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82D CONGRESS, 1st Session } SENATE { REPORT No. 22

CERTAIN CASES IN WHICH THE ATTORNEY GENERAL HAD SUSPENDED DEPORTATION

JANUARY 17 (legislative day, JANUARY 8), 1951.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. Con. Res 6]

The Committee on the Judiciary, to which were referred certain cases in which the Attorney General had suspended deportation for more than 6 months, having considered the same, reports favorably on certain of said cases and recommends that Senate Concurrent Resolution 6 with reference to certain of said cases do pass.

PURPOSE OF THE CONCURRENT RESOLUTION

The purpose of the concurrent resolution is to record congressional approval in accordance with Public Law 863 of the Eightieth Congress of suspension of deportation in certain cases in which the Attorney General had suspended deportation for more than 6 months.

STATEMENT OF FACTS

Since 1940 and prior to July 1, 1948, the law provided in substance that the Attorney General may suspend deportation of certain aliens if he finds that such deportation would result in serious economic detriment to a citizen of the United States or legally resident alien who is the spouse, parent, or minor child of such deportable aliens. Under the then existing law such deportation was subject to review by the Congress; but if within a designated period of time the Congress did not pass a concurrent resolution stating in substance that the Congress does not favor the suspension of deportation, the suspension was final, and the status of the alien involved was adjusted to that of a permanent resident.

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Public Law 863 of the Eightieth Congress (approved July 1, 1948) enlarged the classes of deportable aliens who were eligible for suspension of deportation by adding to the group of aliens eligible for suspension (*a*) certain aliens theretofore ineligible by reason of race and (*b*) aliens who have resided continuously in the United States for 7 years or more and were residing in the United States on the effective date of the act. The present law requires affirmative congressional approval in each case before the suspension of deportation becomes final and the status of the alien can be adjusted to that of a permanent resident.

Included in the concurrent resolution are 146 cases, which were among a group of 170 cases referred to the Congress on January 16, 1950. Five cases in the group of 170 cases referred to the Congress on January 16, 1950, have been approved by the Congress; 4 cases of the 170 cases referred to the Congress on January 16, 1950, have been withdrawn by the Attorney General; and 15 cases of the 170 cases referred to the Congress on January 16, 1950, have been held by the committee for further study and investigation.

In each case which is recommended for approval a careful check has been made to determine whether or not the alien (*a*) has met the requirements of the law, (*b*) is of good moral character, and (*c*) is possessed of strong equities which would warrant the suspension of deportation.

The committee, after consideration of all the facts in each case referred to in the concurrent resolution, finds that the concurrent resolution should be enacted and it accordingly so recommends its enactment.

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