The original documents are located in Box 23, folder "Justice - Immigration and Naturalization (1)" of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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Thursday 9/19/74

11:10 The Attorney General is sending something to us -attachment is a memo concerning the illegal aliens
matter

Mr. Hoyles' office called (Administrative Assistant to Atty. Gen.)

They're in 5111 ---- will call when they have the name of the messenger bringing it.

11:40 Memo recd. ---- filed in the safe.

orig eget of start of the last of the last

January 8, 1975

Justice

MEMORANDUM FOR

Honorable Laurence H. Silberman Deputy Attorney General

Would you be kind enough to have the Immigration and Naturalization Service prepare a response to this letter for my signature.

> Philip W. Buchen Counsel to the President

Enclosure





corner of the Michigans

OFFICERS

Chairman of Board WILFRED WHITFIELD Consumers Power Co.

First Vice Chairperson ROSEMARIE DANTA Shorian Motor inn

Second Vice Chairperson JEREMIAH P. O'CONNOR Fogcutter Restaurant

> Treasurer EUGENE A. MILLER Detroit Bank & Trust

Past Chairman FREDERICK A. BAHLAU Stagecoach Stop

EXECUTIVE COMMITTEE

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JAMES BROWN Macomb Daily

JACK GAINES Michigan Inn

TOM KILLEEN City of Detroit

HUGH MASTERSON Ford Motor Company

WILLIAM QUIGLEY General Motors Corp.

PROFESSIONAL STAFF

SIDNEY L. BAKER President

W. J. FINUCAN
Associate Manager

R. G. CARTWRIGHT Senior Sales Representative

Southeast Michigan Travel & Tourist Association

December 27, 1974

The Honorable Gerald R. Ford President of the United States of America The White House Washington, D. C.

Mr. President:

It has come to our attention that the Immigration and Naturalization Service is in the process of removing inspection personnel at various points of entry between the United States and Canada.

These points of entry are along the St. Clair River - and if carried out would remove all inspection points between Detroit and Port Huron.

The first phase is at the point of entry between Port Lambton, Ontario and Roberts Landing on the Michigan side. Cessation of this service, would, in effect, put this ferry service out of business and force other ferry services to cease operations as retirement of current inspection personnel takes its toll.

As the promotional agency of the tourist industry in this part of Michigan we protest this action. It would be a serious blow to tourism here as it would compound already serious economic problems in our region.

As you know, our area is hard hit because of heavy automotive layoffs. The travel and tourist industry is one area where we could pick-up the slack until our other problems are resolved.

From your Michigan background, I know you recognize the importance of travel and tourism to our state's economy. It is our second largest industry and in our region alone is worth one billion dollars.

We can only underscore it's importance during this current era of economic re-action.

Congressman James O'Hara, whose district covers this area,

M-150; The Executive Plaza; 1200 Sixth; Detroit, Michigan 48226

Page 2 The Honorable Gerald R. Ford December 27, 1974

and Senator Robert P. Griffin, have been appraised of this problem and are directing their efforts toward a solution but we feel that we need your help, Mr. President, and are making this letter the opportunity to acquaint you with this serious problem.

Sincerely,

Sidney/L. Baker,

President

SLB/bel

cc: Jack Wilson, Director

Michigan Tourist Council

Peter Jillson



Southeast Michigan Travel & Tourist Association

Mr. President:

I have attached copies of the letters we received from Mr. Jillson concerning this matter.

mil Buler



ne: (313)

85-C

FOR DUSTAND

M-150; The Executive Plaza; 1200 Sixth; Detroit, Michigan 48226 phone (313) 961-2780

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
FEDERAL BUILDING
333 MT. ELLIOTT STREET
DETROIT, MICHIGAN 48207

November 25, 1974

Telephone: (313) 226-3257

AND REFER TO THIS FILE NO.

DET 75/85-C

Mr. F. P. Jillson
Owner and Operator,
Port Lambton Ferry Service
Port Lambton, Ontario, Canada

Dear Mr. Jillson:

Please consider this letter formal notice that the Immigration and Naturalization Service will, at the close of business December 14, 1974, cease providing inspection personnel for the servicing of your ferry operation. This decision has not been an easy one to make. It is, however, dictated by the necessity of our times.

The Immigration and Naturalization Service finds itself in this position because of fiscal and personnel demands, based on our priorities, which makes it necessary to cease the servicing of your ferry operation. It is truly regretted that such action is necessary, however, there is no alternative open to this Service.

Sincerely,

ราวังสุดเป็นและเป็นสารากิจ การากิจ

D. E. Yarbrough Acting District Director

REGISTERED MAIL 60 7005 RETURN RECEIPT REQUESTED



THEUT, SCHELLIG & KRAEMER

SUITE 100 33 NORTH RIVER ROAD MOUNT CLEMENS, MICHIGAN 48043

C. PETER THEUT ROBERT & SCHELLID, JR. PAUL J. KRAEMER

313 - 465-1911

December 5; 1974

Peter Jillson Port Lambton Ferry Service Port Lambton, Ontario, Canada

> Re: Discontinuance of Immigration and Naturalization Service Effective: December 14th, 1974

Dear Mr. Jillson:

As you know, on December 3rd 1974, we met with Armand J. Salturelli, District Director, Immigration and Naturalization Service, Detroit, Michigan. At that time we also met with William E. Zimmer, Assistant District Director, Travel Control and G. E. Yarbough, Acting District Director.

It was made very clear to us at that meeting that the decision to cease providing inspection personnel for the servicing of your ferry operation, effective December 14,th, 1974, was made by General Chapman, the Director of Immigration and Naturalization Service, Washington, D.C. The decision to discontinue servicing your operation is apparently the result of the current policy of Immigration and Naturalization to transferits personnel from ports on our northern borders to ports on our southern borders. It also was made very clear to us at our meeting in Detroit that if this policy continues, both the Blue Water Ferry at Marine City/Sombra and the Walpole Island Ferry at Algonac/Walpole Island will be shut down the moment that the respective immigration personnel retire.

Needless to say, the current action of Immigration and Naturalization in connection with your operation and the anticipated action in connection with the other ferry operation will have tragic consequences on both sides of the River. We a



Mr. Jillson 12/5/74 Page 2

doing everything possible to pursuade Immigration and Naturaliz ation Service in Washington, D.C. to reverse its current stand in connection with your operation and trust that you will do likewise in the very short period of time available to us.

Very truly yours,

THEUT, SCHELLIG & KRAEMER

C. Peter Theut

CPT:amt

HAND DELIVERED

INITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
FEDERAL BUILDING

333 MT. ELLIOTT STREET DETROIT, MICHIGAN 48207 December 12, 1974

PLEASE ADDRESS REPLY TO 313-226-3257

AND REVER TO THIS PILE NO. DET 75/85-C

Mr. F. P. Jillson Owner and Operator Port Lambton Ferry Service Port Lambton, Ontario, Canada

Dear Mr. Jillson:

Please consider this letter your formal notice that the Immigration Service will, repeat will, continue providing inspection personnel for the servicing of your ferry operation until further notice. This letter rescinds the action taken by this office on November 25, 1974.

Sincerely,

A. /J. Salturelli District Director

alterille.

REGISTERED MAIL 607014 RETURN RECEIPT REQUESTED



MEMORANDUM FOR

Honorable Laurence H. Silberman Deputy Attorney General

Would you be kind enough to have the Immigration and Naturalization Service prepare a response to this letter for my signature.

Philip W. Buchen Counsel to the President

Enclosure



MEMORANDUM FOR

Honorable Laurence H. Silberman Deputy Attorney General

Would you be kind enough to have the Immigration and Naturalization Service prepare a response to this letter for my signature.

> Philip W. Buchen Counsel to the President

Enclosure



Tuesday 11/26/74 Sennigration

12:10 Jay has contacted the appropriate person at the State Dept. concerning the status of Deborah Davis (daughter of a friend of yours).

They are looking into the matter; it will require sending a cable to the Costa Rican Embassy to determine what the girl has done in terms of reporting the loss. They will report back as soon as they receive any information -- will probably take a day or more.

Will you want to call Peggy Davis to let her know the status? (305) 861-8262



Office of the White House Press Secretary

THE WHITE HOUSE

January 6, 1975

MEMORANDUM FOR:

THE DOMESTIC COUNCIL

Secretary of State

Secretary of the Treasury

Attorney General

Secretary of the Interior Secretary of Agriculture Secretary of Commerce

Secretary of Labor

Secretary of Health, Education and Welfare Secretary of Housing and Urban Development

Secretary of Transportation

Assistant to the President Baroody

Director, Office of Management and Budget Chairman, Council on Economic Advisers Chairman, Council on Environmental Quality

Administrator of the Environmental

Protection Agency

Director, ACTION

SUBJECT:

Domestic Council Committee on Illegal Aliens

I am today establishing a new Domestic Council Committee on Illegal Aliens. This Committee will develop, coordinate and present to me policy issues that cut across agency lines to provide better programs for dealing with this National problem. The Attorney General will serve as the Chairman of this Committee. The membership of the Committee will consist of the Secretary of State, Secretary of the Treasury, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, Secretary of Health, Education, and Welfare, Assistant to the President Baroody, and the Director of the Office of Management and Budget.

GERALD R. FORD

9/21/74

To: Geoff Shepard

From: Eva

Jay tells me this was to have come to you.

Thanks.





Office of the Attorney General Waxhington, A. C. 20530

September 19, 1974

Philip W. Buchen, Esq. Counsel to the President The White House Washington, D. C. 20500

Dear Mr. Buchen:

Pursuant to your conversation with Deputy Attorney General Silberman, I enclose herewith a copy of a memorandum for the President dealing with the illegal alien crisis.

I provide this document to you for your review prior to your discussing this most important matter with President Ford.

Very truly yours,

Will M. Hoils

William M. Hoiles

Counselor

to the Attorney General

Enclosure

cc: Mr. Geoffrey C. Shepard

FORD UBRAPY



Office of the Attorney General Washington, A. C. 20530

MEMORANDUM FOR THE PRESIDENT

SUBJECT: The Illegal Alien Crisis

As you know from our meeting on August 13, 1974, I believe the presence of massive numbers of illegal aliens in our country constitutes a severe national crisis and contributes to the serious inflation and troubling unemployment we are now experiencing. The purpose of this letter is to define the nature of the illegal alien problem and its effects with greater specificity than time permitted on August 13, 1974, and to suggest a general strategy for steady alleviation of it.

The Immigration and Naturalization Service (INS) estimates that there are approximately six to seven million illegal aliens spread throughout the United States, primarily in various large metropolitan areas and rural areas of Western States. Since they are willing to work for the lowest wages, they often secure jobs otherwise available to U. S. citizens. With proper funding and enactment of H.R. 982 (the "Rodino Bill") described later in this memorandum, I believe the Immigration and Naturalization Service could apprehend sufficient employed illegal aliens to provide within a year 1,000,000 jobs throughout the United States for unemployed U. S. citizens and legal residents, 650,000 in service and industrial jobs and 350,000 in agriculture.

Illegal aliens take jobs away from those who most need them -- the poor and the disadvantaged. Jobs presently held by illegal aliens should be available to those U. S. citizens who presently suffer the worst unemployment problems.



In the greater Washington area there are 71,500 jobless people; at the same time we estimate that there are approximately 50,000 illegal aliens working in the city. California suffers from 6 percent unemployment and approximately 120,000 illegal aliens work in state agriculture. In Miami, Florida, there are an estimated 71,500 illegal aliens employed, while 43,100 people are unemployed.

Illegal aliens create a substantial drain on state and local social services such as schools, welfare and health delivery. The resulting financial expenditures are borne by American taxpayers and their high level undoubtedly contributes to our present inflation.

Los Angeles County, for example, recently made a claim against the federal government for eight million dollars to cover the cost of county paid hospital bills for illegal aliens.

In addition, illegal aliens adversely affect our balance of payments by sending U. S. dollars abroad. Last year aliens illegally overstaying their visits and illegally working in this country averaged over a year of employment at well over \$5,000 per year. Even if one-half the estimated illegals saved only 10 percent of their earnings to send home, the outflow of dollars is staggering.

I strongly support H.R. 982, the so-called "Rodino Bill," which provides for sanctions against employers who knowingly hire illegals. This bill is currently pending in the Senate and, if passed, will help significantly. But, unfortunately, it is not the whole answer.

Although our illegal aliens are from virtually every country in the world, the great majority are Mexican nationals seeking economic opportunities not available in their home area of Mexico. Mexico's population, however, is presently growing at an annual rate of 3.5 percent, one of the fastest rates in the world. By 1985, its labor force will increase from 16 million to 28 million; by 1995 it will increase to 40 million. This frightening growth is not a matter which can be mitigated by new family planning programs since these figures cover only persons now in being; unfortunately, the population growth rate far exceeds the present and projected growth rate of jobs.



I urge that you give the illegal alien problem your personal attention because we have had little success persuading the Office of Management and Budget of its seriousness. While conceding the existence of an illegal alien problem in this country, OMB has drastically and consistently reduced the budget requests submitted by the Department of Justice for immigration enforcement over the last five years. On June 3, 1974, I requested OMB to approve and send to the Congress a request for an amendment to the Immigration and Naturalization Service FY 1975 budget which would have authorized some 1,800 additional personnel and \$30 million.

In view of the current need for prudence and restraint in government spending, I made the request only because I am convinced that the problem is so massive that the Immigration and Naturalization Service does not have sufficient current resources to fulfill properly all elements of its mission. OMB reduced my request to a token 210 positions and \$3.7 million.

The solution to the illegal alien crisis facing this country is not a simple one, and I have no panaceas to suggest. However, in view of the nature and extent of the problem as I have described it, I recommend the following:

- 1. Although I am always mindful of your request that we hold down our expenses wherever possible, I am compelled by the overwhelming nature of the illegal alien problem to suggest that OMB should approve a FY 1975 budget supplemental for the Immigration and Naturalization Service providing the resources necessary for the Service to perform its mission.
- 2. You should consider a national speech informing the American people that a serious and growing problem faces the country. The address should include a commitment to solving the problem and should urge the Senate to pass H.R. 982.
- 3. A Cabinet Committee on the illegal alien problem should be established. It should include representation from the Departments of Justice, Labor, Agriculture, Health, Education, and Welfare, Treasury and State.

The Committee should carefully review recommendations contained in the January 15, 1973, final report of the Special Study Group on Illegal Immigrants from Mexico, and, unlike that Group, be a permanent vehicle for inter-Departmental coordination of governmental responses to the illegal alien problem. Some of its responsibilities might include:

Gather and assess the viewpoints of pressure groups, labor organizations, representatives of industry and other organizations concerned with national immigration policy and translate these views into policy recommendations;

Ensure that all Federal agencies that have a legitimate interest in the effects of the illegal alien problem devote sufficient attention and give high priority to the problem within their respective jurisdictions;

Review the current fragmentation of Federal authority for immigration related matters and consider proposals for statutory structural realignments which would improve the efficiency and effectiveness of the administration of our national immigration policy;

Devise procedures to insure protection of the legal rights of aliens lawfully residing in the United States while continuing an aggressive program to discover illegals.

4. A joint Department of State and Department of Justice task force should be established to develop a proposal for Mexican-American law enforcement, economic, etc., cooperation on the illegal alien problems. Without the cooperation of the Mexican government, it will always be difficult, if not impossible, to enforce the immigration laws of the United States. The primary assignment of the task force should be to determine and evaluate the various reciprocal benefits that could be derived from a new general agreement with Mexico and make a recommendation on whether such an agreement should be sought.



I have submitted the foregoing recommendations and solicited your personal involvement in the development of a solution to this critical national problem because I am convinced that it is a true crisis. The crisis has been caused by years of neglect on the part of the Executive Branch and by other economic and social factors not easily controlled by government. However, the crisis is real, and it is here today.

I earnestly urge your consideration of this matter and of the steps I have recommended.

William B. Saxbe Attorney General

Wm B Sayle



THE WHITE HOUSE

Talked to the Hon.
Lyman S. Parks on
11/24/74 and he
advised no reply
was necessary.

T.W.B



Inverigration V Metiers Egation

City of Grand Rapids Michigan

OFFICE OF THE MAYOR
LYMAN S. PARKS

November 20, 1974

The President
The White House
Washington, D.C.

Dear Mr. President:

On Monday, November 18, 1974, Mrs. Concepcion Orozca de Rivas was notified by the District Director of Immigration & Naturalization Service (USDJ), Detroit office that her request for an extension of permission to remain in the United States would not be extended beyond November 25, 1974, and she will be required to depart for Mexico by that date.

This results in a particular hardship for Mrs. Orozco since she has no one and no place to return to in Mexico. Mrs. Orozco's daughter Mrs. Anastasios (Gloria) Garcia has been granted an extension of time because she is married to a United States citizen and is in process of applying for citizenship.

Mrs. Garcia married her husband in Mexico in August 1973, and immediately accompanied him (together with her mother, Mrs. Orozco) to Grand Rapids, Michigan. Neither the daughter, her mother, nor Mr. Garcia are knowledgeable about Immigration laws or procedures and their entry into the United States was accomplished by the most direct means. We now know that their entry was by illegal means and now hope to correct that error.

These women went voluntarily to the Detroit office of Immigration and Naturalization to present their case and seek to remedy the situation. Mrs. Garcia is being permitted to remain in this country, but her mother will be required to return to Mexico unless some other remedy is found.



(3.80 Ro

The President November 20, 1974 page two

Attached are copies of documents and correspondence which fully outline the desperate circumstances of these people who had no illegal intentions, but find themselves in an extremely desperate situation.

We request special consideration for their plight and respectfully ask that you, Mr. President, using the prerogatives of your office, grant them such relief from the deportation order as you might choose to exercise.

With full realization that this is an unusual request, it is nevertheless submitted out of deep personal compassion for these unfortunate people.

Sincerely,

Lyman S. Parks

MAYOR

LSP:ch Attach.



· Gloria Garcia

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
333 MT. ELLIOTT
DETROIT, MICHIGAN 48207

November 15, 1974

Phone: 226-3266

A20 660 180 / DEP

Mrs. Concepcion Orozco de Rivas 157 Corrina Grand Rapids, Michigan 49506

Dear Mrs. Orozco:

Under present regulations no further extension of voluntary departure may be granted beyond November 25, 1974. Upon failure to depart by that date deportation proceedings will be pursued.

Very truly yours,

A. J. Salturelli District Director

cc: Michael A. Riolo 1437 Genesee St., S.E. Grand Rapids, Michigan 49506



UNITED STATES DEPARTMENT OF JUSTICE

Immigration and Maturalization Service 333 Mt. Elliott Detroit, Michigan 48207

PLEASE REPER TO THIS FILE NUMBER

September 5, 1974

Telephone: 226-3276

Miss Concepcion Orozco de Rivas 157 Corrine Grand Rapids, Michigan

Dear Miss Orozco de Rivas:

File: A20 660 180/DEPN

	You have violated the terms of your admission as a nonimmigrant. Consequently, permission previously granted you to remain in the United States is rescinded. You are required to depart from the United States at your own expense on or before
	from the United States at your own expense on or before
	In accordance with a decision made in your case you are required to depart from the United States at your own expense on or before
XX	Your application for an extension of time in which to depart from the United States has been GRANTED
	November 25, 1971 - NO FURTHER EXTENSION IS CONTEMPLATED FOR HER
You re	nust notify this office, Room No. 203, en or before November 18, 197h
	arrangements you have made to effect your departure, including the date, place, and manner.
12-18	to do not be to the first the second of the
	e to depart on or before the specified date may result in the withdrawal of voluntary departure ction being taken to effect your departation.
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If then	t is a bond outstanding in your case, you are warned that to expedite cancellation of the hand and return of the
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collates this Ser	rel posted, you must make advance arrangements with this office to have your departure witnessed by a structure. HE ENCLOSED SELF-ADDRESSED CARD TO NOTIFY THIS OFFICE REGARDING DEPARTURE NGEMENTS. POSTAGE IS NOT REQUIRED. At the time of your departure, do not fell to appendix Form 1-04, AL-DEPARTURE RECORD, in accordance with improvedious on that fells.
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collates this Ser	rote. HE ENCLOSED SELF-ADDRESSED CARD TO NOTIFY THIS OFFICE REGARDING DEPARTURE NGEMENTS. POSTAGE IS NOT REQUIRED. As the time of your departure, do not feel to expression From 1-94, AL-DEPARTURE RECORD, in eccordance with indirections on that term. Very truly yours. DISTRICT DIRECTOR FOR IMMIGRATION AND NATURALIZATION USE ONLY

Michael A. Riolo 1437 Genesee St., SE Grand Rapids, Mich. 49506

A. J. Salturelli, District Director United States Department of Justice Immigration & Naturalization Service 333 Mt. Elliott Street Detroit, Michigan 48207

Re: Mrs. Gloria (Anastasios) Garcia (File A20 660 181/DEP N)
Mrs. Concepcion Orozco de Rivas (File A20 660 180/DEP N)

Dear Mr. Salturelli:

The extension of time for departure from the United States expires November 25, 1974, for Mrs. Garcia and her mother, Mrs. Orozco.

In a telephone conversation with Mr. Christopher of your office, on Friday, November 4, 1974, I was advised that the processing time for their application to remain in the United States as permanent visitors may be as long as six months to a year, before action is taken by the U.S. Consulate in Toronto.

For that reason we are asking an extesion of time which reflects that interval.

I realize that Mrs. Orozco's case is not as likely to receive favorable consideration as is her daughter's (Mrs. Garcia). However, I respectfully as for special consideration for Mrs. Orozco for the following reasons:

Her daughter, Mrs. Garcia, is her only means of assistance; her daughter is her only relative and her sole means of support. Mrs. Orozco would be capable of supporting herself for the most part if she is permitted to take employment when her health improves.

If Mrs. Orozco is required to return to Mexico, she will have no family nor friends, no job nor residence, and -no income. She would have no means of subsistence in Mexico; her daughter is the only person to whom she may turn.

Mrs. Garcia (daughter) delivered her child a week ago, and will be unable to make the trip to Mexico with her mother for some time, and MRS. Orosco is unable to travel alone at the present, even if she has the means and a destination arranged.

Further, your office advised me that is Mrs. Garcia returns her mother to Mexico, she (Mrs. Garcia) would not be permitted to re-enter the U.S. for as long as two years

from the date of application to re-enter. Of course, it will not be possible for her husband to 'support two households for that period of time (he is employed in Grand Rapids), and Mrs. Garcia would not be apple to support herself and her child in Mexico for that length of time.

Mrs. Garcia and her mother (neither of whom speak English) were brought to the United States believing that their means of entry was in compliance with immigration procedures. They relied upon Mr. Garcia to fulfill prerequisites for their entry into the U.S. Mr. Garcia is not fully acquainted with immigration procedures and acted in the most direct manner he knew to bring his new wife and her mother back home with him to Grand Rapids, Michigan.

MR. Garcia is willing and able to support his wife and child and mother-in-law for as long as the mother-in-law is permitted to reain in the U.S.

Naturally, they are all in a state of constant concern about their uncertain future.

You will recall that U.S. Representative Richard VanderVeen contacted your office several months ago requesting that the plight of these two women be given every possible consideration.

Thank you very much for your consideration of this request.

Sincerely

Michael A. Riolo

mar/s

cc Rep. Richard VanderVeen



THE WHITE HOUSE WASHINGTON

January 14, 1975

MEMO FOR:

PHIL BUCHEN

FROM:

DUDLEY CHAPMAN

Attached are two letters for your signature in response to Congressional inquiries. In each case I have used the Justice draft, though with minor editorial changes in the first paragraph of the letter to Congressman Lent.



Inningation

THE WHITE HOUSE

WASHINGTON

January 14, 1975

Dear Congressman Lent:

Thank you for your letter to the President of December 10, 1974, concerning the deportation proceedings against Mr. John Lennon. I appreciate receiving the information about his activities in this country in behalf of various charities and the interest of your constituent, Mr. Herbert Israel, in Mr. Lennon's case. Your letter indicates that you are familiar with the background of the deportation proceedings, but the Justice Department has advised me of the following additional factors which I should call to your attention. These comments, of course, are not intended to have any effect on the litigation now pending in both the United States District Court for the Southern District of New York and the United States Court of Appeals for the Second Circuit.

In 1971, Mr. Lennon applied for a nonimmigrant visa which would enable him to come to this country for a temporary period of time and purpose. As you know his conviction in England of possession of cannabis resin, which you mention in your letter, makes him inadmissible to the United States. The provision of law involved is Section 212(a)(23) of the Immigration and Nationality Act, 8 U.S.C. 1182(a)(23). The statute, however, under Section 212(d)(3)(A), 8 U.S.C. 1182(d)(3)(A), authorizes a waiver of certain grounds of excludability for aliens seeking entry as nonimmigrants. The determination whether to grant such a waiver is discretionary with the Attorney General. At the time of Mr. Lennon's application for a nonimmigrant visa, discretion was exercised in his favor, and he was given the privilege of entering this country, which he did on August 13, 1971. He did not depart when his authorized stay here expired on February 29, 1972.

In March of 1972, deportation proceedings were instituted against Mr. Lennon primarily on the ground that, after entering this



country as a nonimmigrant, he remained here longer than permitted, thus violating Section 241(a)(2) of the Immigration and Nationality Act, 8 U.S.C. 1251(a)(2). A few days before the institution of these proceedings, Mr. Lennon filed with the District Director of the Immigration and Naturalization Service in New York City a petition to classify him as an alien having exceptional ability in the arts, approval of which would grant him a priority under the third preference classification for issuance of an immigrant visa. The District Director has approved this petition, but such approval merely recognizes Mr. Lennon's outstanding ability as an artist in the event he is found to be otherwise qualified for issuance of an immigrant visa and admission to the United States. It does not alter his status as a deportable alien.

During the deportation hearing, Mr. Lennon applied for the discretionary relief of adjustment of status under Section 245 of the Act, 8 U.S.C. 1255, seeking permission to remain in this country as a permanent resident. This section requires, among other things, that the applicant be admissible to the United States. Except for certain resident aliens returning to this country after a temporary absence, however, the statute contains no provision under which the ground for Mr. Lennon's inadmissibility might be waived for an alien seeking entry as an immigrant, such as is available for a nonimmigrant. Consequently, the immigration judge, in his decision of March 23, 1973, denied Mr. Lennon's application for the benefits of 8 U.S.C. 1255 on the ground that he fails to meet one of the statutory prerequisites for that relief -admissibility. For this reason, there was no occasion for the judge to exercise his discretion in connection with the application for the adjustment of status.

The immigration judge determined that Mr. Lennon is deportable under 8 U.S.C. 1251(a)(2) for remaining in this country longer than permitted, but granted him the privilege of voluntary departure in lieu of deportation. He also directed that Mr. Lennon be deported to England if he fails to leave the United States pursuant to the order granting him voluntary departure. An appeal from the judge's decision was taken to the Board of Immigration Appeals.



In October of 1973, while the administrative appeal in the deportation case was pending before the Board, Mr. Lennon filed a declaratory judgment action, based upon the Freedom of Information Act, in the United States District Court for the Southern District of New York, seeking records and information from the Immigration Service relating to its policy in "nonpriority cases", in which the Service, in the exercise of discretion, chooses not to proceed with the deportation process because of highly appealing humanitarian factors. A few days after the filing of this action, Mr. Lennon filed another declaratory judgment action in the same court seeking to determine whether unlawful use of electronic or mechanical recording devices or wiretaps had given rise to the deportation proceedings. The complaint alleges prein this action also alleges prejudgment of certain aspects of those proceedings and violation of his constitutional rights. Both of these actions are still pending, but the one under the Freedom of Information Act has essentially become moot because the Service has been giving Mr. Lennon information relating to the nonpriority program as he requests it.

On July 10, 1974, the Board of Immigration Appeals affirmed the immigration judge's decision, pointing out that Mr. Lennon is ineligible for any statutory relief from deportation except voluntary departure, which the judge had granted to him. I am enclosing a copy of the Board's decision. It is being published as Interim Decision Number 2304.

Mr. Lennon then filed in the Court of Appeals for the Second Circuit a petition for review of the deportation order entered against him. No brief has yet been filed in that action.

In view of the pending litigation involving the deportation proceedings against Mr. Lennon, it would be inappropriate at this time for me to comment upon the merits of those proceedings. I am, however, sending copies of your letter and this reply to the Attorney General and the Commissioner of Immigration and Naturalization for their



consideration whenever an occasion might arise. I am also taking this opportunity to extend to you my warm personal regards.

Sincerely,

Philip . Buchen

Counsel to the President

The Honorable Norman F. Lent House of Representatives Washington, D.C. 20515

. Lampeness

cc: Honorable William B. Saxbe General Leonard F. Chapman



Mr. Dudley Chapman Associate Counsel to the President

Mary C. Lawton Deputy Assistant Attorney General Office of Legal Counsel

Draft responses to Congressmen Lent and Rangel

Enclosed are proposed responses to Congressmen Lent and Rangel. The first, dealing with the deportation of John Lennon, was prepared by the Criminal Division; the second, dealing with the use of troops in Boston, was prepared in this Office.



Find

DRAFT

Dear Congressman Rangel:

While we share your concern over the violence in Boston, we do not consider it necessary or appropriate to federalize the National Guard in order to maintain order.

The maintenance of order and the protection of citizens from violence remain primarily a State and local responsibility even where, as here, disorder results from the enforcement of a federal court order. Only when State resources are insufficient to maintain order or State officials are unwilling to do so is it necessary or appropriate to use federal armed forces. This is not the case in Boston. I might add that no formal request for the federalizing of the Massachusetts National Guard or the Guard of other States has been received from either the legislature or the Governor of Massachusetts as contemplated by Article IV section 4 of the Constitution.

I am confident that the Massachusetts authorities will do all that is necessary to prevent further tragedies like the death of Michael Faith.

Sincerely,

Buchen



Nono - noto to mentioned by sent para

The Honorable Norman J. Lent House of Representatives Washington, D.C. 20515

Dear Congressman:

to the President

Thank you for your letter of December 10, 1974, concerning the deportation proceedings against Mr. John Lennon. I appreciate receiving the information about his activities in this country in behalf of various charities and the interest of your constituent, Mr. Herbert Israel, in Mr. Lennon's case. Your letter indicates that you are familiar with the background of the deportation proceedings, but there are several factors which I should call to your attention, to the extent that comments, on the part are appropriate in view of the litigation which is pending in both the United States District Court for the Southern District of New York and the United States Court of Appeals for the Second Circuit.

In 1971, Mr. Lennon applied for a nonimmigrant visa which would enable him to come to this country for a temporary period of time and purpose. As you know his conviction in England of possession of cannabis resin, which you mention in your letter, makes him inadmissible to the United States. The provision of law involved is Section 212(a)(23) of the Immigration and Nationality Act, 8 U.S.C. 1182(a)(23). The statute, however, under Section 212(d)(3)(A), 8 U.S.C. 1182(d)(3)(A), authorizes a waiver of certain grounds of excludability for aliens seeking entry as nonimmigrants. The determination whether to grant such a waiver is discretionary with the Attorney General. At the time of Mr. Lennon's application for a nonimmigrant visa, discretion was exercised in his favor, and he was given the privilege of entering this country, which he did on August 13, 1971. He did not depart when his authorized stay here expired on February 29, 1972.

In March of 1972, deportation proceedings were instituted against Mr. Lennon primarily on the ground that, after entering this country as a nonimmigrant, he remained here longer than permitted, thus violating

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S. FORDY, DRANG, A GERALD

Section 241(a)(2) of the Immigration and Nationality Act, 8 U.S.C. 1251

(a)(2). A few days before the institution of these proceedings, Mr.

Lennon filed with the District Director of the Immigration and

Naturalization Service in New York City a petition to classify him as an alien having exceptional ability in the arts, approval of which would grant him a priority under the third preference classification for issuance of an immigrant visa. The District Director has approved this petition, but such approval merely recognizes Mr. Lennon's outstanding ability as an artist in the event he is found to be otherwise qualified for issuance of an immigrant visa and admission to the United States. It does not alter his status as a deportable alien.

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The immigration judge determined that Mr. Lennon is deportable under 8 U.S.C. 1251(a)(2) for remaining in this country longer than permitted, but granted him the privilege of voluntary departure in lieu of deportation. He also directed that Mr. Lennon be deported to England if he fails to leave the United States pursuant to the order granting him voluntary departure. An appeal from the judge's decision was taken to the Board of Immigration Appeals.

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In view of the pending litigation involving the deportation proceedings against Mr. Lennon, it would be inappropriate at this time for me to comment upon the merits of those proceedings. I am, however, sending



copies of your letter and this reply to the Attorney General and the Commissioner of Immigration and Naturalization for their consideration whenever an occasion might arise. I am also taking this opportunity to extend to you my warm personal regards.

By her (8)



December 14, 1974

Dear Norman

I wish to acknowledge receipt of your December 10 letter to the President arging that he consider waiving visa and admission requirements to the United States for Mr. John Lennon, against whom deportation proceedings are now pending in the United States Court of Appeals, 2nd Circuit, New York.

We will be pleased to ask that this request be studied to see if it would be proper, in view of the fact that the case is in litigation, for such action to be taken.

With kindest regards,

Sincerely,

May

Max L. Friedersdorf
Deputy Assistant
to the President

The Honorable Norman F. Lent House of Representatives Washington, D. C. 20515

bcc: w/incoming to Philip Buchen for further reply.

MLF:EF:VO:jlc



COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE

Congress of the United States House of Representatives Washington, D.C. 20515

ROOM 300, 2230 GRAHO AVENIZ BALDWIN, NEW YORK 11510 TELEPHONE: AREA 315-223-1515

BALDWIN PLAZA BUILDING

ADDRESS CORRESPONDENCE TO:
WASHINGTON OFFICE:
428 CANNON HOUSE OFFICE BUILDING
TELEPHONE: AREA 202-223-7896

December 10, 1974

The President
The White House
Washington, D.C.

My dear Mr. President:

At the request of one of my constituents, Mr. Herbert Israel, 2791 Clubhouse Road, Merrick, New York 11566, I am writing to you concerning the case of Mr. John Lennon.

As you may be aware, Mr. Lennon is ineligible for a visa and admission into the United States because of possession of cannabis resin in England under a law which has since been repealed. He has been under deportation proceedings for quite some time, and on September 5, 1974, his attorney filed a Petition for Review with the United States Court of Appeals, 2nd Circuit, New York. This case is now pending.

I understand that during his stay in the United States, he has given generously of his time, funds and talent to the benefit of charities in the field of retarded children, muscular distrophy, tuberculosis and sickle cell anemia. He has performed at the Jerry Lewis telethon, the March of Dimes Rally, the Sickle Cell Anemia Foundation, the One-to-One Foundation of Willowbrook Institute for the Retarded.

It is the hope of my constituent and other interested parties that you will consider waiving



deportation and will be able to remove the obstacles to his becoming a permanent resident alien.

Thank you for your consideration.

Sincerely yours,

NORMAN F. LENT

Member of Congress

NFL: smt

cc: Mr. Herbert Israel 2791 Clubhouse Road Merrick, New York 11566



Memorandum

UNITED STATES GOVERNMENT

то

Mr. Dudley Chapman

Associate Counsel to the President

DATE: JAN 1 0 1975

FROM

Mary C. Lawton

Deputy Assistant Attorney General

Office of Legal Counsel

SUBJECT:

Draft responses to Congressmen Lent and Rangel

Enclosed are proposed responses to Congressmen Lent and Rangel. The first, dealing with the deportation of John Lennon, was prepared by the Criminal Division; the second, dealing with the use of troops in Boston, was prepared in this Office.



Immyrotan L natur January 17, 1975 Miss Julia C. Pratt Secretary to John R. Silber, President Boston University 147 Bay State Road Boston, Massachusetts 02215 Dear Miss Pratt: I'm terribly sorry that the attachment to Mr. Buchen's letter of January 10 was inadvertently omitted. Here is a xerox copy of the November 15, 1974, Federal Register notice. Sincerely, Eva Daughtrey Secretary to Philip W. Buchen Counsel to the President Attachment

BOSTON UNIVERSITY

147 BAY STATE ROAD, BOSTON 02215



OFFICE OF THE PRESIDENT

January 14, 1975

Mr. Philip W. Buchen Counsel to the President The White House Washington, D. C.

Dear Mr. Buchen:

Dr. Silber has asked me to thank you for your letter of January 10, received today.

We shall very much appreciate receiving a copy of the Federal Register notice of November 15, 1974, to which you refer.

Sincerely yours,

Secretary to the President



Immigration & naturalisation January 10, 1975 Dear Mr. Sliber: This is in response to your letter of December 13, 1974, to the President concerning the change of policy by the Commissioner of Immigration and Naturalization as respects the employment of nonlimmigrant students. Upon careful review of previous policy, the Commissioner concluded that the authority to regulate the conditions of admission of nonimmigrants conferred on the Attorney General by section 214(a) of the Immigration and Nationality Act should be delegated only to officials of the Immigration and Naturalization Service. As a result of that conclusion, notice was published in the Federal Register of November 15, 1974 (39 Fed. Reg. 40311), a copy of which is attached, indicating DIS' intention to terminate its policy of annually making a decision whether to authorize school officials to permit nonimmigrant students to engage in employment during the summer vacation period. Interested persons were afforded until December 14, 1974, within which to submit representations in response thereto. The matter is presently under consideration by the Commissioner, and he has assured me that your letter to him of December 12, 1974, has been made a part of the official record relating to the notice. He also has indicated that the concerns expressed in your letter will be fully considered before a determination is made as to the final action to be taken on the proposal. Sincerely, 151 Philip W. Suchen Counsel to the President Mr. John R. Silber, President **Boston University** 147 Bay State Road Boston, Massachusetts 02215 Attachment JDHutchinson/PWBuchen:ed

Mottoes

This faction of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and lovest gations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and applications are examples of occuments appearing in this section.

DEFARTMENT OF JUSTICE Manageration and Naturalization Service

NONIMMIGRANT STUDENT SUMMER EMPLOYMENT

Policy Statement

Pursuant to section 552 of Title 5 of the United States Code (80 Stat. 383) and the authority contained in section 163 of the Immigration and Nationality Act (66 Stat. 173; 3 U.S.C. 1103) and 28 CFR 0.105(b), notice is hereby given of the intention of the Immigration and Naturalization Service to terminate its policy of annually making a determination whether to authorize school officials to permit nonimmigrant students as defined in section 101(a) (15) (F) of the Act (66 Stat. 165; 8 U.S.C. 1101(a) (15) (F)) to engage in employment during the summer vacation period.

Section 101(a) (15) (F) of the Imminonimmigrant student as "an alien * * who seeks to enter the United States temporarily and solely for the purpose of pursuing * * * a (full) course of study at an established institution of learning or other recognized place of study in the United States * * *. 8 CFR 214.2(f) prescribes the conditions for admission and employment of nonimmigrant students. Those regulations provide that the Service may approve student applications for permission to engage in off-campus employment part time when the necessity for working occurs due to unforeseen circumstances arising subsequent to entry into the United States. They further provide that applications may also be approved to permit employment for practical training in a field relating to the student's course of study. This proposed policy change does not affect the existing right of students to apply for or be granted permission to engage in employment in accordance with current regulations.

In addition to the foregoing regulatory provisions regarding employment of students, the Service, for a number of years prior to 1974, annually authorized school officials to grant nonimmigrant students permission to engage in summer employment under specified conditions. Such annual authorization followed consultation with the Department of Labor with regard to the anticipated impact a student summer employment program would have on the labor market. In recent years, the Service has also consulted the Department of State on the foreign relations aspect of the program. In April 1974, as a result of strong representations by the Department of Labor regarding the high unemployment rate among American youth, including Viet Nam veterans and members of minority groups, the Service decided to withhold

such authorization for the summer of 1974.

Upon review of Service policy, it has been concluded that the exercise of the authority to regulate the conditions of admission of nonimmigrants conferred by the Congress on the Attorney General by section 214(a) of the Immigration and Nationality Act (66 Stat. 189; 8 U.S.C. 1184(a)) should be delegated only to immigration officials. Accordingly, the Service proposes to discontinue the policy under which school officials may be authorized to permit nonimmigrant students to engage in summer employment.

In accordance with the spirit of the provisions of section 553 of Title 5 of the United States Code (20 Stat. 333), interested persons may submit to the Commissioner of Immigration and Naturalization, Room 7100-C, 425 Eye Street, NW., Washington, D.C. 2053c, written data, views, or arguments, in duplicate, with respect to this policy proposal. Such representations may not be presented orally in any manner. All relevant material received by December 14, 1974, will be considered and acted upon in the same manner as if this document was a notice of proposed rulemaking.

Dated: November 11, 1974.

L. F. CHAPMAN, Jr., Commissioner of Immigration and Naturalization.

[FR Doc.74-26797 Filed 11-14-74;8:45 am]

DEPARTMENT OF THE INTÉRIOR

Bureau of Reclamation

RIVERTON UNIT, PICK-SLOAN MISSOURI BASIN PROGRAM, WYOMING

Sale of Lands

1. Statutory authority: One hundred and five federally owned parcels of land located in the Riverton Unit, Fremont County, Wyoming, acquired by the United States, in whole or in part, under the authority of the Act of August 15, 1953 (67 Stat. 592), will be disposed of in accordance with the Act of September 25, 1970 (84 Stat. 861). A map designated Exhibit "A," showing the locations of the parcels, can be obtained from the Project Manager, Bureau of Reclamation, P.O. Box 31, Riverton, Wyoming 82501, or the Regional Director, Bureau of Reclamation, 316 liorth 26th Street. Billings, Montana 59103.

2. Public sale: On February 11, 1975, at 9 a.m. in the office of the Bureau of Reclamation, 521 North 12th Street, Riverton, Wyoming, said parcels will be offered at Public Auction to qualified resident landowners, contract purchasers or entrymen on the Unit who have a prior right of purchase, as provided in section 5 of the Act of September 25, 1970, and sold to the highest bidder at

not less than the appraised fair market value. Any parcels not sold to individuals having a prior right of purchase will be offered to the general public and sold to the highest bidder at not less than the appraised fair market value immediately following the sale to individuals having a prior right of purchase. The sale will be from 9 a.m. to 12 noon and from 1 p.m. to 5 p.m. on February 11, 1975, and on succeeding days until all parcels have been offered to individuals with prior rights of purchase and to the general public.

3. A. Qualified resident landowner, contract purchaser or entryman with prior right of purchase: For the purpose of having a prior right of purchase at this sale, a qualified resident landowner is defined as an individual who:

(1) Owns farmland on the Riverton Unit, Pick-Slean Missouri Basin Program, Wyoning, in fee simple; is the contract purchaser of such farmland; or is an entryman who has entered land in the Riverton Unit under the Homestead or Desert Land Acts administered by the Bureau of Land Management and is still the holder thereef;

(2) Did not obtain relief under the Act of March 10, 1964, as amended;

(3) Is a citizen of the United States; and

(4) Actually resides on farmland on the Riverton Unit on the date of the first publication of notice in the local paper.

B. Denef under the Act of March 10, 1964, as amended, is defined as: The sale of lands by owners or entrymen on the Third Division, Riverton Project, Wyoming, to the United States under the Act of March 10, 1964, as amended.

C. Acreage limitation: No parcel included under this notice may be disposed of in a manner which will result in total ownership within the Riverton Unit by any one owner in excess of one hundred and sixty acres of Class 1 land or the equivalent thereof in other land classes. as determined by the Secretary of the Interior. The limitation of lands held in beneficial ownership which are eligible to receive project water, as established in section 4 of the Act of September 25, 1970, is three hundred and twenty acres of Class 1 land or the equivalent thereof in other land classes when held in joint ownership by a husband and wife.

D. Land class equivalent: The relative equivalent acreage of irrigable land classes of the Riverton Unit shall be calculated in accordance with the following ratio factors: Class 1=1100; Class 2=.67; Class 3=.50; Class 4=.25.

Any individual who owns irrigable land on the Riverton Unit who wishes to bid for one or more of the land parcels should establish the Land Class's equivalent of their present holdings for the purpose of determining the size of par-



OFFICE OF THE DEPUTY ATTORNEY GENERAL WASHINGTON, D.C. 20530

January 8, 1975

MEMORANDUM FOR:

Honorable Philip W. Buchen

Counsel to the President

The White House

FROM:

James D. Hutchinson
Office of the Deputy Attorney General

Pursuant to your request of December 27, 1974, I am enclosing a proposed response to Mr. Silber's letter of December 13, 1974 to the President.

The draft has been discussed with the Deputy Attorney General and General Chapman.

I am also enclosing a copy of the I&NS notice which appeared in the Federal Register.

Chas letter as O.K.
Class have typed
for my signature.

Enclosures



Mr. John R. Silber, President Boston University 147 Bay State Road Boston, Massachusetts 02215

Dear Mr. Silber:

This is in response to your letter of December 13, 1974 to the President concerning the change of policy by the Commissioner of Immigration and Naturalization as respects the employment of nonimmigrant students.

Upon careful review of previous policy, the Commissioner concluded that the authority to regulate the conditions of admission of nonimmigrants conferred on the Attorney General by section 214(a) of the Immigration and Nationality Act should be delegated only to officials of the Immigration and Naturalization Service. As a result of that conclusion, notice was published in the Federal Register of November 15, 1974 (39 Fed. Reg. 40311), a copy of which is attached, indicating INS' intention to terminate its policy of annually making a decision whether to authorize school officials to permit nonimmigrant students to engage in employment during the summer vacation period. Interested persons were afforded until December 14, 1974 within which to submit representations in response thereto.



The matter is presently under consideration by the Commissioner, and he has assured me that your letter to him of December 12, 1974, has been made a part of the official record relating to the notice. He also has indicated that the concerns expressed in your letter will be fully considered before a determination is made as to the final action to be taken on the proposal.

Sincerely,

Philip W. Buchen Counsel to the President



BOSTON UNIVERSITY

147 BAY STATE ROAD, BOSTON 02215

OFFICE OF THE PRESIDENT



December 13, 1974

PB

The President
The White House
Washington, D. C. 20500

Mr. President:

I enclose a copy of a letter I have written to Mr. L. F. Chapman, Jr., Commissioner of Immigration and Naturalization, taking issue with his November 11 policy statement. The decision of Commissioner Chapman to prevent school officials from authorizing vacation employment for non-immigrating students will have far-reaching effect upon educational exchange in this country and upon the long-range effectiveness of United States foreign policy. It is as counterproductive as any bureaucratic decision I know of.

I hope you will read my letter to Mr. Chapman and the enclosed copy of a letter I have sent to Congressman Rodino and the members of the Subcommittee on Immigration, Citizenship and International Law concerning this issue and that you will take whatever effective steps you can to keep American doors open to the education of international students. We have no better way to build a bridge of friendship for the United States than through educating those young men and women who will become the leaders of other countries.

Sincerely yours,

John R. Silber

JRS/js



BOSTON UNIVERSITY

147 BAY STATE ROAD, BOSTON 02215

OFFICE OF THE PRESIDENT



December 12, 1974

Mr. L. F. Chapman, Jr.
Commissioner of Immigration and
Naturalization
Immigration and Naturalization Service
Washington, D.C. 20536

Dear Commissioner Chapman:

It is with great concern and deep regret that I have learned of your November 11 policy statement which appeared in the Federal Register.

Your decision to prevent school officials from authorizing vacation employment for nonimmigrant students will have a far reaching effect upon international exchange in this country. With spiralling inflation forcing up the cost of maintenance and tuition expenditures at U.S. universities, it is becoming increasingly difficult for international students of modest or average means to study in the United States. The only recourse that these students have had in the past to offset the rising costs has been to work during the vacation periods. To restrict and/or deny this opportunity makes it virtually impossible for thousands of qualified and highly motivated individuals either to complete or undertake advanced training in this country.

When compared with the large number of illegal aliens who currently are employed in this country, (reputedly in excess of eight million people), the number of international students seeking temporary work permission is minuscule. Last year, for example, less than 20,000 international students applied for authorization to work in the United States. Since the majority of these individuals has traditionally sought temporary vacation jobs such as that of a camp counselor, lifeguard, waiter or dishwasher, it is doubtful that their employment has had a significant impact upon the job market for Vietnam Veterans and other minority groups. In many respects, the international repercussions of your decision could be far more damaging to this country's economy. The ill will precipitated by this ruling not only will discourage international students from studying in the United States but also is likely to tarnish badly the image of America as a nation in the forefront of international exchange.

The success of our foreign policy depends upon our establishing bonds of affection at the grass roots level in foreign coutries.

There is no better way to accomplish this result than through welcoming students from foreign coutries to our institutions and facilitating their education in the United States. Foreign students need to know a first hand the quality of American life and the marvelous extent of

Mr. L. F. Chapman, Jr. December 12, 1974
Page Two

personal freedom available here. If we withdraw our support and encouragement of foreign students we shall give the Soviet Union and the Communist bloc a monopoly on the most effective foreign policy tool this nation has. As a matter of fact, we should be providing scholarship aid for foreign students instead of denying them gainful employment. This recent policy is clearly countrary to the interests of the United States.

In closing, I would hope that you will reconsider your decision to curtail severely the employment opportunities available to international students while studying in the United States. The withdrawal of your policy statement of November 11, 1974 in the Federal Register will do much to restore the United States to its rightful position as a leader in the field of educational exchange.

Sincerely yours,

John R. Silber

JRS/js

cc: Senator Lloyd M. Bentsen
Senator Edward W. Brooke
Senator Hubert H. Humphrey
Senator Henry M. Jackson
Senator Edward M. Kennedy
Congressman Thomas P. O'Neill



BOSTON UNIVERSITY

147 BAY STATE ROAD, BOSTON 02215

OFFICE OF THE PRESIDENT



December 12, 1974

The Honorable Peter W. Rodino Chairman House Committee on the Judiciary Washington, D. C. 20515

Dear Mr. Rodino:

This letter is written to endorse in the strongest terms the bill submitted by Congressman Thomas F. Railsback of Illinois (H.R. 15009) to permit nonimmigrant international students to be employed in the United States.

It is with great concern and deep regret that I have learned of the November 11 policy statement which appeared in the Federal Register written by L. F. Chapman, Jr., Commissioner of Immigration and Naturalization. The decision of Commissioner Chapman to prevent school officials from authorizing vacation employment for nonimmigrant students will have a far reaching effect upon educational exchange in this country. With spiralling inflation forcing up the cost of maintenance and tuition expenditures at U.S. universities it is becoming increasingly difficult for international students of modest or average means to study in the United States. The only recourse that these students have had in the past to offset the rising costs has been to work during the vacation periods. To deny them this opportunity makes it virtually impossible for thousands of qualified and highly motivated individuals either to complete or undertake advanced study in the United States.

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The Honorable Peter W. Rodino December 12, 1974 Page Two

The success of our foreign policy depends upon our establishing bonds of affection at the grass roots level in foreign countries. There is no better way to accomplish this result than through welcoming students from foreign countries to our institutions and facilitating their education in the United States. Foreign students need to know at first hand the quality of American life and the marvelous extent of personal freedom available here. If we withdraw our support and encouragement of foreign students we shall give the Soviet Union and the Communist bloc a monopoly on the most effective foreign policy tool this nation has. As a matter of fact, we should be providing scholarship aid for foreign students instead of denying them gainful employment. This recent policy is clearly contrary to the interests of the United States.

In closing, I wish to reiterate my hope that you and the members of the Subcommittee on Immigration, Citizenship and International Law do everything within your power to assure the passage of Congressman Railsback's bill so that international students of all social classes are able to achieve their educational objectives in this country.

Sincerely yours,

11-6/11

John R. Silber

JRS/js

cc: Members of the Subcommittee on Immigration, Citizenship and International Law

Congressman Joshua Eilberg
Congressman Walter Flowers
Congresswoman Elizabeth Holtzman
Congressman Whomas F. Railsback
Congressman Jerome R. Waldie
Congressman John F. Seiberling
Congressman Hamilton Fish
Congressman Charles E. Wiggins
Congressman Lawrence J. Hogan



Friday 1/31/75

12:30 Mr. Ernest Kolofolias called to ask when he could expect a letter.

Told him it was being referred to the Dept. of State -- and that a letter acknowledging his letter would be forthcoming.



Kolofolias Ernest

THE WHITE HOUSE

acknowledgment
acknowledgment
Better in Behalf
Tesident
to tell writer
matter in being
referred to flat?



THE WHITE HOUSE WASHINGTON January 30, 1975

MEMORANDUM FOR

THE SECRETARY OF STATE

The enclosed correspondence is referred to your office for appropriate action.

Philip W. Buchen
Counsel to the President

Enclosure



Justice Immigration

2:50 Jay:

This is the letter I mentioned on the phone from Ernest J. Kolofolias, who wanted to get help for Andrew Gountanis.

Mr. Kolofolias said he would call back in about a week.



JANURARY 18 1975.

GERALD R. FORD
WHITE HOUSE
WASHINGTON, D. C.
ATTENTION, MR. PHILIP W. BUCHEN:
SUBJECT . ANDREW GOUNTANIS** VISITORS VISA

HONORABLE SIR;

ON DECEMBER 20,1974, I APPEARED AT THE AMERICAN COUNCIL IN TORONTO CANADA, TO HELP ANDREW GOUNTANIS OBTAIN A NON-IMMAGRANT VISA SO HE COULD VISIT HIS RELATIVES IN THE UNITED STATES.

ANDREW GOUNTANIS IS A17 YEAR OLD BOY FROM THE SOUTHERN PART OF GREECE. HIS MOTHER, AND FATHER SENT HIM TO CANADA TO VISIT HIS BROTHER THERE, AND THEN HE WAS GOING TO GO TO THE UNITED STATES TO VISIT HIS UNCLES, HE WANTED TO DO ALL THIS BEFORE MAY 4th 1975, BECAUS ON THIS DATE HIS VISITOR VISA FROM CANADA EXPIRES, AND HE WILL HAVE TO RETURN TO GREECE. I GOT HIM A NON-IMMAGRANT VISA TO COME TO THE UNITED STATES ON DEC. 6th 1974.

I DROVE THIS BOY TO THE BORDER AT WINDSOR-DETROIT CHECK POINT, I WENT THROUGH THE CUSTOMS, THEN WENT OVER TO THE IMMAGRATION OFFICE IN DETROIT. THE IMMAGRATION SUPERVISOR MR. PASTER SAID HE WOULD HAVE TO TALK TO THIS BOY PERSONNELY.

I HAD THE BOY WITH ME, PRESENTED HIS PASSPORT, AND A LETTER FROM THE STATE-DEPARTMENT, BUT BECAUSE MR. ANDREW GOUNTANIS COULD NOT SPEAK ENGLISH INSPECTOR PASTER SAID HE WOULD HAVE TO BRING IN AN INTERPRETER TO TALK TO THE BOY.

INSPECTOR PASTER WAS ON THE PHONE FOR ABOUT FOURTYFIVE MILITES TRYING TO FIND AN INTERPRETER, BUT BECAUSE OF THE HOLIDAYS HE SAID IT WOULD BE IMMPOSSIBLE TO GET ONE BEFORE DEC. 12, 1974.

WITH OUT TELLING ME ANYTHING, INSPECTOR PASTER WROTE ON THE BOYS PASSPORT APPOINTMENT 12-12-74- DET. AND TOLD ME TO BE BACK THURSDAY MORNING.

MR. ANDREW GOUNTANIS WAS NOT DENIED ENTRY INTO THE UNITED STATES, BUT WAS DENIED ENTRY TEMPORARILY UNTIL HIS STATUS COULD BE ESTABLISHED.

INSPECTOR PASTER SAID HE HAD THE RIGHT TO QUESTION THIS BOY UNDER THE IMMAGRATION LAW SECTION 235, HERE IS A COPY OF THAT LAW.

I COULD NOT WAIT AROUND DETROIT UNTIL DEC.12, AS I HAD OTHER PRESENT BUSINESS IN WASHINGTON, D.C., SO I TOOK THIS BOY BACK TO HIS RELETIVES IN TORONTO, CANADA.

I TOLD HIS RELETIVES I WOULD NOT FORGET THIS CASE, THAT I WOULD TAKE IT UP WITH PROPER ATHORITIES IN WASHINGTON. D.C.

A FEW DAYS LATER, I WAS TALKING TO MR. O:CONNOR, AND MR. POWELL, THEY
WERE IN TRANSPORTATION CONTROLS: IMMAGRATION WASHINGTON, D.C.
AT THIS MEETING I WAS TOLD TO LET THE BOY GO TO THE IMMAGRATION OFFICE
BY HIMSELF, THAT IN ALL PORBABILITY HE WOULD QUALIFY TO ENTER THE UNITED
STATES AS A NON-IMMAGRANT, BUT IF HE DID NOT QUALIFY, HE WOULD HE TAKEN
BEFORE A UNITED STATES IMMGRATION JUDGE, AND WOULD BE EXPELLED, WHICH
WOULD DENY HIM THE RIGHT TO EVER COME TO THE UNITED STATES.

THAT IS WHERE THE CASE IS AT A STAND STILL.

ANYWHEREIN WORLD, HE WENT ABROAD TO VISIT HIS RELETIVES IN CANADA, AND THE UNITED STATES, #345 AND IS DENIED THE RIGHT TO ENER THE UNITED STATES. THIS DENIEL IS JUST A TEMPORARY DENIAL, HIS RELETIVES IN THE UNITED STATES ARE BUSINESS MEN, THEY OWN TWO RESTAURANTS IN THE CHICAGO AREA.

MR. GEORGE POPE, ONE OF HIS RELETIVES HAS OFFERD TO PUT UP A GARENTEED BOND \$5000.00 DOLLARS, THAT THIS BOY WOULD LEAVE THE UNITED STATES WHEN HIS VISIT WAS OVER, AND TO GARENTEE THAT HE WOULD NOT TRY TO WORK WHILE IN THE UNITED STATES.

MR. PRESIDENT, I HAVE EXHAUSTED ALL LEGAL MEANS UNDER THE AMERICAN SYSTEM MY LAST RESORT IS TO TURN TO YOU, THE PRESIDENT OF THE UNITED STATES.

I AM ASKING YOU SIR FOR THE FOLLOWING, TO ALLOW ANDREW GOUNTANIS TO VISIT

HIS RELETIVES IN CHICAGO.

I AM ASKING FOR THIS ON BEHALF OF HIS RELITIVES, AS THEY HAVE ASKED ME TO ASSIT THEM IN THIS MATTER.

YOU AS PRESIDENT OF THE UNITED STATES HAVE THE POWER TO MAKE THIS BOY AND HIS FAMILY VERY HAPPY BEFORE HE HAS TO TETURN TO GREECE.

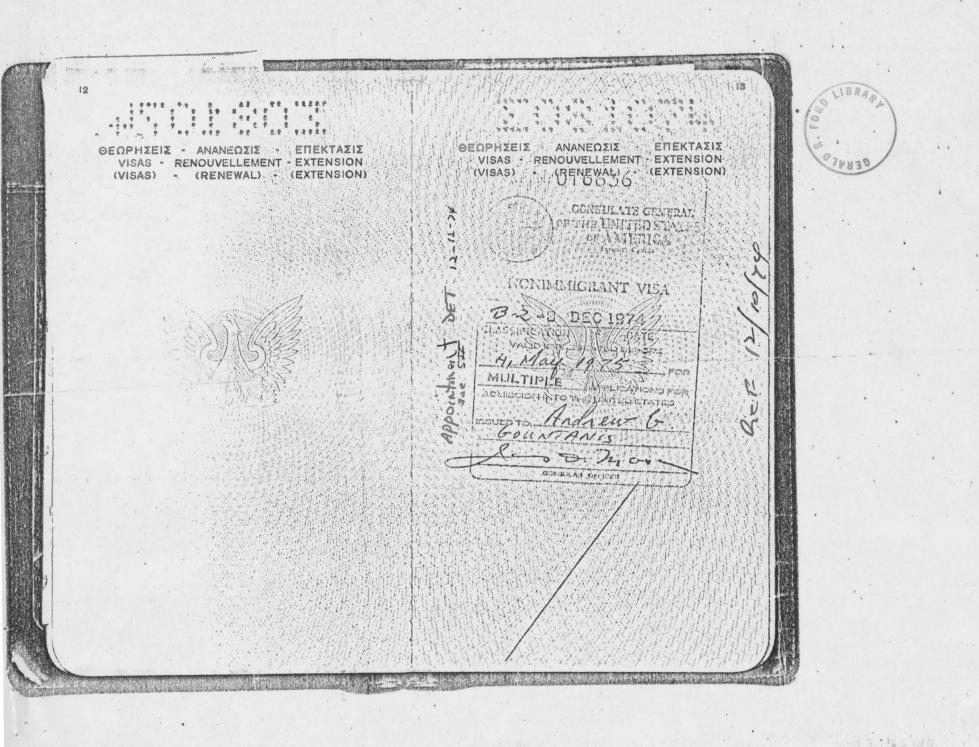
TIME IS OF AN ESSENCE AS THIS BOY WILL HAVE TO TETURN BACK TO GREECE AS OF MAY 4th1975., ATTACHED IS A COPY OF HIS VISIT VISA GRANTED HIM AT THE AMERICAN COUNCIL TORONTO CANADA, AND A COPY OF THE LAW THAT INSPECTOR PASTER HAS QUOTED TO ME.

ON BEHALF OF HIS RELETIVES, MR. GEORGE POPE, AND MR. PETER GOUNTANIS OF CHICAGO, I WISH TO THANK YOU FOR TAKING THE TIME TO READ THIS LETTER, AND ANY HELP YOU MAY GIVE IN THIS MATTER WILL BE GREATFULLY APPRECIATED.

RESPECTFULLY, YOURS

GERNEST A KOLOFOLIAS





INSPECTION BY IMMIGRATION OFFICERS

SEC. 235. (a) The inspection, other than the physical su.s.c. 1228. and mental examination, of aliens (including alien crewmen) seeking admission or readmission to, or the privilege of passing through the United States shall be conducted by immigration officers, except as otherwise provided in regard to special inquiry officers. All aliens arriving at ports of the United States shall be examined by one or more immigration officers at the discretion of the Attorney General and under such regulations as he may prescribe. Immigration officers are hereby authorized

57-558 0-66-5

B. FORDLIBRAIL ORDER

and empowered to board and search any vessel, aircraft railway car, or other conveyance, or vehicle in which they believe aliens are being brought into the United States. The Attorney General and any immigration officer, including special inquiry officers, shall have power to administer oaths and to take and consider evidence of or from any person touching the privilege of any alien or person he believes or suspects to be an alien to enter, reenter, pass through, or reside in the United States or concerning any matter which is material and relevant to the enforcement of this Act and the administration of the Service, and, where such action may be necessary, to make a written record of such evidence. Any person coming into the United States may be required to state under oath the purpose or purposes for which he comes, the length of time he intends to remain in the United States, whether or not he intends to remain in the United States permanently and, if an slien, whether he intends to become a citizen thereof, and such other items of information as will aid the immigration officer in determining whether he is a national of the United States or an alien and, if the latter, whether he belongs to any of the excluded classes enumerated in section 212. The Attorney General and any immigration officer, including special inquiry officers, shall have power to require by subpens the attendance and testimony of witnesses before immigration officers and special inquiry officers and the production of books, papers, and documents relating to the privilege of any person to enter, reenter, reside in, or pass through the United States or concerning any matter which is material and relevant to the enforcement of this Act and the administration of the Service, and to that end may invoke the aid of any court of the United States. Any United States district court within the jurisdiction of which investigations or inquiries are being conducted by an immigration officer or special inquiry officer may, in the event of neglect or refusal to respond to a subpena issued under this subsection or refusal to testify before an immigration officer or special inquiry officer, issue an order requiring such persons to appear before an immigration officer or special inquiry officer, produce books, papers, and documents if demanded, and testify, and any failure to obey such order of the court may be punished by the court as a contempt

(b) Every alien (other than an alien crewman), and except as otherwise provided in subsection (c) of this section and in section 273(d), who may not appear to the examining immigration officer at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for further inquiry to be conducted by a special inquiry officer. The decision of the examining immigration officer, if favorable to the admission of any alien.



shall be subject to challenge by any other immigration officer and such challenge shall operate to take the alien, whose privilege to land is so challenged, before a special

inquiry officer for further inquiry.

(c) Any alien (including an alien crewman) who may appear to the examining immigration officer or to the special inquiry officer during the examination before either of such officers to be excludable under paragraph (27), (28), or (29) of section 212(a) shall be temporarily excluded, and no further inquiry by a special inquiry officer shall be conducted until after the case is reported to the Attorney General together with any such written statement and accompanying information, if any, as the alien or his representative may desire to submit in connection therewith and such an inquiry or further inquiry is directed by the Attorney General. If the Attorney General is satisfied that the alien is excludable under any of such paragraphs on the basis of information of a confidential nature, the disclosure of which the Attorney General, in the exercise of his discretion, and after consultation with the appropriate security agencies of the Government, concludes would be prejudicial to the public interest, safety, or security, he may in his discretion order such alien to be excluded and deported without any inquiry or further inquiry by a special inquiry officer. Nothing in this subsection shall be regarded as requiring an inquiry before a special inquiry officer in the case of an alien crewman.

· EXCLUSIONS OF ALIENS

SEC. 236. (a) A special inquiry officer shall conduct 8 U.S.C. 1226. proceedings under this section, administer oaths, present and receive evidence, and interrogate, examine, and crossexamine the alien or witnesses. He shall have authority in any case to determine whether an arriving alien who has been detained for further inquiry under section 235 shall be allowed to enter or shall be excluded and deported. The determination of such special inquiry officer shall be based only on the evidence produced at the inquiry. No special inquiry officer shall conduct a proceeding in any case under this section in which he shall have participated in investigative functions or in which he shall have participated (except as provided in this subsection) in prosecuting functions. Proceedings before a special inquiry officer under this section shall be conducted in accordance with this section, the applicable provisions of sections 235 and 287(b), and such regulations as the Attorney General shall prescribe, and shall be the sole and exclusive procedure for determining admissibility of a person to the United States under the provisions of this section. At such inquiry, which shall be kept separate and apart from the public, the alien may have one friend or relative present, under such conditions

THE WHITE HOUSE

WASHINGTON

February 4, 1975

Dear Mr. Baker:

Reference is made to your letter of December 27, 1974 to President Ford, concerning the withdrawal of immigration inspectional personnel from various ports of entry along the St. Clair River, Michigan.

I have been advised by the Immigration and Naturalization Service that because of the serious lack of manpower and resources faced by that Service, the removal of inspectional personnel from certain ports of entry along the northern border of the United States had been considered. However, the entire matter of redeployment of inspectional personnel is presently under study.

Accordingly, until further notice, that Service will continue to furnish inspection services to all ports of entry and delay any decision on withdrawing their presence from any river ports in southern Michigan.

Sincerely,

Philip/W. Buchen

Counsel to the President

Mr. Sidney L. Baker
President
Southeast Michigan Travel
and Tourist Association
The Executive Plaza
1200 Sixth
Detroit, Michigan 48226





ASSOCIATE DEPUTY ATTORNEY GENERAL WASHINGTON, D.C. 20530

January 30, 1975

MEMORANDUM FOR:

Honorable Philip W. Buchen Counsel to the President

The White House

FROM:

James D. Hutchinson

Associate Deputy Attorney General

Attached is a proposed response to Mr. Baker's letter, per your request.

Attachment



Sidney L. Baker, President Southeast Michigan Travel and Tourist Association The Executive Plaza 1200 Sixth Detroit, Michigan 48226

Dear Mr. Baker:

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Philip W. Buchen Counsel to the President



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Sincerely,

Philip W. Buchen Counsel to the President





corner of the Michigans

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R. G. CARTWRIGHT Senior Sales Representative

Southeast Michigan Travel & Tourist Association

December 27, 1974

The Honorable Gerald R. Ford
President of the United States
of America
The White House
Washington, D. C.

Mr. President:

It has come to our attention that the Immigration and Naturalization Service is in the process of removing inspection personnel at various points of entry between the United States and Canada.

These points of entry are along the St. Clair River - and if carried out would remove all inspection points between Detroit and Port Huron.

The first phase is at the point of entry between Port Lambton, Ontario and Roberts Landing on the Michigan side. Cessation of this service, would, in effect, put this ferry service out of business and force other ferry services to cease operations as retirement of current inspection personnel takes its toll.

As the promotional agency of the tourist industry in this part of Michigan we protest this action. It would be a serious blow to tourism here as it would compound already serious economic problems in our region.

As you know, our area is hard hit because of heavy automotive layoffs. The travel and tourist industry is one area where we could pick-up the slack until our other problems are resolved.

From your Michigan background, I know you recognize the importance of travel and tourism to our state's economy. It is our second largest industry and in our region alone is worth one billion dollars.

We can only underscore it's importance during this current era of economic re-action.

Congressman James O'Hara, whose district covers this area,

S. FOR

M-150; The Executive Plaza; 1200 Sixth; Detroit, Michigan 48226 phone (313) 961-2780

Page 2 The Honorable Gerald R. Ford December 27, 1974

and Senator Robert P. Griffin, have been appraised of this problem and are directing their efforts toward a solution but we feel that we need your help, Mr. President, and are making this letter the opportunity to acquaint you with this serious problem.

Sincerely,

Sidney/L. Baker,

President

SLB/bel

cc: Jack Wilson, Director

Michigan Tourist Council

Peter Jillson



Southeast Michigan Travel & Tourist Association

Mr. President:

I have attached copies of the letters we received from Mr. Jillson concerning this matter.

mi ruhe

THEUT, SCHELLIG & KRAEMER ATTORNEYS AT LAW

33 NORTH RIVER ROAD MOUNT CLEMENS, MICHIGAN 48043

C. PETER THEUT ROBERT I. SCHELLIG, JR. PAUL J. KRAEMER

313 - 465-1911

December 5, 1974

Peter Jillson Port Lambton Ferry Service Port Lambton, Ontario, Canada

> Re: Discontinuance of Immigration and Naturalization Service Effective: December 14th, 1974

Dear Mr. Jillson:

As you know, on December 3rd 1974, we met with Armand J. Salturelli, District Director, Immigration and Naturalization Service, Detroit, Michigan. At that time we also met with William E. Zimmer, Assistant District Director, Travel Control and G. E. Yarbough, Acting District Director.

It was made very clear to us at that meeting that the decision to cease providing inspection personnel for the servicing of your ferry operation, effective December 14,th, 1974, was made by General Chapman, the Director of Immigration and Naturalization Service, Washington, D.C. The decision to discontinue servicing your operation is apparently the result of the current policy of Immigration and Naturalization to transfer its personnel from ports on our northern borders to ports on our southern borders. It also was made very clear to us at our meeting in Detroit that if this policy continues, both the Blue Water Ferry at Marine City/Sombra and the Walpole Island Ferry at Algonac/Walpole Island will be shut down the moment that their respective immigration personnel retire.

Needless to say, the current action of Immigration and Naturalization in connection with your operation and the anticipated action in connection with the other ferry operations will have tragic consequences on both sides of the River. We are



Mr. Jillson 12/5/74 Page 2

doing everything possible to pursuade Immigration and Naturalization Service in Washington, D.C. to reverse its current stand in connection with your operation and trust that you will do likewise in the very short period of time available to us.

Very truly yours,

THEUT, SCHELLIG & KRAEMER

C. Peter Theut

CPT:amt

HAND DELIVERED

UNITED STATES DEPARTMENT OF JUSTICE IMMIGRATION AND NATURALIZATION SERVICE FEDERAL BUILDING 333 Mt. ELLIOTT STREET

DETROIT, MICHIGAN 48207 December 12, 1974 PLEASE ADDRESS REPLY TO 313-226-3257

AND REFER TO THIS FILE NO.

DET 75/85-C

Mr. F. P. Jillson Owner and Operator Port Lambton Ferry Service Port Lambton, Ontario, Canada

Dear Mr. Jillson:

Please consider this letter your formal notice that the Immigration Service will, repeat will, continue providing inspection personnel for the servicing of your ferry operation until further notice. This letter rescinds the action taken by this office on November 25, 1974.

Sincerely.

A. /J. Salturelli District Director

altensell

REGISTERED MAIL 607014/ RETURN RECEIPT REQUESTED



UNITED STATES DEPARTMENT OF JUSTICE IMMIGRATION AND NATURALIZATION SERVICE FEDERAL BUILDING 333 MT. ELLIOTT STREET DETROIT, MICHIGAN 48207

November 25, 1974

PLEASE ADDRESS REPLY TO Telephone: (313) 226-3257

AND REFER TO THIS FILE NO. DET 75/85-C

Mr. F. P. Jillson Owner and Operator, Port Lambton Ferry Service Port Lambton, Ontario, Canada Lacontinuance of Empigration and

Acrt Lambuon Ferry Service

Dear Mr. Jillson:

Please consider this letter formal notice that the Immigration and Naturalization Service will, at the close of business December 14, 1974, cease providing inspection personnel for the servicing of your ferry operation. This decision has not been an easy one to make. It is, however, dictated by the necessity of our times.

The Immigration and Naturalization Service finds itself in this position because of fiscal and personnel demands, based on our priorities, which makes it necessary to cease the servicing of your ferry operation. It is truly regretted that such action is necessary, however, there is no alternative open to this Service. and Vatural Lation Service, Mishington, Wiscontinue Servicing your open Sincerely,

warmant action of I addition

respective immigration personnel colle-

acuralization Service

Etlective: December 14th, 1974

Water Perry at Marine City on Acting District Director at Algonac/Walpole Island 11

REGISTERED MAIL 60 7005 RETURN RECEIPT REQUESTED toured action in countration with

paye tradic consequences on tong of her or