifle be endowed with such excellence as to fire

accurately at a moving target 100 yards away three times in a row? And what about the marksman, not to mention the ammunition, a not reliable type that often fails? Why did Oswald return to his home after the shooting, and why was he not under closer scrutiny by the FBI—as is usual in cases of this nature—or was it that the agency felt it had no reason to be wary of Oswald?

Some of these questions may be answered satisfactorily, in time. The larger issue of motive—assuming guilt eventually may be proved against Oswald—now contains elements that may never be revealed to the American people or, indeed, to the Warren panel.