

Mr. COLEMAN. Mr. Chayes, just two other documents I would like you to identify for the record. One is your letter of May 8, 1964, which has been marked Commission Exhibit No. 948, which answers certain questions directed to you by Mr. Rankin, and it is the document that you referred to several times in your testimony.

Mr. CHAYES. Yes; this is my letter, Commission Exhibit No. 948. It contains the answers to the questions which were in attachment B to Mr. Rankin's letter, and concern essentially matters within the United States and within the State Department here.

Mr. COLEMAN. Your answers to attachment A were in Commission Exhibit No. 960. We have already identified that in the record.

Mr. CHAYES. Yes; that is correct. There was a delay between the two letters because attachment A involved questions about activities in Russia, and some questions about the Soviet Union, and although we prepared the answers in the first instance in the United States in the Department, we wanted to send the replies to the Soviet Union for review by our Embassy there. And that accounted for the time discrepancy in the answer to the two attachments.

Mr. COLEMAN. Then in the attachment A we also asked you a question in reference to a memorandum from Mr. McVickar and you under date of April 24, 1964, sent us Mr. McVickar's memorandum which has been marked as Commission Exhibit No. 958. But I would like to mark as Commission Exhibit No. 953 your covering letter.

(Commission Exhibit No. 953 was marked for identification and received in evidence.)

Mr. CHAYES. Yes; this is my letter. It is dated April 24, 1964, and it is marked Commission Exhibit No. 953, and it clears up a factual question that was left at large in Mr. McVickar's memorandum.

Mr. COLEMAN. Mr. Chairman, at this time I would like to offer for admission into evidence Commission Exhibits Nos. 948, 950, and 949. I would also like to note that the attachment to Commission Exhibit No. 952 was marked as Commission Exhibit No. 958 and has already been admitted into evidence.

Mr. DULLES. They shall be admitted.

(Commission Exhibits Nos. 948, 950, and 949 were marked for identification and received in evidence.)

Mr. DULLES. May I ask this question? Have all of these been previously identified in the testimony.

Mr. COLEMAN. Yes, sir; they have been identified and marked.

(Discussion off the record.)

Mr. COLEMAN. Back on the record. That is all the examination I have of Mr. Chayes. I do want to express my appreciation and thanks for the detail in which he gave us information and the method in which he answered all the questions.

Representative FORD. I have no further questions.

Mr. DULLES. I have no further questions. Thank you very much. You have been very full, very frank, very helpful.

Mr. CHAYES. I am glad to do what I can.

TESTIMONY OF BERNICE WATERMAN

Mr. DULLES. Would you kindly rise and raise your right hand.

Do you swear the testimony you will give before this Commission is the truth, the whole truth, and nothing but the truth so help you God?

Miss WATERMAN. I do.

Mr. DULLES. Would you please advise Miss Waterman of the general purpose of the testimony we will ask of her.

Mr. COLEMAN. Miss Waterman was with the Department of State until 1962, at which time she retired. Miss Waterman was the adjudicator in the Oswald case, and she is being called to testify with respect to certain memorandums and actions she took in connection with Lee Harvey Oswald. These actions dealt

with the question whether he had expatriated himself, and whether a passport should be reissued to him in 1961. And also she has some information concerning the waiver for Marina under 243(g).

Mr. DULLES. Miss Waterman, I wonder if you would just give us a brief outline of your experience with the State Department.

Miss WATERMAN. Well, I entered the Passport Office in March of 1926, and I was there until I retired in February 1962, and during that time I progressed from the position of typist to working on citizenship cases, and became an adjudicator.

Mr. DULLES. Can you hear?

Miss WATERMAN. Then I became in charge of a section adjudicating citizenship cases from certain places. I continued in citizenship work until I retired.

Mr. DULLES. Would you proceed, Mr. Coleman.

Mr. COLEMAN. Miss Waterman, I have had marked 25 documents beginning with Commission Exhibit No. 957 and going through Commission Exhibit No. 982, and just before you came in, I showed you a set of those files. Have you had opportunity to review those files?

Miss WATERMAN. Yes; I did look over the State Department file. I don't mean State Department files, I mean Passport Office files on Oswald.

Mr. COLEMAN. And I take it that you would agree that every one of the documents I showed you was a document which you prepared, or was a document which was sent to you and you had occasion to read it prior to the time I gave it to you today?

Miss WATERMAN. I believe so.

Mr. COLEMAN. Now would you tell the Commission the first time, to the best of your knowledge, that you heard the name Oswald and in what connection?

Miss WATERMAN. Well it was rather seeing it in connection with the—

Mr. COLEMAN. I call your attention to Commission Document No. 961, which is the second document in the folder I gave you, a telegram dated November 2, 1959.

Miss WATERMAN. The telegram—this is a reply.

Mr. COLEMAN. Yes; I am talking about the telegram dated November 2, 1959.

Miss WATERMAN. Yes; I recall from examination of the file that on November 2, 1959, I saw the telegram from the Embassy at Moscow reporting that Mr. Oswald had called there, and that was sent for reply. Sent to me for reply.

Mr. COLEMAN. I show you Commission Exhibit No. 910, which is a copy of a telegram from Moscow to the Secretary of State, dated October 31, 1959, and I ask you whether that is the telegram you saw on November the 2d?

Miss WATERMAN. Yes; this is the telegram, and this is the telegram to which I prepared an interim reply on the same day received, November 2, 1959.

Mr. COLEMAN. And the reply that you prepared is Commission Exhibit No. 961. That is the telegram of November 2? It is the second document in the file before you.

Miss WATERMAN. Yes.

Mr. COLEMAN. And that telegram indicated that it was prepared—

Mr. DULLES. Miss Waterman's file doesn't have the exhibit numbers on it so you will have to identify it in some other way.

Miss WATERMAN. Yes.

Mr. COLEMAN. That telegram shows that it was prepared by you because your name appears in the lower left hand corner, is that right?

Miss WATERMAN. That is right.

Mr. COLEMAN. Now below that you indicate "Clearances EE: SOV: V. James in substance paraphrased by telephone." Will you indicate to the Commission what that notation means?

Miss WATERMAN. This is a telegram, isn't it?

Mr. COLEMAN. Yes.

Miss WATERMAN. Well, as I recall all telegrams which we dispatch to Embassies or offices within the Iron Curtain countries were sent at least with the lowest classification, official use only, and we had previously received instructions that the telegrams which we prepared on any subjects going to the offices in the Iron Curtain countries should be cleared with the desk officers of the appropriate divisions, that is EE and so on.

Mr. DULLES. Geographical divisions?

Miss WATERMAN. Geographical divisions, yes.

Mr. COLEMAN. Could you identify for the record who Miss V. James is?

Miss WATERMAN. Well, Virginia James, an officer in EE.

Mr. COLEMAN. EE means?

Miss WATERMAN. Eastern Europe.

Mr. COLEMAN. And SOV?

Miss WATERMAN. SOV, Soviet Division.

Mr. COLEMAN. So the Commission Exhibit No. 961, which is a telegram—

Miss WATERMAN. Yes.

Mr. COLEMAN. Indicates that the telegram was at least communicated to and cleared by the Soviet desk in Washington before it was sent out?

Miss WATERMAN. Well yes; I think that one reason that it was always cleared was that the geographic divisions were particularly interested in the wording of our replies. I think they just wanted the general idea of whether or not we were using the proper classification.

Mr. COLEMAN. And in that telegram of November 2, 1959, you advised the Embassy in Moscow that if Oswald insisted on renouncing U.S. citizenship, that the statute precludes the Embassy from withholding his right to do so regardless of his application pending with the Soviet Government, is that correct?

Miss WATERMAN. Yes.

Mr. COLEMAN. Now thereafter did you have anything else to do with the Oswald matter prior to March 1960? To help you, Miss Waterman, March 1960 was the time in which you prepared the refusal card.

Miss WATERMAN. Yes—refusal sheet.

Mr. COLEMAN. Between sending this telegram on November 2, 1959, and March 1960, did you personally have any knowledge or anything else that was going on as far as Oswald was concerned?

Miss WATERMAN. Well, not certainly unless it is in the file. I would think that in the meantime we received some kind of further report from the Embassy, but I am not—

Mr. COLEMAN. Well, we have had marked and put in the record the various reports that were received, and you say that as all the reports came in that you had opportunity to read them?

Miss WATERMAN. Yes; of course that isn't too long from the latter part of 1959 to 1960. Quite often in cases of this nature, the appropriate Embassy might submit reports which didn't need replies, just information submitted.

Mr. COLEMAN. Well, there was a report submitted by the Embassy on November 2, 1959, which has already been identified as Commission Exhibit No. 908.

Miss WATERMAN. Yes.

Mr. COLEMAN. And I assume that you received a copy or saw that report?

Miss WATERMAN. Yes; I did.

Mr. COLEMAN. Then on or about March 25, 1960, you had occasion to prepare a card which has as its head the name or the word "Refusal."

Miss WATERMAN. That is not a card. That is a sheet.

Mr. COLEMAN. That is a sheet which is marked as Commission Exhibit No. 962. Now will you indicate to the Commission the circumstances under which you prepared that card and why you prepared that card?

Miss WATERMAN. This was prepared after the receipt, I believe, of further correspondence from the Embassy, which indicated that Oswald was—that it would be possible that he might want to return to the United States. And it was customary to make this red refusal sheet in our office.

Mr. COLEMAN. What was your office?

Miss WATERMAN. In the adjudication part of the office, to put a flag on the case for future reference.

Mr. COLEMAN. After you made the refusal card which has been marked—

Miss WATERMAN. Not a card.

Mr. COLEMAN. Pardon me, refusal sheet—

Miss WATERMAN. Refusal sheet.

Mr. COLEMAN. Has been marked as Commission Exhibit No. 962, what would be the next step in the system to make sure that Mr. Oswald could not use

his passport or come back to the United States without the Department having notice?

Miss WATERMAN. Well, in the case of this being a classified file, the file would have been returned to the Classified File Section as I recall, and there would be a note on there to please index the refusal sheet, and then if there were any other instructions, for instance, another office might want the file or ask for it, if no one wanted it, we would ordinarily ask to have the refusal sheet carded and the case filed.

Mr. COLEMAN. As a result of the preparation of the refusal sheet, would someone else or you have a responsibility to prepare something which is called a lookout card?

Miss WATERMAN. At that time, at least—I don't know what the procedure is now, I have no idea; at that time, at least, the refusal card as I call it, or lookout card would have been prepared in the Records Section of the Passport Office. In other words, a part of the section which handled the files.

Mr. COLEMAN. After you prepared the refusal sheet which is Commission Exhibit No. 962—

Miss WATERMAN. Yes; I wrote that myself.

Mr. COLEMAN. Would you then give—how would the records section know that a lookout card should be prepared?

Miss WATERMAN. Well, for one thing the refusal sheet would be placed on top of the file, and I am sure there would be a note to flag the attention of the records people that a refusal was there to be carded.

But in any event, it would be on top of the file, and there would have been nothing on the right hand margin. There would have been no name. There would have been nothing put on there in our particular office.

Mr. COLEMAN. In other words, you say—

Miss WATERMAN. In our adjudication part.

Mr. COLEMAN. Are you saying that Oswald, Lee Harvey, would not have been—

Miss WATERMAN. No, no; the sheet was completely blank as to the margin. At no time would anything have been entered there, in our adjudication part.

Mr. COLEMAN. In Commission Exhibit No. 962, you then say when you physically prepared the refusal sheet, the only thing that was prepared is the typewritten material, is that correct?

Miss WATERMAN. The typewritten red sheet. If you have the file, it is right here.

Mr. COLEMAN. You say that after you prepared that, you would physically place that red sheet on the top of the passport file, is that correct?

Miss WATERMAN. Well, now this was placed—I think there was a communication which went out at the same time.

Mr. COLEMAN. You are talking about the Operations Memorandum dated March 28, 1960?

Miss WATERMAN. I am talking about the Operations Memorandum, yes.

Mr. COLEMAN. Which has been marked as Commission Exhibit No. 963?

Miss WATERMAN. Now that would have gone to file, to the file with this Operations Memorandum, and the Refusal Sheet.

Mr. COLEMAN. You prepared the Operations Memorandum also?

Miss WATERMAN. Yes; now I see that was mailed 3 days after it was prepared. In the meantime someone else was looking at it.

Mr. COLEMAN. Was it your responsibility actually to see that the lookout card was prepared?

Miss WATERMAN. No; I wouldn't think so, no.

Mr. COLEMAN. Who would have that responsibility?

Miss WATERMAN. Well, in the first place the cases were examined by the records people before being filed, and no one would certainly be supposed to file a Refusal Sheet without an indication that he had had a card made.

Mr. COLEMAN. Would the indication that the card was made be put on the refusal sheet?

Miss WATERMAN. Yes.

Mr. COLEMAN. Would you look at the original of the State Department records?

Miss WATERMAN. Yes; I am looking at it.

Mr. COLEMAN. Was it put on the refusal sheet?

Miss WATERMAN. Well, it looks to me as if someone started to handle this for the refusal card, or lookout card as you call it, because the name was typed on.

Mr. COLEMAN. It was written on.

Miss WATERMAN. Written on, yes. I believe that to complete that operation, the designation of the citizenship designation of the Department of State at that time at least, 130, should have been placed on there.

Mr. COLEMAN. What does 130 mean?

Miss WATERMAN. That is the Department's classification of citizenship.

Mr. COLEMAN. By looking at that file, is there anything else that you can examine to be able to tell the Commission whether in your judgment the actual lookout card was ever prepared?

Miss WATERMAN. No; I wouldn't be able to say. I do notice here that the case was called for from the files a few days after it went to file, and that apparently was occasioned by a new communication coming in from our Embassy at Moscow.

Mr. DULLES. Who called for it, can you tell from that?

Miss WATERMAN. Apparently we received—this was called for from—here is a call slip right here. I am looking at it. Which means that something new had been received and we wanted the file again.

Mr. COLEMAN. Could you tell me the number that is on that call sheet? You are looking at file X. It is file X she is looking at?

Mr. EHRLICH. Yes.

Miss WATERMAN. X-64.

Mr. COLEMAN. X-64.

Miss WATERMAN. I might say that in the meantime during the time from November 1959 up into 1960, beginning about early in February 1960, I was replaced in this section or branch by an attorney and a member of the bar, and at this time I was then the assistant of the section, and not the head of it.

Mr. COLEMAN. Well, was the attorney that replaced you G. W. Masterton?

Miss WATERMAN. Yes.

Mr. COLEMAN. I would like to ask you to identify Commission Exhibit No. 983. Is that a copy of the sheet you referred to, to indicate the file had been called for?

Miss WATERMAN. That is right. A new report had been received and our control clerk, we call her, our person looking after the records in our particular section had made that call slip for the file.

Mr. COLEMAN. Is there anything else in the original file which you could look at to try to advise us whether you think in your judgment a lookout card was ever prepared?

Miss WATERMAN. Well, I wouldn't be able to know. All I could say is it is very surprising, because it seems to me that we had—well, I could not say how many lookout cards and refusal cards on all kinds of subjects. And I can only guess that this file was caught up in some large number of files that were on hand to have refusal cards or lookout cards made, or something of that nature, or that the process of having the card made was interrupted by the receipt of the new material from our Embassy at Moscow.

Mr. COLEMAN. But—

Mr. DULLES. Could I ask one question?

Who would make out lookout cards in the normal process? Would it be quite a number of people, or one particular office?

Miss WATERMAN. I am not sure about that, Mr. Dulles. That was completely another area, and I don't know.

Mr. DULLES. Outside of the Passport Department entirely, was it?

Miss WATERMAN. Oh, no.

Mr. DULLES. In the Passport Department?

Miss WATERMAN. Oh, yes.

Mr. DULLES. Miss Knight could tell us that.

Miss WATERMAN. In the records part of the Passport Office.

Now, at one time I know that the cards were made in a certain area. Then I know that later on, and probably prior to this time, we had been requested not to

forward any kind of classified files to the usual place for having these cards made—we should forward them to the Classified Files Section, which would take it up from there, and give them to the proper person to have a card made.

Mr. COLEMAN. Miss Waterman, it is your testimony that based upon the red refusal sheet that you prepared, and also the operations memorandums which have been marked respectively Commission Exhibit No. 962 and Commission Exhibit No. 963, that you had done all you were supposed to do, and that the file then should have been passed over to somebody else, and a lookout card should have been prepared?

Miss WATERMAN. Yes, yes; that was our procedure at that time at least.

Mr. COLEMAN. Now, after March 28, 1960, and prior to February 1961, in that period, did your department, or did you take other actions in connection with the Oswald case, with the hope that you would finally be able to reach a decision on Oswald, as to whether he had expatriated himself or not?

Miss WATERMAN. I don't think there was too much going on in the file in 1960.

Mr. COLEMAN. Well, I would like to call your attention to——

Miss WATERMAN. But in 1961——

Mr. COLEMAN. Before we get to 1961, I would like to call your attention to the memorandum from Mr. White to Mr. Hazelton, dated July 20, 1960, and the next document, which is a handwritten piece of paper, dated 2-15-61.

Do you have that? Your number should be X-49.

I show you the document which is marked in your file X-49, and it has been given Commission Exhibit No. 965.

Now, is that your handwriting on that document?

Mr. EHRLICH. Might I interject at this time? In looking at the originals of these I notice that X-49 is actually two memorandums. They were photostated as one, and thus probably you cannot actually read either one.

Mr. COLEMAN. Well, I am referring to the one on top. Is that your writing "took initial action, action"——

Miss WATERMAN. No; that is Mr. Masterton—the memorandum on the little larger size below was a memorandum, informal memorandum, which I sent to my section chief, Mr. Masterton.

Mr. COLEMAN. Could you indicate what you said in your memorandum?

Miss WATERMAN. Yes; I said, "Mr. Masterton, SCS, is writing to mother on welfare aspect of Lee Harvey Oswald. Last two paragraphs of Moscow dispatch 585, 2-8-61 appeared to be for PPT reply."

I believe that was a letter which had been prepared in SCS—you know what that is.

Mr. COLEMAN. Yes.

Miss WATERMAN. And had been forwarded to our office for clearance, for our initial, before it was mailed, to reply to some inquiry of the mother.

Mr. COLEMAN. Now, on top of that memorandum you read, that you prepared, there is another memorandum, isn't there?

Miss WATERMAN. Yes.

Mr. COLEMAN. Now, could you read that into the record?

Miss WATERMAN. Yes; "SCS. Took initial action on action copy, case of split action. Copy our action to go to SCS."

Mr. COLEMAN. Do you know or do you have any knowledge what they meant about case is split action?

Miss WATERMAN. Well, it has been a long time since I have seen the material. But I believe that the mother, Mrs. Oswald, in writing to the Department, to the Secretary, probably brought up various questions about her son. Now—questions which related to his welfare or physical repatriation, or something of that type, which would come under the jurisdiction of the Special Consular Services, should be answered there. Any inquiries which were about his citizenship or his passport, anything that came within the purview of the Passport Office, should have a reply drafted by Miss Knight's office, or elsewhere in the office.

Mr. COLEMAN. In other words, you are saying that the phrase, split action, on Commission Exhibit No. 965, doesn't mean that——

Miss WATERMAN. The decision was split; no.

Mr. COLEMAN. It just means that different offices in the Department would have to make different decisions, or take different action?

Miss WATERMAN. Yes; and I think that most of Mrs. Oswald's letters were quite involved, and brought up several questions.

(At this point, Mr. Dulles withdrew from the hearing room.)

Mr. COLEMAN. Then the next document which I want to ask you questions about is your X-55.

Miss WATERMAN. Yes.

Mr. COLEMAN. That we have marked as Commission Exhibit No. 966.

Now, this letter, though signed by Miss Knight, was prepared by you?

Miss WATERMAN. Yes.

Mr. COLEMAN. And it was a reply to an inquiry made by Congressman Wright?

Miss WATERMAN. Yes.

Mr. COLEMAN. With respect to the Oswald case.

Miss WATERMAN. Yes; this was—we probably either received a memorandum from SCS or telephone call, something of that sort.

Mr. COLEMAN. The next contact you had with the Oswald case was as a result of the Embassy Despatch dated February 28, 1961, which is X-42(2).

Miss WATERMAN. Are you talking about the Department's Despatch?

(At this point, Mr. Dulles reentered the hearing room.)

Mr. COLEMAN. Yes; despatch. The Foreign Service Despatch.

Miss WATERMAN. Yes; our despatch to the Embassy.

Mr. COLEMAN. I beg your pardon. It is a despatch from the Embassy to you.

Miss WATERMAN. Yes; that is right.

Mr. COLEMAN. Which we have marked as Commission Exhibit No. 967.

Miss WATERMAN. Yes.

Mr. COLEMAN. When that was received in Washington, you got a copy of it, did you not?

Miss WATERMAN. Well, I think—we seem to have the original in our file.

Mr. COLEMAN. Yes; you saw the document?

Miss WATERMAN. Yes.

Mr. COLEMAN. And then as a result of seeing the document on March 27, 1961, you prepared a draft of the instruction which should go to Moscow in response, is that correct?

Miss WATERMAN. Yes.

Mr. COLEMAN. And that is in the file as X-46, and we have marked it as Commission Exhibit No. 968. And the draft that you prepared which was attached to Commission Exhibit No. 968 is the next document, which is X-47, which we have marked as Commission Exhibit No. 969, is that correct?

Miss WATERMAN. You mean the copy of the—

Mr. COLEMAN. The proposed State Department instruction.

Miss WATERMAN. Yes; I see that.

Mr. COLEMAN. And it indicates on the copy that the original was not sent, is that correct?

Miss WATERMAN. That is right. Nothing was sent.

Mr. DULLES. Can I get this clear now? I am not sure—which was the document that was not sent?

Mr. COLEMAN. That is X-47 (Commission Exhibit No. 969).

Mr. DULLES. Could you identify that for the record—because just reference to documents in our record would be meaningless to the reader. I think we ought to identify each document as we can, because I am lost completely.

Mr. COLEMAN. It is Commission Exhibit No. 969, which is a draft of the State Department instruction to be sent to the Embassy in Moscow, as a result of the Embassy's despatch of February 28.

Mr. DULLES. And this was drafted on March 27, was it?

Mr. COLEMAN. Yes.

Miss WATERMAN. Yes.

Mr. DULLES. And you, I gather, Miss Waterman, drafted this?

Miss WATERMAN. I drafted this, and then apparently we had—everyone had second thoughts on some of the statements in there, and I believe that it was at this time—wait a minute.

We sent this to Miss Knight's office for the special attention of Mr. Hickey.

Mr. COLEMAN. And is that the memorandum dated March 31, 1961?

Miss WATERMAN. Yes; that is right.

Mr. COLEMAN. Which has been given Commission Exhibit No. 970.

Miss WATERMAN. Yes.

Mr. COLEMAN. And from that memorandum, you indicate that your proposed instructions were that, one, that the passport should be mailed back to Mr. Oswald only under proper safeguards—

Miss WATERMAN. Now, are you talking about what wasn't sent or what finally was?

Mr. COLEMAN. The memorandum of March 31, 1961.

Miss WATERMAN. Yes; these memorandums were prepared by my superiors. In other words, this looked a little different and more important by that time.

Representative FORD. In other words, the State Department document No. X-42 came back to you from higher authority?

Miss WATERMAN. No; I prepared the instruction, and I sent it to Mr. Kupiec, who by that time was in charge of our section—Mr. Masterton having been given other duties. And this went into the office of the Chief of our Division, of the Foreign Adjudications Division. And Mr. Cacciatore, who was the Assistant Chief of the Division, drafted a memorandum in Mr. White's name to go to Miss Knight's office, and that is a memorandum of March 31, 1961.

Mr. COLEMAN. Well, that has been given Commission Exhibit No. 970.

It is in your files as X-42.

Miss WATERMAN. Right.

Mr. COLEMAN. And you had no part in connection with the drafting of that memorandum?

Miss WATERMAN. No, no; our branch had sent the case to our Division Chief, either to comment or authorize the mailing of the instruction which I had prepared.

Mr. COLEMAN. And then after this memorandum of March 31, 1961, was drafted, a decision was finally reached in the Department as to the form of the State Department instruction which is in your file as X-38?

Miss WATERMAN. Yes.

Mr. COLEMAN. And we have marked it as Commission Exhibit No. 971.

Miss WATERMAN. Yes.

Mr. COLEMAN. And that is the instruction that was actually sent to the Embassy?

Miss WATERMAN. Sent to the Embassy; yes. That was a replacement of the instruction which I had originally drafted, and I redrafted that according to the dictates of the memorandums which had been exchanged with our office and Miss Knight's office.

Representative FORD. May I ask a question here, Mr. Coleman?

On the memo of March 31, 1961, Commission Exhibit No. 970, the last sentence reads as follows: "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."

Who would have prepared the March 31, 1961 memo that contained that quotation?

Miss WATERMAN. That was prepared by Mr. Cacciatore, who was the Assistant Chief of the Foreign Operations Division, in which I worked. And Mr. John White was his superior, and Mr. White initialed the memo going to Miss Knight's office, to Mr. Hickey.

Mr. DULLES. Who is Mr. Hickey?

Miss WATERMAN. Who is he?

Mr. DULLES. I meant at this time what was his position?

Miss WATERMAN. Well, I believe at that time his title was—I wouldn't like to say definitely—I believe he was the Deputy Chief of the Passport Office.

Mr. DULLES. Under Miss Knight?

Miss WATERMAN. Under Miss Knight, yes.

Mr. DULLES. I would like to ask one question about X-38(2).

Mr. COLEMAN. That is Commission Exhibit No. 971.

Mr. DULLES. That is the cable sent—cable of instructions sent on the Lee Harvey Oswald matter to the American Embassy in Moscow. This relates to—

Miss WATERMAN. Now, you are talking about the State Department instruction?

Mr. DULLES. That is correct. In paragraph 2 there is reference to the circumstances under which his passport can be returned, and there is this phrase: "His passport may be delivered to him on a personal basis only."

What does that mean?

Miss WATERMAN. I think it meant deliver it to him in person.

Mr. DULLES. I see— deliver it to him in person.

Miss WATERMAN. Yes; I think those are the words of Mr. Hickey. I believe that somewhere in the file there is a memorandum which Mr. Hickey returned to Mr. White's division, giving his views.

Mr. DULLES. And that may be qualified by the last sentence here, suggesting that it would not be wise to send it through the mails?

Miss WATERMAN. Yes; in other words, the memorandum which Mr. Hickey returned to us, with our proposed instruction, was used as a basis for our action.

Mr. DULLES. It was to be given to him personally, and not transmitted through the mails.

Miss WATERMAN. I think that is what it means.

Mr. COLEMAN. And, also, the State Department instructions were that he was to get the passport only after the Embassy had thoroughly questioned Oswald regarding the circumstances of his residence in the Soviet Union, and his possible commitment of an act or acts of expatriation?

Miss WATERMAN. Yes.

Mr. COLEMAN. Miss Waterman, I note on the side of the State Department instruction a notation that CIA furnished copy "on case by me, 10-5-61." Do you know who wrote that, and what that means?

Miss WATERMAN. Well, I think the person has initialed it who wrote it.

Mr. COLEMAN. Who is CHS?

Miss WATERMAN. I think that is Mr. Seeley—Mr. Carroll Seeley.

Mr. COLEMAN. Carroll H. Seeley, Jr.?

Miss WATERMAN. If that is the way his name is listed in the book.

Mr. COLEMAN. Is he an attorney in the Passport Office?

Miss WATERMAN. I don't know what he is now. So far as I know, he was an attorney at that time. He was in—in the Legal Division of the Passport Office.

Mr. COLEMAN. I also note in the next paper which is attached to Commission Exhibit No. 971 we have marked as Commission Exhibit 972, there is a reference sheet—

Mr. DULLES. What is that paper?

Mr. COLEMAN. It is physically attached.

Mr. DULLES. You see, exhibit numbers won't appear—

Mr. COLEMAN. Well, it is a reference sheet dated 10-5-61, which indicates that a Thermofax copy of the Department of State Instruction No. A-173, dated April 13, 1961, was sent to the CIA.

Is that correct?

Miss WATERMAN. I know nothing about that. That is something that was entirely outside of our Adjudication Division, our Foreign Operations Division.

Mr. COLEMAN. But the reference indicates that it was prepared by Robert D. Johnson, Chief Counsel, Passport Office, under date of 10-5-61, is that correct?

Miss WATERMAN. I am looking at it. Yes. But that was nothing that emanated from our part of the Passport Office.

Mr. COLEMAN. After you prepared and had sent forward the Department of State instruction dated April 13, 1961, you then, on or about May 26, 1961, received the Embassy Foreign Despatch of that date, is that correct?

Miss WATERMAN. Yes, yes.

Mr. COLEMAN. And that despatch, which is your No. X-34, has been given Commission Exhibit No. 973, states that the Embassy had received another letter from Oswald, is that correct?

Miss WATERMAN. Yes; I am looking at a copy.

Mr. COLEMAN. And also the despatch—

Mr. DULLES. Would you identify that a little bit?

Mr. COLEMAN. The despatch is from the Embassy to the Department of State, and it is Commission Exhibit No. 973, written by Mr. Snyder on May 26, 1961, and it indicates, one, that the Embassy has received another letter from Mr. Oswald, and it also indicates that Oswald was married to a Russian woman, and

it indicates that Oswald has informed the Embassy that he had an internal Soviet passport in which he was designated as "without citizenship."

And the Embassy Despatch actually has as a copy the letter which Mr. Oswald sent to the Embassy in May 1961.

Miss WATERMAN. Yes.

Mr. COLEMAN. And you received that in Washington some time shortly after March 26, 1961.

Miss WATERMAN. We received it in our particular office on June 12.

Mr. COLEMAN. As a result of receiving—

Mr. DULLES. Just one second.

June—

Miss WATERMAN. I am going by our automatic clock stamps on the reverse of the original.

Mr. DULLES. You received it on June 12?

Miss WATERMAN. Yes; we received it in our action office June 12, 1961.

Mr. COLEMAN. After you received it, you then considered whether the Embassy should return to Mr. Oswald his passport. And your decision as finally made is reflected in the State Department instruction dated July 11, 1961, which is your X-31, which has been marked Commission Exhibit No. 975, is that correct?

Miss WATERMAN. Yes; I am looking at a copy.

Mr. COLEMAN. In those instructions, you said that Mr. Oswald could be given his passport, is that correct?

Miss WATERMAN. Well, yes—because we are in effect agreeing with the suggestion of the Embassy. We are telling the Embassy that we—

Mr. COLEMAN. You are agreeing with their despatch of May 26, 1961, which has been identified for the record as Commission Exhibit No. 973.

Miss WATERMAN. What is this word?

Oh—"seek."

Mr. COLEMAN. Is that correct?

Miss WATERMAN. What was your question again now?

Mr. COLEMAN. I am saying what you were agreeing to was the proposed action of the Embassy as set forth in its Foreign Service Despatch dated May 26, 1961?

Miss WATERMAN. Yes; but I see we also note that the Embassy intended to contact the Department again before granting any documentation to Oswald.

Mr. DULLES. Off the record.

(Discussion off the record.)

Mr. DULLES. Back on the record.

Mr. COLEMAN. I note on Commission Exhibit No. 975, which is your X-31, that on the side there is written "Pink copy of this sent to EE:SOV Miss James, BW7-17-61."

Miss WATERMAN. Yes; I am looking at that.

Mr. COLEMAN. Do you recall whether Miss James asked you to send her a copy, or did you just send her a copy without being requested?

Miss WATERMAN. No; I would not recall, really. We tried to keep—since there were many interests involved here, we did try to keep the geographic division up to date on what we were doing, so that they would have more or less a complete picture of the case.

Mr. COLEMAN. Then I would like to next call your attention to your document which is X-28.

Miss WATERMAN. Yes.

Mr. COLEMAN. That is a memorandum which you prepared, Commission Exhibit No. 978, in which you state that Miss James called and said that she wanted to know what reply had been made to the Moscow despatch 29, July 11, 1961, in the case of Oswald. And you stated that the draft reply was in preparation, and you also said that Miss James said that the communication should be cleared with the SOV, and then you make a comment that you never heard that the Passport Section's citizenship decisions should be routed to SOV for clearance.

Miss WATERMAN. That is right.

Mr. COLEMAN. Nevertheless, you indicated in the memorandum that you would indicate that the SOV had a special interest in the reply to the despatch, is that correct?

Miss WATERMAN. Yes; that is right.

Mr. COLEMAN. Did you discuss with anybody in the Department Miss James' request?

Miss WATERMAN. Well, I don't recall. I don't know. I wouldn't recall right now.

Mr. COLEMAN. Well, is this the only time, to your knowledge, where the SOV had made a request in connection with a passport?

Miss WATERMAN. Oh, no; I would not say that. I don't think so; no. I think probably a great many of our communications went out as office memoranda, and they received copies of them in the Division anyhow.

But I think this was probably more to avoid confusion in having classified files be traveling around the different areas of the Department. We could send a copy of an "OM" without trouble. But handing the files around was another matter. And we didn't put them around any more than we had to.

Mr. COLEMAN. The next document in the sheaf of papers I gave you is the Operations Memorandum dated August 18, 1961, prepared by you——

Miss WATERMAN. Yes.

Mr. COLEMAN. And we have given it Commission Exhibit No. 979.

Miss WATERMAN. Yes.

Mr. COLEMAN. In that you indicate that you concur in the conclusion of the Embassy that there is available no information and/or evidence to show that Mr. Oswald has expatriated himself under the pertinent laws of the United States.

Miss WATERMAN. That is right.

Mr. COLEMAN. Did you review the entire files which you had in the Passport Office on Oswald before you wrote this memorandum?

Miss WATERMAN. Yes; our file was all together.

Mr. COLEMAN. And you also had the benefit of the various Embassy Despatches which were sent prior to August 18, 1961?

Miss WATERMAN. Oh, yes.

Well, the part that concerned his citizenship, certainly, was with our file.

Mr. COLEMAN. And reviewing the whole file, you, as the adjudicator, determined on August 18, 1961, that there was nothing in the file which would show that Mr. Oswald had expatriated himself?

Miss WATERMAN. That is correct.

Representative FORD. When you say "no information and/or evidence to show that Mr. Oswald"——

Miss WATERMAN. No information or evidence.

Well, that is the way I worded it. No information or evidence. We would have to have evidence to hold up any action on him. And, in addition to having no evidence, we also had no information.

Representative FORD. Did you have the information that he had come in and presented a statement to Mr. Snyder that he wanted to renounce his citizenship?

Miss WATERMAN. Yes; but he hasn't done so. There was no place that he could have done so, except at the Embassy, under a specified form, and upon specified documents.

Representative FORD. In other words, you were relying upon the need for this particular document?

Miss WATERMAN. Well, in the first place, when he came in—as I believe Mr. Snyder said, or whoever reported from the Embassy—and threw down his passport, he apparently was a disgruntled young man—and that is not the first time a passport has been thrown down on a consular officer's desk. And I think that we had—no—in other words, it looked as if he were already regretting his first action. He was weakening a little bit because he was not being accorded any kind of recognition in the Soviet Union.

In other words, he was——

Representative FORD. But the subsequent evidence, where you say he was changing his mind, came about 2 years later. On the other hand, there was some evidence, when he first went to the Soviet Union, October 31, 1959, that he at least had an intention to renounce his American citizenship. He simply had not signed the actual form that is prescribed by the regulations.

Miss WATERMAN. That is right. He had not.

And there was no indication that actually he intended to do that. He apparently derived some kind of satisfaction from his appearing at the Embassy with an ambiguous statement. But there was nothing there to show that he actually had an intention of renouncing his citizenship under the law.

Representative FORD. I must differ with you. That first statement that he submitted was not very ambiguous.

Miss WATERMAN. Well, I think probably he made several. But, in any event—he—

Representative FORD. I do think I ought to read what he said on October 31.

Miss WATERMAN. Yes; I believe I recall that.

Representative FORD. Here is a letter or a statement in Lee Harvey Oswald's handwriting, which says:

"I, Lee Harvey Oswald, do hereby request that my present citizenship in the United States of America be revoked.

"I have entered the Soviet Union for the express purpose of applying for citizenship in the Soviet Union, through the means of naturalization.

"My request for citizenship is now pending before the Supreme Soviet of the U.S.S.R.

"I take these steps for political reasons. My request for the revoking of my American citizenship is made only after the longest and most serious considerations.

"I affirm that my allegiance is to the Union of Soviet Socialist Republics."

Signed, "Lee Harvey Oswald."

I don't think that is very ambiguous.

Miss WATERMAN. Well, perhaps not. But the procedure was explained to him, and he, as I recall, took no interest in completing any forms to make his renunciation of American citizenship official.

Representative FORD. The only question that I raise, Miss Waterman, is in light of this evidence, your statement that there is available no information and/or evidence to show that Mr. Oswald has expatriated himself under the pertinent laws of the United States—

Miss WATERMAN. I think that is correct. I think the statement is correct.

Representative FORD. That is a very technical response, or technical statement. I think there was evidence that he had placed before Government officials his desire to renounce his citizenship.

Mr. COLEMAN. Did anyone advise you or instruct you that you should make the adjudication that you made as reflected in the August 18, 1961, memorandum, or is this a decision that you made after you had reviewed the file?

Miss WATERMAN. Well, I made the decision and prepared the communication which went through my superiors, and they apparently agreed with me.

Mr. COLEMAN. Can you, by looking at the file, particularly the document marked X-27, which is the Operations Memorandum dated August 18, 1961, tell us what superior reviewed the memorandum before it went forth to the Embassy?

Miss WATERMAN. Yes; the initials there, HFK, are Mr. Kupiec, who was my area chief, and I believe that up at the top, on the second line of the Operations Memorandum, opposite "Department of State" I believe that those were the initials of Mr. White, who was in charge of the Foreign Operations Division. And then this was also cleared in our Legal Division.

Now, that would not be for citizenship purposes, but it would be there for reference.

Mr. COLEMAN. And who was CHS?

Miss WATERMAN. That is the same person you mentioned awhile ago, Mr. Seeley.

Mr. COLEMAN. Then as a result of determining that there was no evidence or information showing that Mr. Oswald had expatriated himself, you then indicated that the passport of Mr. Oswald could be renewed, is that correct?

Miss WATERMAN. Yes.

Representative FORD. May I ask a question here, Mr. Coleman?

Referring again to the memorandum of August 18, 1961, the first paragraph, where you say, "We concur in the conclusion of the Embassy that there is available no information and/or evidence to show that Mr. Oswald has ex-

patriated himself under the pertinent laws of the United States"—where is their documentation, if any, that the Embassy has come to that conclusion?

Mr. COLEMAN. Sir, I think she is referring to the despatch of July 11, 1961, which is identified as Commission Exhibit No. 935.

Representative FORD. Do you come to that conclusion based on the total content of the July 11, 1961, memo from the Embassy in Moscow, or something specifically set forth in that memorandum?

Miss WATERMAN. Well, I think all of the material together. In other words, Oswald was not documented as a Soviet citizen. Apparently he didn't expect to be. The Embassy had questioned him. And, in addition to their knowing that during his visits to the Embassy itself he had not expatriated himself, they received no information from him in what questioning they could do that he had performed any act at all to expatriate himself under U.S. laws.

Representative FORD. Mr. Coleman, do you have that paper we had yesterday, where the cross-out was present?

Mr. COLEMAN. Yes, sir; here it is.

Representative FORD. On Commission Exhibit No. 938, Oswald crossed out "have not"—

Mr. DULLES. What is the date of that, Mr. Ford?

Representative FORD. It is dated—

Mr. COLEMAN. July 11, 1961, and it is Oswald's application for renewal of passport.

Mr. DULLES. I remember the paper. That is subsequent to this document here that we are discussing now.

Mr. COLEMAN. Done at the same time. The State Department document shows—I mean the Embassy document shows that one of the covering material sent to the State Department was the application for renewal of passport executed by Oswald July 10, 1961.

Mr. DULLES. And this was sent with their dispatch of July 11, 1961, which we are now discussing.

Mr. COLEMAN. Yes, sir.

Representative FORD. Did you have that document at the time you wrote the statement, "We concur," and so forth?

Mr. COLEMAN. Which is Commission Exhibit No. 979.

Miss WATERMAN. What is the date?

Mr. COLEMAN. It is your X-27.

Miss WATERMAN. Yes; I think we had that. Because we referred to it.

Representative FORD. Well, does that statement, the way it is set forth there, raise any questions about whether there was any information or evidence about his expatriation?

Miss WATERMAN. His questionnaire discloses no information.

Representative FORD. But what about the statement on the first page?

Will you read it, for the record—the printed part?

Miss WATERMAN. Yes; "I have been naturalized as a citizen of a foreign state." Well, of course, that would be prepared by the Embassy. I think they just crossed out the wrong one.

Representative FORD. But all we can go by is what we see.

Mr. COLEMAN. Would you examine the original in the State Department file, and see what was crossed out there?

Miss WATERMAN. Yes—"I have not." I think that was an Embassy error.

Representative FORD. That is a fairly important error, though.

Miss WATERMAN. Yes; it is.

Representative FORD. Will you read the full text of what is shown there as it is shown on the original?

Miss WATERMAN. "I have been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted, served in or performed the duties of any office, post or employment under the government of a foreign state, or political subdivision thereof; voted in a political election in a foreign state or participated in an election or plebiscite to determine the sovereignty over foreign territory; made a formal renunciation of nationality, either in the United States or before a diplomatic or consular

officer of the United States in a foreign state; been convicted by court martial of deserting the military, air or naval service of the United States in time of war; or of committing any act of treason against or of attempting by force to overthrow or of bearing arms against the United States; or departed from or remained outside the jurisdiction of the United States for the purpose of evading or avoiding training and service in the military, air, or naval forces of the United States. If any of the above mentioned acts or conditions are applicable in the applicant's case, or to the case of any other person included in this application, a supplementary statement under oath should be attached and made a part hereof."

Representative FORD. That is signed by Lee Harvey Oswald.

Miss WATERMAN. That is signed by Lee Harvey Oswald. And his statement here indicates and shows the performance of no such act as is described on the first page of the application.

Representative FORD. Any one of those conditions, however, in that statement would indicate that he had renounced his citizenship?

Miss WATERMAN. It could. But, in other words, he now says—

Representative FORD. He says some place in there he is without nationality. Did you have that at the time—

Miss WATERMAN. "I am described as being without citizenship." That is right. In other words, it is questionable whether the Embassy should have crossed out "have not." In other words, he might have said I have done this, but his explanation—

Representative FORD. That is what the document shows.

Miss WATERMAN. But his explanation clearly shows that he had not.

Mr. DULLES. Do you know whether that was noted at the time, or deemed to be a clerical error, or how did you interpret that crossing out of that particular line there?

Miss WATERMAN. Well, in any event—I actually cannot recall, Mr. Dulles. But the questionnaire, which was also under oath, at the Embassy, would be the material part here. And there is no information in here to show that he had been naturalized. He said he was not known as a Soviet citizen, he did not have a Soviet passport. And as for the other items of possible expatriation, I don't see how they could have applied to him, in any event.

Representative FORD. Mr. Coleman, I suggest that, to make the record complete as to what the evidence was in the file, that we have reprinted in the record at this point Commission Exhibit No. 912, because it was a followup statement by Oswald on the status as he saw it of his citizenship at that time.

Mr. COLEMAN. You want the reporter to print physically in the record Commission Exhibits Nos. 912 and 913, the two Oswald letters?

Mr. DULLES. Just one question. I note here this is typed out. The line I saw had been marked out. I think it is a fair inference that this was typed out, since the typing was probably done in the American Embassy. He had no typewriter. There is a fair inference that might have been a mistake.

Representative FORD. All we can go by is what the record shows.

Mr. DULLES. I think we ought to clarify that through the record in Moscow, because the record is not good at this point.

Mr. EHRLICH. There is another copy, as you know, that came in from the Embassy that we sent to you that showed in fact—it was not a carbon, it was a separate one, in which the "have" was—

Mr. COLEMAN. That is Commission Exhibit No. 947.

Mr. EHRLICH. That was in the Embassy. It was not in the Department.

Mr. DULLES. There the "X's" were above everything, but probably were intended to mark out the "have."

Representative FORD. Is Commission Exhibit No. 938 the original?

Representative FORD. This is a photostat of the original?

Miss WATERMAN. The original is in the Department's file.

Mr. COLEMAN. Congressman Ford, the original document is right physically in front of you.

Representative FORD. That one is crossing out his "have not." It is very clear.

Mr. DULLES. And on this one, which is the copy in the Embassy files, the crossed out is above all three. It apparently was intended to be crossed out, the "have."

(At this point, Representative Ford withdrew from the hearing room.)

Mr. COLEMAN. We just thought the record should—you recall we asked Mr. Snyder a question about this, and he said he didn't know whether it was a typographical error, or just what the reason for it was.

Miss WATERMAN, would you be kind enough to look at the document in your file which is X-30, and could you look at the original, in the original State Department file?

Now, we have marked it as Commission Exhibit No. 977.

Now, the second page of the document that we have has inserted a sheet of paper called a passport office lookout file. Is that stamped physically on the back of the first page?

Miss WATERMAN. Yes.

Mr. COLEMAN. That indicates that the document was received on July 19, is that correct? There is a stamp on there?

Miss WATERMAN. Yes; July 19.

Mr. COLEMAN. There is another stamp on there, August 3, 1961.

Miss WATERMAN. Yes; I see that.

Mr. COLEMAN. You also have the lookout file on the Passport Office, is checked under "No Lookout (refusal) File Record."

Do you see that?

Miss WATERMAN. Yes; I see it.

Mr. COLEMAN. Does this mean that when someone ordered a search of the lookout record file in July or August, 1961, that there was no lookout file record on Lee Harvey Oswald?

Miss WATERMAN. Apparently so. That was probably done automatically. The records people probably did that.

Mr. COLEMAN. This was prior to the time when you had made your decision there had been no expatriation, is that correct?

Miss WATERMAN. I will have to look at this.

Mr. COLEMAN. Your recommendation wasn't made until August 18, 1961.

Miss WATERMAN. That is what we were replying to. That is one of the communications that we were acknowledging, yes, that is right.

Mr. COLEMAN. Well, should there have been a lookout card when the search was made in July 1961, on Lee Harvey Oswald?

Miss WATERMAN. Well, I would say that if one were made, it would have been in there.

Now, I don't know that I always would have examined the reverse of every dispatch. If I had examined the reverse of that despatch, I probably would have noted it.

Mr. COLEMAN. Well, what I am saying, as a result of the refusal sheet that you prepared in 1960, when the lookout section made the search on August 3, 1961, should there not have been a lookout file at that time on Lee Harvey Oswald?

Miss WATERMAN. Are you talking about a lookout card?

Mr. COLEMAN. A lookout card, yes.

Miss WATERMAN. A lookout card would only have referred to this file.

Mr. COLEMAN. Yes.

Miss WATERMAN. Which we already had, and which we already determined had no evidence of expatriation.

Mr. COLEMAN. I am suggesting that you did not make that determination until August 18, 1961.

Miss WATERMAN. Well, Mr. Coleman, the card itself would have been totally immaterial to the decision we made here, inasmuch as we had the entire file, and also our refusal—the refusal sheet would be in here.

As I said, that was not for expatriation. It was just to flag an adverse—possible adverse interest in the case.

Mr. DULLES. But there has been testimony given here before, Miss Waterman,

that when the question came up later of the issuance of a passport, since there was no lookout card, this file was not consulted.

MISS WATERMAN. Well, that could be. That was, I believe—I believe that was after I had anything to do with the file.

MR. DULLES. Yes; I know. You cannot testify as to that.

MR. COLEMAN. Now, Miss Waterman, would you be kind enough to turn over to the next document which you have before you, after the August 18, 1961, memorandum?

MISS WATERMAN. Yes.

MR. COLEMAN. And that is in the file—your file as 1X-24. It has been given Commission Exhibit No. 980.

MISS WATERMAN. Yes.

MR. COLEMAN. And will you note that there is some typewritten material that appears on the first page which says, "Attached report is a summation of Subject's background and case since he renounced U.S. citizenship and sought Soviet citizenship in the fall of 1959. As his citizenship status does not appear to be resolved, copies of the report are furnished to both PPT and VO."

And the attachment is an FBI report.

MISS WATERMAN. Yes.

MR. COLEMAN. Written on the side in your handwriting, I assume, is the word "incorrect."

MISS WATERMAN. That is correct.

MR. COLEMAN. Do you recall when you wrote that on that paper?

MISS WATERMAN. Well, probably when I saw it. I would not recall when I wrote it, but it would be—the statement—my inference there that the statement in this memorandum is what you might call a misnomer would have been correct at any date.

MR. DULLES. Who wrote this memorandum which you indicated was incorrect?

MISS WATERMAN. I have a line there "renounced U.S. citizenship." In other words, somebody who had nothing to do with the adjudication of the case or citizenship had made a statement in there that this person had renounced, and that is a rather poor thing to have in the file which is going around to various places in the Department or possibly elsewhere. And I did write that on, with reference only to his renunciation.

MR. DULLES. With reference to that one statement?

MISS WATERMAN. That is right.

MR. COLEMAN. And then on December 28, 1961, you drafted a memorandum which purports to be from Miss Knight to Robert F. Hale, in which you indicated that any inference in the memorandum of July 27, 1961, which is the document I have just asked you about—

MISS WATERMAN. Yes.

MR. COLEMAN. That Oswald was not a citizen of the United States is incorrect.

MISS WATERMAN. That is right.

MR. COLEMAN. And you prepared—

MISS WATERMAN. In other words, this memorandum which I did make the notation on was sent to other parts of the Department, and we wanted to correct that impression, that there was any evidence of expatriation by Oswald, by renunciation of U.S. citizenship, or any other way.

MR. COLEMAN. That has been marked as Commission Exhibit No. 981, which is the memorandum of December 28, 1961, in which you made the statement that any inference that Mr. Oswald had—was not a citizen of the United States was incorrect.

MR. WATERMAN. Well, yes; well, that is self-explanatory.

MR. COLEMAN. Then on the same day you drafted an operations memorandum to be sent to the Embassy in Moscow in which you said that the Passport Office approves the manner of the Embassy's replies to Mr. Oswald with respect to passport facilities for him in the future. Is that correct? That you drafted that memorandum?

MISS WATERMAN. Yes; I drafted that.

Mr. COLEMAN. That has been given Commission Exhibit No. 982.

That is December 28, 1961. It is the last document.

Now, after December 28, 1961, did you have anything else to do as far as the Oswald matter was concerned?

Miss WATERMAN. I don't think so, except perhaps sending a copy of some document or letter to our files—because I had only about a month's work in the Department. I left work on February 2, 1962, and that was the last day I had with any kind of performance of duties.

I might have marked some paper or something of that sort.

But I don't recall any action. If the file shows it, I took it. But, otherwise, I don't remember.

Mr. COLEMAN. When you took the various actions we have discussed this morning with respect to Mr. Oswald, were you acting under instructions of anyone that this was the decision you would have to make because someone else in the Department wanted you to resolve the question this way?

Miss WATERMAN. What do you mean?

Do you mean outside of the Passport Office?

Mr. COLEMAN. Yes.

Miss WATERMAN. Outside the Passport Office?

Mr. COLEMAN. Yes; I am just asking you for the record.

Miss WATERMAN. I know. But you mentioned—such as who?

Mr. COLEMAN. Did anyone call you up and say, "Miss Waterman, this is the way you have to resolve this case"?

Miss WATERMAN. Oh, no. Oh, no.

Mr. COLEMAN. And you made the decisions you made based upon the record and your judgment as to what you thought the law was and what the facts were?

Miss WATERMAN. Certainly.

Mr. DULLES. Did you consult anyone in connection with reaching that decision in the Oswald case?

Miss WATERMAN. Well, Mr. Dulles, in preparing this correspondence, as I have told you, the correspondence was prepared for the signature of my superiors, and if they didn't agree with what I wrote, that was all right with me. But that was my impression, and I believed there had been discussion among persons in our immediate office. And while—

Mr. DULLES. Your decision, then, is not final. It is subject to review by your superiors in matters of this kind?

Miss WATERMAN. That is right.

But in no event—I don't know of any—as I say, my connection with the case closed, and I never heard in the press or any other place that indicated that Oswald expatriated himself and that he wasn't entitled to a passport.

Mr. COLEMAN. Your decision wasn't in any way influenced by the fact that Miss James told you that this was a decision that would have to be made or anything like that?

Miss WATERMAN. Certainly not. They have absolutely nothing to do with citizenship—nothing.

Mr. COLEMAN. I have no further questions, Mr. Chairman.

Mr. DULLES. Off the record.

(Discussion off the record.)

Mr. COLEMAN. Mr. Chairman, before we close the testimony of Miss Waterman, I would like to move for the admission of Commission Exhibits No. 957 through Commission Exhibit No. 983, which were the documents that we marked.

Mr. DULLES. They shall be admitted.

(The documents heretofore marked for identification as Commission Exhibits Nos. 957-983, were received in evidence.)

Mr. COLEMAN. I would like to thank Miss Waterman for coming in.

Mr. DULLES. We thank you very much, Miss Waterman.

(Whereupon, at 12:50 p.m., the President's Commission recessed.)