

0. X-42

UNITED STATES GOVERNMENT
Memorandum CONFIDENTIAL

TO : PT/U - Mr. Edward J. Hickey DATE: March 31, 1961

FROM : PT/F - John T. White

SUBJECT: Instruction to Moscow Drafted March 27, 1961

Attached are the case file of Lee Harvey Oswald, PT/F's proposed Instruction to Moscow, and Mr. Johnson's memorandum to me.

I believe the decision whether the Embassy at Moscow should be authorized to mail a passport to Mr. Oswald from the Embassy to Moscow should be yours.

You will note that our proposed Instruction authorizes the mailing of the passport, under proper safeguards, only

1. If Oswald satisfies the Embassy that he has a bona fide intention to return to the United States
2. If Oswald is unable to call in person at the Embassy
3. If the Embassy is fully satisfied that Oswald has not expatriated himself in any manner.

I agree with Mr. Johnson that we should not be bound by the opinion which he expressed in paragraph 2 of his letter quoted in Moscow's despatch, and we have not let that opinion enter into our decision. Please note the third paragraph of our Instruction. However, it is believed that whatever risk might be involved in transmitting the passport by mail under the above conditions would be more than offset by the opportunity provided the United States to obtain information from Mr. Oswald concerning his activities in the Soviet Union. For the best interests of the United States, therefore, and as the possession of a passport might facilitate his obtention of an exit visa it is believed that we should do everything within our power to facilitate Oswald's entry into the United States.

Attachments:
As stated.

PPT:GCacciatore:bjb

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Optional Form 10

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I believe the decision whether the Embassy at Moscow should be authorized to mail a passport to Mr. Oswald from the Embassy to Minsk should be yours.

You will note that our proposed Instruction authorizes the mailing of the passport, under proper safeguards, only

1. If Oswald satisfies the Embassy that he has a bona fide intention to return to the United States
2. If Oswald is unable to call in person at the Embassy
3. If the Embassy is fully satisfied that Oswald has not expatriated himself in any manner.

I agree with Mr. Johnson that we should not be bound by the opinion which he expressed in paragraph 2 of his letter quoted in Moscow's despatch, and we have not let that opinion enter into our decision. Please note the third paragraph of our Instruction. However, it is believed that whatever risk might be involved in transmitting the passport by mail under the above conditions would be more than offset by the opportunity provided the United States to obtain information from Mr. Oswald concerning his activities in the Soviet Union. For the best interests of the United States, therefore, and as the possession of a passport might facilitate his obtention of an exit visa it is believed that we should do everything within our power to facilitate Oswald's entry into the United States.

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COMMISSION EXHIBIT 970