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JANINA WOJCICKA, WOJCIECH ANDRZEJ WOJCICKI, AND STANISLAW WOJCICKI

MARCH 13, 1951.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany H. R. 632]

The Committee on the Judiciary, to whom was referred the bill (H. R. 632) to grant Janina Wojcicka, and her two minor sons, Wojciech Andrzej Wojcicki and Stanislaw Wojcicki, permanent residence in the United States, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Janina Wojcicka, Wojciech Andrzej Wojcicki, and Stanislaw Wojcicki shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon the payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota officer to deduct three numbers from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953).

Amend the title so as to read:

A bill for the relief of Janina Wojcicka, Wojciech Andrzej Wojcicki, and Stanislaw Wojcicki.

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to grant permanent residence to a political refugee, a native of Poland, and her two minor sons. The bill also provides for the payment of visa fees and head taxes and for the proper quota deduction.

GENERAL INFORMATION

The pertinent facts in this case are set forth in a letter from the Deputy Attorney General, dated October 25, 1950, to the chairman of the Committee on the Judiciary, regarding a bill then pending (H. R. 4988) for the relief of the same persons. The said letter reads as follows:

OCTOBER 25, 1950.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 4988) to admit Janina Wojcicka, and her two minor sons, Wojciech Andrzej Wojicicki and Stanislaw Wojcicki to the United States for permanent residence.

The bill would provide that notwithstanding the provisions of section 12 of the Immigration Act of 1924, Janina Wojcicka and her two minor sons now residing in Goteberg, Sweden, may be admitted to the United States for permanent residence if they are found otherwise admissible under the immigration laws. It would also direct the Secretary of State to instruct the proper quota-control officer to deduct three numbers from the Polish quota for the first year that such quota is available.

The files of the Immigration and Naturalization Service of this Department disclose that Janina Wojcicka, Andrzej Wojcicki, and Stanislaw Wojcicki were born on February 19, 1912, in Kuprowo, Latvia, on May 5, 1935, in Warsaw Poland, and on March 30, 1937, in Warsaw, Poland, respectively. They arrived at the port of New York on October 31, 1949. They were given a board of special inquiry hearing at Washington, D. C., and were admitted to the United States on November 10, 1949, under section 3 (2) of the Immigration Act of 1924 for 6 months.

It appears that Mrs. Wojcicka resided with her husband, Francis Zek Wojcicki and their two sons, in Krakow, Poland, from 1938 until December 30, 1948, when she and her sons escaped from the country. She stated, however, that her husband was apprehended by the Communists and placed in a Warsaw prison where she believes him to be at the present time. The aliens resided for approximately 1 year in Sweden before coming to the United States. Mrs. Wojcicka testified that at the time of her entry into this country, it was her intention to remain only until such time as the Communists lost control of the Polish Government, but that she now desires to remain permanently. She is presently residing in Washington, D. C., where she is employed at a salary of $275 a month by the National Committee for Free Europe. Her two sons are attending school in New York.

The bill, introduced while the aliens were residing abroad, would waive the quota requirements of the immigration laws and would permit their entry to the United States for permanent residence. The subsequent entry of the aliens as temporary visitors necessitates a revision of the bill, as the terms of H. R. 4988 are no longer applicable.

The quotas for Latvia and Poland to which the aliens are chargeable are oversubscribed, and immigration visas are not readily obtainable. Whether this bill should be enacted presents a question of legislative policy concerning which the Department of Justice desires to make no recommendation.

However, in the event the committee is favorably disposed toward the aliens, it is recommended that the bill be amended by deleting everything after the enacting clause and inserting:

"That, for the purposes of the immigration and naturalization laws, Janina Wojcicka, and her two minor sons, Wojciech Andrzej Wojcicki and Stanislaw Wojcicki, who entered the United States as visitors on November 10, 1949, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of such entry, upon the payment of the required visa fees and head taxes.

"SEC. 2. Upon the enactment of this Act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the proper immigration quotas for the first year that such quota numbers are available."

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Mr. Dingell, the author of this bill, accompanied by Mrs. Janina Wojcicka, the main beneficiary of this bill, appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of the bill informing the subcommittee that Mr. Wojcicka is at the present time employed at the Library of Congress, working on a research project. In addition Mr. Dingell submitted the following information:

Franciszek Wojcicki is a lawyer, born in 1900. Before the war he was a judge. Already as a student at the university he was the secretary general of the Polish Peasant University Students Association.

As a judge he had to try the Communist conspirators against the Polish state. Thus he ran the risk of the Communist revenge who not recognizing the Polish state saw Poland only as a part of the Soviet Russia.

In 1939 F. Wojcicki while serving in the Polish Army was interned in Hungary. From there he escapes to France and enters the Polish Army of General Sikorski. But soon afterward he is appointed a director of the office of the Polish National Council, Parliament in exile, holding this office under the Acting Chairman Stanislaw Mikolajczyk and after the evacuation of the National Council from France to London under the chairman, Professor Grabski.

In 1945 he goes back to Poland where he acts as a legal counsel for the supreme executive committee of the Polish Peasant Party and defends in numerous trials the Poles persecuted by the Communist regime.

In the period of referendum of 1946 and in the period of elections of 1947 he is the chairman of the electoral committee of the Polish Peasant Party, plenipotentiary of the state list of the Polish Peasant Party candidates and directs the collection of materials and preparation of protests against fraud and intimidation in all the electoral districts of Poland. And so during the elections, which under the decision of the Yalta Conference were to be "free and unfettered," he incurs further disfavor of the Communists.

He runs still greater risk, when after the opening of the Parliament, formed after the falsified elections, as a member of Parliament, secretary of the Polish Peasant Party Parliamentary Club and member of the supreme council of the Polish Peasant Party he denounces in public the terror and fraud in the elections as well as the travesty of justice under the Communists in Poland.

After the escape of the chairman of the Polish Peasant Party S. Mikołajczyk in 1947 he is arrested in spite of his parliamentary immunity. When released, although called upon to surrender his seat in the Parliament, he does not surrender it in spite of threats and provocations used by the Communists toward him.

Having learned of the proposal to dissolve the Parliament together with the vice chairman of the Polish Peasant Party, S. Bańczyk, and Secretary General S. Wójcik, he prepares to escape abroad to avoid almost a certain death in the hands of Communists in Poland.

Bańczyk and Wójcik succeeded in escaping from Poland to Sweden. Also toward the end of December 1948 the wife of F. Wójcicki and his two small sons succeeded in escaping to Sweden. F. Wójcicki unfortunately was arrested, when as the last of the group he was about to leave Poland secretly.

After his arrest in January 1949 he was deprived of his parliamentary immunity and put in prison and since then there is no news of him.

The wife of Franciszek Wójcicki found herself in Sweden with her two small sons without any means to support herself and her children in a tragic, moral, and material situation.

The wife, Janina Wójcicka, daughter of Michał and Jadwiga Kozieł now living in Poland was born on February 19, 1912, in Latvia. During the last war she worked with the underground movement in Cracow, teaching the Polish youth under the German occupation. Her husband being in exile she had two to support her two sons: Andrzej, Stanislaw, born May 5, 1933, in Warsaw and Stanislaw, Jerzy, born March 30, 1937, in Warsaw. Janina Wójcicka, doctor of philosophy, was an associate professor of history at the Jagielon University in Cracow until her escape.

Her husband, who as a soldier of the Polish Army and as the director of the office of the Polish National Council, Parliament in exile, served the Allied cause in the Second World War is now being imprisoned because after the war he fought the Communist dictatorship in Poland. He fought for freedom and

independence of Poland and for "free and unfettered" elections which were promised Poland by the Big Three at Yalta.

Since under the now binding laws of immigration she cannot come to the United States the enactment of the special bill is necessary to admit her to the United States for permanent residence.

Upon consideration of all the facts in this case, the committee is of the opinion that H. R. 632, as amended, should be enacted and it accordingly recommends that the bill do pass.

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