

MEMORANDUM

August 7, 1996 (Revised February 20, 1997)

To: Jeremy Gunn

cc: David Marwell, Tim Wray, Christopher Barger, Brian Rosen, Joan Zimmerman, Joe Freeman

From: Doug Horne

Subject: Oswald's DD 1173 I.D. Card

In August, 1995 the author was asked to study the article in the 11/22/92 *Houston Post* by Ray and Mary La Fontaine entitled: "Oswald I.D. Card May Be Missing Link." This article, centered around the issuance to Oswald of a "Uniformed Services Identification and Privilege Card" (DD Form 1173) upon his discharge from the Marine Corps, was to be treated as a lead in the search for possible assassination-related documents, or for documents which would enhance the historical understanding of the assassination. Another goal was to clarify, to the extent possible, all circumstances surrounding the issuance of that I.D. card to Oswald through study of government documents.

The La Fontaine article on the DD Form 1173 identification card (hereafter referred to as the DD 1173) and a Paul Hoch 3/8/93 "Echoes of Conspiracy" newsletter (pages 5-7) were the starting points for the author's research in August-September 1995. Subsequent to initial ARRB study of this issue in 1995, in 1996 the La Fontaines published their book *Oswald Talked: The New Evidence in the JFK Assassination (Pelican)*; the DD 1173 issue is dealt with at length on pages 65-90, and on pages 390-391. Although the La Fontaine's book (with expanded treatment of this subject far beyond their 1992 newspaper article) had not been published when the author conducted his initial research, this memo will nevertheless provide tentative findings regarding some of the La Fontaine's conclusions about the circumstances under which the card was issued by comparing findings from the the author's research with leads provided in the La Fontaine's 11/22/92 *Houston Post* article, and their 1996 book.

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Summary of La Fontaine allegations: The La Fontaine's initial research led them to believe that the DD 1173 I.D. card was issued either to military dependents, persons with a medical disability who were leaving active duty, or federal civil servants who would need access to military bases overseas. Subsequently, they determined that reservists were also authorized to receive the DD 1173 from July 16, 1957 through July 1959, when its issuance to reservists was discontinued by a change in regulations. They contend that at the time of his discharge from the Marine Corps on September 11, 1959, Oswald, who had a Marine Corps Reserve obligation, was authorized by regulation to receive only the pink-colored, or "red" reserve I. D. card designated the DD Form 2MC (RES). After citing in their book the names of two members of Oswald's El Toro unit (MACS-9) who received the officially authorized pink reserve I. D. card, the La Fontaines conclude with some certitude that Oswald was the only member of his unit who received the beige, or buff-colored DD 1173; they then marry this conclusion with the fact that U-2 pilot Francis Gary Powers had a DD 1173 in his possession while he was a contract employee of the CIA, to state their case that Oswald's possession of this I. D. Card was *de facto* proof that he became a civilian employee of the CIA or some other Federal intelligence agency following discharge, and that it may have been used to get him a "military hop" from London to Helsinki, Finland when he defected. Further, they pick up on Paul Hoch's observation that the unique serial number on Oswald's DD 1173 is found on his passport application dated September 4, 1959, and find this quite odd since its official date of issue was September 11, 1959, one week following the date on the passport application. The appearance of Oswald's I. D. card serial number on his passport application was the "clincher" as far as the La Fontaines were concerned---proof to both Paul Hoch and to them that Oswald's I. D. Card was in his possession one week earlier than its issue date---a very unusual circumstance indeed, if true.

Summary of Leads Pursued, Findings and Opinions

Lead # 1/Allegation: That Oswald was issued a DD 1173 upon discharge from the Marine Corps.

Findings: Correct. The "administrative remarks" page in Oswald's USMC enlisted personnel file contains an entry for 11 SEP 59 (see attachment 1) which reads: "ID CARD FORM #N 4, 271, 617 issued this date expiration 8 Dec 62 in accrd/w para 3014.5 PRAM. (Signed by) A. G. Ayers, 1ST LT USMCR." This unique number matches precisely the serial number on the DD 1173 I. D. card issued him which is dated 11 Sep 59 (see attachment 2).

Lead # 2/Allegation: That the images on the original card were nearly obliterated by FBI chemical testing.

Findings: Essentially correct, although the author would recharacterize this description by saying that approximately 50 per cent of the card's surface area was obliterated by FBI chemical testing, not the entire card (see attachment 3). Archivist Steve Tilley, curator of the JFK Collection at NARA, told the author that the dark brown stains on the I. D. card were consistent with the stains left by fingerprint testing chemicals, and that he has seen similar stains on many other Oswald documents which were in the possession of the FBI. Incidentally, the original I. D. Card is stored in an archival box labeled "RG 272" which contains numerous FBI exhibits labeled exhibits B1 to B20; the original (stained) card itself is identified as exhibit "B1" and is protected by a stiff, sealed clear plastic sleeve which protects the card from further damage. The DD 1173 I. D. card inside the sleeve is not laminated--hence, the fingerprint testing.

Lead # 3/Allegation: That there are no pictures of the card in its pristine state in the National Archives.

Findings: Incorrect; attachment 2 to this memo is a photocopy of a facsimile which can be found (along with the discolored original I. D. card) in the single archives box labeled "RG 272, B1-B20" which is now part of the JFK collection. The photocopy of the I. D. card in its pristine state was apparently made by the FBI prior to applying fingerprint powder to the original card.

Lead # 4/Allegation: That the photograph on the DD 1173 I. D. card (and on Oswald's modified [forged] Selective Service I. D. card) is identical to the photograph labeled by the Warren Commission as CE 2892, "Photo Taken in Minsk."

Findings: Correct; even a brief examination by a layperson reveals that CE 2892 (attachment 4) is identical to the two photographs on Oswald's DD 1173 I. D. card and his Selective Service I. D. card (attachment 5). The version of this photograph which appears on the DD 1173 card even exhibits the same opaque, rounded white "mask" in the lower right corner of the photograph which appears in CE 2892. (As an aside, proof that Oswald's Selective Service I. D. card was forged is provided by comparing the clearly fraudulent version found in his wallet [for "Alek James Hidell," with Minsk photo affixed] with the unaltered format of his Selective Service card, to which no photograph is affixed, provided here as attachment 6.)

Speculation: It is reasonable to assume that Oswald altered both the DD 1173 and Selective Service cards (by affixing the Minsk photograph) himself, and that they were probably altered by him while he was employed at the photographic firm of Jaggars-Chiles-Stovall in Dallas, Texas from autumn

1962 through spring 1963.

Lead # 5/Allegation: That issuance of the DD 1173 I. D. card was not specifically authorized by the PRAM, the U. S. Marine Corps' Personnel Records and Accounting Manual.

Findings: Unclear and unresolved; on the administrative remarks page from Oswald's USMC enlisted personnel file, an entry dated 11 SEP 59 states that I. D. Card # N 4, 271, 617 was issued in accordance with paragraph 3014.5 of the PRAM (see attachment 7). A review and analysis of attachment 7 (section 3014, "Identification Cards") reveals on page 3-12, in paragraph 1 c., that DD Form 2MC (RES) should have been issued to Marines being discharged from active duty who still had a reserve obligation. [The DD Form 2MC (RES) is the Marine Corps designation for the so-called "pink" or "red" reserve I. D. card, which is still the standard format issued today for reserve members of the armed forces.] The entry in Oswald's enlisted personnel file citing the PRAM as authority to issue the DD 1173 card is inconsistent with the PRAM itself (attachment 7), which clearly states that service members in the Marine Corps may legally possess only one I. D. card, and that it must be either (1) a "green" DD Form 2MC (for active duty personnel); (2) a "gray" DD Form 2MC (RET) (for retired personnel); or (3) a "red" DD Form 2MC (RES) (for members of the Marine Corps Reserve). The DD 1173 is not listed as one of the 3 authorized choices in the version of the PRAM provided to the ARRB by the Marine Corps; unfortunately, the only version presently held by the Marine Corps which applies to this issue (page 3-12, Section 3014) is change 2, which was not issued until December, 1959 (see attachment 16)--the Marine Corps no longer holds the original guidance on I.D. card issuance to reservists which was promulgated in the base document, the original version of the PRAM, issued in June, 1959. Thus, study of the pertinent regulatory page (3-12) from the currently surviving version of the PRAM (change 2, from December, 1959) only reveals that Marines from December 1959 onward should have received the "Red" reserve I.D. card, and does not reveal which USMC regulatory guidance was in effect on 11 September, 1959 when Oswald was discharged and received his DD 1173 I.D. card. Only if a pristine version of the PRAM could be found, without incremental changes entered, as it was originally promulgated in June 1959, could a researcher definitively determine which I.D. card should, by regulation, have been issued to Oswald in September 1959.

Lead # 6/Allegation: In *Oswald Talked*, the La Fontaines expand considerably upon their November 1992 *Houston Post* article in regard to whether or not there existed other administrative guidance, separate from the PRAM, which authorized issuance of the DD 1173 I. D. card. They located a U. S. Army Military History Institute historian named Dennis Vetock at the Army War College in Carlisle, Pennsylvania who performed research for them in this area; his findings (as reported on pages 74-76 of their book), based upon study of contemporaneous administrative directives, were that

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use of the DD 1173 I. D. card commenced in 1957, and that initially its issuance was authorized to: military dependents (the primary recipients), disabled veterans, reservists, foreign military personnel and their families, and overseas Federal civilian employees in need of an I. D. Card which would grant base access. The LaFontaines write that Vetock quoted the directive he located, dated July 16, 1957, as saying that all active duty Marines should have received the DD Form 2MC ("green" card), and that *all other personnel*, including reservists, should have been recipients of the DD Form 1173, the Uniformed Services Identification and Privilege Card. The LaFontaines claim Vetok clarified, however, that the guidance authorizing issuance of the DD 1173 to all personnel not on active duty (including reservists) was terminated in July, 1959 when the 3-card system (the "green," "gray," or "red" cards described by the PRAM, in attachment 7) was instituted. They quote Vetock as saying that thereafter, issuance of the DD 1173 continued to be authorized for military dependents and various civil service personnel requiring base access overseas (as the author can confirm through personal experience is still the practice today), but not to reservists.

Findings: On October 2, 1996 the author contacted military historian Dennis Vetock by telephone at the U.S. Army's Military History Institute at Carlisle Barracks in Pennsylvania. He faxed to ARRB both the July 1957 internal U.S. Army guidance directing issuance of the DD 1173 I.D. card to reservists, as well as the July 1959 internal U.S. Army guidance directing that DD Forms 1173 which had been issued to members of the Army reserve "be replaced in an orderly manner by DD Forms 2A (Res)"--*i.e., the Army's version of the "Red" or "Pink" Reserve I.D. card still in use today by each component of the Armed Forces*--"as stocks of the latter become available. DD Form 1173 will be surrendered and disposed of in accordance with paragraph 16." (See attachment 17 for both of these excerpts.) Thus, where the LaFontaines state that issuance of the DD 1173 was authorized for reservists commencing in July 1957, and was discontinued commencing in July 1959, they are correct in their basic facts, but neglect to point out that the regulations cited by Mr. Vetock are Army regulations, and are not DOD-wide. Furthermore, if they had taken the trouble to obtain the pertinent regulations from Mr. Vetock, they would have noted that the July 1959 Army directive to cease issuing the DD 1173 to reservists, and to instead issue, and replace it with, a "Red" I.D. card, allowed for an orderly transition to the new I.D. card as stocks of the new document became available. In summary, the LaFontaines have misrepresented a change in Army policy as a DOD-wide change in policy, and did not mention that an orderly transition between the "old" reserve I.D. card (the Tan DD 1173) and the "new" reserve I.D. card (the Red DD 2A [Res]) was allowed for, and apparently expected, due to initial shortages of the new document. While the decision to discontinue use of the

DD 1173 for reservists surely flowed down from some level of the DOD to the Army (as well as the other Armed Services), without documentary evidence one should not assume that the Navy, Marine Corps and Air Force all discontinued the DD 1173 at the same time; each Armed Service promulgates

its own regulations (and changes thereto)--at its own speed--and would have been responsible for printing and distributing its own, unique versions of the new Red I.D. card for reservists.

Lead # 7/Allegation: That Oswald was the only Marine in his unit to receive the DD 1173 I. D. card.

Findings: Incorrect. The author sampled the military enlisted personnel files of 11 additional Marine personnel (in addition to Lee Harvey Oswald) in order to determine whether other Marines inside or outside of Oswald's unit also received the DD 1173 I. D. card upon discharge from active duty. Of the twelve total names sampled, seven (7) of the individuals contained entries in their Marine personnel files which indicated that they received the DD 1173 I. D. card; two (2) contained entries in their records indicating that they received the DD Form 2MC (RES), or "red" I. D. card; and three (3) of the records sampled contained entries in the "administrative remarks" section which were not specific enough to definitively determine what kind of I. D. Card was issued upon discharge of the service member (but which suggested that two of these three individuals received the DD 1173, based on serial number analysis). Of the seven total personnel who definitely received the DD 1173, five of them had served in the same unit as Lee Harvey Oswald, MACS-9, at MCAS El Toro, California. A summary is provided below showing the names sampled, type (and date) of I. D. card received, and unit in which the member served (i.e., last PCS assignment) immediately prior to being processed for discharge:

<u>Name</u>	<u>I. D. Card / Date Rcvd</u>	<u>Last PCS Duty Station</u>
Lee Harvey Oswald	DD 1173 (11 Sep 1959)	MACS-9 (MCAS El Toro)
Alexander G. Ayers, Jr.	DD 1173 (21 Nov 1959)	H & HS (MCAS El Toro)
Gerald P. Hemming, Jr.	DD 1173 (17 Oct 1958)	U. S. Naval Academy Prep School (Annapolis, Maryland)
Nelson Delgado	DD 1173 (25 Nov 1959)	MACS-9 (MCAS El Toro)

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Richard D. Call	DD 1173 (11 Dec 1959)	MACS-9 (MCAS El Toro)
Paul E. Murphy	DD 1173 (27 Aug 1959)	MACS-9 (MCAS El Toro)
William K. Trail	DD 1173 (23 Nov 1959)	MACS-9 (MCAS El Toro)
Zack Stout	DD Form 2MCR	H & HS, 3rd MAW (MCAS El (30 May 1960)
		Toro)
John R. Heindel	DD Form 2MCR (14 July 1961)	AIRFMFPAC (Yuma, Arizona)
Owen Dejanovich	Not Specified (serial # MACS-9 (MCAS El Toro) of card suggests DD 1173, but type of card not specified); (04 Sep 1959)	
Robert R. Augg	Not Specified (serial # MWHG, 2nd MAW (MCAS of card suggests DD 1173, CPNC) but type of card not specified); (08 Apr 1959)	
Kerry W. Thornley	Not Indicated (no entry MABS-11, MAG-11, 1st MAW re: whether any I. D. card issued or not in personnel file)	

Pertinent pages from the records of the personnel listed above are provided as attachment 8 to this memo (except for LHO, whose I. D. card data is provided in attachment 1).

Another, more revealing statistical analysis can be performed by studying the Reserve I.D. cards received by the eight (8) personnel above who were stationed at various MCAS El Toro commands (and therefore discharged by the same activity, H & HS, MCAS El Toro). Of these 8 personnel, 6 received the DD 1173, 1 was a probable DD 1173 recipient (based on I.D. card serial number), and 1 received the "Red" 2MC(Res) card as proof of his reserve status. The 6 personnel who received the DD 1173, and the one probable DD 1173 recipient, received their I.D. cards between August-December, 1959, inclusive; the 1 recipient of the "Red" 2MC(Res) card received his card in May, 1960 (after change 2 to the PRAM was issued in December 1959). This apparent pattern provides circumstantial support for the hypothesis that the Marine Corps may not have changed its own policy on I.D. card issuance to reservists (i.e., substituting a "Red" card for the DD 1173) until change 2 to the PRAM was issued in December, 1959. *If this in fact was the case, then it means Lee Harvey Oswald was issued his DD 1173 I.D. card in accordance with existing USMC regulations at*

the time of his discharge, in September 1959. One possible reason why the Marine Corps may have delayed implementing its own discontinuance of the DD 1173 as a reserve I.D. card may be that they simply waited until they had sufficient stocks of the new "Red" 2MC(Res) in stock, and properly distributed, throughout the Marine Corps. This may explain why, unlike the Army regulation from July 1959, the USMC's regulation, the PRAM, did not allow for a gradual phase out-phase in between the old and new cards--simply because the Marines may have waited for proper distribution of the new card before changing the issuance regulations.

Lead # 8/Allegation: That since no one else in Oswald's unit was given a DD 1173 I. D. card, and because CIA civilian U-2 pilot Francis Gary Powers also had a DD 1173 I. D. card, Lee Harvey Oswald was therefore an agent of the CIA or some other intelligence agency who required access to overseas bases: hence, his possession of the DD 1173 I. D. Card.

Findings: Conclusion unsupported by evidence presented. Whether Lee Harvey Oswald was, or was not, on a mission for the U. S. Government when he defected to the USSR in 1959, possession of the DD 1173 card is not sufficient to prove (or disprove) that speculation, particularly since 5 other members of his unit at El Toro were also issued this same card upon discharge from active duty. Furthermore, even though the La Fontaines are correct that some civilians within DOD (and apparently CIA) are authorized issue of the DD 1173 in order to gain routine access to overseas bases, it is specious reasoning to suggest, as they do on pages 86-90, that because one person who was a CIA employee (CIA U-2 pilot Francis Gary Powers) was issued a DD 1173, that Oswald (who also had the card) must likewise have been an intelligence agent. They have not presented evidence that all intelligence agents were issued the card; and in opposition, they *have* presented evidence (since confirmed by ARRB) that numerous persons not involved in intelligence work were authorized to receive the DD 1173: military dependents, disabled veterans, foreign military personnel and their families, and, for a period of approximately 2 years, various military reservists. The key issue to the La Fontaines in chapter 3 of their book is timing: that the card was issued to Oswald when such issuance was no longer formally authorized. [Since they posit that the DD 1173 was no longer authorized for issue to reservists when Oswald was discharged in September, 1959, then his receipt of one is, to them, highly significant--virtual proof to the La Fontaines that he must have been issued the card under the aegis of an intelligence agency, as was Francis Gary Powers.] To this author, it has not been demonstrated that Oswald was issued his DD 1173 I.D. card in contravention of USMC regulations--in fact, the USMC regulations (the June 1959 PRAM) governing I.D. card issuance at the time of his discharge (in September 1959) cannot presently be located, and a circumstantial case can even be made, based on the analysis of USMC service record entries discussed above (and the known

date of issuance of change 2 to the PRAM--December 1959), that the Marine Corps may not have changed its regulations regarding issuance of I.D. cards to reservists until 3 months after his discharge. If it should eventually be determined that the originally promulgated version of the PRAM (June 1959), or that change 1 to the PRAM (issued in August 1959), discontinued the DD 1173, then it seems likely that bureaucratic inertia (and possible ineptitude) would most likely be the true explanations for why Oswald received a DD 1173. In support of this viewpoint, the La Fontaines, as a result of their interview of former USMC 1st Lieutenant A. G. Ayers, whose typed name and signature appears on Oswald's DD 1173 as issuing officer (see attachment 2), write that although Ayers had no recollection of issuing the DD 1173, "The processing of such paperwork, including the decisions on which I. D.s to give out, he explained, was done by administrative assistants under the supervision of the senior noncommissioned officer. When the papers were ready, they were brought en masse to Lieutenant Ayers for his signature--in essence, an anonymous process by anonymous personnel."¹ The author's 20 years of previous experience in Government prior to working for the ARRB (10 years on active duty in the Navy, and 10 years as a federal civil service employee for the Department of the Navy) reinforce his strong impression that this methodology (attributed to Ayers by the La Fontaines) for out-processing of personnel from active duty to civilian status is not only an accurate description for how such processing is managed, but was the perfect environment for a "that's the way we've always done it" bureaucratic "snafu" to arise and to perpetuate itself. (Changing the rules for a routine administrative procedure does not necessarily equate with proper dissemination of that information, nor with implementation of changes in behavior by the clerks who perform the routine procedure.) In support of this potential "snafu" hypothesis, a review of attachment 8 reveals that four people in Oswald's own unit were issued the same DD 1173 I. D. card *subsequent* to him, in November and December 1959. My conclusion is that these occurrences either reflected the still-current regulations in the Marine Corps (assuming that the USMC did not discontinue the DD 1173's issuance until December 1959), or, if it is ever determined that USMC regulations had indeed prohibited the issuance of the DD 1173 I.D. card by then, reflects administrative errors resulting from bureaucratic inertia, not evidence that Alexander Ayers, Nelson Delgado, Richard Call, and William Trail were intelligence operatives.

Lead # 9/Allegation: That Oswald was issued his DD 1173 I. D. card 7 days early, since its unique serial number appears on his passport application dated September 4, 1959,² one week prior to 11 September, 1959, the date of his discharge.

¹*Oswald Talked (Pelican, 1996):* pages 81-82.

²*Ibid.*,page 84.

Findings: Not necessarily the case. The La Fontaines are correct that the unique serial number on Oswald's DD 1173 appears on his passport application (attachment 9), but may have incorrectly interpreted when and why it was placed there. They also mention an accompanying memo addressed "To Whom It May Concern," dated 4 Sept 1959 (attachment 10), which they assume was turned in concurrently with Oswald's passport application, and go on to suggest that since 1st LT A. G. Ayers' typed name appears on the memo below the signature of a 1st Sergeant Stout (a person whom he has no recollection of whatsoever), that the signed name of 1st Sergeant Stout may represent a fictional identity. (This Stout allegation is patently untrue; Zack Stout was stationed at both MACS-1 in Atsugi, Japan and at 3rd MAW at MCAS El Toro concurrently with Lee Harvey Oswald.) Oswald's DD 1173 I. D. card, his passport application, and the memo dated 4 September are likely related, but not in the way the La Fontaines imagine. Author's hypothesis follows:

Document

Remarks/Discussion

Oswald's Passport Application Submitted September 4, 1959 (see attachment 9, page 2).

"To Whom It May Concern" Typed on September 4, 1959, but not submitted to the passport office until September 9, 1959 (see attachment 10). Even though the date typed on this memo is "4 Sept 1959," there is evidence on the document that September 4 is not the date it was submitted. A date/time stamp has been imprinted on the document by machine and reads: "RECEIVED DEPARTMENT OF STATE 1959 SEP 9 AM 9 54 PASSPORT OFFICE LOS ANGELES." It seems clear that the purpose of this memorandum was to convince the passport office that Oswald, who applied for a passport on September 4, 1959, was going to be leaving active duty and resuming life as a civilian again; the implication of this apparent need to satisfy the passport office is that DOS probably did not process passport applications for active duty personnel unless they could prove they were leaving (or had left) active duty. Although Oswald obviously was stimulated to draft this memo

on September 4, 1959 (the day he submitted his passport application), it was not turned into the passport office until September 9, 1959. The reason for the delay may have revolved around obtaining a signature on the memo. Although the name of USMC 1st LT A. G. Ayers, the Assistant OIC of the El Toro Separation Section, is typed on the memo, the memo is instead signed by 1st Sergeant Zack Stout, a friend of Oswald's³ who served with him at both MACS-1 in Atsugi, Japan and at MCAS El Toro. Stout may have been enlisted by Oswald to sign the memo if Ayers refused, or if for some reason Oswald did not want Ayers to know he was applying for a passport. (The latter seems likely, since a Marine enlisted man getting a hardship discharge because of his mother's penury would most likely not have wanted the officer responsible for his separation paperwork to know that he was applying for a passport and intending to travel to Europe to attend colleges in two countries, and to visit numerous other nations as a tourist.) In fact, it seems highly unlikely that Ayers knew anything about the memo, since it is not typed on USMC letterhead stationery, and because he told the ARRB (see Call Report, attachment 18), and also reportedly told the La Fontaines that he had no recollection of it whatsoever.⁴ One can safely presume, following this line of reasoning, that although turned in 5 days after it was dated, the "To Whom It May Concern" memo was submitted because the passport office implicitly had refused to process Oswald's passport application until or unless he provided evidence that he was being released from active duty.

Oswald's Passport

Printed ("issued") on September 10, 1959 (see attachment 11),

³*The Assassination Chronicles(Legend)*, by Edward J. Epstein: pages 357-365 provide details of Oswald's friendship with Zack Stout from their MACS-1 association.

⁴*Oswald Talked (Pelican)*: pages 84-85.

but probably not picked up by Oswald until September 11, 1959. A review of Oswald's passport reveals that it was "issued" (manufactured) on September 10, 1959, one day after the "To Whom It May Concern" memo was received at the passport office; this 24-hour delay from the time the memo was received on September 9 was the normal passport processing time in that era (namely, one day), corroborating the above argument that the memo assuring DOS that he was leaving active duty was essential to the processing of his application. But the date the passport was issued is not necessarily the date it was picked up, since the I. D. card used by Oswald to verify his identity and *status* when he picked up the card was apparently not issued until September 11, 1959 (see below). The earliest date Oswald could have picked up his passport was September 10, 1959, the day it was issued by the passport office; this would have required Oswald to be in receipt of his DD 1173 I. D. card one day early--although this is conceivable (and much more likely than having it one week early per the speculations of Paul Hoch and the La Fontaines), there is no documentary evidence for this that the author is aware of.

Oswald's DD 1173

September 11, 1959 (the date typed on the card) is almost certainly the real issue date of this card, vice the September 4, 1959 date presumed by Paul Hoch and the La Fontaines (which they have incorrectly assumed simply because the card's serial number was typed onto Oswald's September 4, 1959 passport application). Author's interpretation follows: Oswald's passport was created by DOS on September 10, 1959, and the unique serial number on Oswald's DD 1173 was indeed *typed* onto Oswald's *handwritten* passport application--but to the author this almost certainly means an office worker at the passport office probably rolled Oswald's passport application into a typewriter the day his passport was picked up (September 11, 1959) and typed the number of his new I. D. Card onto the application as proof that he was "inactive," i.e., no longer on active duty. If just "any" I. D.

card would have sufficed for issue of a passport, then Oswald's "green" active duty card could have been used as proof of identity the day he applied for his passport on September 4, but instead we have a *typewritten* (vice handwritten) notation (which implies a passport office official verifying identity) which specifies that Oswald has an "inactive" status; i.e., verification that he has actually achieved the inactive status promised in the memo delivered to the passport office on September 9. The point here is that the memo delivered September 9, 1959 promises that he will leave active duty and acquire an inactive status on September 11, 1959, and the passport issued by the passport office on September 10, 1959 is almost certainly picked up one day later (the day Oswald was discharged), for this date, 11 September, 1959, is the date of issue typed on his DD 1173--which certified (on its front side) his "MCR/INACT" status.

Related Issue:

At this juncture it is timely to point out a finding made independently by the author while reviewing the officer service record of former 1st LT Alexander G. Ayers, the Marine officer responsible for the processing of Oswald's discharge paperwork. [First, in the way of background, it should be explained that Oswald and Ayers, under normal circumstances, would not have had any contact at MCAS El Toro up until the week prior to Oswald's transfer. As evidence of this, Oswald's Record of Service pages from his USMC enlisted personnel file are provided as attachment 12; Oswald is shown therein to have transferred out of his MACS-9 unit on September 3, 1959, and into H & HS (Headquarters and Headquarters Squadron), the "admin section" for the base which, among other duties, prepared the paperwork necessary to discharge Marines from active duty, on September 4, 1959. 1st LT Ayers, as shown by his chronological record of duty assignments (attachment 13), was Assistant OIC of the Separation Section for H & HS when Oswald's discharge was processed.]

Author's finding follows:

As highlighted in 1st LT Ayers' "Administrative Remarks" page from his service record (attachment 14), Alexander G. Ayers was granted a Secret security clearance on September 11, 1959, the same day that Lee Harvey Oswald was discharged from the United States Marine Corps.

This apparent coincidence is quite interesting, particularly when one reviews the work assignments of

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1st LT Ayers and can find no apparent correspondence between the dates various duties were assigned, and his receipt of a security clearance. A review of attachment 13 reveals that Ayers, who had once been OIC of the Separation Section (serving as OIC from March 2, 1959 through April 9, 1959), was again assigned Separation Section duties commencing July 1, 1959, but this time in the reduced (and less responsible) capacity as Assistant OIC (instead of OIC), serving in that reduced role until November 21, 1959, the date he was discharged from active duty and became a Marine Corps Reservist. Neither the nature of his duties as Assistant OIC of the Separation Section, nor his other duties as Administrative Officer (preparation of routine paperwork and correspondence) or Casualty Assistance Officer (death notifications) appear to explain the need for a Secret clearance as late in his tour of duty as September 11, 1959; furthermore, if this were the case, one would think that he would have been granted the Secret clearance on April 10, 1959, the same day he became Administrative Officer, or on July 1, 1959, the same date he became Casualty Assistance Officer and Assistant OIC of the Separation Section. In fact, Ayers' receipt of a Secret clearance on September 11, 1959, the same day as Oswald's discharge, looks even more anomalous due to its proximity with his own impending discharge (i.e., November 21, 1959), and begs explanation. The author interviewed Alexander Ayers on behalf of ARRB, by telephone, on February 18, 1997, and he could not recall receiving any clearance whatsoever while stationed at El Toro, and furthermore, said he had no recollection of ever handling classified material in the course of any of his duties while stationed at H & HS. In fact, he independently expressed his own opinion that it seemed odd for someone to receive a security clearance one-and-a-half months prior to being discharged from the Marine Corps. He could provide no explanation for the entry in his service record which records his receipt of a Secret clearance on September 11, 1959. (See attachment 18.) Consequently, this synchronicity (between Oswald's discharge date and the date First Lieutenant Ayers was granted a Secret clearance, i.e., September 11, 1959) will most likely remain an unexplained coincidence, in the absence of any new evidence.

Lead # 10/Allegation: That Oswald's DD 1173 I. D. card was lost, and subsequently returned in the mail, and that the circular date stamp is a U. S. Post Office cancellation stamp used by the post office when the card was (presumably) mailed back to the Department of Defense by the person who found it.

Findings: Incorrect. The author was able to conclusively determine that the stamp on Oswald's DD 1173 is not a postal cancellation cache. By comparing a JUL 19, 1960 cache with an AUG 8, 1996 cache (see attachment 15), it was determined that the format of the cancellation stamp used by the U. S. Postal Service in 1960 was identical with that used in 1996. It seemed reasonable to conclude, therefore, that the format of cancellation stamps used in 1962 or 1963 (the period in which the DD 1173 was presumably lost and postmarked upon its return to the Department of Defense) would have

been identical. Using attachment 15 as a “control,” it is therefore demonstrable that the circular stamp found on the DD 1173 (see attachment 2) is *not* a postal cancellation stamp: a city name does not appear (as it should) in the outer circumference of the DD 1173 mystery stamp; and the month, day and year appear on the DD 1173 stamp in the outer ring of the circle, instead of in the center of the circle (where they would appear on a true postal cancellation). The author’s findings confirm researcher Paul Hoch’s earlier suspicion, outlined in his “Echoes of Conspiracy” newsletter of 3/8/93, that the circular stamp on Oswald’s DD 1173 may not have been a postal cancellation at all, but instead was probably affixed by Oswald himself with his own stamp kit. In addition, the author has observed that this date stamp on the front side of the DD 1173 (see attachment 2) just happens to coincide with the opaque white “mask” on the lower right hand corner of the “Oswald in Minsk” photo on the front of the card; perhaps the purpose of the stamp was to either disguise the abnormality in the Minsk photo, or to make it appear as if his expired I. D. card (which expired December 7, 1962) had been extended (until JUL or OCT 23, 1963), or both. Furthermore, as Paul Hoch pointed out, the mysterious date stamp also contains the markings for *two* different months, JUL and OCT, unlike any postal cancellation this author has ever seen. Thus, there exists no documentary evidence to support the La Fontaine’s claims that the DD 1173 card was ever mailed to the Department of Defense, or returned by DOD to Lee Harvey Oswald.

Conclusions and Recommendations:

Following ARRB requests, the Department of Defense has been unsuccessful in locating any documentation which memorializes its policies or directives regarding the issuance of the DD 1173 I.D. card. DOD policy on its issuance can be inferred from the Army regulations of July 1957, July 1959, and from the USMC’s PRAM (change 2, implemented in December 1959), but ARRB has seen no direct documentation of DOD’s contemporaneous service-wide directives, effective in September 1959, regarding its own widely-used I.D. card. In any case, what really would have mattered to the junior officer and the first sergeant running the El Toro Separation Section would not have been some service-wide DOD directive, but rather its implementation within the Marine Corps as stated in the requirements of the USMC’s personnel regulations manual (the PRAM). The analysis conducted of the 8 reserve I.D. cards issued to El Toro Marines between August 1959 and May 1960 strongly suggests that the USMC may not have switched from issuance of the “Tan” DD 1173 to the “Red” DD 2MC(Res) I.D. card until change 2 to the PRAM was promulgated in December, 1959. In any case, the documented issuance of this same I.D. card to six out of eight El Toro Marines, and its probable issuance to a seventh Marine, argue against the uniqueness of this event and give it every appearance of having been “business as usual” at the El Toro H & HS Separation Section, regardless

of whether the DD 1173 I.D. card was officially authorized in September 1959, or not. Therefore, it is reasonable to conclude that Oswald's possession of this I.D. card, despite initial indicators to the contrary, has no relevance to the question of whether or not he was an agent of the U.S. Government when he defected to the USSR in autumn 1959.

Unfortunately, the apparent coincidence of Oswald's discharge from active duty and First Lieutenant Ayers' receipt of a Secret clearance both occurring on the same date--September 11, 1959--remains unresolved and unexplained.

No further action is recommended at this time in regard to the Oswald DD Form 1173 I.D. card issue. I believe ARRB staff has pursued this issue as far as it can be, given the state of the record, and the quality of human memory, 38 years after the fact.