

the Houston area since he did not, to my knowledge, place a long distance call. However, he did not specifically say that he was in Houston. I have no information concerning his whereabouts when this call was placed. I told him if he desired to correspond with my husband, he could direct a letter to 7018 Schley Street, Houston, Texas, and I would see that my husband received it.

3. I cannot recall the date of the call, but I think it occurred during the week prior to the weekend my husband flew home to visit me from New Orleans where his ship was docked. I recall, my husband had shipped out the weekend prior to the call.

4. I cannot recall the exact time he called, but I think that it was in the evening, sometime between 7:00 and 10:00 o'clock. I was not working during this period.

5. I wrote down on a slip of paper that Oswald had called and that he mentioned he was a member of the Fair Play for Cuba Committee. I did this in order to remember to tell my husband about the call. I told my husband about the call on the weekend he visited me. I have initialed and released note made of telephone call. (To Secret Service.)

6. Oswald did not state what he was going to Mexico for, nor did he state how long he would be there.

7. Other than the above mentioned telephone call, I have never had any contact with Lee Harvey Oswald.

8. I am not a member of the Socialist Labor Party.

Signed this 2d day of July 1964.

(S) Mrs. Estelle Twiford,
Mrs. ESTELLE TWIFORD.

TESTIMONY OF VIRGINIA H. JAMES

The testimony of Virginia H. James was taken at 2:15 p.m., on June 17, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. William T. Coleman, Jr., and W. David Slawson, assistant counsel of the President's Commission. Thomas Ehrlich, Special Assistant to the Legal Adviser, Department of State, was present.

Mr. COLEMAN. Miss James, would you state your name for the record?

Miss JAMES. Virginia H. James.

Mr. COLEMAN. Do you mind raising your right hand?

Do you solemnly swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Miss JAMES. I do.

Mr. COLEMAN. Miss James, as you know, you are the International Relations Officer, Office of Soviet Affairs, in the Department of State. You will be asked to testify about your actions with respect to Oswald concerning his attempt to return to the United States commencing in 1961, and his attempt to secure a visa for his wife, Marina.

You will also be questioned concerning your actions in connection with obtaining a waiver of Section 243(g) of the Immigration and Nationality Act for Marina, and what part, if any, you had in getting the Bureau of Immigration and Naturalization to reverse its initial decision to refuse such waiver. And I will also ask you a few questions on whether you have any knowledge concerning actions taken by the Department in 1959 when Oswald first attempted to renounce his American citizenship. Would you state for the record your present address?

Miss JAMES. 2501 Q Street NW.

Mr. COLEMAN. Are you presently employed by the Federal Government?

Miss JAMES. I am employed by the Department of State in the Office of Soviet Union Affairs.

Mr. COLEMAN. What is your official title?

Miss JAMES. International Relations Officer.

Mr. COLEMAN. Did you occupy that position from 1959 through to date?

Miss JAMES. I did ; and do still.

Mr. COLEMAN. I have shown you, and I take it you are generally familiar with, the resolution of Congress which was adopted by Congress in connection with this Commission.

Miss JAMES. Yes.

Mr. COLEMAN. To the best of your present knowledge, Miss James, could you tell me the first time you heard the name Oswald?

Miss JAMES. When I read a copy of the telegram from the American Embassy at Moscow, dated, as I recall, October 30, 1959, saying that Oswald had called at the Embassy and had attempted to renounce his American citizenship.

Mr. COLEMAN. Would you accept my suggestion if I told you that that telegram was dated October 31 rather than the 30th?

Miss JAMES. Yes.

Mr. COLEMAN. Why did you receive, obtain or see a copy of the telegram?

Miss JAMES. To begin with, it is my function in the Department of State in the Office of Soviet Union Affairs, to handle matters relating to visas, issuance of visas and passport matters from the political angle only.

Mr. COLEMAN. For what area?

Miss JAMES. For the Office of Soviet Union Affairs, and it is part of our responsibility to know what goes on in the American Embassy in Moscow, and to see how it is handled in order that we can continue our function of advising, helping and assisting so it is routine for our office to get a copy of all these telegrams. Practically every telegram that goes back and forth between the Embassy in Moscow and the Department, both ways, comes through our office.

Mr. COLEMAN. What did you do after you received the telegram, or saw a copy of the telegram?

Miss JAMES. I think we took no action at that time. We read it with a great deal of interest, as we do all of this type of case of a potential defector, and a person who is an American citizen who is renouncing American citizenship is very unusual. I don't recall any action except that I know it was a source, I mean the subject of unhappy conversation in the office, to see this man carrying on this type of action.

Mr. COLEMAN. You knew, didn't you, that within 2 or 3 days after the telegram was received, that the State Department sent a reply to the Embassy?

Miss JAMES. I must have seen it. I notice from the file copy I cleared it, but I don't remember that exact telegram.

Mr. COLEMAN. I show you Commission Exhibit No. 916, which is a copy of the telegram.

Miss JAMES. I recall this.

Mr. COLEMAN. You do recall it?

Miss JAMES. I do.

Mr. COLEMAN. Do you recall clearing the text of it?

Miss JAMES. I can't recall clearing the text of it, but I am perfectly sure that it was a natural thing for me to clear the text.

Mr. COLEMAN. They normally would clear it with your office?

Miss JAMES. Yes.

Mr. COLEMAN. And so, therefore, when it is recorded in the lower left-hand corner that it had been cleared with you, you have no doubt of the accuracy of that statement?

Miss JAMES. I have no reason to doubt.

Mr. COLEMAN. The accuracy of that statement?

Miss JAMES. Because we, the Office of Soviet Union Affairs, try to get all offices in the Department to clear everything that is going to Moscow.

Mr. COLEMAN. After clearing the telegram, what was the next time that you had anything to do with the name Oswald, to the best of your knowledge?

Miss JAMES. As I recall, we had a copy of the report that came in from the Embassy telling more in detail about his appearance at the Embassy, and I also read it in the Washington papers.

Mr. COLEMAN. Could we mark as James Exhibit No. 1, and I show you—a reference sheet from Bernice Waterman to EE:SOV, Virginia James, under date of November 25, 1959, and I ask you do you remember seeing that reference sheet?

(The document referred to was marked James Exhibit No. 1 for identification.)

Miss JAMES. Yes; I remember seeing it in this form [pointing to document in the file].

Mr. COLEMAN. That [James Exhibit No. 1] is a photostatic copy?

Miss JAMES. Yes; I mean the yellow [copy in the file] I recall.

Mr. COLEMAN. Do you know why you asked them to send you a copy of the telegram of November 2?

Miss JAMES. Again, it is in accordance with my continuing responsibility to follow these cases of visa and passport matters, and the only way we can be informed is to have all the incoming and outgoing correspondence.

Mr. COLEMAN. After you received that document which has been marked as James Exhibit No. 1, did you receive other material from Miss Waterman in connection with Oswald during the period November 2, 1959, to July 1961?

Miss JAMES. I don't recall having received anything from Miss Waterman, but I am sure that we would have had copies of anything coming back and forth, back from the Embassy on the case which we would have read.

Mr. COLEMAN. So, therefore, you would say that you or someone in your office should have received in the normal course every Embassy Despatch dealing with Oswald that went to the Department of State?

Miss JAMES. Routine. In fact, it would have been out of order if we hadn't gotten it.

Mr. COLEMAN. Did you early in December 1959 draft a letter for Mr. Davis' signature to Mr. Snyder dealing with the general question of how he should handle people who want to renounce their citizenship in the Soviet Union?

Miss JAMES. May I ask is that the letter in which we tried to give him helpful advice in handling cases of people who tried to renounce?

Mr. COLEMAN. Yes.

Miss JAMES. Yes; and, as I recall—if it is the letter I think—it included several paragraphs that had been contributed by Mr. Hickey in the Passport Office. I am not sure that is the one. I would like to see it, please.

Mr. COLEMAN. I show you a photostatic copy of a letter which has already been marked Commission Exhibit No. 915. It is from Nathaniel Davis to Richard E. Snyder, and it is under date of December 10, 1959, and it is State Department File Document No. XIII-40. I ask you whether you drafted that letter.

Miss JAMES. As I recall, I did. I am sure I did, in fact.

Mr. COLEMAN. You were replying to Mr. Snyder's letter to Mr. Boster, under date of October 28, 1959, which has already been marked as Commission Exhibit No. 914, is that correct?

Miss James. As I read this letter, it didn't refer specifically to the Oswald case.

Mr. COLEMAN. That is because the Oswald case hadn't yet occurred.

Miss JAMES. Yes; I mean the effect of renouncing. I mean it had no relation; yes. He had called that in. Yes; I remember that. This isn't the one, though. You just handed me one by Mr. Snyder to Mr. Davis.

Mr. COLEMAN. Yes.

Miss JAMES. Now, you asked me if I drafted it. I did draft it.

Mr. COLEMAN. Miss James, I take it that after you drafted the letter of December 10, Commission Exhibit No. 915, that from that time until some time in July 1961 that you had no knowledge of any actions with respect to Oswald.

Miss JAMES. As I recall, I did not, unless, as I say, there had been something in from Moscow in the ordinary routine way it would have gone across my desk.

Mr. COLEMAN. On July 11, 1961, or shortly thereafter, perhaps on July 12, the State Department received a Foreign Service Despatch dated July 11, 1961, from the American Embassy in Moscow, which has already been marked as Commission Exhibit No. 935. I show you a photostatic copy of Commission Exhibit No. 935 and ask you whether you have seen the original or a copy of that document?

Miss JAMES. Yes; I recall this.

Mr. COLEMAN. Now, after you saw that, what did you do?

Miss JAMES. As I recall, at that time, in 1961, through that period there were

several persons in the Soviet Union who attempted or could be placed in the category of defectors. Webster was one, these various people that Mr. Snyder mentioned, and this was a very serious question. We discussed these matters in our office, and so when we saw this, we immediately were interested in it, and the most important thing to our mind was what answer is going to be made to it. So I think I called Miss Waterman and wanted to know what the Passport Office, what action they were going to take on the letter, and told her that SOV was interested and we wanted to clear it, as I recall.

Mr. COLEMAN. Did you speak first to Mr. Boster about it?

Miss JAMES. Yes; I would have talked to Mr. Boster about this. He was interested in it.

Mr. COLEMAN. Who is he?

Miss JAMES. He was officer in charge of our office at that time.

Mr. COLEMAN. Was he your superior?

Miss JAMES. Yes.

Mr. COLEMAN. What did you tell Miss Waterman?

Miss JAMES. As I recall, I would not have made any policy, any effort to judge what they would do, but I would only say we want to know what action you are going to take. That is the way I recall that I would handle it.

Mr. COLEMAN. Did you say that the Passport Office was the only office of the State Department whose communications to Moscow are not cleared in the SOV?

Miss JAMES. Miss Waterman says I did, and I wouldn't be surprised if I had said it. I know we all felt many times that we would like to have had more of the communications cleared with us, and I have no doubt that I must have said it if she said I did.

Mr. COLEMAN. Do you recall her replying that she had never heard that—

Miss JAMES. Yes; I do remember at one time she said she didn't recall that this was a necessity, that they had to clear everything with us.

Mr. COLEMAN. But she did tell you that she would put a memorandum in the file to show that there was a special interest of the SOV in the reply to the Embassy Despatch of July 11?

Miss JAMES. Yes.

Mr. COLEMAN. What was the special interest of the SOV?

Miss JAMES. Again, it is the same interest I outlined before, which is our responsibility of advising and knowing what is going on in the Embassy in Moscow. We are the political office. We are responsible for the Embassy, and we work together very closely, and we want to be sure that what they send in is answered, how it is answered, and it is our routine way of working to be sure that any despatch is answered, and especially one of this type where we are interested in the case because of the nature of the case.

Mr. COLEMAN. I show you an operations memorandum from the Department of State to the American Embassy in Moscow, dated August 18, 1961, which has already been marked as Commission Exhibit No. 939, and I ask you if you saw a copy of that memorandum at or around the time when it was sent, namely in August 1961?

Miss JAMES. My reply is we should have seen it, but whether we did or not I don't think we did according to this file.

Mr. COLEMAN. You are saying there is nothing on the file which indicates that you got a copy.

Miss JAMES. Nothing on the file that indicates we had it.

Mr. COLEMAN. You said that—

Miss JAMES. But I think we must have known that they made this decision.

Mr. COLEMAN. Did you have anything to do with the making of the decision?

Miss JAMES. No; I don't think I can say we had anything to do with the making of the decision. Those matters are legal decisions, and the Passport Office would make it on the basis of their information.

Mr. COLEMAN. You or your office never called, to the best of your knowledge—

Miss JAMES. To needle them on to make it? No.

Mr. COLEMAN. To make it one way or the other?

Miss JAMES. No.

Mr. COLEMAN. Could you tell me from your file the next document that you looked at after receiving a copy of the Embassy despatch of July 11, 1961?

Miss JAMES. I have some notes I think will help me better than the file which isn't in chronological order. I think it would have been the Embassy report asking for a security advisory opinion on Mrs. Oswald's visa application, which would be August 28, 1961, Commission No. X-26—

Mr. COLEMAN. You mean State Department number.

Miss JAMES. I say, State Department No. X-26(2).

Mr. COLEMAN. Can the record show that the Commission exhibit number on that document is Commission Exhibit No. 944.

Now, you say you received a copy of the August 28, 1961—

Miss JAMES. Yes, sir; I received that.

Mr. COLEMAN. Operations memorandum—

Miss JAMES. Twenty-five.

Mr. COLEMAN. Now, after you received a copy, what did you do?

Miss JAMES. I have no exact remembrance of that, but I can tell you what my practice is. In receiving a document like this, and we have many cases similar, I keep it some place handy, and I will check with the Visa Office and see what they are going to do about it, and are they going to—are they handling it. Then we follow through to see if she is passed by the various security offices. We are aware when these come in that a person has an exit visa. This time it was before the exit visa, I think. Yes—well, we were trying to get this case prepared so it wouldn't be held up in Moscow because of investigations that might be delayed on this side.

Mr. COLEMAN. Why would you do that?

Miss JAMES. Only because it is our regular practice to expedite these matters.

Mr. COLEMAN. Wouldn't that depend upon whether the case was meritorious or not?

Miss JAMES. Yes; but I mean as a general thing we would expedite, hoping it would be expedited until it is turned down. Then if it is turned down, that is the end of it.

Mr. COLEMAN. What you are saying is that SOV just wants to make sure that all the paperwork gets done, that you are really not making the decisions but you don't want any decision held up on the ground that the papers aren't there, but you have no particular interest which way the decision would be made?

Miss JAMES. Yes; we have an interest in that. We know from our policy what we think is good for the U.S. Government, and we would hope that cases are handled in that framework.

Mr. COLEMAN. Would you say that there was a decision in the Oswald case that the best thing for the United States was to get Oswald out of Moscow, Russia, and back to the United States, even if he had renounced his citizenship?

Miss JAMES. I can't go on that because that is a supposition, but on the basis of the case we felt that it was better for the U.S. Government to bring Oswald back.

Mr. COLEMAN. Who made that decision?

Miss JAMES. Again, that is our general policy. When we received this OMV asking for an advisory opinion on Mrs. Oswald's visa application, we already knew that the Passport Office had approved her husband's citizenship.

Mr. COLEMAN. So you say, therefore, that once it was clear that Oswald was still an American citizen, that you felt it was to the interests of the United States?

Miss JAMES. Of the United States?

Mr. COLEMAN. To get him out of Russia?

Miss JAMES. To get him out of the Soviet Union, and also to bring his family.

Mr. COLEMAN. Now, could you look in file No. VIII of the State Department, Document No. 21. Is that a telegram?

Miss JAMES. No; that is a wire.

Mr. COLEMAN. Would you read what it says? Will you describe to whom it is sent and tell me what it means?

Miss JAMES. It says, it is addressed to the American Embassy in Moscow and refers to this request for an advisory opinion—

Mr. COLEMAN. It has typed thereon: SOV, Miss James. You signed it, didn't you?

Miss JAMES. No; this was the Visa Office telegram, and in fact I didn't initial that telegram. It has my name on it, but Mr. Owen initialed it.

Mr. COLEMAN. Does it have your name?

Miss JAMES. It has my name typed on it, but Mr. Owen initialed it.

Mr. COLEMAN. On October 3, 1961, a cable was sent to the Embassy in Moscow having something to do with Oswald. Would you indicate for the record what the cable said?

Miss JAMES. As I understand it, the cable authorized the American Embassy in Moscow to issue a visa to Mrs. Oswald if when she appeared there was nothing against her otherwise derogatory, and the cable also indicated that her membership in the Trade Union would not affect the issuance of a visa, that such membership did not indicate that she was a Communist.

Mr. COLEMAN. Now, the cable or the copy that I have seen indicates that it was typed by you, at least your name appears on it.

Miss JAMES. No; it was drafted by the Visa Office, drafted by V. Smith, typed by initials RLC, signed in the Visa Office by Frank L. Auerbach, and sent to the Soviet Desk, Office of Soviet Union Affairs, for clearance, typed "SOV Miss James" and in parentheses "(in substance)," and I apparently was out that day and it has Mr. Owen's initials on it, and there is another initial which I don't identify, but mine are not on that.

Mr. COLEMAN. But to the best of your recollection you never saw that or had anything to do with it?

Miss JAMES. Never saw that cable, but I was aware that they approved it.

Mr. COLEMAN. Had there been some discussion of the operation memorandum of August 28, 1961, Commission Exhibit No. 944, in your office as to whether Mrs. Marina Oswald was eligible for a nonquota immigrant visa?

Miss JAMES. I don't recall any special detailed discussion, except that this was a case, an unusual case, which we would be interested in following.

Mr. COLEMAN. Were you the one in the office who had the initial contact with the INS, in connection with the waiver of section 243(g)?

Miss JAMES. As I recall, I had no contact with INS at that time. I never remember discussing these cases directly with INS. Our conversations were all with the Visa Office.

Mr. COLEMAN. You dealt directly with the Visa Office?

Miss JAMES. Yes.

Mr. COLEMAN. Is Mr. Crump in your office?

Miss JAMES. I was going to say I dealt with Mr. Crump in the Visa Office at that time.

Mr. COLEMAN. But he is not in your office?

Miss JAMES. No; he was in the Visa Office, now assigned abroad.

Mr. COLEMAN. Did you know that the Visa Office had made a request of INS to get it to, (1) determine whether Mrs. Oswald was eligible to come into the country, and, (2) whether it would waive the section 243(g) provision? I just asked you, Miss James, what you knew. When was the first time you knew that—

Miss JAMES. When Mr. Crump told me that INS had approved the petition of the husband but had not approved the request for waiver of section No. 243(g).

Mr. COLEMAN. Prior to that time, you had nothing to do with the visa request or the section 243(g) waiver?

Miss JAMES. No; I don't recall having anything to do with it.

Mr. COLEMAN. Do you recall—

Miss JAMES. As I recall, it was a surprise to me that it was refused.

Mr. COLEMAN. But you had nothing to do with the first petition?

Miss JAMES. No.

Mr. COLEMAN. You weren't the one that sent the petition from the Department of State to INS?

Miss JAMES. No; that is routine visa work.

Mr. COLEMAN. Do you recall when Mr. Crump informed you that INS had refused to grant the waiver under section 243(g)?

Miss JAMES. I don't recall the date. I do recall his informing me that they had had this information from INS that the petition was approved, but that the section 243(g) waiver was not approved and, therefore, it looked as though Mrs. Oswald would not be able to come directly to the United States. If she came at all she would have to go via another country that did not have this sanction against it.

Mr. COLEMAN. Could you explain for the record just what the sanction is under section 243(g)?

Miss JAMES. Yes; the sanction is that the United States will not issue an immigration visa to a citizen of a country which refuses to accept a deportee from the United States based on the reasoning that if you can't deport to that country, if a person turns out to be an unsatisfactory immigrant, you are stuck with that immigrant.

Mr. COLEMAN. Does that mean that the person cannot come into the United States?

Miss JAMES. No; it means that Mrs. Oswald could have gone to Belgium, France, England, any other country that accepts deportees, and applied for an immigration visa and have been admitted without any question on a section 243(g) waiver.

Mr. COLEMAN. I have marked as James Exhibit No. 2 a memorandum from Robert I. Owen to John E. Crump, under date of March 16, 1962, and the subject of the memorandum is: "Operation of sanctions imposed by Section 243(g) of the Immigration and Nationality Act in case of Mrs. Marina N. Oswald."

(The document referred to was marked James Deposition Exhibit No. 2, for identification.)

Mr. COLEMAN. Did you prepare the original of that memorandum.

Miss JAMES. Yes; I prepared it under Mr. Owen's supervision.

Mr. COLEMAN. Do you recall Mr. Owen asking you to prepare it?

Miss JAMES. This was my responsibility, this case, but I had long discussions with Mr. Owen on the case as to how we should proceed with it before I wrote the memorandum.

Mr. COLEMAN. And Mr. Owen told you, "Why don't you draft a memorandum for Mr. Crump explaining to him the situation?"

Miss JAMES. We came to agreement in a talk as to how to handle the case, and I drafted the memorandum which would go to Mr. Crump because he was the officer in the Visa Office handling the case.

Mr. COLEMAN. In the third paragraph of the memorandum it is stated that: "SOV believes it is in the interest of the U.S. to get Lee Harvey Oswald and his family out of the Soviet Union and on their way to this country soon. An unstable character, whose actions are entirely unpredictable, Oswald may well refuse to leave the USSR or subsequently attempt to return there if we should make it impossible for him to be accompanied from Moscow by his wife and child."

Did you draft that?

Miss JAMES. Yes.

Mr. COLEMAN. Was this language that Mr. Owen had discussed with you and told you to put in the memorandum?

Miss JAMES. My way of working is to draft a memorandum in rough draft. I give it to Mr. Owen. He and I—he might well have put in some few words. I don't know just where he would have changed it or whether he did change it. I can't say. It is impossible to say at this time unless I had the original draft, but I know he was in agreement with this.

Mr. COLEMAN. Were you the one that brought up the point that Oswald was an unstable character, or was that something Mr. Owen contributed?

Miss JAMES. I believe the Department—I will say our office was sure that he was an unstable character by the very fact that he had tried to renounce his American citizenship, and then come—by the fact he had tried to renounce his American citizenship, makes him an unstable character to me.

Mr. COLEMAN. Was it your thought that once he got out of Russia and back into the United States, that we wouldn't let him go back again?

Miss JAMES. I think we would have—I would have, based on my work in the office, I would have hoped we would have done everything to keep him from

going back. Whether the passport regulations would have made this possible, I don't know.

Mr. COLEMAN. You never wrote a memorandum to the Passport Office, though?

Miss JAMES. No; that if he applies again, don't let him go back—no; we did not.

Mr. COLEMAN. Why didn't you do that in the light of the fact—

Miss JAMES. Because there was no reason at this time. He was in the Soviet Union trying to get out, and it would not have occurred to me to predict that 5 years from now he might want to go back and we should put a stop on his passport. In fact, I don't ever recall taking such action.

Mr. COLEMAN. After you drafted this memorandum, did you send the telegram to the Embassy which you suggest in the last paragraph should be sent?

Miss JAMES. I did not send any telegram as far as I know. If it had been sent, it would have been sent by the Visa Office on the basis of our recommendation. I would assume if they agreed to this memorandum, they sent it.

Mr. COLEMAN. Was the memorandum which I have marked as James Exhibit No. 2 in any way motivated or written as a result of the telegram dated March 15, 1962, which you received from the Embassy in Moscow, which says: "Please advise when decision on petition in 243(g) waiver Lee Oswald wife may be expected," which I have marked as James Exhibit No. 3 and am showing you a copy of it.

(The document referred to was marked James Exhibit No. 3 for identification.)

Miss JAMES. May I have you repeat that question again, please?

Mr. COLEMAN. I am asking you was the memorandum of March 16, 1962, drafted by you, which we have marked as James Exhibit No. 2, in any way motivated by the telegram from the Embassy dated March 15, which I have marked as James Exhibit No. 3? It came out of State Department file IV-13.

Miss JAMES. My memory is that it was not motivated in entirety, although undoubtedly the telegram brought the case to our attention. As I recall in those days or weeks preceding March 16, I had been in conversation with Mr. Crump and Mr. Owen and I had been discussing the case, and I cannot be sure, but I believe that we would have had this in our mind before the telegram came in. But undoubtedly the telegram would make us expedite the writing of this memorandum.

Mr. COLEMAN. After you wrote the memorandum of March 16, 1961, did you draft the letter which Mr. Crump sent to INS, asking it to reconsider its original decision that it would not waive section 243(g)?

Miss JAMES. May I see a copy of that letter? You asked me if I drafted it?

Mr. COLEMAN. Yes.

Miss JAMES. No; I did not draft it, but I believe some of the reasoning in the letter was based on the memorandum from SOV.

Mr. COLEMAN. Can you tell me who drafted it?

Miss JAMES. Mr. Crump has his initials on the file copy. Again, I didn't clear that outgoing letter. Mr. Owen cleared it.

Mr. COLEMAN. Did you draft a memorandum from Mr. Hale to Mr. Cieplinski, dated March 20, 1962, or did Mr. Crump draft that?

Miss JAMES. Mr. Crump drafted that.

Mr. COLEMAN. March 20, 1962.

Miss JAMES. We have March 23 from Hale to Cieplinski. It was drafted on the 20th, apparently sent on the 23d.

Mr. COLEMAN. I will mark as James Exhibit No. 3-A a memorandum from Mr. Hale to Mr. Cieplinski in re immigrant visa of Mrs. Marina H. Oswald, and ask you whether you have seen a copy of that document.

Miss JAMES. Yes.

Mr. COLEMAN. You got a copy, but you didn't draft it?

Miss JAMES. No; you said, did I see a copy of it, I thought.

Mr. COLEMAN. Yes; and is that the same document that you described as the memorandum dated March 23?

Miss JAMES. Yes.

Mr. COLEMAN. After the memorandum—

Miss JAMES. May I have a moment, please, to read this letter that they sent to the INS?

Mr. COLEMAN. Sure.

Miss JAMES. Which I don't remember seeing before.

Mr. COLEMAN. You didn't draft that letter?

Miss JAMES. No. Thank you.

Mr. COLEMAN. You say you didn't draft that?

Miss JAMES. No; it was drafted in the Visa Office.

Mr. COLEMAN. But you knew that it had gone out, I take it?

Miss JAMES. I received a copy of it, so, therefore, I knew that they had sent this to the head of the Special Consular Administration at that time, SCA.

Mr. COLEMAN. Now after—

Miss JAMES. Special Consular Affairs, I beg your pardon.

Mr. COLEMAN. After that letter was sent out, did you have occasion to call INS, and ask them to find out what the status of the letter was?

Miss JAMES. To the best of my memory I never called INS on this case.

Mr. COLEMAN. My problem is I have a letter here which is from Robinson to Michael Cieplinski, and it says at the bottom: "5-29-62 Miss James SOV called to say she had received letter from Mr. Oswald's mother saying he had written he had no money and was unable to travel."

Miss JAMES. I would have called the Visa Office on that. That doesn't mean I called INS.

Mr. COLEMAN. Oh, I see. All your calls were to the Visa Office?

Miss JAMES. Yes; in fact, I think I am clear that in saying that there is a policy that all approaches to INS are through the Visa Office.

Mr. COLEMAN. I will mark as James Exhibit No. 4 a copy of a letter from Robert H. Robinson to Mr. Michael Cieplinski, dated May 9, 1962, and I ask you whether you have seen a copy of that letter.

(The document referred to was marked James Exhibit No. 4 for identification.)

Miss JAMES. I don't recall having seen it at the time. I do recall reading it in the file prior to my coming to this meeting.

Mr. COLEMAN. Do you recall making the call that they at the bottom said you made?

Miss JAMES. I am sure that I did if Mr. Crump put his initials on it. I don't remember it. I do remember the letter from Mr. Oswald's mother. In fact, I had some telephone calls from her, also.

Mr. COLEMAN. Do you recall receiving a copy of a telegram from the Embassy at Moscow, which telegram is dated May 4, 1962, which I have marked as James Exhibit No. 5?

(The document referred to was marked James Exhibit No. 5 for identification.)

Mr. COLEMAN. Have you seen that telegram?

Miss JAMES. An information copy came to EUR, which is European Bureau, and I am sure that that means that an information copy came on down to the Office of Soviet Union Affairs, and I would have seen it, and that is why I called to inquire about the case.

Mr. COLEMAN. And there is a note on there that on May 8, 1962, you called to inquire about the case and apparently you were told that the waiver had been granted.

Miss JAMES. Yes.

Mr. COLEMAN. Do you know why you made the call?

Miss JAMES. Well, I would have considered, reading it today, that this is an urgent telegram from the Embassy in Moscow wanting some action from the Department, and I would have made the call to try to get done what the Embassy was pleading for, action one way or the other on this case.

Mr. COLEMAN. Did you clear this with anybody else within the office?

Miss JAMES. There is nothing to clear on this, only that I called to find out—I might well have talked to Mr. Owen about this telegram. I am sure he saw it. The general routing is for telegrams to go through the officer in charge to the person who handles the specific subject, but it has been a part of my duty to have called them to—

Mr. COLEMAN. And you say that as a result of getting the telegram from Moscow, that you without consulting with anybody else in the office would call and find out the status?

Miss JAMES. I wouldn't have to have any further instruction on that telegram.

Mr. COLEMAN. I would then like to show you a document which has been marked as Commission—James Exhibit No. 7 which is a telegram to the American Embassy in Moscow, dated May 8, 1962, and ask you whether you sent that telegram.

(The document referred to was marked James Exhibit No. 7 for identification.)

Miss JAMES. That telegram was sent by the Visa Office of the Department, and was apparently cleared by me telephonically and initialed by Mr. Crump as having cleared with me over the telephone.

Mr. COLEMAN. Oh, I see, Mr. Crump is in the Visa Office?

Miss JAMES. Yes; now this gives me a lead to another paper back there, where I said I had not seen it. It had Mr. Owen's initials or some initials, which I couldn't identify.

I now identify those initials as Mr. Crump's initials, and, after that, it said Miss James, in substance. I now realize that he had probably telephoned to me, cleared it in substance, initialed it, sent it up to SOV, and Mr. Owen put his initials on it, and I never had my initials on it for that reason.

Mr. COLEMAN. In other words, you say that this telegram which I have marked as James Exhibit No. 7, was actually drafted by Mr. Crump as a result of Mr. Crump's office finding out that the waiver had been granted?

Miss JAMES. Yes.

Mr. COLEMAN. That they called you, told you what they were going to do, and you said, "Fine," and that is how your name got on the telegram?

Miss JAMES. That is why my name is there and Mr. Crump's initials above it show that he was the officer who cleared it with me.

Mr. COLEMAN. Now, I take it in the document that I have marked as James Exhibit No. 8, which is a telegram dated March 20, 1962, in which the Embassy at Moscow was instructed to "withhold action on Department's OMV 61" because the sanction is being reconsidered. That telegram also was not drafted by you, and the only reason why your name appears on it is that it was cleared with you over the telephone.

(The document referred to was marked James Exhibit No. 8 for identification.)

Miss JAMES. Yes; and, again, although that was cleared, those are my initials, VHJ, that is my initials. It was apparently cleared over the phone telephonically and also sent it up to us and Mr. Owen and I each initialed it, VHJ, and O for Owen.

Mr. COLEMAN. But the fact that your name appeared on the telegrams doesn't mean you wrote them?

Miss JAMES. No; you see, the way the telegrams are in the State Department, that first line says drafted by, and then underneath is clearances, and those offices are clearing offices.

Mr. COLEMAN. And could you identify for me a letter which I have marked James Exhibit No. 6, which is a letter from Michael Cieplinski to Mr. Farrell, dated March 27, 1962. I ask you whether that is a copy of the letter which was sent forward to the Immigration Service asking them to reconsider the waiver?

Miss JAMES. This exhibit is a photostatic copy of the file copy which is in the file I am examining, and it is an exact copy. I did not clear it.

Mr. COLEMAN. As far as you know, that is a copy of the letter?

Miss JAMES. An exact copy; yes. I see the initials are carried through. Everything is exactly the way the file copy is, the Department's file copy.

(Discussion off the record.)

Mr. COLEMAN. I would like to mark as James Exhibit No. 9 a transmittal slip under date of March 16, 1962, and it bears the signature which purports to be Virginia H. James, and I ask you whether that is your signature that appears thereon.

Miss JAMES. Yes.

Mr. COLEMAN. Now, what occasioned your sending this transmittal slip to the American Embassy and the attachment?

Miss JAMES. We wanted the Embassy in Moscow to know what we were doing on the despatches and telegrams that they sent in, and that we were in agreement with their recommendation, that we were making these recom-

recommendations to the Visa Office, and this would more or less give them some assurance that their recommendations were in harmony with our thinking. This is the way we work, very closely with the Embassy in Moscow.

When we are in harmony with what they do, we write memos through the Department. We frequently send memos to them so they say, "Well, we have made the right recommendation. The Political Office is supporting us and now we wait for the other offices in the Department."

Mr. COLEMAN. Were you aware, did you know, or did you have anything to do with suggesting to the Embassy that they should try to send Mrs. Marina Oswald into the country by her first going to Brussels?

Miss JAMES. No; except that is a regular procedure that we use, we call it third country procedure. The immigrant can't come directly to the United States. They do go to another country.

Mr. COLEMAN. But you were not the one to suggest it in the Oswald case?

Miss JAMES. No; it is established procedure, though. It would not be unusual for any officer in the Visa Office to think of that.

Mr. COLEMAN. But you didn't suggest it?

Miss JAMES. No; I did not.

Mr. COLEMAN. Now, when Mr. Oswald came into the country—when Oswald left Moscow, I take it you were informed the day he left or the day after he left, and did you receive a copy of the telegram from Moscow to the State Department, dated May 31?

Miss JAMES. Yes; our office received it, SOV.

Mr. COLEMAN. I have marked that as James Exhibit No. 10.

(The document referred to was marked James Exhibit No. 10, for identification.)

Miss JAMES. Yes.

Mr. COLEMAN. And you then, after he got back, drafted a letter to Oswald's mother?

Miss JAMES. Yes.

Mr. COLEMAN. I will mark that as James Exhibit No. 11.

(The document referred to was marked James Exhibit No. 11 for identification.)

Mr. COLEMAN. This is in file IV, a copy of it. I show you a copy of a letter from Robert I. Owen to Mrs. Oswald, under date of June 7, 1962, and ask you whether that is the letter.

Miss JAMES. Yes; I drafted that letter. I recall it.

Mr. COLEMAN. Now, in connection with the Oswald case, was there any instance where you wanted to do one thing but somebody told you no, something else would have to be done?

Miss JAMES. In the Oswald case?

Mr. COLEMAN. Yes.

Miss JAMES. We worked in harmony on these cases. The Visa Office is very well—harmonize with SOV policy on these cases. There is no bickering or unpleasantness or somebody pulling one way or the other. We seem to go along with them. Every time one comes up they go along in the regular way based upon established policy.

Mr. COLEMAN. There was no instance where you said, "I think that this ought to be done" and somebody said, "I don't care what you think, this is the way it should be done."

Miss JAMES. No.

Mr. COLEMAN. In all these cases you discussed the problem with the Visa Office and you reached a mutual agreement. You never had a dispute?

Miss JAMES. I recall no such feeling or reactions.

Mr. COLEMAN. You had indicated earlier, Miss James, that there was a general policy in your office to see that husbands and wives were not separated. Would you want to describe for the record just what that policy was?

Miss JAMES. May I go back historically?

Mr. COLEMAN. Yes.

Miss JAMES. Since the time we first recognized the Soviet Union, we have had these cases of separated families, spouses, husbands and wives and children and other relatives who by some reason or another, mostly because of the opera-

tion of Communist policy, have become separated from their American citizen families. And from the time we first recognized the Soviets, this has been a problem there. Files are filled with notes to the Soviet Government asking them to please issue exit visas to permit certain relatives to join families in the United States. This has gone on, and I remember hearing an officer say that if the result of recognizing the Soviet Union was for no other reason than to assist these people this was a very powerful reason. During World War II no visas were issued and nobody traveled and this died. Right after the war we again had the problem of people trying to get their relatives out, and the number was greatly increased by Russia taking over those various countries, Lithuania, Estonia, parts of Poland, parts of Czechoslovakia, Rumania went into the Soviet Union, and we had the number greatly enlarged.

Then, in addition to that, because of war operations, American citizens were stationed in the Soviet Union and they had married Soviet women, and so we had pressing cases of correspondents, American correspondents, a few people assigned to the Embassy in Moscow who married Soviet wives, probably about 15 or 16 who were very, what we would call, worthy cases of good marriages and good people who had made a good marriage with women we thought were good people, and they have since made good American citizens.

So in 1953, when Stalin died, we had the first break, and they issued the visas on this group. And since then we have gone forward with this. We saw we had a break and so we have been pressing the Soviet Government to issue visas to clear this problem up.

In 1959 when Mr. Nixon went there, he was importuned by relatives to help to get their relatives out, I mean American citizens, and he took a list of about 80 people, and he agreed to take up these cases, and we added a number of worthy cases, and Mr. Khrushchev said, "I want to clear up this problem"—present it through channels.

Since then, we have presented it through channels and we have succeeded in getting about 800 relatives of American citizens out. And the defector's wife falls into that pattern, because while we are not sympathetic with these people we know that if we refuse to grant U.S. visas to a wife of an American citizen, the Soviet Government can immediately say, "Well, we grant visas to these people, exit visas. Then you don't allow them to go to the United States. What does this mean?"

So that was the basis of our whole policy with Marina Oswald, that we felt that we didn't want to put the Embassy in a position of fighting for exit visas for relatives, and then when they issue you say, "Well, this is not quite the kind we want."

Mr. COLEMAN. In other words, you say that once the Passport Office made the decision that Oswald was still an American citizen, then your policy that you don't want to separate husbands and wives came into play, and if the Soviet Union is willing to let both of them out, that we will let them come in?

Miss JAMES. That is the basic policy. That was the whole interest in our Office, the Embassy in Moscow's primary interest there as far as Marina Oswald was concerned, and her child.

Mr. COLEMAN. I have no further questions.

Thank you.

TESTIMONY OF JAMES L. RITCHIE

The testimony of James L. Ritchie was taken at 12:20 p.m., on June 17, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. William T. Coleman, Jr., and W. David Slawson, assistant counsel of the President's Commission, Thomas Ehrlich, Special Assistant to the Legal Adviser, Department of State, and Carroll H. Seeley, Jr., were present.

Mr. COLEMAN. Mr. Ritchie, will you state your full name?

Mr. RITCHIE. James L. Ritchie.