

OSWALD, MARINE CORPS INTELLIGENCE, AND THE ASSAULT ON THE STATE DEPARTMENT

Introductory Abstract

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The special handling of Lee Harvey Oswald by the State Department (in conjunction as I have argued with the CIA) was undeniably anomalous. It swiftly aroused (by as early as 1960) the suspicions of FBI, ONI and Marine intelligence personnel, and Hoover's allies (notably Otto Otepka) in the State Department Office of Security. We know this chiefly from Oswald's ONI records, where we also learn that there were confidential ONI messages on Oswald (alias Harvey Lee Oswald), stored in Marine G-2 (intelligence) files that were never seen by the Warren Commission.

The charade of Oswald's discharge from the Marine Reserve in 1960 was an operation coordinated by Marine G-2 and ONI Counterintelligence. This discharge was used to challenge State's determination that Oswald had not revoked his U.S. citizenship, and to empower Otto Otepka in a series of vain efforts to pry loose confidential information about Oswald from files in other parts of the State Department.

Otepka eventually shared his understandable suspicions about State's handling of Oswald with the Senate Internal Security Subcommittee (SISS). After Otepka was first reprimanded, and then dismissed from his position, the SISS in 1964 publicly explored Otepka's concern that Oswald's passport application had been mishandled by the State Department.

The uproar over the Otepka case in 1963 became one more battle in an on-going war between elite (above all State) and anti-elitist (FBI, military intelligence) factions in the U.S. Government, the latter backed by the SISS and virulently anti-Kennedy right-wing organizations, notably in Dallas. The drilling and ransacking of Otepka's safe by Kennedy-appointed officials (later forced to resign) reveals how deeply this conflict divided elements inside the bureaucracy.

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*Oswald's Suppressed ONI and Marine G-2 Records*

Lee Harvey Oswald's defection to the Soviet Union in 1959 was immediately described as an "intelligence matter" by the Navy's Office of Naval Intelligence.<sup>1</sup> In ensuing years the military intelligence agencies continued to collect information about him. Since the publication of the Warren Report we have seen the belated release of documents on Oswald from ONI (the Office of Naval Intelligence), from Army G-2 (Army Intelligence) and even OSI (Air Force Intelligence), the first of the military intelligence agencies to consult Oswald's security file in the State Department.

Oswald however did not serve in the Navy, Army or Air Force; like his brother Robert he was a Marine. In October 1959, at the time of his defection, he was no longer on active duty, but had transferred six weeks earlier to the Class III Ready Marine Corps Reserve (19 WH 665). We shall see that over three years Marine G-2 (Intelligence) both received and disseminated records concerning Oswald, regionally and at Marine HQ. Nevertheless, despite Marine G-2's sustained interest in Oswald, we still have only three or so documents clearly generated by Marine G-2, all unclassified, and presumably a tiny fraction of the whole.<sup>2</sup> (These large gaps in what is available suggest the existence of a second system for classified records.)

The Warren Commission appears to have ignored the question of Oswald's Marine G-2 file (or files). In taking testimony from Lt.Col. Allison Folsom, head of the Marine Headquarters Personnel Records Branch, John Hart Ely of the Warren Commission staff claimed to "have here Oswald's Marine records," while introducing a copy of Oswald's personnel file into the record (8 WH 304). Col. Folsom, in turn, also referred to the personnel file as "the official record held by the Marine Corps of Lee Harvey Oswald" (ibid.).<sup>3</sup>

<sup>1</sup> CNO Message 22257 of 4 Nov 59 to ALUSNA Moscow; Oswald ONI file, ONI-142; reprinted in John Newman, *Oswald and the CIA*, 446; cf. Newman, 14-15.

<sup>2</sup> See Appendix III.

<sup>3</sup> The Warren Commission published the personnel file as the "U.S. Marine Corps record on Lee Harvey

This personnel file appears to be a compilation (whether from before or after the assassination is not clear).<sup>4</sup> It collects copies of correspondence on Oswald from the files of at least three and probably more Marine Commands under which he served.<sup>5</sup> As published as Folsom Exhibit No. 1 (19 WH 656-768), this personnel file contains only unclassified documents and information. There are no overt references to Marine G-2, and only one passing reference to the existence of confidential intelligence records on Oswald in the Department of the Navy.

This reference is in a letter of 29 July 1960, recommending Oswald's discharge from the Marines. The letter mentions two confidential reports from the Eighth (New Orleans) and Ninth (Chicago) Naval District Intelligence Offices, which it cites as follows:

DIO, 9th ND confidential report serial 02049-E of 8 Jun 60  
DIO, 9th ND confidential report serial 02296-E of 27 Jun 60.<sup>6</sup>

Years later, replying affirmatively to a request for these DIO reports from researcher Paul Hoch, the Naval Investigative Service (successor to ONI) supplied two records. These established a fact not available from the rest of the personnel file: that Marine G-2 (in regional offices as well as at Marine HQ) received documentary information from this ONI District Office concerning Oswald.<sup>7</sup>

In addition at least one of these G-2 records listed Oswald by a slightly different name. This alternative name, which eventually was used by at least four different military intelligence sources, was "Harvey Lee Oswald."<sup>8</sup> This "Harvey Lee Oswald" reference is no accidental anomaly, but part of an organized pattern, widely dispersed, that suggests an official intelligence deception (and possible dual filing system). Serial 02296-E of 27 Jun 60 is the earliest Harvey Lee Oswald reference we now possess of over two dozen, from the files of ONI, FBI, CIA, Army Intelligence, the Secret Service, the Mexican Secret Police (DFS), and the Dallas Police.<sup>9</sup> A consistent pattern of behavior in these agencies since the assassination has been the tendency to suppress references to "Harvey Lee Oswald," and replace them by the more standard "Lee Harvey Oswald."<sup>10</sup>

Both DIO documents were addressed to the Commander, Marine Air Training Command, Glenview, "(ATTN: G-2)." This seems to explain their absence from the Oswald personnel file: classified intelligence information concerning Oswald (or "Harvey Lee Oswald") was apparently stored in a different set of G-2 files, both at Marine Headquarters and at regional bases such as Glenview.

Oswald" (19 WH xviii).

<sup>4</sup> As a result the record contains a number of duplicate documents (e.g. 19 WH 669=701, 673=716, 675=715, etc.), while it does not contain relevant unclassified records available from the ONI file and elsewhere. Compare the footnote reference below to "Lt. Col. Bill Brewer [of Marine HQ G-2] compiling the Oswald military file for the use of the Warren Commission" (11 AH 542).

<sup>5</sup> First Marine Air Wing; Marine Corps Air Station, El Toro; Marine Air Training Command, Glenview. In all, separate files containing Oswald data appear to have been kept by the First Marine Air Wing (1st MAW, 19 WH 683), the Third Marine Air Wing (3rd MAW, 19 WH 724); Marine Corps Air Station, El Toro (MCAS, 19 WH 724), Marine Air Corps Squadron Nine (MACS-9, 19 WH 724) Marine Wing Headquarters Group (MWHG, 19 WH 724), the Marine Air Reserve Training Command (MARTC, 19 WH 703, etc.), and Commander Marine Corps (CMC), Code CDB (19 WH 721), Code DGK (19 WH 724), Code DK or DKE (19 WH 700; cf. below), Code DMB (19 WH 670). We know now that the so-called Oswald 201 file in CIA, as presented to the Warren Commission, was in fact a post-assassination reconstruction from at least four files: cf. Newman, *passim*.

<sup>6</sup> Letter of 20 July 1960 to Commander, Marine Air Reserve Training, 19 WH 703.

<sup>7</sup> In this paper I am deeply indebted to the archival research and analysis of Paul Hoch, as well as to additional research by Larry Haapanen and Mark Allen.

<sup>8</sup> The four sources using "Harvey Lee Oswald" are: DIO, 9th Naval District, DIO, 8th Naval District, ONI (NAVCINTSUPPCEN.3) and Army 112th Military Intelligence Group (see Peter Dale Scott, *Deep Politics Two*, 144). In response to the request for serial 02049-E, the NIS supplied a record with a serial that was contiguous but slightly different: "DIO, 9th ND confidential report serial 02048-E of 8 Jun 60." The second document, accurately supplied, carried a title different from the first: "Subj: OSWALD, Harvey Lee." We are left to wonder whether serial 02049-E of 8 Jun 60 concerned Harvey Lee Oswald as well.

<sup>9</sup> For a discussion and incomplete list, see Peter Dale Scott, *Deep Politics Two*, 80, 85-89, 118-19, 142-49.

<sup>10</sup> *Ibid.*, especially pp. 118-19.

Marine G-2 has been remarkably loath over the years to yield up these two DIO records, even though their content, apart from the anomalous "Harvey Lee Oswald" name, would appear to be innocuous. On November 23, 1963, the day after the assassination, the General Counsel of the Department of Defense, John McNaughton, noticed the existence of the two DIO records and "expressed a strong desire to review" them; he apparently never was given this opportunity.<sup>11</sup> Two months later, the Warren Commission, having learned of the ONI interest in Oswald, asked for documentation of this. In response to this request, McNaughton's assistant, Frank Bartimo, again asked the Director of Naval Intelligence in writing to see the two DIO records.<sup>12</sup> Apparently he never received them.<sup>13</sup>

It is clear, as we shall see, that Marine G-2 at Marine Headquarters was also actively interested in Oswald. Indeed the ONI cable referring to Oswald's defection as an "intelligence matter" also spoke of the "continuing interest of [Navy] HQ, Marine Corps and U.S. intelligence agencies."<sup>14</sup> We know furthermore that the Marine G-2 HQ did receive classified intelligence on Oswald. The CIA on October 10, 1963, sent a Secret cable to the Navy, reporting that someone identifying himself as Lee Oswald had been in contact with the Soviet Embassy in Mexico City. Like the first Navy cable about Oswald's defection, the action copy of this cable was referred to "92" (the Office of Naval Intelligence). Handwritten on this copy are the words, "Passed to G-2 - USMC 10/11/63."<sup>15</sup>

#### *ONI and the Deception of the So-Called ONI "File on Oswald"*

In response to a Warren Commission request of February 18, 1964, John McNaughton's office supplied what it referred to as "the complete file of the Office of Naval Intelligence on Lee Harvey Oswald."<sup>16</sup> In fact this file was not complete. More importantly, it was only created on November 22, 1963, from Oswald records which apparently were stored earlier in two or three files, some of which possibly had a different subject or subjects.

In the Archives version of this ONI file, we find clues to its own creation on November 22, 1963. A memo to file of that date by the duty officer in the ONI Support Center refers to both an "ONI investigative file" (possibly from Op921D, investigations) and a "supplemental file," (possibly from Op921E, counterintelligence). Later the duty officer learned "of a request being prepared from General Carroll of DIA [the Defense Intelligence Agency, a McNamara creation] to see the file on Oswald." Advised of this request, ONI Chief Admiral Rufus Taylor gave instructions "to *prepare a*

<sup>11</sup> Memo of 23(?) Nov 63 from ONI Special Agent C.J. Roach (ONI-256). I have not established how McNaughton was aware of these documents, to which I can find no reference in our version of Oswald's ONI file.

<sup>12</sup> Memo of February 25, 1964, from Assistant General Counsel Frank Bartimo for the Director of Naval Intelligence (ONI-299).

<sup>13</sup> In a letter of March 16, 1964 to Counsel J. Lee Rankin of the Warren Commission, Bartimo advised "that all known materials concerning Lee Harvey Oswald under the jurisdiction of the Department of Defense" had already "been furnished to the Commission" (PS #103-37). Robert McNamara later signed a sworn affidavit certifying that "Lee Harvey Oswald was never an informant or agent of any intelligence agency under the jurisdiction of the Department of Defense" (26 WH 586, 820). The Review Board should secure the records that led to this determination.

<sup>14</sup> CNO Message 22257 of 4 Nov 59 to ALUSNA Moscow; reprinted in John Newman, *Oswald and the CIA*, 446; cf. Newman, 14-15. Copies of this cable were sent to Air Force and Army Intelligence, whose Headquarters Intelligence files then presumably contained these Oswald records. The ARRB should endeavor to obtain the OSI and Army G-2 copies.

<sup>15</sup> CIA Cable DIR 74673 of 10/10/63, ONI copy (NARA #104-10010-10103; PS #85-126). Cf. Naval Attache Moscow cable 2090 of 3 Nov 59 to CNO; reprinted in Newman, 444. Both cables are slugged "92....ACT"

<sup>16</sup> Undated letter from John T. McNaughton (signed by Frank Bartimo). I shall refer in future to the later version of this file, now in the National Archives, as the "file on Oswald," or as "Oswald's ONI file," even though it is clearly a post-assassination artefact, containing for example copies of ONI documents drawn from State Department sources and supplied to the Warren Commission. I shall be citing the originally released "ONI file" obtained and paginated by researcher Paul L. Hoch, which I have not been able to collate with the records cited by John Newman as residing in "ONI/NIS files NARA, box 1." (Newman actually reproduces copies of important documents from the Hoch-annotated file, e.g. p. 452).

file for him to be passed to General Carroll.<sup>17</sup>

It was this newly-prepared file (now referred to as "the file on OSWALD" or "original OSWALD file") that (according to General Carroll) was seen by DOD General Counsel John McNaughton (ONI-254), during an emergency meeting of senior civilians in the office of Assistant Secretary of State Fred Dutton.<sup>18</sup> According to notes the same day from this duty officer's superior, Admiral Taylor initially "was cautious about passing file to DIA," but then told the IDO [Intelligence Duty Officer, LtCdr Hammer or Hamner] "to *prepare a file* for review by him and for agent to take file for DIA to read and for agent to return."<sup>19</sup> A mysterious note the next day reads "briefed Taylor on 3 files."<sup>20</sup> The haste in the preparation of this "file on Oswald" may explain the absence in the originally released ONI file of cited relevant documents (e.g. DNI Conf memo ser 0346P92 of 19 Mar 1962, ONI-52) and the presence of supposedly irrelevant documents, such as documents from Oswald's court martial in June 1958, not present in Oswald's Marine personnel file, and not (in the Warren Commission version of events), an intelligence matter.<sup>21</sup>

The details of this file-preparation suggest conscious deception by ONI on November 22, both of General Carroll (the Kennedy-McNamara appointee as head of DIA), and subsequently of DOD General Counsel John McNaughton. It was from reviewing the ONI "file on Oswald" that McNaughton requested three documents, referred to in the file, which he never got to see.<sup>22</sup> The grounds for not transmitting the three serials was in each case the same: they were just transmittal letters. When McNaughton requested verification of this, the reassuring message was passed up to him that there were no other contents.<sup>23</sup> Thus he apparently never learned what each of the serials would have confirmed: that ONI, and its District Intelligence Office in Chicago, were sharing confidential information on Oswald (or Harvey Lee Oswald) with Marine G-2, specifically towards the goal of effecting Oswald's predetermined "discharge."

<sup>17</sup> Memo to file of 22 Nov. 1963 from Patrick D. Molinari, Duty Officer NAVCINTSUPPCEN (ONI-261). Something analogous may have happened at Marine HQ G-2 as well. A House Committee staff report says that the HSCA "contacted Lt. Col. Bill Brewer of the Intelligence Division of Marine Corps Headquarters on August 1, 1977. Brewer had been in charge of *compiling the Oswald military file* [sic, emphasis added] for the use of the Warren Commission" (11 AH 542). This report adds ambiguously that according to Brewer, "his records check had only included local records within the individual commands where Oswald had served and did not include records that were classified secret or top secret" (ibid.). On this and other related matters, see the excellent analysis by Paul Hoch in *Echoes of Conspiracy*, 10 EOC 2.

<sup>18</sup> Watch, 23 Nov 1963, USNAVCINTSUPPCEN (ONI-259: "file on Oswald"); Memo to file of 23 Nov. 1963 from M. Sherman Bliss, ONI (ONI-254: "General Carroll"); Memo of 23 Nov '63 from Special Agent C.J. Roach to Captain [Robert P.] Jackson, Jr., Assistant DNI for Security, Op 921] (ONI-256: "Dutton"). One of the topics raised at the all-night emergency meeting may have been the Senate Internal Security Committee and its Counsel, Julien Sourwine (see below). For more on this emergency meeting, see Jerry Rose, "The Feds Spring Into Action," *Fourth Decade*, May 1996, 12; Jerry Rose, "Disinformation Please: J.G. Sourwine in Action," *Fourth Decade*, November 1994, 4.

<sup>19</sup> File note, undated [from Capt. Jack O. Johnson, Executive Officer to Asst. DNI for Security] (ONI-266).

<sup>20</sup> Note to file [re 23 Nov 1963] (ONI-263).

<sup>21</sup> Several pages were quietly withheld from the 1967 ONI file release to Paul Hoch; see discussion by Hoch in 10 EOC 2. As stated above, I have not been able to establish what documents are still missing in the current NARA version of this file.

<sup>22</sup> ONI-256, Memo of 23 Nov '63 from Special Agent C.J. Roach to Captain [Robert P.] Jackson, Jr., Assistant DNI for Security, Op 921]. In addition to the two DIO 9th Naval District Records, discussed above, McNaughton requested to see "CNO Ser 015422P92 of 4 Aug 1960" (which, as we shall see below, supplied the "basis" for Oswald's "discharge" from the Marine Reserve). References to the two DIO 9th Naval District records can no longer be found in the Paul Hoch copy of the Oswald ONI file. Conversely, CNO Ser 015422P92 of 4 Aug 1960 is now in the Archives ONI "file on Oswald" (ONI-98). Some of the post-November 22 alteration of this "file on Oswald" appears to be work of the Archives itself, when the curator of these records was Marion Johnson. This alteration, which even if innocently inspired could be construed as tampering with evidence, should be investigated by the Review Board, and the November 22 file restored as far as possible.

<sup>23</sup> Ibid. The transmitter of this message was CNO Naval Aide Captain Elmo Zumwalt, who seven years later became Nixon's CNO. For the record, each of the two Ninth DIO serials contained a reference to a document missing from the Paul Hoch ONI file. See Appendix II.

As we look more closely at this ONI-G-2 collaboration, we shall see that it has the marks of a counterintelligence operation, indeed of an official "deception" (to use an intelligence term of art) with respect to Oswald. There is of course nothing in this fact per se to link either ONI or Marine G-2 to the assassination.

What is more alarming is the refusal by ONI, on November 22, to share their actual records with even Joseph Carroll, the Air Force General and former FBI Agent who in 1961 was appointed by Kennedy to be the first head of the Defense Intelligence Agency. Particularly alarming is the deceitful withholding at that time of three records which (unlike most of the others) constituted strong clues to the existence of the counterintelligence collaboration.

In suggesting to their superiors that the three withheld records added no information, senior naval officers were deceptive. Admiral Taylor's decision to have a file prepared, rather than share raw data, is further evidence that the original files with Oswald records contained truths quite different than those eventually given to the public.

#### *The Collaboration Between ONI and Marine G-2 to Arrange for Oswald's "Discharge"*

The true secret about the DIO documents which McNaughton never saw may have been the existence of the Marine G-2 files which contained them. In fact the personnel file can be considered to be no more than the outermost tegument or covering of inter-agency intrigues, hidden in classified Marine and Navy files.

One of these intrigues was the orchestration of events to arrange for Oswald's discharge from the Marines. We know from other sources that this discharge was based on virtually worthless "evidence" that Oswald had "revoked" his citizenship, evidence not available from his personnel file.<sup>24</sup>

The appearance of a review process to achieve this result was misleading. In fact the discharge was directed by two branches of Marine Headquarters, the Discipline Branch (Code DMB) and Marine G-2 (Codes DK and DKE), with Marine G-2 playing the key coordinating role.<sup>25</sup> In this matter, as throughout the file, events in Oswald's life were directed by branches of Marine HQ, whose files have never been released.<sup>26</sup>

In this matter, an inter-agency coordinating role was played by the Security Division of ONI (OP921), including the Programs Section of Naval Counterintelligence (OP921E2 of ONI). We learn from Oswald's ONI file that the G-2 of USMC (using the Codes DK and DKE) had a series of phone conversations with and resulting correspondence from ONI, concerning Oswald and his impending discharge.<sup>27</sup> Above all, G-2 received (from ONI who in turn transmitted key documents from FBI

<sup>24</sup> There is a page of remarks from the July 1963 review of Oswald's discharge, missing in the personnel file, that contains the following information: "Oswald was discharged on the approved recommendation of a Board of Officers, based on CNO ltr OP-921D/ck serial 015422P92 of 4 Aug 60. The CNO ltr is not on file in Oswald's file jacket" (cf. 19 WH 690-92, where this page is missing). Apparently the Navy Discharge Review Board did not know that the letter of 4 Aug 1960 had been shown by ONI to Marine G-2, on condition of its swift return (ONI-98).

<sup>25</sup> Oswald's personnel file confirms that it was a J. Twitchell, Head Discipline Branch, Personnel Department, who on 17 August recommended Oswald for discharge (17 WH 699). However this same document (Code DMB) makes it clear that his "basis of recommendation" was an "OP-921D/ck serial 015422P2 of 4 Aug 60," which ONI had loaned to Marine G-2 (Code DK). It is clear that G-2 (Code DK, also co-ordinating with ONI) was involved in Oswald's discharge at a higher level than the Discipline Branch (Code DMB). It was a Code DK speedletter which first directed that Oswald be processed for discharge, and the Code DK branch was the final recipient of Oswald's discharge order (17 WH 669).

<sup>26</sup> The personnel file shows a continued exchange of correspondence on Oswald with the Headquarters of the U.S. Marine Corps in Washington, under at least five codes (CDB, CDC, DGK, DK or DKE, DMB), each representing a different HQ branch. Although the significant orders came down from HQ in Washington, it would appear that only one or two Washington file copies of these communications are contained in Folsom's official record. One may be the DK-MPV Speedletter of 8 Mar 60, directing that Oswald be processed for discharge (19 WH 719).

<sup>27</sup> ONI Messages to ACSI G-2 of 4 Feb 1960 (ONI-122), 4 Aug 60 (ONI-98), 6 Mar 62 (ONI-73); cf. memo of 8 Mar 62 (ONI-68). In general, but not always, it would appear that information received about Oswald at ONI was transmitted to G-2 by OP921D (ONI Investigations; cf. ONI-98), while outgoing Oswald communications were

and OSI) the "evidence" which arranged for Oswald's discharge from the Marines. Specifically, G-2 sent the original Speedletter of 8 March 1960, directing that Oswald be processed for discharge.<sup>28</sup> It also received the ONI file and letter on Oswald (Op 921D/ck serial 015422P92 of 4 Aug 60), which became the "basis" for Oswald's discharge on August 17.<sup>29</sup>

Like the Warren Commission after them, the elaborate files compiled from ONI and G-2 records ignore the most important intelligence aspect of Oswald's career. This was that, as a radar operator, Oswald knew a lot about the once highly-classified U-2 program; and that, when the U-2 was still a tightly held secret, he had reportedly said in Moscow he had "offered Soviets any information he has acquired as enlisted radar operator."<sup>30</sup>

Deception can be detected as early as the Naval Counterintelligence reply of 4 November 1959 to this news. It said that "possibility exists [Oswald] may have had access to Confidential info" (18 WH 116; reprinted in Newman, 446). In fact Oswald's superior, John Donovan, testified under oath that Oswald "must have had secret clearance to work in the radar center, because that was a minimum requirement for all of us" (8 WH 298).

This deception was maintained after the assassination by Marine G-2. In a carefully drafted statement for the Warren Commission, Marine G-2 addressed the matter of Oswald's clearance in language which, while technically accurate, was wholly misleading:

Oswald was granted a final clearance on 3 May 1957 to handle confidential matter. *There is no evidence contained in the personnel file that...he was granted access to any information of higher than confidential characterization.*<sup>31</sup>

Of course not; the personnel file is an unclassified one, almost devoid of reference to classified Oswald records. (Suppressing the qualification about "no evidence," the House Committee Report drew the unjustified inference that "Oswald had a security clearance of confidential, but never received a higher classification.)<sup>32</sup>

It is possible, however, that the Marine Intelligence interest in Oswald dates back to before his alleged "defection" to the Soviet Union. It has not been explained why Oswald's officer signed an affidavit in support of Oswald's passport application on September 4, 1959, or why his passport application (to visit Russia!) should refer to a Defense Card which in theory was only issued one week later.<sup>33</sup> MCAS El Toro approved Oswald's release from active duty in September, on the ground that his mother in Fort Worth needed his support (WR 688-89; 19 WH 665). Yet the records suggest that the Marines knew very well that Oswald would soon leave the U.S., even while it pretended to think that he was going to work in Fort Worth.<sup>34</sup>

transmitted by Op921E2 (Counterintelligence Programs; cf. ONI-122, ONI-73). The absence of a single file on Oswald might suggest that Oswald was not simply a subject for external investigation, so much as someone with a special relationship to ONI itself.

<sup>28</sup> 17 WH 719; cf. ONI-121.

<sup>29</sup> ONI-98; forwarded to Col. C.E. Dobson of Room 2117, Arlington Annex. This was the address of G-2 USMC (ONI-122). Cf. 17 WH 699 ("basis").

<sup>30</sup> Moscow Embassy Cable 1304 of October 31, 1939. Compare this explosive statement with the Naval Attache's more innocuous report in a cable of 3 November 59: "Oswald stated he...has offered to furnish Soviets info he possesses on US radar" (reprinted in Newman, 444; emphasis added). See discussion in Newman, 28-46; Peter Dale Scott, "Oswald and the Hunt for Popov's Mole," 5, 12-14.

<sup>31</sup> Warren Commission CD 978, 23 WH 795-96; cf. 19 WH 665. Marine G-2 is not identified as the source, except by the code "DK-atv."

<sup>32</sup> AR 219; citing 19 WH 665, 23 WH 795-96. See discussion by Hoch, 10 EOC 2.

<sup>33</sup> 22 WH 77-79 (application, affidavit). See Ray and Mary La Fontaine, *Oswald Talked*, 84-85. The Review Board should release an unclassified but referred Marine Corps communication to the State Department of 4 September 1959, which it can locate and review from the State Department copy (NARA Record No. 119-10004-10095; State Dept. Copy: Status -- Unclassified but referred, 9/24/93). This is presumably Capt. Ayers affidavit of the same day (22 WH 79).

<sup>34</sup> Other missing Marine HQ records (see Appendix II) suggest that Marine HQ may have had a hand in Oswald's career from as early as 1958. Cf. the reference to an HQ msg 281745Z of 28 Apr 1958 (19 WH 724); note that Oswald's first court martial conviction was ordered executed 29 Apr 1958 (19 WH 663).

Perhaps the greatest paradox about the Marine G-2 and ONI records on Oswald is that they show sustained interest in learning more from the State Department about Oswald's alleged renunciation of citizenship; but never, apparently, about his self-confessed offer of espionage.

*The Use of Oswald's "Discharge" to Focus Investigation, Not on Oswald but the State Department*

From Oswald's ONI file, we also have one Marine G-2 memo requesting Naval Intelligence to obtain from the State Department "a signed copy of Oswald's statement of 31 October 1959" in which he reportedly renounced his United States citizenship.<sup>35</sup> (It would appear from the ONI copies that correspondence to Oswald, signed by the Assistant Director of Personnel, was in fact drafted as a Code DKE letter, i.e. by G-2).<sup>36</sup> This was just one shot in an important inter-agency drama concerning Oswald, of which there is no trace in Oswald's personnel file.

The thrust of this inquiry from Jerome Vacek of G-2 was a continuing one in the Oswald ONI file: to extract information from a conspicuously reluctant State Department:

Will you [Pross Palmer of ONI Counterintelligence] get in touch with your State Department contacts [the State Department Office of Security] with view toward obtaining for HQMC retention a signed copy of OSWALD's statement of 31 October 1959 in which he "revokes" his United States citizenship with view toward coming a citizen of the U.S.S.R. Congressional interest is likewise anticipated.<sup>37</sup>

ONI's State Department contacts, the McCarthyite Office of Security, gave this assignment to one of their most notorious and controversial Red-hunters, Otto Otepka (26 WH 45).

The efforts of Vacek, Palmer, and Otepka were unsuccessful. The State Department replied (as it had before) that "it is considered... that Mr. Oswald...has not expatriated himself."<sup>38</sup> There is no sign that Oswald's two requests for revocation (18 WH 108-09) ever reached the eager eyes of ONI and Marine G-2. Indeed from the outset the State Department appears to have resisted resolutely, even deceptively, the efforts of G-2 and ONI to poke into the Oswald affair. Early efforts by ONI to obtain an Embassy airgram about Oswald's renunciation were apparently rebuffed with the answer that the airgram had not been retained: the State Department "destroys files every month."<sup>39</sup> This answer was untrue, indeed barely credible; the airgram (G-184 of 7 Nov 59) was still in existence, and can be read today in the National Archives.<sup>40</sup> In each of three subsequent assaults on the State Department fortress, the results were similarly unsuccessful.<sup>41</sup>

<sup>35</sup> Oswald ONI file, Item ONI-68, Office memo of 8 Mar 62 from Mr. Jerome Vacek, HQMC (DK), to Mr. Pross Palmer of ONI Counterintelligence (OP-921E). Cf. ONI-72, letter of William Abbott of Op-921E transmitting a copy of ONI-68 to the Office of Security in the State Department, where it was marked, "To SY/E [Office of Security/Evaluations] Otto Otepka" (26 WH 47; cf. 26 WH 46).

<sup>36</sup> ONI-69, published at 26 WH 46.

<sup>37</sup> Oswald ONI file, Item ONI-68, Office memo of 8 Mar 62 from Mr. Jerome Vacek, HQMC (DK), to Mr. Pross Palmer of ONI Counterintelligence (OP-921E), emphasis added.

<sup>38</sup> ONI-50, letter of May 10, 1962 from John Noonan of State to DNI; cf. Warren Commission CD 1114, item XI-7.

<sup>39</sup> Annotations to ONI-136, ALUSNA Moscow Cable 5029 of 13 November 1959. Source of (mis)information apparently V. Buckler of State Passport Office (PT/LL) to Lt.j.g. Evans of ONI OP-921E2 (Counterintelligence Programs); cf. ONI-137, State Dept. buckslip dated 11/13/59.

<sup>40</sup> Warren CD 1114, Item X-71(2), supplying the text of an Embassy note. It is hard to imagine how ONI could have believed that an airgram, mailed on November 7 (and in fact only received on November 13), could have been destroyed by November 13.

<sup>41</sup> Letter of 6/3/60 from John Edgar Hoover, Director of FBI, to Office of Security, Department of State (ONI-100); Confidential memo of 3/19/62 from William Abbott, Naval Counterintelligence, Office of CNO, to William Boswell, Dir., Office of Security, Department of State (ONI-60, forwarding attachment to Vacek's request of 3/8/60; 26 WH 46; cf. memo of 3/23/62, 26 WH 45); Letter of 4/26/62 from William Abbott, Naval Counterintelligence, Office of CNO, to William Boswell, Dir., Office of Security, Department of State (ONI-53). The last letter cites a record now missing from the Paul Hoch copy of Oswald's ONI file (see Appendix II).

The FBI joined Marine G-2 and ONI in requesting the State Department for more information about what they had about Oswald. A now famous FBI letter, asking about "Oswald's "renunciation of his American citizenship," justified its request for "any current information" by the intriguing "possibility that an imposter is using Oswald's birth certificate."<sup>42</sup>

Less than a week later, Marguerite also zeroed in on the controversial issue of renunciation, in a letter of June 8, 1960, to Mr. Haselton of State's Office of Special Consular Services. Referring to her earlier letter of March 7 on the same subject, Marguerite wrote that she "would like to know if Lee had signed the necessary papers renouncing his citizenship or is he still a citizen of the United States."<sup>43</sup> Both Hoover's letter and Marguerite's generated the same answer from the relevant officials, that the State Department had "no information."<sup>44</sup>

What began as a barrage of ONI and Marine G-2 questions to State became increasingly a challenge to State's authority. Unquestionably, only the State Department could rule on the issue of Oswald's renunciation, which according to its complex policy was a procedure that had not been completed.<sup>45</sup> Repeatedly, ONI and G-2 were informed that, in State's view, Oswald was still a citizen. Just as insistently, naval and Marine records continued to insist that Oswald had indeed revoked or renounced his citizenship.<sup>46</sup>

As we shall see, this issue was still unresolved at the time of the Kennedy assassination. Clearly, as long as Kennedy was President, State had little to fear from the challenges to its ruling on Oswald in ONI and Marine G-2 records. However, after the assassination, the latter were reinforced by hostile challenges to State's ruling, in the Senate Internal Security Subcommittee, and also in the House of Representatives.<sup>47</sup>

It is striking that the evidence for Oswald's alleged revocation of his citizenship, as supplied by the FBI, should turn out to be nothing more than Marguerite's memory of a newspaper report.

#### *The FBI-Supplied "Basis" for the ONI/G-2-Arranged "Discharge"*

The first available evidence of on-going contact between ONI and Marine G-2 with respect to Oswald is an Confidential ONI file reference, dated February 4, 1960, to a conversation two days earlier between Lt. j.g. Fredrickson of ONI and Captain Steele of Marine G-2. The topic is Oswald's recent defection to the USSR, or more specifically State Department reporting of this event.<sup>48</sup> There are other such references to such telephone conversations, whose content remains hidden even in the confidential ONI letters withheld from the unclassified Oswald personnel file.<sup>49</sup> It is not clear

<sup>42</sup> Letter of 6/3/60 from John Edgar Hoover, Director of FBI, to Office of Security, Department of State (ONI-100). Consider also the unfulfilled requests for information from J. Edgar Hoover on February 27, 1961, and from Emery J. Adams of the State Security Office on March 2, 1961 (Newman, *Oswald and the CIA*, 213-14). As if he had seen military intelligence references to "Harvey Lee Oswald," Adams asked other branches of State to "advise if the FBI is receiving info about Harvey on a continuing basis."

<sup>43</sup> 16 WH 597; cf. 16 WH 594. On July 16, Marguerite wrote again, astutely raising a potentially embarrassing question: in what city had her son's passport been issued (16 WH 600)? The State Department replied, correctly, "Los Angeles" (16 WH 601). Originally Richard Snyder of the Moscow Embassy had misreported this as "San Francisco" (18 WH 97; cf. Peter Dale Scott, "Oswald and the Hunt for Popov's Mole," *The Fourth Decade*, March 1994, 7). Marguerite and the State Department continued to correspond vigorously until Oswald's return (16 WH 603-20).

<sup>44</sup> 16 WH 599 (response of July 7 1960 to Marguerite); Confidential memo of July 11, 1960, from D.E. Boster of Soviet Division to Emery J. Adams of Security Office (for Hoover).

<sup>45</sup> WR 748.

<sup>46</sup> For example, the State Department advised the Chiefs of ONI and Marine G-2 on May 10, 1962, that "The Passport Office, with jurisdiction in this matter, has advised...that Mr. Oswald...has not expatriated himself" (ONI-50). Nevertheless the Navy upheld Oswald's discharge in 1963, finding "proper" an earlier determination "that he had renounced his U.S. citizenship" (19 WH 690).

<sup>47</sup> See below at footnotes 67 and 92.

<sup>48</sup> ONI-122, letter of 4 Feb 60, transmitting the ONI Confidential case history file on Oswald.

<sup>49</sup> See ONI-98, referring to telecon of 2 Aug 60 between MSgt Emerson of G-2 USMC and [Prosser] Parker of

whether records were ever kept of these phone conversations or of the bureaucratic initiatives which gave rise to them. We do however have the names of at least six personnel involved. It would be appropriate for the Review Board to contact these people, if necessary to depose them, and ask whether such records ever existed.<sup>50</sup>

Even without such records, it is clear from their context that the ONI-G-2 telephone conversations concerned plans to arrange for Oswald's discharge from the Marines, on grounds that he had revoked his U.S. citizenship.<sup>51</sup> These conversations, moreover, were part of a larger inter-agency operation, or deception, in which the real target may not have been Lee Harvey Oswald at all. It is striking that ONI and G-2 continued to have phone conversations and other communications concerning Oswald after his return to the United States, without any apparent suggestion that Oswald himself should be contacted or debriefed.

A chronology of events in 1960 (see Appendix I) reinforces this sense of inter-agency collaboration in deception. The chronology shows that the ONI-G-2 conversations on February 2 and August 2, 1960 were key events in the sequence, along with synchronous developments at OSI and the FBI, and above all steps attributed to Oswald's mother Marguerite. According to the Oswald personnel file, Oswald's discharge "was based on reliable information which indicated that he had renounced his U.S. citizenship" (19 WH 690). This "reliable information," persistently repeated in FBI and military intelligence records, was just as persistently discredited by the competent authorities in the State Department.

The deciding evidence of his renunciation, which for the Marines overrode repeated State Department rulings, was Marguerite's recollection of a newspaper story, as narrated by her (after consulting with Marine personnel in Fort Worth) to FBI Agent John Fain. John Fain then compiled a report of 5/12/60, concerned with Oswald but placed in a different file ("Funds Transmitted to Residents of Russia"). This confidential report transmitted Marguerite's recollection that Oswald was "reported to have renounced his U.S. citizenship and...sought Soviet citizenship" (17 WH 700). This FBI report was placed in Oswald's ONI file and then shown to Marine G-2, under cover of the 4 Aug 1960 letter which in turn became the "basis" for Oswald's discharge.<sup>52</sup>

I have written about the charade of Oswald's discharge extensively elsewhere. Here I shall merely point out that the crucial 8 March speedletter (from Marine HQ G-2) directed the processing of Oswald for discharge, on the basis of evidence from "a federal investigative agency" which had not yet been furnished. This travesty of "review" was further compounded by sending Oswald's notice to appear to a fictitious address, "3613 Hurley, Fort Worth," where neither Oswald nor his mother had ever lived, at a time when the Marines knew very well he was in the Soviet Union.<sup>53</sup> Yet the recommendation for Oswald's discharge contains the remark that Oswald "refused to answer

ONI; ONI-73, referring to telecon of 5 Mar 62 between Lt. j.g. [P.C.] LeSourd of ONI and Major [G.W.] Houck of G-2 USMC. ONI-31, referring to telecon of 7/20/62 between [P.C.] LeSourd of ONI and Major [G.W.] Houck of G-2 USMC.

<sup>50</sup> One question would be whether they were held in a separate file with a classification higher than Confidential. For some reason the House Committee apparently never contacted these people.

<sup>51</sup> As John Newman wrote in his ground-breaking work, *Oswald and the CIA*, ONI and Marine HQ were together responsible for the sequence of events leading to Oswald's undesirable discharge. See John Newman, *Oswald and the CIA*, especially 211, 247, 552 at fn. 28.

<sup>52</sup> Op921D/ck Ser 015422P92 of 4 Aug 60 (ONI-98), referring to phone conversation between Emerson and Parker. Cf. Appendix I; discussion in Peter Dale Scott, "Oswald and the Hunt for Popov's Mole," *The Fourth Decade*, March 1994, 11-12. The only other such evidence was from an Air Force OSI report on Oswald's half-brother John Edward Pic. It reported that in November 1959 Pic had turned up at an OSI office in Japan, "and opined [on the basis of a radio broadcast Pic had listened to] that his half brother contemplated renunciation of his citizenship" (OSI Report of 27 Jan 1960, ONI-124).

<sup>53</sup> 19 WH 716, copy to "CMC (Code DK);" see below. In reality there is no such address as "3613 Hurley, Fort Worth." Yet when the letter was stamped and returned the reason checked for non-delivery was not "No such address," but "Unclaimed" (19 WH 716). The fictitious address was apparently created by combining two earlier addresses for Marguerite in the Marine correspondence, "3613 Harley," and "1410 Hurley" (19 WH 674, 675). Apparently neither Oswald nor his mother had lived at these addresses either. See Peter Dale Scott, "Oswald and the Hunt for Popov's Mole," *The Fourth Decade*, March 1994, 11-12.

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correspondence" (19 WH 699).

In the published documentary record of this travesty, falsifications abound. For example the envelope for the June 24 "3613 Hurley" letter carried the Certified Mail Stamp No. 2154584 (19 WH 716). Yet when copies of the Marine Corps correspondence were first introduced into the Warren Commission record, the "3613 Hurley" letter of June 24 was suppressed; at the same time the Mail Arrival Notice for Certified Mail No. 2154584 was entered into evidence, with the different address "1410 Hurley." (16 WH 587).<sup>54</sup>

The upshot of all this activity was that, in August 1960, Oswald was given an undesirable discharge, on the reported information in a news story (as recalled by his mother to the FBI) that Oswald had renounced his citizenship while in the Soviet Union.<sup>55</sup>

*Oswald, the FBI, Otto Otepka, and the Congressional Hunt for Subversives*

Oswald's subsequent appeal of this decision continued the inter-agency bombardment of the State Department with questions about Oswald's alleged renunciation of U.S. citizenship. In this campaign I suspect that a coordinating role was played by J. Edgar Hoover.

FBI collaboration with ONI and Army Intelligence went back to the 1930s, and became more collusive in these three agencies' intensive, but ultimately unsuccessful, campaign to block the creation of a post-war Central Intelligence Agency. (In this campaign, overt opposition was led by Army General G.V. Strong, former head of Army G-2; but Hoover, behind the scenes, supplied much of the ammunition Strong and his allies used.)<sup>56</sup> Senator Joe McCarthy's charge in 1950 of Communists in the State Department, it later became clear, was drawn from confidential FBI reports, "reworded, then laundered, usually with military intelligence acting as the go-between."<sup>57</sup>

The end result of McCarthy's charge was the hiring of one of his Congressional allies, ex-FBI agent R.W. "Scotty" McLeod, to be a Hoover spy overseeing the State Department's Office of Security: "Through McLeod and his cadre, Hoover was tapped into every part of the State Department."<sup>58</sup> When John Foster Dulles finally got rid of McLeod, his mantle fell chiefly to Otto Otepka, a Security Officer eventually suspected of leaking not only to Hoover but also to Congress.

The battle-lines established in these old conflicts, with State on one side, FBI and military intelligence on the other, reappear in the extended inter-agency conflict over Oswald's alleged renunciation. The available records raise the possibility that ONI and Marine G-2 files on Oswald were manipulated to learn more about one of Hoover's oldest targets (so-called "liberals" in the State Department). To this end confidential information on Oswald's defection, after Vacek's Marine G-2 inquiry, clearly reached Hoover's Congressional allies, the House Committee on Un-American

<sup>54</sup> Warren Commission General Counsel J. Lee Rankin seems to have participated consciously in this deception. He described this Mail Arrival Notice and related documents as "all copies of your papers that you [i.e. Marguerite] furnished to us" (1 WH 221); yet most are clearly taken from Marine files (e.g. 16 WH 585, 586, 592, 593). Handwriting experts may wish to consider whether the handwritten Mail Arrival Notice to "1410 Hurley" (16 WH 587) is not in the hand generally attributed to Marguerite Oswald (e.g. 16 WH 583, 19 WH 685, etc.). If so, the possibility must be seriously considered that the entire "correspondence" was compiled at a single center, with Marguerite (or someone writing in her name) playing a role as directed. Marguerite herself told both the Secret Service and the Warren Commission that she was told what to write on the discharge matter by a Marine Captain in Fort Worth ("I wrote a letter, and was told how to write the letter;" 16 WH 735; 1 WH 220). Cf. 19 WH 715, 673.

<sup>55</sup> For more extended discussion of this Marguerite-FBI interaction, see Peter Dale Scott, "Oswald and the Hunt for Popov's Mole," 10-12.

<sup>56</sup> Curt Gentry, *J. Edgar Hoover: The Man Who Kept the Secrets*, 313. Cf. Athan G. Theoharis and John S. Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition*, 210-20.

<sup>57</sup> Gentry, *J. Edgar Hoover*, 379; cf. P.D. Scott, *Deep Politics and the Death of JFK*, 211-12.

<sup>58</sup> Gentry, *J. Edgar Hoover*, 409. McLeod had been an FBI agent from 1942 until hired as a staff assistant by right-wing Senator Styles Bridges in 1949. Senator McCarthy had often consulted McLeod on subversion matters, and warmly backed his appointment in 1953 to become Administrator of State's newly-created Bureau of Security and Consular Affairs.

Activities (HUAC), and the Senate Internal Security Subcommittee (SISS). The only question is: when?

Did HUAC in 1962 receive a confidential FBI report on Oswald (with synopsis ("Subject later renounced U.S. citizenship and sought to become a citizen of Russia")? Such might appear to be the case from a notation ("HCUA - 6-12-62") on a State Department transmittal slip for Fain's report on Oswald of July 1961.<sup>59</sup> Did this in turn have to do with Vacek's unexplained statement, three months earlier, that "Congressional interest is likewise anticipated?"<sup>60</sup> The Review Board should inquire whether any records concerning Oswald can be located in the surviving files of HUAC and the SISS, which might answer this question.

In 1962 ONI and Marine G-2 were intimately aware of HUAC and SISS interest in possible State Department subversion. Increasingly this demonstrated itself in the form of SISS concern for the welfare of Otto Otepka, which bears on the Oswald matter because Otepka had been since 1959 the Oswald-watcher in the State Security Office.<sup>61</sup>

Congressional concern about State "subversives" (to use Otepka's term)<sup>62</sup> had revived in 1959, when business interests and Republicans began to allege that two State Department employees, Roy Rubottom and William Wieland, were responsible for "losing" Cuba to Castro. Subpoenaed by SISS, Otepka testified that he had dissented from the decision to clear Wieland for duty. This was followed by President Kennedy's public defense of Wieland at a press conference, and also by a series of increasing restrictions on Otepka's activities inside State.

This radically escalated the tension between the Kennedy Administration and the Senate Internal Security Subcommittee, whose Chairman, Senator Eastland of Mississippi, opposed the President on civil rights matters as well. Increasingly the cause of Otto Otepka was taken up by right wing journals and journalists, the Hearst press, and the John Birch Society. By 1963 the case of Otto Otepka was a talking point of right-wingers like Robert Morris of Dallas, a former general counsel of SISS who opposed Kennedy's policies on issues such as race, the Test Ban Treaty, and Vietnam. A former district naval intelligence officer from 1941 to 1946, Morris in 1962 resigned his post as president of the Catholic University of Dallas, to deal full time with what he called "a time of great crisis in the United States."<sup>63</sup>

#### *Otepka, the Oswald Records, and Counterintelligence Operations*

The increasing controversy about Otepka did not help his situation inside the State Department. In 1963 Otepka's phone was tapped; his safe (containing documentation on Oswald) was drilled open on orders from his superiors. Finally, on November 5, 1963, 17 days before the assassination, Otepka was removed from his post, for having passed confidential State Department documents to his friends in Congress.<sup>64</sup>

<sup>59</sup> 18 WH 384-85; cf. 383; 17 WH 707. The relevant correspondence reflects the tensions between the State Department and its Office of Security, with Ruth Ulbrich of the latter writing that Oswald "renounced U.S. citizenship;" and Bernice Waterman of PT/FEA in the Passport Office responding "incorrect" (18 WH 383).

<sup>60</sup> Memo of 8 Mar 1962 (ONI-68).

<sup>61</sup> The first Naval Counterintelligence cable of 4 November 1959 (Newman, 446) was assigned for action in the State Department Office of Security to Otepka (18 WH 116). By October 1960 the CIA Office of Security knew that Otepka was collecting information on Oswald and other defectors (Newman, 171-72, 459). As we shall see, material concerning Oswald was in his safe when it was drilled and ransacked in 1963 by his Kennedy-appointed superiors. (SISS, "State Department Security, 1963-1965," Hearings, 1235-36).

<sup>62</sup> On August 12, 1963, Otepka told the SISS how his Kennedy-appointed superiors had impounded fourteen file cabinets in his outer office, which contained "documented studies on the infiltration of the State Department by Communists and subversives" (SISS, "State Department Security, 1963-1965," Hearings, 1781-82).

<sup>63</sup> *Dallas Morning News*, June 9, 1962. Otepka himself had been a naval security officer during World War II.

<sup>64</sup> Original press accounts reported that Otepka had been dismissed on November 5. After the assassination the State Department issued a clarification that Otepka had not been fired, but charged with conduct unbecoming a State Department officer, and "assigned to special projects" (SISS, "State Department Security, 1963-1965," Hearings, 140-42). In the Johnson era both Otepka and Schwartz left the State Department. Otepka returned with fanfare

What obsessed Otepka in his final years of diminished power was the question of defectors to the Soviet Union. He later told Bernard Fensterwald that his safe was drilled a day or so after Oswald obtained his second passport in June 1963. Nothing was in there, he said, except his research on defectors: "which are ours and which are theirs." Otepka later confirmed to Eastland's Subcommittee that in his safe he kept information on defectors, specifically including Oswald.<sup>65</sup>

I interviewed Otto Otepka at length in 1978; he impressed me as a sincere anti-Communist who from his vantage point had rightly concluded that there was far more to the Oswald case than met the eye. He observed, for example, that State Department procedures had been violated in 1963, when Oswald, a former defector, received a new passport one day after applying for it. He also found suspicious Oswald's receipt of a Soviet visa in just two days, when the normal waiting period was one to two weeks.<sup>66</sup>

Otepka's concerns about State's handling of Oswald were publicly articulated after the assassination in the Senate Internal Security Subcommittee. In the summer of 1964, Subcommittee Counsel Julien Sourwine, obviously well-briefed, grilled Otepka's Kennedy-appointed boss, Abba Schwartz, about the handling of Oswald's first and second passports.<sup>67</sup>

In my view Otepka was quite justified in finding Oswald's treatment by State to be anomalous. (The Warren Commission shared this concern.) I believe however that the explanation is not to be sought in KGB subversion, but in a CIA/State-coordinated counterintelligence operation, of which Otepka (like his allies) may have been unaware.

I have suggested elsewhere that Oswald's discharge was itself part of this counterintelligence operation, and that the true purpose of the discharge was to generate paper about it. Much of the documentation over Oswald's discharge has the marks of what in counterintelligence is called a "barium meal:" the flooding of a communications network with deliberately altered information, to see if and where this altered information ends up in enemy (in this case, KGB) hands.<sup>68</sup> In that article, I showed that altered details recur in the Oswald documents of the CIA, FBI and State Department.

This argument, if correct, implies that some individuals inside the FBI and Navy counterintelligence establishments would have been at least partially witting to the fact that the Oswald records concealed an intelligence operation. Those partially witting (because they were directed to perform certain anomalous tasks) must have lived in a milieu of colleagues who, not witting, would naturally have become increasingly suspicious of what was going on.

The overall behavior of Hoover, Otepka, and others, suggests that these men were not only unwitting but highly suspicious, and anxious to get to the bottom of the matter. Even to know that the CIA and State were behind the Oswald operation would not appease those who had argued for years that the CIA and State harbored red subversives. (After the assassination, former Army Intelligence Colonel Philip Corso told his friend Julien Sourwine that Oswald was tied to a Communist ring inside the CIA).<sup>69</sup>

under Nixon to a newly created Subversive Activities Control Board, where he received a handsome salary but exercised little real power.

<sup>65</sup> SISS, "State Department Security, 1963-1965," Hearings, 17 August 1964, 1236.

<sup>66</sup> Otepka's reasonable and empirical discussion with me must be contrasted with an interview he gave to journalist Joe Trento, in which he allegedly said, "There are no Nazis. That is just the pink, communist method for slandering good Americans" (William W. Turner, *Power on the Right*, 162).

<sup>67</sup> SISS, "State Department Security, 1963-1965," Hearings, 22 July 1964, 13 August 1964, 1224-27, 1232.

<sup>68</sup> Peter Dale Scott, "Oswald and the Hunt for Popov's Mole," 3-5.

<sup>69</sup> Scott, *Deep Politics and the Death of JFK*, 215; for more on Sourwine and Corso, cf. Jerry Rose, "Disinformation Please: J.G. Sourwine in Action," *Fourth Decade*, November 1994, 4. With acknowledged sources among veterans of army intelligence and the FBI, Revilo Oliver of the John Birch Society argued that Kennedy's murder "was part of a Communist plot engineered with the help of the Central Intelligence Agency" (15 WH 710; Scott, *Deep Politics and the Death of JFK*, 215; Scott, *Deep Politics II*, 34). Some years later Oliver wrote, "It is now clear that the assassination was an operation of the C.I.A., apparently carried out in the spirit of the Jews, who bomb their own synagogues" (Revilo Oliver, *America's Decline: The Education of a Conservative*, 164).

It might appear that the Oswald files ended up being a battleground between two opposing counterintelligence operations. One, eschewing publicity, sophisticated, was centered in CIA and State, and looked for an individual or individuals who might be moles. Suspicion of this operation led to a second, retaliatory counterintelligence operation. This one was more populist, questioning elite procedures, and invoking press support outside the Administration altogether.

The methods of the two counterintelligence operations were antithetical. The first one, truly a hunt, wished secretly to identify a mole or moles not yet identified. The second wished (at times in public) to gather derogatory information about government opponents whose identity was familiar.

With so few confidential ONI and Marine records on Oswald available, we know too little at present to speculate about the extent to which ONI and Marine G-2 operatives were participants in, as well as targets of, the molehunt operation. These files are confusing: they contain traces both of a witting collaboration in a broader interagency molehunt operation, and of countermeasures to learn what that operation was.

It is for example possible that some ONI-Marine G-2 records are themselves part of the "barium meal." There are examples of altered details in Oswald's Marine and ONI documents, but not enough to demonstrate by themselves an established pattern.<sup>70</sup> More suggestive of interagency collaboration is an artificial delay in the records of ONI, CIA, and FBI together, so that key files on Oswald in all three agencies were only opened belatedly in the four months after the election of Kennedy.<sup>71</sup> An unexplained comment in the last new file to be so opened ("Now you can make contact") suggests that this synchronized delay was deliberate and coordinated, in accordance with a still unexplained inter-agency agenda.<sup>72</sup> It is also striking that after November 22, 1963, all relevant agencies (ONI, Marine G-2, Army Intelligence, CIA, FBI, and even State) responded similarly: they all withheld pertinent Oswald records from their superiors and/or the Warren Commission.<sup>73</sup>

<sup>70</sup> A Marine letter of 29 July 1960 refers to the CMC Speedletter "DK-MDV of 8 Mar 60" (19 WH 703). In fact the Code was "DK-MPV of 8 Mar 1960" (19 WH 719). In the ONI file this becomes "DK-MPV of 9 Mar 1960" (ONI-119, Op921E2/jws ser 0236P92 of 12 April 1960; cf. ONI-120, endorsement of 21 Mar 1960 to Op921E2/kea ser 0628P2 of 4 Feb 1960). It is interesting, but not conclusive, that the relevant ONI documents are from Naval Counterintelligence Programs.

<sup>71</sup> Though Oswald defected in October 1959, the CIA 201 file on him was inexplicably not opened until December 9, 1960 (Newman, *Oswald and the CIA*, 168-77, 463). The Fain report of May 1960, reaching ONI the same month, was recorded as sent the same month to the Ninth Naval District, under serial "014167P92 of May 60" (ONI-103). But serial 014167P92 was mysteriously delayed for six months, until November 15, 1960, during which time a simple five-line message was typed and retyped a total of six times (ONI-94). In the end this serial was sent to the Ninth Naval District with no attachments; the May 1960 Fain report was sent, also under serial 014167P92 of November 15, to the Eighth Naval District in New Orleans (ONI-96). DIO 9th ND then shifted its Oswald records to DIO 8th ND on November 30 (ONI-92). DIO 8th ND sent a message to the Dallas FBI on January 11, 1961, causing the opening of a Dallas FBI file on Oswald the same month (Newman, 212). In February the FBI agent in charge of the new Dallas Oswald file wrote to the FBI in New Orleans, which became the first item in a new FBI Oswald file in New Orleans (Newman 213).

<sup>72</sup> This comment is written on the New Orleans FBI serial 100-16601-1. It is addressed to FBI Agent John Quigley, the same agent who three years later would interview Oswald in a New Orleans jail. Quigley promptly did make contact with the New Orleans ONI office, whose letter to Dallas six weeks earlier had led to the opening of FBI files on Oswald in Dallas and New Orleans. The Quigley-Oswald interview of August 1963 led to a resumed Quigley-ONI contact, while a second Oswald interview the same day was relayed to the 112th Army Military Intelligence Group (Scott, *Deep Politics and the Death of JFK*, 258).

<sup>73</sup> The Warren Commission staff probably considered the State Department the most compliant to their record requests, since by June 4, 1964, State had delivered over 442 Oswald records from thirteen different files (18 WH 327, 329). Yet an important letter of 10/25/60 mentioning Lee Harvey Oswald, from the State Department's Director of Intelligence and Research (suggestive of a fourteenth file with yet more INR records) was not submitted (cf. Newman, *Oswald and the CIA*, 458). This letter, concerning defectors, refers to "informal inquiries...from the White House Staff;" the Review Board should inquire after possible records concerning defectors from White House sources also. Otepka told the SISS that data in his safe on Oswald was part of a special defector file which he was later told had been supplied to Mr. Thomas Ehrlich of the Legal Adviser's Office in State (SISS, "State Department Security, 1963-1965," Hearings, 1235-36). Although the Legal Adviser was responsible for transmitting Oswald records to the Warren Commission, this file was not passed on to them.

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Against these similarities in the Oswald records of all agencies, one has to note an antithetical strain in those of ONI, Marine G-2, and FBI: to acquire and even disclose secrets about Oswald held inside suspect areas of the State Department. These areas were so esoteric, so unknown to most people, that the "Congressional interest" referred to by Jerome Vacek would most likely be that of the obsessive HUAC and SISS.

*Military Intelligence and the Assault on State from the Radical Right*

What we know of the sociology of ONI and Marine G-2 corroborates their sympathy to the hunt for subversives in government. Glenview Naval Air Station, the site of the Marine G-2 regional detachment to which we found documents addressed, had been for years a center for right-wing political activity. In the 1930s the Ninth Naval District had organized reserve intelligence teams to ferret out intelligence on radicals and pacifists.<sup>74</sup> In 1960, while Marine G-2 and ONI shuffled their Oswald records, Glenview Naval Air Station played host to a five-day school of the Christian Anti-Communist Crusade of Dr. Fred Schwarz. The faculty, which included several Navy officers, pursued the Crusade's theme that Communist fifth columnists and their "stooges" could be found both on American college campuses and in the policy-making levels of the Federal Government. The Glenview Crusade was later criticized, on the ground that "it held up to ridicule and certain established foreign policy positions of the Federal Government that the Navy was required to support."<sup>75</sup>

Indeed the Glenview Naval Air Station, by supporting Schwarz and his Crusade, was lending respectability to the Crusade's sustained onslaught against another part of the government: the accommodaters in the U.S. State Department. In a 1961 rally at the Hollywood Bowl, addressed also by C.D. Jackson of *Life* Magazine and by future President Ronald Reagan, the only speeches reported by *Nation* reporter Fred Cook both assaulted State. Admiral Chester Ward (USN, Retd.) demanded that Kennedy "get rid of the architects of accommodation, the foreign policy advisers who give President Kennedy bad advice." Ex-FBI Agent Cleon Skousen, until 1960 an employee of the American Security Council (ASC), called for an investigation "to root out the 'small left-wing group in the State Department' that has been the source of all our troubles."<sup>76</sup>

Both events, in short, were rather typical examples of the military politicking (and budget-buttressing), which in 1961 was challenged by President Kennedy and Defense Secretary McNamara, supported by a lengthy memorandum from Senator Fulbright.<sup>77</sup>

C.D. Jackson's presence at the Crusade event reflected the backing for Schwarz from those, primarily defense contractors and other U.S. corporations, who saw in the President's foreign policy of negotiation a threat to their stake in the Cold War.

When *Life* ran a skeptical story about Fred Schwarz, the outcry from Schwarz's backers, some of whom were national advertisers, induced *Life's* publisher, C.D. Jackson, to fly to a [1961] Schwarz rally in the Hollywood bowl and offer a public apology. "I believe we were wrong," Jackson said, "and I am profoundly sorry. It's a great privilege to be here tonight and align *Life* magazine with Senator Dodd [the SISS Vice-Chairman], Representative Judd, Dr. Schwarz and the rest of these implacable fighters against communism."<sup>78</sup>

<sup>74</sup> Theoharis and Cox, 210.

<sup>75</sup> *New York Times*, May 21, 1961, 54. After the five-day school, which opened on August 29, 1960, three naval enlisted men from the Great Lakes Naval Training Center went into the community for the next six months, showing the propaganda film "Operation Abolition." An office for the Education for American Security was maintained at the Glenview Naval Air Station, whose commander, apt. Isaiah Hampton, made clear his support as a "Texas conservative."

<sup>76</sup> *Nation*, June 30, 1962, 571. Skousen, of the John Birch Society's Speakers Bureau, was also on the Advisory Board of the American Committee to Free Cuba (for more on which see Scott, *Deep Politics and the Death of JFK*, 265, 373).

<sup>77</sup> In November 1961 the President publicly attacked those who "object quite rightly to politics intruding on the military -- but...are very anxious for the military to engage in their kind of politics" (Arthur Schlesinger, Jr., *Robert Kennedy and His Times*, 485; cf. Arthur Schlesinger, Jr., *A Thousand Days*, 751-53).

The Crusade was backed principally by the ideological Eversharp Corporation, one of whose directors was Otepka's backer, former SISS counsel Robert Morris in Dallas. When eventually General Edwin Walker was fired for inculcating his troops in Germany with Birchite propaganda, he too joined forces with Robert Morris in Dallas.<sup>79</sup>

Eversharp and other defense-related corporations also backed the American Security Council, which not only generated propaganda against proposed treaties with the Soviet Union but lobbied vigorously against them in Washington.<sup>80</sup> William I. Gill, national editor of the *ASC Washington Report*, wrote a best-selling book, *The Ordeal of Otto Otepka*, endorsing Otepka's attack on the subversives of the State Department.<sup>81</sup> Editor-in-Chief of the same journal was Rear Admiral Chester C. Ward, whose meetings in 1961 with the radical right (while still an active Navy officer) were criticized (along with General Walker's activities) in Senator Fulbright's memorandum.<sup>82</sup>

After the assassination, a major attack on the legitimacy of the Warren Commission was published by the John Birch Society, through its chief spokesman Revilo Oliver. Oliver, according to one of his books, was during World War II "Director of Research in a highly secret agency of the War Department." In the same book he revealed that in 1966 he had resigned from the John Birch Society in 1966, convinced by then that its leader, the "little shyster" Robert Welch, had operated the John Birch Society "under the supervision of a committee of Jews."<sup>83</sup> (His self-acknowledged "racialism" thus explains his presence at an April 1963 meeting of the racist Congress of Freedom, where an informant later told the Miami Police that plans to assassinate political leaders were discussed.)<sup>84</sup>

Oliver challenged the constitutional authority for heading off an impending SISS investigation of the murder by the creation of a Warren Commission.<sup>85</sup> Oliver was questioned extensively about his opinions, and more importantly their sources, by the Warren Commission. Counsel Jenner elicited the significant fact that Oliver relied heavily on his "research consultant" Frank Capell, who in turn had "the cooperation of many former intelligence officers of the Army and former members of the FBI."<sup>86</sup> This presumably was a reference to the anti-Kennedy Foreign Intelligence Digest, a group uniting Frank Capell with army intelligence veterans like General Willoughby, and funded by the family of Dallas billionaire H.L. Hunt.<sup>87</sup> The Commission may well have been concerned by the ability of Oliver and Capell accurately to cite rumors already lodged in confidential intelligence files.<sup>88</sup>

<sup>78</sup> Arthur Schlesinger, Jr., *A Thousand Days*, 754. Before Jackson's appearance, Patrick Frawley of Eversharp Corporation, one of Schwarz's leading backers, obtained an interview with Jackson's employer Henry Luce. Later, so did Schwarz (*Nation*, June 30, 1962, 576). For more on Jackson, *Life*, and the Kennedy assassination, see Peter Dale Scott, *Deep Politics and the Death of JFK*, 55-56, 117.

<sup>79</sup> When the Kennedy Justice Department prosecuted Gen. Walker for his role in the Ole Miss riots of 1962, Walker was initially represented by Robert Morris.

<sup>80</sup> Turner, *Power on the Right*, 203.

<sup>81</sup> In 1967 Otepka was the hero of a film produced by the Liberty Lobby, "which cast the witch-hunter as himself the victim of a communist-liberal conspiracy" (Turner, *Power on the Right*, 161).

<sup>82</sup> Turner, 204.

<sup>83</sup> Revilo P. Oliver, *America's Decline: The Education of a Conservative*, back cover, 329, 331.

<sup>84</sup> Dick Russell, *The Man Who Knew Too Much*, 687. The same informant added that "membership within the Congress of Freedom, Inc., contain [sic] high ranking members of the Armed Forces that secretly belong to the organization" (Russell, 299). At this meeting the racist Joseph Milteer renewed his friendship with a Willie Somerset; in early November Milteer correctly warned Somerset of a plot to kill the President "from an office building with a high-powered rifle" (Scott, *Deep Politics and the Death of JFK*, 49-51).

<sup>85</sup> *American Opinion*, March 1964, 1; reprinted at 20 WH 694; cf. 20 WH 731-32.

<sup>86</sup> 15 WH 724, 718. More candidly articulate than most of his colleagues, Oliver reflected the elite-populist intelligence antagonism in his writings. Having heard from some intelligence source of the Kennedy AMTRUNK operation, Oliver wrote that "Kennedy and Khrushchev were planning to stage...a fake revolt' against Castro;" and he predicted that "the *New York Times*, the State Department, the Central Intelligence Agency, and our other domestic enemies could swear once again that the vicious criminal was an 'agrarian reformer'" (20 WH 726).

<sup>87</sup> Scott, *Deep Politics and the Death of JFK*, 213-16.

<sup>88</sup> For example, Oliver alleged that the Warren Commission would conceal an alleged Ruby trip to Cuba in 1962 to visit someone called "Praskin" (20 WH 734, 747; 26 WH 408). This was a false rumor, circulated by Manuel

Oliver and his friends continued to target the State Department in particular.<sup>89</sup> Echoing the concern of Otepka, Frank Capell wrote in his journal that "In spite of all that was known about [Oswald], a new passport was issued within twenty-four hours."<sup>90</sup> Earlier, Representative John Ashbrook, in a statement cited by Oliver, told the Congress that "any investigation of the assassination of John F. Kennedy must center upon the State Department's role in bringing defector Lee Harvey Oswald back to the United States."<sup>91</sup>

Alleging management and suppression of news by newspapers like the *Washington Post*, Ashbrook tellingly introduced a single news story: one which does indeed sound like an establishment defense of state, another shot in the great bureaucratic feud over Oswald's renunciation of citizenship:

The American consul who handled the case of Lee Oswald when the accused Presidential assassin tried to renounce his U.S. citizenship in Moscow in 1959 says he has been ordered by the State Department not to discuss the case. Richard Snyder...said that Oswald's case was now under judicial investigation and, therefore, it would not be appropriate to say anything. Snyder did indicate, however, that Oswald never formally renounced his U.S. citizenship.<sup>92</sup>

*Conclusion: The Importance of Obtaining Oswald's ONI and Marine Intelligence Files*

It is not clear to what extent the Marine G-2 testing of the State Department elite reflected contemporary military chafing against the civilian restraints being progressively instituted by President Kennedy, his National Security Council, and Defense Secretary McNamara. However the apparent refusal of ONI and Marine G-2 to hand over their records to the DOD General Counsel, even after a specific written request for two of them, only strengthens the case that their Oswald files contained secrets relevant to the tension between the military and civilian factions in the Kennedy Administration. This is an additional reason for their release today. The Review Board should make it a priority to secure these records.

One person to whom they should go for further information is Jerome Vacek, the author of the Marine G-2 memo which is one of the few HQ G-2 records we have. From the record it would appear that Vacek kept track of Oswald at Marine HQ G-2 over three years, and contributed to the post-assassination cover-up of Oswald's career as well.

Salvat and Jose Antonio Gonzalez Lanusa of the DRE, and brought to the attention of the Secret Service by F.X. Wattersen of the State Department Security Office (26 WH 607-14). Subsequently the DRE brought the story to a Cuban-American investigator, Albert Tarabochia, working in Miami for the Senate Internal Security Subcommittee (9 AH 170). A version of the story was repeated by Frank Sturgis in 1977 (*High Times*, April 1977), before the story was conclusively laid to rest by the HSCA (9 AH 170-72) in 1979. Frank Capell published this rumor on January 15, 1964, nine days before the DRE gave it to Al Tarabochia of the SISS (20 WH 746; 9 AH 170).

<sup>89</sup> Oliver also attacked the "bizarre gang" of the CIA (20 WH 732), and "the unspeakable Yarmolinsky-McNamara gang in the Pentagon," installed by Kennedy "to demoralize and subvert our armed forces and to sabotage our military installations and equipment" (20 WH 724). Deputy Undersecretary Yarmolinsky was the senior DOD civilian at the all-night meeting to which the hastily-prepared ONI "file on Oswald" was delivered, along with Fred Dutton, Abba Schwartz and Abram Chayes from State, and John McNaughton (ONI-256). All three men from State were Kennedy-appointed liberals who had been discussed extensively, and negatively, in Sourwine's SISS Hearings.

<sup>90</sup> *Herald of Freedom*, January 17, 1964; reprinted at 20 WH 746. According to Capell, "This was done by order of and under the authority of [Sourwine's target] Abba Schwartz....Within minutes after the word was received of the arrest of Oswald for the assassination of the President, Abba Schwartz was seen hurrying to remove the file on Lee H. Oswald." Quizzed on these points by Sourwine, Schwartz confirmed that he did bring the file to his office on that day, and "immediately took it to [Undersecretary] Ball" (SISS, "State Department Security, 1963-1965," Hearings, 1230). He denied any prior knowledge of Oswald's passport case (1231).

<sup>91</sup> *Congressional Record*, December 4, 1963, Vol. 189, No. 197; reprinted at 20 WH 736.

<sup>92</sup> *Congressional Record*, December 4, 1963, Vol. 189, No. 197; citing *Washington Post*, December 1, 1963; all reprinted at 20 WH 736.

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Vacek's memo of 8 March 1962, quoted above, enclosed G-2's letter of 7 March to Oswald.<sup>93</sup> It seems likely that Vacek was involved in the handling of the letter to Oswald as well, as the initials "JV" appear clearly on the file copy placed in Oswald's personnel file (19 WH 709). It would be important to confirm this point, for the same initials, by the same hand, appear on the file copy of the 8 March 1960 speedletter which originally directed that Oswald be processed for discharge (17 WH 719).<sup>94</sup>

There is of course nothing particularly irregular in Mr. Vacek's handling of documents connected to a Marine intelligence operation. I suspect however that Mr. Vacek may have been involved in a massive cover-up of Oswald's Marine career in the days following the assassination. From the ONI file we learn that it was Jerome Vacek who on 12/2/63 alerted ONI (who in turn informed FBI and the Secret Service) that Captain John Donovan of Marine Corps Reserve "may be able to furnish information" re Oswald.<sup>95</sup> (Vacek did not mention, and possibly did not know, that Donovan had spoken by phone the previous day with someone at CIA Headquarters, and at some point with the FBI as well.)<sup>96</sup>

Almost instantly, Donovan became a press source for what would become the Warren Commission version of Oswald, as an "officer-baiting troublemaker."<sup>97</sup> On the same evening of December 2, Jeremiah O'Leary, one of the most notorious of Hoover's "friends" in the media, published words from Donovan which, in retrospect, appear at a minimum to have been misleading. Donovan alleged that Oswald's defection to Moscow came to the Marines as an unwelcome shock:

We had to spend thousands of man-hours changing everything, all the tactical frequencies, and verify the destruction of all the codes. Oswald was a very unpopular man that month.<sup>98</sup>

The very same language, purporting to be from an interview of December 4, was published in the *New York Times* of December 5.<sup>99</sup>

Only when testifying to the Warren Commission did Donovan admit, when questioned, that the authentication codes "are methodically changed anyway" (8 WH 298). The FBI heard from a Security Officer at the El Toro base that there was no record of special security measures taken in response to Oswald's defection. The Warren Commission, in my view wisely, chose not to repeat in their Report Donovan's unsupported claim of a frantic reaction.<sup>100</sup>

Jerome Vacek is not the only obvious source from whom to learn more about Oswald's Marine HQ G-2 files. The ARRB should locate and if possible interview Vacek's superiors, Captain Steele

<sup>93</sup> Office memo of 8 Mar 62 from Mr. Jerome Vacek, HQMC (DK), to Mr. Pross Palmer of ONI (ONI-68); letter of 7 March 62 to Oswald (19 WH 709). Although the March 7 letter was signed by an Assistant Director of Personnel, it is clearly a Code DK letter, even though the letters "DK" (which occur twice in the document) were twice cropped out when the letter was published by the Warren Commission (19 WH 709, 26 WH 47; cf. ONI-69).

<sup>94</sup> DK-MPV Speedletter of 8 Mar 60 (ONI-121). Vacek's signed memo to Palmer exactly two years later was coded "DK-mcv." The letter to Oswald was coded "DKE-vhr." The deceptive G-2 biography of Oswald discussed above has the code "DKE-atv" (23 WH 795). Whether the "V" in these codes stands for Vacek is unknown, but possible. For example the endorsement to Oswald's discharge, coded "04/FDS/rwm," was signed by an F.D. Stice (19 WH 701; cf. 19 WH 726).

<sup>95</sup> ONI-190, Memo for the file of 3 December 1963.

<sup>96</sup> CIA memo of 12/1/63; cited in Newman, *Oswald and the CIA*, 45, 537.

<sup>97</sup> *Washington Evening Star*, 12/2/93; filed as ONI-212. Phrase repeated in *New York Times*, December 5, 1963; filed as ONI-188. Cf. *Life*, February 21, 1964, p. 74A: "Donovan recalled Oswald as an officer-baiter and a troublemaker." Quotations from the same Donovan, his first name inexplicably modified to "Charles," are cited by the inimitable Posner (*Case Closed*, 22).

<sup>98</sup> *Washington Evening Star*, 12/2/93; filed as ONI-212. Cf. Donovan testimony to Warren Commission, 8 WH 297-98; reprinted in Newman, 44.

<sup>99</sup> Revilo Oliver cited this language of Donovan (printed in the *Dallas Morning News* of December 4) as source for his claim that Oswald "defected to the Soviet, taking with him the operational codes of the Marine corps" (20 WH 720; cf. 15 WH 714-15).

<sup>100</sup> Cf. John Newman's interesting examination of the unsupported and doubtful claim by Nelson Delgado, that "civilians in dark suits" came to El Toro "to question marines about Oswald" (Newman, 33-39).

and Col. C.E. Dobson, whose interaction with ONI led to Oswald's discharge. Captain Steele has been identified by someone who knew him in the Marines as a counterintelligence officer

An even more informative source might be Oliver "Buck" Revell, the former Marine officer who after sharing information with the FBI about Oswald rose to be the number three man in the Bureau. Revell has set out his lengthy involvement with the JFK case in his own words:

I have been involved in the Kennedy assassination investigation since its inception. First, as a Marine officer, I was assigned to assist the FBI while it was conducting a detailed inquiry into Lee Harvey Oswald's military background at the Marine Corps Air Facility, New River, N.C. Many years later, as FBI assistant director in charge of criminal investigations, it was my responsibility to follow up and take appropriate action on the findings and recommendations of the House Select Committee on Assassinations.... Since May 1991, I have been the special agent in charge of the FBI's Dallas division, and it has been my responsibility to conduct any additional investigation warranted in the Kennedy case, as alleged evidence or new documents have been brought to light.<sup>101</sup>

The Review Board should question Mr. Revell about whatever records he and the FBI may have consulted at the MCAF New River facility, a place where (as far as we have been told) Oswald never served.<sup>102</sup> It is certain that none of the Oswald Marine records we now have were stored there. In 1963 Oswald's personnel file was stored at the Federal Records Center, St. Louis; and forwarded to Washington by November 23 (24 WH 427).

The Review Board should also question, and if necessary depose, those in ONI who on November 22 "prepared a file" for DLA and their civilian overseers in the Pentagon. It is unlikely that whatever case existed for secrecy about Oswald on the day of the assassination would still prevail against the standards for release established in 1994 by passage of the JFK Records Act.

It is important to clarify whether ONI-Marine concern with Oswald (or alternatively manipulation of him) was part of a growing tension between civilian and militarist tendencies in the Kennedy Administration: a tension so great that it led in November 1963 to the firing of Otto Otepka, after the recuperation, by drilling, of the Oswald records in his safe.<sup>103</sup>

<sup>101</sup> *Washington Post*, August 27, 1994. Revell was not the only bureaucrat whose handling of the Oswald file was followed by high-level promotions. Captain Elmo Zumwalt was the naval aide to the Secretary of the Navy who on November 22 hand-carried the hastily-prepared ONI Oswald file to a crisis meeting in the office of Assistant Secretary of State Fred Dutton (another primary target of Otepka and the SISS). In 1970 Zumwalt was appointed by Nixon to be Chief of Naval Operations. It remains to be learned whether the John M. Barron who prepared the first ONI memo on Oswald (Memo of 2 Nov 59, ONI-144) is the former ONI Agent John Barron who has since emerged as a prominent authority on the KGB. For the record, the William Earle Odom who, as Director of the Pentagon Office of News Service, handled Oswald's Marine Personnel File after it was received from the Federal Records Center in St. Louis (24 WH 427; cf. 19 WH 394, 26 WH 795-96) is not the William Eldridge Odom who subsequently became Director of the National Security Agency.

<sup>102</sup> Larry Haapanen has pointed out to me that, on December 11, 1963, the Secret Service reported that Captain Donovan had suggested the Secret Service talk to Sergeant Camellias [sic] Brown, "presently stationed at New River, North Carolina," who "should be able to furnish some information on Oswald's background" (CD 87, p. 5). This is presumably the Staff Sergeant "Cornelius Brown" whose name Donovan offered as a source to the Warren Commission (8 WH 297-99, 302).

<sup>103</sup> Sourwine had heard from an informant of a meeting at State on the night of the assassination, in which Abba Schwartz met with Kennedy appointees George Ball, Abram Chayes, Averell Harriman, and William Crockett (SISS, "State Department Security, 1963-1965," Hearings, 1233). Sourwine asked Schwartz if he had told these men that on that morning Sourwine was "highly nervous," and "took some pills and drank a great deal of water" (SISS, "State Department Security, 1963-1965," Hearings, 1233). Prof. Jerry Rose has noted that "Schwartz of course denied what amounted to an accusation that he was accusing Sourwine of pre-knowledge of the assassination" (Jerry Rose, "The Feds Spring Into Action," *Fourth Decade*, May 1996, 12.) That Sourwine was discussed, however, would be consistent with the known immediate concern of the Kennedy appointees in the Administration to forestall an SISS investigation, by creating a Warren Commission committed to a lone-assassin hypothesis (Scott, *Deep Politics II*, 24-25, 72; cf. 34). Schwartz's apparent denial of the remarks attributed to him is inconclusive; it is also inconsistent with an earlier response to questions seven months earlier about the same meeting (SISS, "State Department Security, 1963-1965," Hearings, 1230-32; SISS, "State Department Security, 1963-1965: Bureau of Security and Consular Affairs" Hearings, 224-25).

APPENDIX I

PARTIAL CHRONOLOGY OF EVENTS AND RECORDS LEADING TO OSWALD'S DISCHARGE

1/27/60 Confidential OSI Report 33-476, from John Cox, in ONI file: Oswald had "contemplated" renunciation, "stating his intention of renouncing his U.S. citizenship." (ONI 124-30)

2/60 (Marguerite Oswald to Secret Service, 11/25/63, 16 WH 728-29): 'In February...I called the FBI in Fort Worth....So Mr. Fannan (phoenetic [sic]) recommended that I write to Sam Rayburn, Secretary Herder [sic] and Congressman Wright of Fort Worth. I wrote a letter to the three men and made copies.'

2/2/60 Oswald's Selective Service card issued, mailed to 3124 West 5th, forwarded (17 WH 684)) to "10[13 Fifth Ave.], 3613 [Harley]"

2/4/60 ONI-122 (cf. ONI-119). Reference to 2/2 conversation between Capt. Steele of Marine G-2 and Lt. j.g. Frederickson, ONI (Op-921E2).

2/19/60 (FBI HQ Oswald file, serial -6B) OSI inquiry re Oswald results in Oswald's fingerprint record being supplied to OSI.

3/6/60 Marguerite Oswald to Congressman Jim Wright (CD 1115, File XIII-25) "According to the UPI Moscow press, he appeared at the U.S. Embassy renouncing his U.S. citizenship....On 1/22/60 I sent a foreign money order in the amount of \$25.00." [Cf. Embtel 1304 10/31/59 CONFIDENTIAL

3/7/60 Marguerite Oswald to Secretary of State Herter (16 WH 594-95): "All I know is what I read in the newspapers. He went to the U.S. Embassy there and wanted to turn in his U.S. Citizenship and had applied for Soviet Citizenship. However the Russians refused his request but said he could remain in their country as a Resident Alien. As far as I know he is still a U.S. Citizen." Return address on letter: 1605 8th Ave., FW [Cf. Wash. Post 11/16/59: "Soviet authorities would not grant him citizenship although they said he could live in Russia as a resident alien"]

3/8/60 (19 WH 719, ONI-121) Naval SpeedLetter from DK-MPV, Marine HQ, Washington 25, to Commander, Marine Air Training Command: "Arrangements being made with a federal invest agency to furnish you with rpt which relates to PFC Lee Harvey Oswald 1653230 USMCR Inact CMM a member of your comd X Upon receipt CMM you are directed to process PFC Oswald for disch IAW Para i0277.2.f MARCORMAN X" Signed "A. Larson by direction")

3/8/60 L.E. Cole of OSI reviews Oswald's Passport file at State Dept. (WCD 1114 X-67). Cf. ONI-124: OSI heard from State Department that Pic approached U.S. Embassy Tokyo.

3/9/60 FBI New York instructs FBI Dallas to conduct interviews to establish reasons for Marguerite Oswald's attempted transmittal of funds. This results in Fain report of 5/12/60 (see below).

3/21/60 Marine HQ G-2 requests that Oswald's ONI file be made available "on a priority basis" to Commander, Marine Air Training Command (MARTCOM), encloses "Copy of CMC SpdLtr DK-MPV of 9Mar60 [sic]" (ONI-120) Confidential message.

3/22/60 Letter from Hans Casparis, Albert Schweitzer College, Churwalden, Switzerland, to Lee H. Oswald, MCAF, MACS-9, Santa Anna, noting that first lecture will take place on 4/19. Letter forwarded to 3124 W 5th St., Fort Worth; 1013 5th Ave., 3613 Harley, and finally 1605 8th Ave. (16 WH 626-27).

3/25/60 Refusal sheet for Oswald's State Department file prepared by Bernice Waterman: "May have

been expatriated in the Soviet Union or otherwise have expatriated himself" (NARA #119-10004-10027 "Notes on Oswald's File")

3/28/60 State Dept Confidential OM to Moscow on Oswald (NARA #119-10004-10027 "Notes on Oswald's File")

4/20/60 Naval DIO Ninth District Confidential letter serial 01526E, apparently to Cdr, Marine Air Reserve Training Command (Naval DIO Ninth District Confidential letter serial 02048E of 8 June 60 to Cdr, Marine Air Reserve Training Command). This important letter is not available; but cf. next item.

4/26/60 (CE 204, 16 WH 585) Cdr, Marine Air Reserve Training to LHO: HQ will convene fitness board. Addressed to "3613 Harley, Fort Worth" (why?) 16 WH 592: "envelope which could not be photographically reproduced with sufficient clarity to be read" (but it was read at 1 WH 220). "Certified Mail No. 2180642" "The envelope was postmarked 'Glenview, Ill., April 29, 1960.'" -- but we cannot see this -- "too illegible to be reproduced" (16 WH 592). Receipt for this Certified Mail is signed for by Marguerite Oswald (19 WH 673, 715 [where however her signature is partially clipped] in same handwriting as her check of 12/18/59 (16 WH 583), or letter to Herter (16 WH 594-95). [Use of 3613 Harley address, instead of last address he left with Marine Corps -- 3124 W 5th -- would suggest other correspondence not in this record.]

Marguerite Oswald to Secret Service, 11/25/63: "I opened his mail which had been coming to the house....It was a letter from the Marine Corps, stating that you are dishonourably discharged....I got in touch with the Marine Corps in Fort Worth....They recommended me to a captain, and I think the captain's name is jotted down on this letter. He advised me... that I write St. Louis....I received a letter from St. Louis stating that because of his defection to Russia, they have found it necessary to give him a dishonorable discharge." (16 WH 734-35).

Cf. 1 WH 219-21 (Marguerite Oswald): "The envelope...had gone to a lot of addresses, because I had moved around quite a bit. So we would have to say I got it some time later than the original....I talked to a commandant at the Marine Corps...in Fort Worth, Tex., one of the captains there....I wrote a letter, and was told how to write the letter."

4/27/60 'On April 27, 1960, efforts were made [by Fain of FBI] to contact Mrs. Oswald at this address [1605 Eighth Avenue, Mgte's address with tel nr in Fort Worth tel directory] with negative results. The telephone operator advised that all calls made to WALnut 3-0659 [her listed nr] were temporarily being handled by WALnut 3-0572, which is listed to Velma Marlin of 1410 Hurley Street, Fort Worth, Texas. Velma Marlin is employed as cashier at the "Fort Worth Star Telegram," a daily newspaper in Fort Worth. Upon contact with Miss Marlin, she advised that Mrs. Marguerite Oswald is currently employed "out of town" and that her son Robert L. Oswald is believed to know her address. Upon contact with Robert L. Oswald, on April 27, 1960, he advised that...she could be reached at 1111 Herring Avenue, Waco, Texas.' (Fain memo of 5/12/60, administrative "Cover Page," B)

4/28/60 Marguerite Oswald 'voluntarily contacted the Fort Worth Resident [FBI] Agency and stated she had come to Fort Worth on her "day off" from her work' (Fain memo of 5/12/60, administrative "Cover Page," B; cf. 17 WH 702)

4/29/60 MARTCOM letter ser 049 of 29 Apr 1960 [to DIO - 9ND]. Source: DI0 - 9ND TWX 291836Z of 29 Nov 63 (ONI-189). Apparently this was a transmittal slip returning Oswald's "case file" to DIO Ninth District. Confer preceding item.

RS 5/12/60 Fain Report from Dallas 105-976 to HQ 100-353496, "FUNDS TRANSMITTED TO RESIDENTS OF RUSSIA" (no copy to HQ LHO file) 'Oswald...is reported to have renounced his

U.S. citizenship." Quotes Marguerite Oswald (who 'volunteered for interview') as saying on 4/28 that Oswald 'had gone to Moscow, Russia, where he had renounced his United States citizenship and had apparently sought Soviet citizenship' (17 WH 702)

5/25/60 CIA card for file 074-500, excerpting Marguerite Oswald's words in Fain Report: "Oswald, Lee Harvey...Ex-U.S. Marine, who upon his discharge [sic] from Marine Corps., Sept 59 traveled to USSR to [sic] renounce his U.S. citizenship" (CIA Doc. #2-524)

5/26/60 Fain Report forwarded to Naval DIO 9ND Ser 01467F92 of May 60

5/27/60 Mgte pays insurance premium to National Bankers Life from 1410 Hurley, Fort Worth (25 WH 86).

6/3/60 Hoover initialled letter to Office of Security, State Dept. On basis of Fain interview of Mgte 4/28, Hoover raises "possibility that an imposter is using Oswald's birth certificate," requests current info from State Dept.

6/08/60 Marguerite Oswald to G. Haselton of State Dept: requesting "some sort of report....I should also like to know if Lee signed the necessary papers renouncing his citizenship or is he still a citizen of the United States" (16 WH 597)

6/10/60. (CE 204, 16 WH 592) ("a letter...too illegible to be reproduced." No address given, but this is the letter Mgte says she wrote to St. Louis (16 WH 735). Mgte O replies from 1410 Hurley: "I will be willing to act on his behalf...I desire to be informed of the charges against him." Prior to this, Mgte talked to "one of the captains" at the Marine Base in Fort Worth, "and was told how to write the letter" (1 WH 220).

6/10/60 Mgte gives Kent Biffle story about LO for FW Press (WCD 6.246)

6/17/60 Letter from M.G. Letscher, Marine Air Reserve Training Command, Glenview, Ill., to Marguerite C. Oswald, 1410 Hurley, Ft. Worth 4, Texas. "The letter...of 26 April 1960, to your son was prompted by his request for Soviet citizenship....A letter will be sent by certified mail." (16 WH 589, 19 WH 674). [The certified mail is sent one week later from the same office to Oswald at "3613 Hurley," a non-address; see below at 6/24/60, 19 WH 716.]

6/20/60 MARTCOM ltr 20:MLH:aeg of 20 Jun 1960 to 9th DIO (DIO 9th ND serial 02297-E of 27 Jun 1960). Not available, but cf. next items.

6/24/60 Letter from M.G. Letscher, Marine Air Reserve Training Command, Glenview, Ill., to Lee H. Oswald, 3613 Hurley, Fort Worth, Texas. Board will be convened 4 August 1960. This is Certified Mail No. 2154584, and is returned as unclaimed (19 WH 716). Photostatic copies of unexplained mail arrival notices for this certified mail are reproduced at 16 WH 587, with the different address 1410 Hurley. [See above at 4/27/60]. A major unexplained anomaly here.

6/27/60 DIO 9th ND serial 02297-E of 27 Jun 1960. "Subj: OSWALD, Harvey Lee." Forwards information (some Confidential) re Oswald to MARTCOM.

7/16/60 Marguerite writes to State, asking question: in what city had her son's passport been issued (16 WH 600)?

7/21/60 Mgte pays insurance premium to National Bankers Life from 1407 8th Avenue, Fort Worth (25 WH 86).

8/02/60 Phonecon MSgt Emerson (USMC) to Parker (ONI) 2 August 60. See next item.

8/04/60 ONI OP-921D/ck memo to Commandant Marine Corps (AO-2A, Attn. Col. C.E. Dobson), Serial 015422P92, enclosing ONI Op-923M5 Investigative File on Lee Harvey Oswald, referring to "Phonecon MSgt Emerson to Parker YN1 2 August 60." Initialled "DK." (ONI-98)

8/17/60 Marine HQ Discharge Order DMB-1-bco for Lee H. Oswald, signed J. Twitchell, Head, Discipline Branch. "Basis of Recommendation: See CNO ltr OP-921D/ck serial 015422P92 of 4Aug 60 of which OSWALD is the subject" (19 WH 699; cf. 19 WH 669-70).

#### APPENDIX II

##### A. RECORDS MISSING FROM OSWALD'S MARINE PERSONNEL FILE (WITH SOURCE)

CMC msg 281745Z of 28 Apr 1958 (19 WH 724). N.B. Oswald's first court martial conviction was ordered executed 29 Apr 1958 (19 WH 663). It might appear that this order came from Marine HQ.

Marine Corps communication of 4 Sept 1959 to Department of State (NARA Record No. 119-10004-10095; State Dept. Copy: Status -- Unclassified but referred, 9/24/93). N.B. This must concern Oswald's passport for which he applied the same day. However MCAS El Toro approved Oswald's release from active duty on 15 Sept 1959, on the ground that his mother in Fort Worth needed his support (WR 688-89; 19 WH 665). This record may be the same as Capt. Ayers affidavit of the same day, previously released as Warren Commission Document CD 1114, X-80, 3 (22 WH 79).

DIO - 9ND Conf letter ser 01526E of 20 Apr 60 to MARTCOM (ATTN: G-2). Source: DIO - 9ND Conf letter ser 02048E of 8 Jun 60 to MARTCOM (ATTN: G-2). N.B. First MARTCOM letter advising Oswald of impending discharge sent 26 Apr 60 to unexplained address, 3613 Harley, Fort Worth (16 WH 585, 590; 19 WH 663, 715). Confer next item.

MARTCOM letter ser 049 of 29 Apr 1960 [to DIO - 9ND]. Source: DIO - 9ND TWX 291836Z of 29 Nov 63 (ONI-189). Apparently this was a transmittal slip returning Oswald's "case file" to DIO Ninth District. Confer preceding item.

MARTCOM letter 20 MLH/aeg 5520 of 22 Jun 1960. Source: DIO - 9ND Conf letter ser 02296E of 27 Jun 60 to MARTCOM (ATTN: G-2). N.B. Subject of 27 Jun 60 letter is OSWALD,

##### B. RECORDS MISSING FROM OSWALD'S ONI FILE (WITH SOURCE)

(N.B. Records listed as missing from ONI file refer to Paul Hoch copy released in 1967; I have not collated with NARA copy.)

Air Force OSI letter of 13 May 1960 re John Edward Pic. Source: Air Force AFISI-6B4 msg 33-26125 of 16 Mar 1962 re John Edward Pic (ONI-70).

DNI Conf memo 8083P92 of 23 Mar 1962 re Oswald. Source: Ser 8127P92 of 26 Apr 1962 to FBI (ONI-55), Ser 8128P92 of 26 Apr 1962 to State Dept. Office of Security (ONI-53). Cf. Ser 09060P92 of 23 Mar 1962 (ONI-65).

#### APPENDIX III

##### CODE DK DOCUMENTS (MARINE G-2) CONCERNING LEE HARVEY OSWALD

DK-MPV Speedletter of 8 Mar 60 (19 WH 719).

Letter of 3/7/62 to Oswald, signed by R.M. Tompkins, Personnel Dept., USMC. Code DKE-vhr (19 WH 709; 26 WH 47).