



DEPARTMENT OF STATE

WASHINGTON

Commission Exhibit 2756

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If there is any other material you wish the Department to provide, please do not hesitate to ask for it.

Sincerely,

*Leonard C. Meeker*

Leonard C. Meeker  
Acting Legal Adviser

June 29, 1964

Dear Mr. Rankin:

Enclosed are the transcripts of the testimony of Secretary Rusk, Mr. Chayes, Miss Knight, Miss Waterman, Mr. Snyder and Mr. McVickar, which Mr. Coleman sent to Mr. Ehrlich on June 23. Mr. Chayes, Miss Knight and Miss Waterman have each reviewed their testimony and have made a number of minor penciled revisions for grammatical and factual accuracy. Mr. McVickar is now in Bolivia and Mr. Snyder is in New York, so it was not possible for either of them to review their testimony. Mr. Ehrlich has reviewed their testimony, however, and has made a few penciled corrections for grammatical and factual accuracy. He also similarly reviewed the testimony of the Secretary for the same purpose.

During the Secretary's appearance before the Commission, he was requested to furnish a number of items of additional information. In accordance with these requests, I sent you with my letter of June 20 a substantial amount of material. I understand from your staff that this material satisfactorily meets the requests made to the Secretary. If you desire further material in this connection, please let me know.

In Mr. Chayes' testimony before the Commission, he also was requested to furnish additional information. Attached is a memorandum setting forth this information for insertion in the record.

The Honorable  
J. Lee Rankin,  
General Counsel,  
President's Commission on the  
Assassination of President Kennedy,  
200 Maryland Avenue, N.E.,  
Washington, D.C.

Attachments:

1. Transcripts of testimony.
2. Additional information requested from Mr. Chayes.

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COMMISSION EXHIBIT No. 2756

SUPPLEMENTARY INFORMATION FURNISHED BY MR. ABRAM CHAYES,  
LEGAL ADVISER, DEPARTMENT OF STATE, IN CONNECTION  
WITH HIS JUNE 9-10, 1964 TESTIMONY BEFORE  
THE PRESIDENT'S COMMISSION ON THE  
ASSASSINATION OF PRESIDENT KENNEDY

I. CITATIONS OF AUTHORITY - Page 7108

On page 7108 of the transcript of Mr. Chayes' testimony, Mr. Chayes stated that he would furnish citations of the cases to which he referred in his testimony. These citations are as follows:

(a) Page 7106, 6 lines from the bottom, after "the court held no, it wasn't," insert "In re Bautista's Petition, 183 F. Supp. 271 (D.C. Guam 1960)."

(b) Page 7106, 3 lines from the bottom, end of line, insert "In the Matter of L--, 1 Dec. Imm. and Nat. Laws 317 (1942)."

(c) Page 7108, line 2, end of line, insert "see Insoona v. Dulles, 116 F. Supp. 473 (D.D.C. 1953); Stipa v. Dulles, 233 F.2d 551 (3d Cir. 1956); and Bruni v. Dulles, 235 F.2d 855 (D.C. Cir. 1956). In at least one other case, Mendelsohn v. Dulles, 207 F.2d 37 (D.D.C. 1953), a court held that the plaintiff had not expatriated himself by residing abroad for more than five years since he had remained abroad to care for his sick wife, who was too ill to travel."

(d) Page 7110, line 16, end of line, insert "Acheson v. Murakami, 176 F.2d 953 (9th Cir. 1949)."

(e) Page 7110, line 18, after "lightly taken away," insert "see, e.g., Schneiderman v. United States, 320 U.S. 118 (1943)."

Other cases concerning the expatriation issue are cited in Part 3 of the Report of the Department of State -- Lee Harvey Oswald.

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II. APPLICATIONS FOR UNITED STATES PASSPORTS IN THE SOVIET UNION BY DEFECTORS OR ATTEMPTED DEFECTORS -- Page 7193

On page 7193 of the transcript of Mr. Chayes' testimony, he stated that he would provide additional information concerning "the time from application to grant of passport in the Soviet Union for defectors or attempted defectors who were trying to get back then to the United States."

The only relevant case of which the Passport Office is aware is that of \_\_\_\_\_ who went to the Soviet Union in 1959 with the apparent intention of residing there permanently. \_\_\_\_\_ left Montreal on July 3, 1959 on the SS Batory, bound for Copenhagen and Gyrdia. \_\_\_\_\_ had been issued a United States passport. \_\_\_\_\_ who had previously been denied passport facilities because he had traveled to Communist China in 1957, in violation of the restrictions contained in his passport, was traveling on a passport he had fraudulently obtained in the name of \_\_\_\_\_

The Department next learned of \_\_\_\_\_ from an article which appeared in Pravda Ukrainy on December 12, 1959. This article, attributed to \_\_\_\_\_, was mainly an anti-United States propaganda piece which stated in part that \_\_\_\_\_, a typical American, had arrived in Odessa with his family and was working as a metal worker in a ship repair yard.

On July 7, 1960 \_\_\_\_\_ appeared at the Embassy in Moscow. She stated she had separated from her husband and requested her passport be renewed. She was informed that the passport would be renewed and validated for direct and immediate return to the United States when she had completed her travel plans.

\_\_\_\_\_ did not again appear at the Embassy until March 5, 1962, at which time she sought passport facilities for herself and \_\_\_\_\_. At that time she stated she would wait until passports could be issued to her and \_\_\_\_\_ simultaneously, as she would not travel without her husband.

On July 26, 1962 \_\_\_\_\_ came to the Embassy in Moscow, and submitted an application for passport, at which time he admitted he and his wife had been members of the Communist Party USA before coming to the Soviet Union.

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Both passport applications were referred to the Department. In the absence of information that they had committed any expatriative act it was determined they were citizens of the United States. The Embassy was, however, requested to have both execute -- as part of their passport applications -- sworn statements concerning their membership in the Communist Party USA. On January 10, 1963, appeared at the Embassy in Moscow. executed an affidavit concerning membership in the Communist Party USA. refused to do so.

On January 30, 1963 an Operations Memorandum was sent to the Embassy in Moscow authorizing issuance of a passport to limited for direct and immediate return to the United States. Because of refusal to execute the statement regarding Communist Party USA membership, and his previous history of passport fraud, the Embassy was authorized to document him only with an Emergency Certificate of Identity for return to the United States.

Due to difficulties with Soviet authorities, were unable to travel from Odessa to Moscow to pick up their travel documentation until July 2, 1963. Thereafter -- until May 1964 -- remained in the Soviet Union because of the refusal of Soviet authorities to grant them exit visas to depart. On May 28, 1964, the Department was informed that the Soviet Government had reached a decision to grant Soviet exit visas to the On June 12, 1964, the arrived back in the United States.

There may possibly be other cases involving somewhat similar circumstances, but since no separate file of such cases is maintained, they cannot be readily identified.

III. PROCESSING BY SOVIET AUTHORITIES OF VISA APPLICATIONS BY SOVIET WIVES OF UNITED STATES CITIZENS IN MOSCOW -- Page 7198

On page 7198 of the transcript of Mr. Chayes' testimony, he stated that he would provide additional information concerning the length of time taken by Soviet authorities to process visa applications of Soviet wives of American citizens in the Soviet Union.

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Attached is a memorandum from Mr. Kempton B. Jenkins, Acting Officer in Charge of Soviet Affairs, to Mr. Ehrlich, setting forth this information.

Attachment:

Memorandum from Mr. Jenkins  
to Mr. Ehrlich.

COMMISSION EXHIBIT No. 2756--Continued



<u>Soviet Spouse</u>	<u>American Citizen Spouse</u>	<u>Date of Application and approval Soviet exit visa</u>
Eugenia Konstantinova Tucker	Robert C. Tucker, employee US Embassy Moscow	Married August 21, 1946 applied soon thereafter for Soviet exit visa, which granted June 8, 1953
Mrs. Tamara Gilmore	Eddy Gilmore US correspondent Moscow	Application pending about 12 years. Exit visa granted June 1953
Aleksandra Steiger	Andrew J. Steiger Reuters correspondent	Married June 6, 1939 exit visa received June 1953
Julie Whitney	Thomas Whitney Associated Press correspondent	Married April 1945 received exit visa June 1953
Mrs. Helene Atkins	George Richey Atkins	Married 1944 exit visa received June 1953
Ludmila N. Nikitina Shapiro	Henry Shapiro US correspondent	Married about 1940 received exit visa June 1953
Tatiana Davidovna Fiaksel Sherich Intourist interpreter	Echiel Sherich Representative of a British- American fur corporation	Married September 17, 1955 apparently applied immediately. Received exit visas about ten days after marriage.
Mrs. Kiseleva-Turecki	Joachim Turecki, former Polish citizen, became separated from wife in 1941 when deported to Siberia	Made continuing efforts to leave USSR from end of war until exit visa granted October 1955

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Victoria Ivanovna Sandor	John H. Sandor formerly connected with United States Mission to North Atlantic Treaty Organization, Paris	Married about October 1958; received exit visa by November 12, 1958
Luiza Tarasovna Hegarty nee Ivanova, Uruguayan born daughter of Ukrainian repatriate from Uruguay to USSR	Thomas J. Hegarty US exchange student at Leningrad University	Married about June 1, 1959; applied Soviet visa June 13, 1959; exit visa issued December 3, 1959
Lyudmila Ivanovna Stefutkena Olson	Clark Bird Olson	Married January 30, 1960; applied February 8, 1960; exit visa issued about May 2, 1960
Agnes Bornot Sineausky Expatriated American citizen	William Sineausky	Applied about August 1950; exit visa February 14, 1960
Elena Anisimova Kirsch nee Knyazkina	Leonard Kirsch US exchange student at Moscow University	Married May 17, 1961; applied for exit visa soon thereafter; exit visa denied November 1961; reconsidered and approved about January 4, 1962
Rozita Josifovna Shifman Brayton	Lawrence Brayton	Married February 17, 1963; apparently applied exit visa thereafter; received March 9, 1964

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