

DKE-vhr

7 MAR 1962

Mr. Lee H. Oswald
Kalinina Street, 4-24
Minsk, U.S.S.R.

Dear Mr. Oswald:

Your letter of 30 January 1962 addressed to the Secretary of the Navy concerning your separation from the Marine Corps Reserve on 13 September 1960 has been referred to me for reply.

A review of your file at this Headquarters reflects that a board of officers was convened by the Commander, Marine Air Reserve Training, Naval Air Station, Glenview, Illinois, for the purpose of determining your fitness to remain a member of the Marine Corps Reserve. Referral of your case to this board was premised on reliable information which indicated that you had renounced your United States citizenship with the intentions of becoming a permanent citizen of the Union of Soviet Socialist Republics. The Commander, Marine Air Reserve Training, made reasonable effort to inform you of your right to appear before the board in person, representation by counsel of your choice and to present any evidence or statements you believed pertinent to your case.

In the absence of reply from you concerning your rights as noted above, the board, nevertheless, convened and met on 8 August 1960 at which time a recommendation was submitted that you be separated from the Marine Corps Reserve as undesirable. This recommendation was concurred in by the Commander, Marine Air Reserve Training and approved by this Headquarters. Your discharge as undesirable was directed by this Headquarters on 17 August 1960 and effected 13 September 1960.

Your discharge certificate as undesirable is attached. Earlier delivery of your certificate could not be accomplished since your whereabouts previously was unknown.

Sincerely,

R. McC. TOMPKINS
Brigadier General, U. S. Marine Corps
Assistant Director of Personnel

Encl:
(1) Discharge Certificate

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FILE
1653230
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RELEASED PER P.L.-102-526 (JFK ACT)

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TO: SECRETARY OF THE NAVY

JAP:gjc

DOCKET NO. 8812

REVIEW OF THE DISCHARGE OF: **OSWALD, Lee Harvey Ex-Pfc 1653230 USMC**

CHARACTER OF DISCHARGE RECEIVED
UNDES(UNFIT)

COUNSEL	PETITIONER PRESENT	RECORD OF PROCEEDINGS OF REVIEW MADE	DATE OF REVIEW
NONE	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	10Jul63

FINDINGS

DATE OF ENTRY IN NAVAL SERVICE	AGE	LENGTH OF SERVICE	MEETINGS HELD	MIL. BEH.	PROF.	TRAITS	GCT
21Oct56	17/0	Time lost: 45 days 02Y 10M 17D		Recomputed 3.94	4.1		105

SUMMARY OF PETITIONER'S CLAIM: **Petitioner requests recommendation for reenlistment, review of case and appropriate action. He submitted a brief which essentially states that his discharge was improperly issued. Also included was pet's statement and two letters from the U.S. Embassy, Moscow. As requested by pet, his lengthy statement was read to the board. It contained his contention that the Undesirable Discharge Board found against him primarily on the grounds that he went to USSR and allegedly renounced his U.S. citizenship to become a citizen of that country. Pet denied this allegation and claimed that since he had a choice of residence as an American citizen, such action could not be judged as being fair or impartial. He further stated that he did not violate any U.S. laws by his actions and quoted in part, an American Embassy, Moscow letter which stated: "Meanwhile, your continued retention of your present Soviet passport or an extension thereof does not prejudice in any way your claim to American citizenship."**

SUMMARY OF SERVICE, COMMENDATIONS, AND OFFENSES:

Enl for 3 years. No prior service claimed. Attained equiv of High School grad through USAFI; Grad 46/54 AvnFundScol, JAX and completed AC&WOperCrse, Keesler AFB.
1May57 Pro to PFC.
MACS-1, MAG-11, 1stMAW, FMF
11Apr58 SumCM Violate a lawful general order by having in his possession a privately-owned weapon that was not registered. Sent as appr: CHL for 20 days and forf \$25.00 per mo for two mos and red to PVT. (Confinement suspended for 6 mos etc., but vacated on 27Jun58)
27Jun58 SumCM 1. Wrongfully use provoking words to a Staff NCO. (found guilty)
2. Assault a Staff NCO (found not guilty)
Sent as appr: CHL for 28 days and forf \$55.00 per mo for 1 month.
SubUnit 1, H&MS 11, MAG-11, 1stMAW
17Oct58 SRB JAG found that injury received by pet on 27Oct57 as a result of an accidental discharge of a weapon, was incurred in line of duty and not result of misconduct. (Upon opening his locker, a .22 cal pistol fell to the floor and discharged, wounding pet in the left elbow.)
MACS-9, MWHG, 3dMAW, AirFMFPac
1Mar59 Pro to PFC
17Aug59 Pet submitted a request for dependency discharge, by reason of hardship on the part of his mother. Pet appeared before the Hardship/Dependency discharge Board who recommended that he be released from active duty for reason of dependency. Appr by CG, 3dMAW on 31Aug59.

(SEE ATTACHED SHEET)

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D# 8812

OSWALD, Lee Harvey

Ex-Pfc

1653230

USMC

Summary of Service, Commendations and Offenses: (CONT'D)

11Sep59 Released from active duty (Honorable) and assigned to Ready Reserve, Class III, Transferred to MARTC, NAS, Glenview, Ill., for completion of 6 years obligated service ending 8Dec62.

MEDICAL RECORD: Contains nothing pertinent.

29Jul60 HQ, MARTC, NAS, Glenview, Ill.
Mobilization Planning Officer, recommended pet be discharged by reason of unfitness based on reliable information which indicated that pet had renounced his U.S. citizenship with the intentions of becoming a permanent citizen of the Union of Soviet Socialist Republics. Pet's case was heard (in absentia) by the Hardship, Retention and Desirability Board who recommended discharge by reason of unfitness. Pet was notified by certified mail that a board would convene to determine his fitness, and afforded him his rights. The correspondence was returned unclaimed. The findings, opinions and recommendations of the Board were approved by COMART on 9Aug60, and forwarded to CMC for final determination.
17Aug60 CMC approved and directed discharge.
13Sep60 Discharged by HQ, MARTC, NAS, Glenview, Ill., Auth para 10277.2f, MCM.

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CONCLUSION

REMARKS

The service record of petitioner shows that he was discharged as unfit for good and sufficient reasons. This was based on reliable information which indicated that he had renounced his U.S. citizenship with the intentions of becoming a permanent citizen of the Union of Soviet Socialist Republics. Further, that petitioner brought discredit to the Marine Corps through adverse newspaper publicity, which was generated by the foregoing action, and had thereby, in the opinion of his commanding officer, proved himself unfit for retention in the naval service.

After careful consideration of the facts presented in all available records of the Department of the Navy and of the claims and evidence submitted, the Board finds that the discharge was proper and equitable under standards of law and discipline applicable at the time, or since made applicable, and that the discharge accurately reflects petitioner's conduct and character during the period of service which was terminated by the discharge. Not finding sufficient evidence to support a contrary conclusion, the Board concludes that no change, correction or modification should be made in the type or character of the discharge.

DECISION: NO CHANGE. ~~CHANGE TO UNDESIRABLE~~

It is the decision of the Board that the character of the discharge originally issued is proper and that no change, correction or modification be made in the Undesirable Discharge.

(Auth: Sec. 301, Servicemen's Readjustment Act of 1944, P.L. 346 - 78th Congress)

BOARD MEMBERS	
President <i>John H. Carroll</i> JOHN H. CARROLL, LTCOL, USMC	MEMBER <i>Lyle W. Eads</i> LYLE W. EADS, LCDR, USN
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MEMBER	RECORDER (CERTIFIED TO BE CORRECT) <i>J. A. Polidori</i> J. A. POLIDORI, MAJ, USMCR

~~REVIEWED AND APPROVED~~

Reviewed and Approved *JUL 9 1950*

Forwarded

C. W. Travis
C. W. TRAVIS, CAPT, USN
Director, Navy Council of Personnel Boards

Paul B. Jay

PAUL B. JAY, *Secy of the Navy*
Under Secretary of the Navy

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