

4 August 1961

MEMORANDUM FOR THE RECORD

SUBJECT: Citizenship Status of Bernard Leon Barker, Jr., 201-251669

1. On 4 August, Mr. Howard Hunt and Mr. ⁰³Toomey conferred with Mr. Warner and Mr. O'Neill of the General Counsel's office on the subject of restoration of the citizenship of Bernard Barker. For further information see a memorandum, dated 14 July 1959, which summarizes the previous steps taken to restore this citizenship and a memorandum, dated 17 July 1961, giving Mr. Barker's statement to the Office of Security in regard to his case. These memoranda are in the subject's 201 file. Mr. Warner recommended that Mr. Toomey see Mr. Murphy of the Alien Affairs Office to get the complete background on the situation before any further efforts are made to obtain restoration of subject's citizenship. Any information obtained should be passed to Mr. O'Neill of the Office of the General Counsel in Room 221, East Building.

2. Mr. ⁰³Toomey conferred with Mr. Massett of the Alien Affairs Office on the Bernard Barker case. Mr. Massett was familiar with the case and produced the summary of the Immigration and Naturalization file on Barker, dated 14 July 1959. This summary mentions two House Resolutions, No. 7656 and No. 5349, which were introduced on subject's citizenship in 1954 and 1955 but which were not passed.

3. Mr. Massett is making a current check with the Office of Immigration and Naturalization to determine what happened to the aforementioned bills and to ascertain any current information concerning the subject's case. According to Mr. Massett, there will probably be two alternatives from which to choose. The first is that the Office of the General Counsel, through congressional liaison, could have a new bill presented to Congress to restore the citizenship of Mr. Barker. The other way would be that Mr. Barker could leave the country, for example, go to Mexico, apply for an immigration visa, and presumably obtain permanent resident alien status and be eligible for citizenship in five years. This would have to be arranged by informing the State Department that the subject was of special interest to the Agency.

4. Subject is now in the country on a special clemency parole to the Agency in the person of Mr. Bernard Zelnick. His case is recorded as 279, and his Immigration and Naturalization No. is 1 10 144 9777. Subject's parole expires on 17 October 1962. The introduction of a House Resolution to restore citizenship of the subject would automatically eliminate any danger of deportation.

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5. The alternative of having subject leave the country may be complicated by his incomplete documentation, as he was exfiltrated from Cuba without going through legal procedures.

03 6. Subsequent to the above information, Mr. Hassett telephoned Mr. Toomey stating that a check with the Office of Immigration and Naturalization revealed no new information since the case was summarized in 1959. It is, therefore, recommended that the Office of the General Counsel proceed with an investigation of the possibility of introducing a new House Resolution to regain citizenship for Mr. Barker.

[Philip A. Toomey] 03
MI/L/PA-PROP

cc - Mr. Robert Moroney - MI/L/220
Mr. Howard Hunt
Mr. [Hood] 03
Mr. O'Neill
File No. 201-251609

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