84TH CONGRESS 2d Session } HOUSE OF REPRESENTATIVES { REPORT No. 1978

FOR THE RELIEF OF CERTAIN ALIENS

MARCH 29, 1956.—Committed to the Committee of the Whole House and ordered to be printed

Miss THOMPSON of Michigan, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. J. Res. 592]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 592) for the relief of certain aliens, having considered the same, report favorably thereon with amendments and recommend that the joint resolution, as amended, do pass.

The amendments are as follows:

On page 1, line 6, after the word "and" strike out "Geu".

On page 1, line 7, after the name "Lau" insert the name "Geu".

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution, as amended, is to grant the status of permanent residence in the United States to nine persons. The joint resolution also provides for the payment of the required visa fees and for appropriate quota deductions.

The joint resolution has been amended to correct one name.

GENERAL INFORMATION

The committee, desiring to lighten the burden of the Chief Executive and to shorten the time required for the consideration of private calendars on the floor of the House, has decided to include the names of beneficiaries of several private bills in one joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

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Section 1 would grant permanent residence in the United States to eight persons who were the subjects of individual bills, as follows:

H. R. 1114, by Mrs. Kelly of New York.
H. R. 1115, by Mrs. Kelly of New York.
H. R. 1934, by Mr. Klein.
H. R. 1945, by Mr. Klein.
H. R. 3632, by Mrs. Farrington.
H. R. 3633, by Mrs. Farrington.
H. R. 3634, by Mrs. Farrington.
H. R. 8450, by Mr. Walter.

Section 2 would grant permanent residence in the United States to one person who was the subject of H. R. 1936, by Mr. Klein. This beneficiary was made the subject of a separate section in view of the fact that he is entitled to nonquota status and the customary quota charge is unnecessary in his case.

A discussion of each case included in the instant bill, with reports from the departments of the administration, and such additional information as was obtained by the committee, appears below in the order that those cases appear in the joint resolution.

Ida Kaganowicz—H. R. 1114, by Mrs. Kelly of New York

The beneficiary is a 51-year-old native of Poland who was admitted the United States as a visitor in 1948. She was unable to adjust her status under the provisions of the Displaced Persons Act of 1948, as amended, because of prior residence in France. Her only relatives are aunts, uncles, and cousins, all of whom reside in the United States.

The pertinent facts in this case are contained in a letter dated June 25, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regarding a bill (H. R. 8243) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

JUNE 25, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8243) for the relief of Ida Kaganowicz, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Poland.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE IDA KAGANOWICZ, BENEFICIARY OF H. R. 8243

The beneficiary, Ida Kaganowicz, single, was born in Grodek, Poland, on November 15, 1904. She is a native of Poland who claims that she is stateless. Her only entry into the United States occurred at New York, N. Y., on June 30, 1948, as a visitor until December 30, 1948. She received several extensions of her stay, the last of which expired February 15, 1950. Her application for an adjustment of status under the Displaced Persons Act of 1948 was denied on January 29, 1952. Deportation proceedings were instituted against the beneficiary and after a hearing on October 6, 1953, was granted the privilege of voluntary departure in lieu of deportation. She was given to January 17, 1954, to effect her departure from the United States. On March 5, 1954, her application for adjustment of her status under section 6, Refugee Relief Act of 1953 was recommended for denial.

The beneficiary attended elementary and high school in her native town from 1910 to 1923. From 1928 to June 1948 the beneficiary resided in France. She attended the University Faculte des Lettres de Lyon, in Lyon, France, from 1929 to about 1940 and again from 1943 to 1944. She has also attended other schools in France pursuing studies in commercial courses. During her period of residence in France, she maintained herself by working as a supervisor in a female students' home at the university.

The beneficiary's parents are deceased. Her closest living relatives are three aunts, an uncle, and several cousins who reside in the United States. She has no one dependent upon her for support. She claims that she has never been employed in the United States. She resides with her cousins who furnish her with support and maintenance in return for household services. Her assets consist of $500 cash savings and personal effects of equivalent value.

Mrs. Kelly, the author of H. R. 1114 submitted the following statement in support of her bill:

I was requested to sponsor H. R. 1114 by Mr. Segal, a cousin of the alien, Ida Kaganowicz. I had known Mr. Segal for many years and was impressed by his interest in this alien. Upon Mr. Segal's death late last month, I contacted other members of the family and was assured that they are caring for Miss Kaganowicz; financially they are able to do so.

This alien was born in Poland. She entered the United States as a visitor on June 30, 1948, and thereafter received several extensions of stay, the last of which expired February 15, 1950. Her application for an adjustment of status under the Displaced Persons Act of 1948 was denied for the reason that she had been a resident of France from 1928 until her entry into the United States.

She is 52 years old and her only relatives are aunts, uncles, and cousins, all residing in the United States. At her age it is highly improbable that she could maintain herself in another country without friends and relatives to help her.

I ask that the committee report favorably on H. R. 1114.

In addition, Mrs. Kelly submitted the following additional information in support of this legislation:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
New York, N. Y., February 16, 1954.

Hon. EDNA F. KELLY,
House of Representatives,
Washington, D. C.

DEAR CONGRESSWOMAN KELLY: I refer to your letter of February 10 in which you make inquiry concerning Miss Ida Kaganowicz for whom you have been requested to introduce a private bill.

Our file shows that Miss Kaganowicz has submitted an application for adjustment of status under section 6 of the Refugee Relief Act and that she has been requested to appear at this office for an examination on such application on March 5, 1954, at 2:30 p. m. The file shows further that there is a warrant of arrest outstanding. In addition, the central office of this Service on January 29, 1952, denied subject's application for adjustment of status under section 4 of the Displaced Persons Act of 1948, as amended, because of 22 years' residence in France. It therefore appears likely that Miss Kaganowicz' application under section 6 of the Refugee Relief Act will also be denied for the same reason.

For your further information, the file reveals nothing derogatory to Miss Kaganowicz.

Sincerely,

EDW. J. SHAUGHNESSY,
District Director, New York District.

NEW YORK, N. Y., *February 19, 1954.*

Re Miss Ida Kaganowica,
File No. A-7809911

Hon. EDNA F. KELLY,
Congress of the United States,
House of Representatives, Washington, D. C.

MY DEAR MADAM: In reply to your favor of February 10, 1954, I wish to advise that Miss Kaganowicz does not have any brothers or sisters in the United States. Hence, section 203 (A) (4), of Public Law 414 does not apply to her.

She left Poland in 1928 and remained in France until her arrival into the United States, on December 30, 1948.

She did not acquire any right of a legal resident in France, but had the right of a privileged alien for 10 years, to reside in France, which is valid until 1956.

Her application under section 4 of the Displaced Persons Act was denied. A copy of the decision is herewith attached.

Application under section 6 of the Refugee Relief Act was made and No. 000633 was assigned to her. The Government letter was undated, a copy of same is enclosed.

I trust that you will find the above information satisfactory.

Thanking you for your very kind courtesy, in the above matter, I am,

Respectfully yours,

NOAH CHODOS,
Counselor at Law.

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
January 29, 1952.

In re Ida Kaganowicz. Proceedings under section 4 of the Displaced Persons Act of 1948, as amended

In behalf of applicant: Noah Chodos, Esq., New York, N. Y.

Application: Adjustment of immigration status.

Discussion: The applicant is a 46-year-old female alien, a native of Poland whose nationality is not determined. She entered the United States on June 30, 1948, and seeks to adjust her immigration status as a displaced person residing in the United States.

The evidence indicates that the applicant departed from Poland in January of 1928 and went to France where she remained until her departure from that country destined to the United States. The applicant alleges displacement from Poland and inability to return thereto.

It is the view of this Service that displacement may occur where a native, citizen or resident of a country is ejected therefrom or forced to flee because of hostile military action occurring subsequent to the outbreak of World War II, or where events occurred in one of those countries subsequent to the outbreak of the last war which now prevent return to the country of birth, nationality, or last residence because of persecution or fear of persecution on account of race, religion, or political opinions. However, in the last instance, the events which bring about the inability to return must occur at a time reasonably simultaneous with the person's departure from the affected country. In this case, the applicant departed from Poland some 22 years ago. Under these circumstances, it cannot be found that she is displaced from that country within the meaning of section 4 of the Displaced Persons Act of 1948, as amended. Accordingly, her application must be denied.

Order: It is ordered that the alien's application for adjustment of her immigration status as a displaced person residing in the United States be denied.

———— ————,
Assistant Commissioner,
Adjudications Division.

Wonona Wong Chang (or Yit Chen Wong).—H. R. 1115, by Mrs. Kelly of New York

The beneficiary is a 33-year-old native of Indonesia who is a Chinese subject. She was admitted to the United States as a student in 1950 and resides here with her husband and son, both of whom have been able to adjust their status to that of permanent residents under the provisions of section 6 of the Refugee Relief Act of 1953, as amended.

The pertinent facts in this case are contained in a letter dated December 10, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regarding a bill (H. R. 6330) pending during the 83d Congress for the relief of this beneficiary and her husband and son. The said letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 10, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 6330) for the relief of Irving Beilin Chang, Wonona Wong Chang, and Amos Hwei Chang, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Newark, N. J., office of this Service, which has custody of those files.

This bill is intended to hold and consider the beneficiaries to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fees and head taxes. It would also direct the Secretary of State to instruct the proper quota-control officer to deduct three numbers from the appropriate quota for the first year that such quota is available. It should be noted that under the present Immigration and Nationality Act the payment of head tax is not required.

The beneficiaries are chargeable to the quota for the Chinese.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM THE IMMIGRATION AND NATURALIZATION SERVICE FILES RE: IRVING BEILIN CHANG, AND WONONA WONG CHANG (OR YIT CHEN WONG), AND AMOS HWEI CHANG (OR AMOS HWEI CHEH CHANG), BENEFICIARIES OF PRIVATE BILL (H. R. 6330)

Irving Beilin Chang, a Chinese subject, was born in Kuling, Kiangsi, China, August 6, 1918; Wonona Wong Chang, also known as Chen Wong Vit or Git, a Chinese, was born in Medan, Sumatra, Indonesia, on November 4, 1923; and Amos Hwei Chang, known as Amos Hwei Cheh Chang, also a Chinese subject, was born in Shanghai, China, on July 7, 1947. Irving Beilin Chang last entered the United States at San Francisco, Calif., as a student, December 17, 1947; Wonona Chang last entered at New York, N. Y., September 14, 1950, as a student; and Amos Chang last entered at New York, N. Y., September 14, 1950, as a visitor. These are their only entries to the United States, except for Irving, who was in the United States from 1927 to 1928. Irving Chang was granted an extension to April 26, 1950, but failed to depart on or before that date. His application for suspension of deportation was denied. He is presently at

liberty on conditional parole, reporting to this office in writing every 3 months. Warrant of arrest was served on November 7, 1952, on Mrs. Chang, charging her that after entry as a student she remained in the United States for a longer time than permitted; and a warrant of arrest was served on November 7, 1952, on Mrs. Chang, charging her son, Amos, a minor, with remaining longer than permitted. An application for suspension of deporatition made in behalf of Mrs. Chang and her son Amos on April 5, 1954, was denied. Mrs. Chang was previously granted extension of stay to March 22, 1951, and her son Amos to September 13, 1951. At the hearing, accorded to Mrs. Chang and son on February 11, 1953, both were given the privilege of voluntary departure in lieu of deportation, which privilege they had failed to exercise. Mrs. Chang and her son are present at liberty on conditional parole reporting to this office in writing once a month.

Mr. Chang has had 6 years of high school and 4 years of university studies at Hua Chung University, China, where he received his bachelor of science degree in chemistry. He has also attended 1½ years at Ohio State University, where he received his master of science degree in chemical engineering in 1949. Mrs. Chang has had 6 years of high school in Hong Kong, China, and 2½ years of medical college in China, and attended 1 year at Westminister Choir College, Princeton, N. J. Amos is presently in the second grade at public school in Englewood, N. J. Mr. Chang has been employed by the Barrett division of the Allied Chemical & Dye Corp., Edgewater, N. J., as a mechanical engineer from April 1949 to date, presently earning $5,400 a year. Mrs. Chang has not worked in the United States. Mr. and Mrs. Chang have a savings account of about $900; are part owners of the Lingnan Restaurant, New York City, N. Y., valued at about $1,300. They own a 1951 Plymouth valued at about $800 and have furnishings which they value at about $1,000. Mr. Chang was a member of the YMCA in Kiangsi, China, from about 1942 to 1944; he has been a member of the American Chemical Society, Washington, D. C., since 1942. Neither has ever been a Communist, they have stated.

Mr. and Mrs. Chang were married in Chungking, China, September 30, 1945. Three children were born of this marriage, Amos Chang, one of the beneficiaries, and Noren and Wana, both native-born United States citizens. Mr. Chang's father, Fu Liang Chang, is a legal resident and his mother, Louise Huie Chang, is a citizen of the United States. Mrs. Chang's father, Wong Ming Shien, is presently at Bjalan, Patang, Boelan, Medan, Sumatra; Mrs. Chang's mother is dead.

Mr. and Mrs. Chang and their children are presently residing at 150 Tryon Avenue, Englewood, N. J. Mr. Chang previously resided at 75 West Norwich Avenue, Columbus, Ohio, and 615 Jones Road, Englewood, N. J. Mrs. Chang previously resided at Westminister Choir College, Princeton, N. J.

An additional report from the Commissioner of Immigration and Naturalization reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., December 27, 1955.

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

DEAR MR. CHAIRMAN: Reference is made to the report furnished the committee on December 10, 1954, relative to the bill H. R. 6330, 83d Congress, for the relief of Irving Beilin Chang, Wonona Wong Chang (or Yit Chen Wong), and Amos Hwei Chang (or Amos Hwei Cheh Chang). These beneficiaries are also the beneficiaries of H. R. 1115, 84th Congress.

Since submitting the report of December 10, 1954, to the committee, Irving Beilin Chang and Amos Hwei Chang filed applications for adjustment of their immigration status pursuant to the provisions of section 6 of the Refugee Relief Act of 1953. Their applications were approved by this Service on April 22, 1955, and their cases have been referred to the Congress as required by the foregoing act. As Wonona Wong Chang is a native of Indonesia, an area which does not come within the purview of the Refugee Relief Act of 1953, she is not eligible for the relief accorded her husband and child.

On March 21, 1955, deportation proceedings were instituted against Mr. Irving Beilin Chang as he failed to comply with the conditions of his admission to the United States. Such proceedings are being deferred pending final disposition of his application for adjustment of his immigration status under section 6 of the Refugee Relief Act of 1953. Similar action is being taken with respect to the deportation proceedings heretofore instituted against the son, Amos Hwei Chang.

With respect to the case of Wonona Wong Chang, it may be noted that she had filed an appeal with the Board of Immigration Appeals from the decision which was rendered in her case by this Service finding her to be deportable and granting her the privilege of departing from the United States voluntarily. However, her appeal has been dismissed.

The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, for information relating to Fu Liang Chang, father of Irving Beilin Chang.

Sincerely,

——— ———, *Commissioner.*

Mrs. Kelly, the author of H. R. 1115, submitted a statement in support of her bill which reads, in part, as follows:

> * * * The records of the Immigration Service indicate that Irving Chang entered the United States as a student on December 17, 1947; Wonona Chang, also a student, entered the United States September 14, 1950, accompanied by their son, Amos Chang, a visitor. Two children of this marriage were born in the United States.
>
> Mr. Chang's father, Fu Liang Chang, is a legal resident of the United States; his mother is a citizen of the United States. Fu Liang Chang, the father of the beneficiaries of

this bill, is a professor at Berea College in Kentucky. Formerly he was an official with the Joint Commission of Rural Reconstruction of the ECA and an active anti-Communist.

Irving Chang is employed as a chemical engineer in the Allied Chemical & Dye Corp. He is, I believe, eligible for adjustment of status and his name and that of his son Amos appear on the May 1955 list submitted to Congress by the Attorney General. Shoud he be granted this adjustment of status, it would not solve the problem which concerns his wife's status. Because of her marriage to a Chinese, she has been expatriated by her own country, Indonesia. Irving Chang's adjustment of status, if granted, would make his wife eligible for third preference in the Chinese racial quota. This is so heavily oversubscribed there is no likelihood of her receiving a visa for many years.

The Changs have exhausted all administrative remedies to legalize their status. To deport them would not only bring hardship to their American-born children, but would endanger their own lives because of the anti-Communist work that has been performed by this family.

I ask the committee's favorable report of H. R. 1115.

Giuseppe Rosario DiStefano—H. R. 1934, by Mr. Klein

The beneficiary is a 56-year-old Italian husband of a lawfully resident alien of the United States.

The pertinent facts in this case are contained in a letter dated November 1, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regardinga bi ll (H. R. 10207) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 1, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 10207) for the relief of Giuseppe Rosario DiStefano, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deductd from the appropriate immigration quota.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE GIUSEPPE ROSARIO DI STEFANO, BENEFICIARY OF H. R. 10207

The beneficiary, Giuseppe Rosario Di Stefano, also known as Joe Di Stefano, is a native and citizen of Italy, who was born March 19, 1900. He entered the United States at the port of New York, N. Y., on July 14, 1927, at which time he was admitted as a visitor. The beneficiary has not applied for or received any extension of his temporary stay. Mr. Di Stefano has been married twice. His first marriage took place in Italy in 1922. Of this union issued one child who deceased shortly after birth. This marriage terminated upon the death of the beneficiary's spouse in Italy on November 16, 1952. Mr. Di Stefano has lived in an adulterous relationship with one Solidad Solon, a native of Colombia, since 1925. Of this union issued one child, Joseph Di Stefano, born at New York, N. Y., on June 15, 1931. The beneficiary married Solidad Solon at New York, N. Y. on February 1, 1954, this being her first marriage. The beneficiary had been hospitalized at the Pilgrim State Hospital, Brentwood, Long Island, N. Y., from June 13, 1942, to August 17, 1945, and his mental disease was diagnosed as dementia praecox, simple type.

A warrant for the arrest of the beneficiary issued March 12, 1952, charging that, after admission as a visitor, he has remained in the United States for a longer time than permitted. On July 23, 1952, the beneficiary filed an application for suspension of deportation based on the fact that he has resided in the United States for a period of 7 years. The hearing officer ordered this application denied and further ordered that the alien be deported from the United States pursuant to law on the charge contained in the warrant of arrest. On July 21, 1953, on appeal, the Board of Immigration Appeals ordered the appeal denied. A warrant for alien's deportation issued on July 21, 1953. On a motion submitted June 9, 1954, for reconsideration of the alien's immigration proceedings, the Board of Immigration Appeals ordered the outstanding warrant of deportation withdrawn and the alien be permitted to depart from the United States voluntarily without expense to the Government, to any country of his choice, within such period of time, in any event not less than 60 days, and under such conditions as the officer in charge of the district deems appropriate. The Board further ordered that if the alien fails to depart from the United States in accordance with the foregoing, the order of deportation be reinstated and executed. The beneficiary was advised to arrange for his departure from the United States on or before September 29, 1954.

The beneficiary alleged his education consists of 4 years of elementary schooling in his native country. His occupation abroad was that of a stonemason. After arrival in the United States, he was employed as a stonemason, laborer, and restaurant worker. The beneficiary is presently em-

ployed as a cook's helper by Fanelli's Restaurant, 94 Prince Street, New York, N. Y., and receives a weekly salary of $40. Mr. Di Stefano estimated his assets in the United States, consisting of personal effects, at $1,000. He alleged no assets abroad.

The beneficiary alleged his brother and two sisters reside in Italy. Mr. Di Stefano resides at 280 Mott Street, New York, N. Y., together with his spouse and child. He further alleged that his spouse is dependent upon him for support.

Mr. Klein, the author of H. R. 1934, submitted the following letters in support of this legislation:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., December 20, 1955.

Re H. R. 1934, for the relief of Giuseppe Rosario Di Stefano.

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

DEAR MR. CHAIRMAN: Reference is made to the above-captioned measure on which a hearing was held on April 18, 1955, and upon which further consideration has been deferred.

Inasmuch as this matter involves the father of a former serviceman, a veteran of the Korean conflict, I would appreciate if if arrangements could be made for a hearing early in the second session.

I enclose herewith, for the consideration of the committee, a letter addressed to me and a letter addressed to the Immigration and Naturalization Service by the veteran when he learned of his father's possible deportation.

With many thanks for giving this your early consideration and with best wishes for a happy holiday season, I am,

Sincerely yours,

ARTHUR G. KLEIN,
Member of Congress.

NEW YORK CITY.

Hon. ARTHUR G. KLEIN,
House of Representatives,
Washington, D. C.

DEAR SIR: Enclosed are the original letters from the Italian Welfare League and the United States Department of Justice Immigration Service, explaining the reason for this appeal to you. My father has been in America for 27 years during which time he has always worked hard to support my mother and me. He has never broken the law in any manner, except for his not being in the country on a permanent visa. He had the misfortune of having a nervous breakdown in 1942 when his brother died. Because of this breakdown, if he is deported to Italy, it will break up our home forever, as he will never be able to return to America. It will leave my mother helpless, as I do not earn enough to support us both and she cannot work after having been ill.

When I was in the active fighting on Old Baldy in Korea I never dreamt I would return home to find that my family would be broken up. Will you kindly act on this urgent request, for which my mother and I will be forever grateful.

Please advise me what I can do further to help prevent this heartbreaking occurence for my mother and myself. If you desire affidavits from my father's employers, testifying to the fact that he has been gainfully employed for the past 9 years, at the United States navy yard during the war, at Fanelli Restaurant, 94 Prince Street, New York City, and at Ronzoni Macaroni Co., and an affidavit as to his character and personal behavior, I will be glad to have them sent to you.

Thank you most sincerely for any help you can give.

Yours very truly,

JOSEPH DI STEFANO.

NEW YORK, N. Y., *August 4, 1954.*

UNITED STATES DEPARTMENT OF JUSTICE,
Immigration and Naturalization Service,
Ellis Island, New York Harbor, N. Y.
(Attention of Mr. Irving Sacks.)

GENTLEMEN: My father has received your letter of July 29, 1954, re file No. ED84806 DDPB.

It was a great shock, upon my return from active service in Korea, to find my home may be broken up so that I may never see my father again. I am appealing to my Congressman Arthur G. Klein, to help in keeping my father, who in all his years in America has never once done anything to hurt anyone, to remain in this country. Pending any action the Congressman may take, I appeal to you to extend the September 29, 1954, date, for an indefinite period until Mr. Klein may have an opportunity to help.

Yours sincerely,

JOSEPH DI STEFANO.

STATE OF NEW YORK,
DEPARTMENT OF MENTAL HYGIENE,
PILGRIM STATE HOSPITAL,
West Brentwood, Long Island, N. Y., June 2, 1955.

Re Rosano Di Stefano; son: Joseph Di Stefano.

Hon. ARTHUR G. KLEIN,
Washington 25, D. C.

DEAR SIR: At the request of the above named, I am submitting the following information regarding Mr. Di Stefano's hospitalization:

Mr. Di Stefano was admitted to Pilgrim State Hospital June 13, 1942, with a mental disorder. He was released on August 17, 1945, and as far as we can ascertain, there has been no recurrence since that date.

Very truly yours,

HARRY J. WORTHING, M. D., *Director.*

ITALIAN WELFARE LEAGUE, INC.,
New York, May 25, 1955.

Memo for file:

In response to Congressman Klein's letter dated May 19, 1955, we have suggested to Mrs. Di Stefano that she apply directly to the Pilgrim State Hospital for the information requested concerning her husband's record in the hospital from 1942 to 1945 and a current diagnosis.

With reference to Mrs. Solidad Di Stefano's current status these are the facts:

As a native-born citizen of Colombia, South America, she is and was entitled to a nonquota visa for entry into the United States.

She effected this entry with a nonquota visa on October 1927.

She has been residing in America ever since, and is a legally resident alien. She desires to file for her citizenship when her husband's case is completed.

FRANK TRAVERSO.

Albert Rossi—H. R. 1945, by Mr. Klein

The beneficiary is a 28-year-old native and citizen of Italy who is married to a lawfully resident alien of the United States. His parents, 3 brothers, and 3 sisters are United States citizens. The beneficiary entered the United States as a stowaway in 1946 and was inducted into the Armed Forces of the United States in 1950 where he served until 1952 when he was honorably discharged.

The pertinent facts in this case are contained in a letter dated June 3, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE.
Washington, D. C., June 3, 1955.

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

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 1945) for the relief of Albert Rossi, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y. office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Italy.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ALBERT ROSSI, BENEFICIARY OF H. R. 1945

The beneficiary, Albert Rossi, is a native and citizen of Italy, who was born on July 7, 1927. He is married and resides together with his spouse at 10 High Street, Newburgh, N. Y. He is employed by his father, Victor Rossi, who owns a butcher shop in the city of Newburgh, N. Y., and earns approximately $60 per week. His assets consist of $1,000 in a savings account and personal property valued at about $2,000.

The alien attended public and high schools in Naples, Italy, from 1933 to 1941. He states that he served as an interpreter in the United States Army during the last war and that he was employed as a photographer immediately after the war. On March 6, 1955, he married Assunta Tramma, a legal United States resident, in Newburgh, N. Y. His parents, 3 brothers, and 3 sisters are United States citizens. His closest relative abroad is his grandmother.

The beneficiary arrived in the United States at New York, N. Y., on October 23, 1946, as a stowaway on the steamship *Marine Perch*. Deportation proceedings were commenced on October 13, 1953, and on March 15, 1954, after a hearing, he was found deportable on the grounds that he had no visa; that he was a stowaway, and that he entered without inspection. His application for suspension of deportation was denied and he was granted voluntary departure with the alternative of deportation if he failed to depart. On October 26, 1954, the Board of Immigration Appeals denied his appeal. To date, the beneficiary has not availed himself of his voluntary departure privilege.

Mr. Rossi was drafted into the United States Army on September 25, 1950, and was honorably discharged on September 25, 1952. He is now a member of the 170th Field Artillery Battalion of the New York National Guard. Private bill H. R. 2637 was previously introduced in the beneficiary's behalf in the 83d Congress.

A memorandum of information submitted by the Commissioner of Immigration to the chairman of the Committee on the Judiciary on a bill for the relief of the same person which was pending during the 83d Congress, reads as follows:

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES CONCERNING ALBERT ROSSI, BENEFICIARY OF H. R. 2637

Albert Rossi, a native and citizen of Italy, was born on July 7, 1927. His only arrival in the United States occurred at the port of New York on October 23, 1946, when he entered without inspection as a stowaway on board the steamship *Marine Perch*.

Mr. Rossi stated that in 1946 he went to the ship to see his sister, a war bride, depart on her voyage to the United

States. Just prior to sailing he decided to stow away on the boat and go to New York to join his parents, brothers, and sisters, all of whom are now United States citizens. He had been residing in Italy with his grandmother who is his only remaining relative in that country. He stated that during the last war he served as an interpreter for the United States Army and that he was a photographer immediately after the war.

Mr. Rossi was drafted into the United States Army on September 25, 1950, and was honorably discharged therefrom on September 25, 1952. He is now a member of the 170th Field Artillery Battalion of the New York National Guard.

The alien's father, Mr. Victor Rossi, was naturalized a United States citizen in Bronx County, N. Y., in 1931, and his mother in Goshen, Orange County, N. Y., in 1951. The alien is not married, resides with his parents, and is employed in his father's meat market in Newburgh, N. Y. He has $1,000 on deposit in a bank. It is claimed that he receives no salary for his work, but that he and his father jointly support the Rossi household with funds from the business. His parents advised that at the present time the alien is practically the sole support of the family since his father has been in ill health for the past year and is unable to work in the market more than 2 days a week.

Mr. Klein recommended the enactment of this legislation and submitted a copy of Mr. Rossi's honorable discharge certificate from the United States Armed Forces, which is in the files of the Committee on the Judiciary.

Mrs. Kama Asato—H. R. 3632, by Mrs. Farrington

The beneficiary is a 60-year-old native and citizen of Japan who is a widow. She was last admitted to the United States as a visitor in 1952 and resides in this country, and is supported by, her United States citizen son, an honorably discharged veteran of World War II. Mrs. Asato previously resided in the United States from 1913 to 1916.

The pertinent facts in this case are contained in a letter, dated June 27, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 27, 1955.

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

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 3632) for the relief of Mrs. Kama Asato, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Honolulu, Territory of Hawaii, office of this Service which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota for the first year that such quota is available.

The beneficiary is chargeable to the quota of Japan.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MRS. KAMA ASATO, BENEFICIARY OF H. R. 3632, 84TH CONGRESS

The beneficiary, Mrs. Kama Asato, nee Kama Higa, has testified that she was born on May 10, 1895, at Aza-Waniya, Kita Nakagusuku-son, Okinawa, and is a citizen and subject of Japan. Mrs. Asato's husband died in Okinawa on November 14, 1940. She has one United States citizen son, Shigeichi Asato, 39 years of age, residing at 843 Kapahulu Avenue, Honolulu, T. H., with whom she is temporarily living. Her permanent home address is 1821 Obanchi, Aza-Toguchi, Kita Nakagusuku-son, Okinawa. Mrs. Asato attended school 1 year only, has no profession or occupation, and no income. Her son is willing and able to take care of her.

Mrs. Asato first arrived in the United States at Honolulu on January 9, 1913, on the SS. *Chiyo Maru* staying here until the 16th of May 1916, when she returned to Okinawa. She lived in Okinawa until her return to Hawaii by Pan American Airways on July 15, 1952, at which time she was admitted by the immigration authorities as a visitor until January 14, 1953. She was granted two extensions of stay and upon application for a third extension posted a bond of $500 on which basis she was granted permission to stay in the United States as a visitor until July 13, 1955.

Her son, Shigeichi Asato, is an honorably discharged veteran of World War II. He owns two restaurants, his own home, and an interest in an apartment house. His net worth as of March 31, 1955, is estimated at approximately $65,000.

Mrs. Farrington, the author of H. R. 3632, appeared before a subcommittee of the Committee on the Judiciary and testified in support of her measure, as follows:

Mr. Chairman, H. R. 3632 provides for the relief of Mrs. Kama Asato.

Mrs. Asato, who was born May 10, 1895, is a widow whose husband died many years ago. She originally came to Hawaii from Okinawa in about 1912. Her only child, Shigeichi Asato, was born in Honolulu on December 28, 1915. She returned to Okinawa in 1916 and, having lost her right of reentry after her long absence, came back to Hawaii on July 15, 1952, as a visitor. She suffers from post-arthritic atrophy and ankylosis of the left knee and ankle. There is on file with this committee her doctor's certificate which states he believes the disability is permanent. Without a special escort she will be unable to travel back to Okinawa.

I understand that while she is not old in age she appears very old on account of her physical condition.

Shigeichi Asato is his mother's sole support. He is a veteran of World War II. He has stated in the Immigration and Naturalization Service report on this bill that he is willing and able to take care of her. There is no relative in Okinawa to whom she can go.

I wish to file a letter I received from Senator Wilfred C. Tsukiyama of our Territorial legislature in January of this year bringing me up to date on Mrs. Asato's present status in this country.

I feel this is a compassionate case and believe Mrs. Asato is entitled to the benefit of special legislation because there is no other way in which she can adjust her immigration status in this country.

In addition, Mrs. Farrington submitted the following letter in support of her bill:

TSUKIYAMA & YAMAGUCHI,
Honolulu, Hawaii, January 31, 1956.

Re Mrs. Kama Asato, H. R. 3632.

Mrs. JOSEPH R. FARRINGTON,
Delegate to Congress from Hawaii,
House of Representatives, Washington, D. C.

DEAR BETTY: Thank you very much for your letter of January 26, 1956, containing an inquiry as to Mrs. Asato's present status.

In reply thereto, please be informed that Mrs. Asato is still in Honolulu residing with her son, Shigeichi Asato, at 843 Kapahulu Avenue, having been permitted by the Immigration authorities to remain in the United States pending ultimate disposition of H. R. 3632.

In order to bring you up to date, may I recount that Mrs. Asato was first admitted as a nonimmigrant (temporary visitor) at Honolulu on July 15, 1952. Thereafter her period of temporary stay was extended every 6 months by the Immigration authorities. Her fourth extension expired on January 13, 1955. On account of her physical defect (postarthritic atrophy and ankylosis of the left knee and ankle—according to diagnosis of Dr. Kiyoshi Inouye, 658 South King Street), on January 6, 1955, Mrs. Asato submitted to the Immigration authorities an application for a further extension. While the application was pending, Mrs. Asato's son was informed that it might not be approved for the reason that four extensions had been allowed previously. It was then that Shigeichi, the son, requested me to confer with you. Accordingly, by letter dated January 17, 1955, I submitted to you the facts involved, which eventuated in your introduction on February 3, 1955, of H. R. 3632. Shortly before that, however, Mrs. Asato was advised by the Immigration authorities that her application for further extension was granted, the same to expire on July 13, 1955.

Later in March 1955, the local Immigration Service was notified about the introduction of H. R. 3632 in behalf of Mrs. Asato. Pursuant to the regulation which obtains in such case, the extension to July 13, 1955, was nullified, and deportation proceedings were held. Pro forma, a deportation order was entered. Consistently, however,

with the prevailing policy of the Immigration Service, actual deportation would not take place until final disposition of H. R. 3632, subject to Mrs. Asato's giving a bond in the sum of $500. Please be advised, therefore, that the bond was posted, not on account of the last extension, but for the purpose of giving assurance that she would depart from the United States, should H. R. 3632 fail of passage.

In view of the foregoing circumstance, Mrs. Asato's deportation hinges on the passage or failure of the private bill. Her husband died about 16 years ago and Shigeichi is her only child. There is no relative in Okinawa. Shigeichi, born in the Territory of Hawaii, served in the United States Army from 1942 to 1945 (Army Serial No. 30102890, 1399th Engineers Construction Battalion, Headquarters and Service Company). He is the owner and operator of Kamehameha Grill, 1036 Kekaulike Street, and is fully capable of taking care of his mother.

Please advise if further information is desired. Mrs. Asato and her son have asked me to convey their profound appreciation to you.

Sincerely yours,

WILFRED C. TSUKIYAMA.

Mrs. Tomeko Kishi—H. R. 3633, by Mrs. Farrington

The beneficiary is a 54-year-old native and citizen of Japan who is a widow. She was last admitted to the United States as a visitor in 1953 and resides in this country with her lawfully resident daughter and son-in-law, by whom she is supported. Mrs. Kishi previously resided in the United States in a permanent status from 1934 to 1941.

The pertinent facts in this case are contained in a letter dated May 12, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., May 12, 1955.

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

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 3633) for the relief of Mrs. Tomeko Kishi, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Honolulu, T. H. office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fees. It also directs that one number be deducted from the appropriate immigration quota.

As a quota immigrant this alien would be chargeable to the quota of Japan.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE TOMEKO KISHI, BENEFICIARY OF H. R. 3633

Tomeko Kishi, maiden name Tomeko Nakata, a Japanese subject, was born in Yamaguchi-ken, Japan on February 2, 1902. Mrs. Kishi is a widow having been married in Japan on May 9, 1923, to Hiroyuki Kishi who died in Japan on August 4, 1947. Mrs. Kishi has only one child, a daughter Mrs. Akiko Kishi,age 29, who is married to Rev. Soshin Kishi, both permanent resident aliens of the United States and now living at Papaaloa, Hawaii, T. H. Mrs. Kishi has no profession, owns no property, is not employed and is dependent for support on her daughter and son-in-law. Mrs. Kishi has 2 sisters and 1 brother, all living in Japan.

Tomeko Kishi first arrived in the United States at Honolulu, T. H. on May 3, 1934, accompanied by her husband, Hiroyuki (Koshi) Kishi, a Buddhist minister and her daughter, Akiko Kishi. All three were admitted for permanent residence being destined to the Hongwanji Mission at Olaa, Hawaii, T. H. They remained at Olaa, Hawaii, T. H., until February 19, 1941, when they returned to Japan.

Tomeko Kishi lived in Japan from birth until about the age of 6 years when she went to Korea with her parents. She lived in Korea, except for attending school in Japan, until she was 21 years of age. She is a graduate of the Girls' Middle School at Yamaguchi-ken, Japan. After her marriage in 1923 she made her home in Tokyo, Japan, until 1934 when she came to Hawaii. When living at Olaa, Hawaii, T. H., she taught in the Japanese language school which was associated with the Olaa Hongwanji Mission.

Tomeko Kishi last entered the United States at Honolulu, T. H., on November 20, 1953, as a nonimmigrant for the purpose of visiting her daughter, Mrs. Akiko Kishi, Papaaloa, Hawaii, T. H., for a period of 6 months. Extensions of stay have been granted, the last to expire on May 19, 1955. Deportation proceedings have been instituted on the gounds that after admission to the United States as a nonimmigrant, a visitor for pleasure, she failed to maintain the nonimmigrant status in which she was admitted. Her last residence abroad was at 1997 Shimakubara, Yamaguchi-ken, Japan. No other form of relief other than a private bill appears available.

Tomeko Kishi's son-in-law, Rev. Soshin Kishi, is a Buddhist minister of the Papaaloa Hongwanji Mission, Papaaloa, Hawaii, T. H., and receives a salary of $165 per month plus several special offerings during the year, plus house, telephone and lights, plus donations for special services. Tomeko Kishi's daughter, Mrs. Akiko Kishi, receives $30 per month for teaching in the Japanese language school. Reverend and Mrs. Kishi have three daughters who also live in this household.

The following-named persons, friends of the beneficiary, who are interested in the passage of this bill were contacted: Mr. Thomas Uyeda, president, Laupahoehoe Parent-Teachers' Association, Papaaloa, Hawaii, T. H.; Mr. Willard H. Takeuchi, secretary of Papaaloa Hongwanji Mission, Papaaloa, Hawaii, T. H.; Mr. Kimito Matsumura, Laupahoehoe, Hawaii, T. H.; Mr. and Mrs. Isami Tabata, Papaaloa, Hawaii, T. H. All spoke highly of the beneficiary and considered her a person worthy of special consideration.

Mrs. Farrington, the author of H. R. 3633, appeared before a subcommittee of the Committee on the Judiciary and testified as follows:

Mr. Chairman, I introduced H. R. 3633 for the relief of Mrs. Tomeko Kishi.

Mrs. Kishi, a widow, is the mother of Mrs. Akiko Kishi, who lives in Hawaii with her husband, the Reverend Soshin Kishi. They are waiting to qualify as citizens of the United States.

The beneficiary of this bill first came to Hawaii in 1934 with her husband, who is now deceased, and lived there until 1941. On November 20, 1953, she returned to Hawaii on a temporary visa to join her only daughter. I am told she has no close relative in Japan and is completely dependent upon her daughter and son-in-law for her support. If she is forced to return to Japan, I understand they will still be responsible for her welfare.

It is apparent from my files that the community of Papaaloa in which the Kishis live in Hawaii feel this is a very compassionate case. Civic organizations such as the parent-teachers association and civic leaders are extremely active in her behalf.

Mrs. Farrington also submitted the following letters in support of her bill:

PAPAALOA, HAWAII, *October 28, 1954.*

Hon. Mrs. ELIZABETH FARRINGTON,
Delegate to Congress, Washington, D. C.
Honolulu, Hawaii.

DEAR MRS. FARRINGTON: We wish to interest you in the case of Mrs. Tomeko Kishi, a widow who is at present residing here at Papaaloa with her daughter and son-in-law, the Reverend Soshin Kishi of the local Hongwanji Mission.

The main facts are as follows:

1. Mrs. Kishi is a Japanese alien who is at present living with her daughter and son-in-law on a visa.

2. She applied for and was granted two extensions on her original 6-month limit of stay here—the expiration date now being May 19, 1955.

3. Her husband is dead and she has no near relatives in Japan. It is her wish to be able to remain here permanently.

4. During her stay here, she has been active in community welfare causes, such as conducting floral arrangement classes, and many local residents feel that her continued presence would be an asset.

A document listing her past history is attached herewith.

We humbly request that you put into effect whatever effort and influence you have to obtain a permanent residence for the above-mentioned lady. This will be greatly appreciated.

Sincerely yours,

REPUBLICAN CLUB, 1ST DISTRICT, 23D PRECINCT,
THOMAS UYEDA,
President, Laupahoehoe Parent-Teacher Association.

PAPAALOA, HAWAII, *October 28, 1954.*

Re Establishment of permanent residence in the United States for Mrs. Tomeko Kishi.

Hon. Mrs. ELIZABETH FARRINGTON,
Delegate to Congress,
Honolulu, Hawaii,

DEAR MRS. FARRINGTON: Mrs. Tomeko Kishi is the wife of the late Reverend Koshi Kishi who passed away on August 4, 1947 in Japan. She accompanied her husband to Hawaii in 1934 and remained in Olaa, Hawaii, until the termination of his tour of duty in 1941. Through her active participation on community welfare affairs and understanding of customs and concepts of the people in Hawaii, she had come to accept Hawaii as her cherished home.

Mrs. Kishi's only child, Akiko, is now the wife of Rev. Soshin Kishi of the Papaaloa Community Hongwanji Mission. The Reverend Kishi and his family came to Hawaii in 1951 to become permanent members of our community. Mrs. Tomeko Kishi came to join our reverend and his family on November 20, 1953 on a temporary visa, hoping to obtain permanent residence. Fortunately, she has been allowed a 6-month extension on her visa on 2 occasions—last May and again on the 25th of this month which expires next May.

However, immigration laws, as we understand, will not permit her under the temporary visa for more than 2 years. Although the Kishis are eagerly waiting to take up naturalization papers, they have to wait another 2 years at least to qualify as citizens of this country and it will be after the expiration of temporary visa for Mrs. Kishi.

Mrs. Tomeko Kishi has no other close relative in Japan. She was dependent on her daughter and son-in-law, and had no one to support her, nor a house to call her own in Japan. Presently, in Papaaloa, she is helping her daughter in the care of her children whose ages are 4 years, 2 years, and 11 months. Then too, her daughter is not too strong, and her help enables her to do some community services otherwise impossible.

Mrs. Kishi has no immediate family to return to in Japan. She is 52 (born on February 2, 1902) and we feel that she can be best cared for in her declining years if she is allowed to remain here as a member of Reverend Kishi's family, actively supported by the members of this community. We feel that it is our duty to do our utmost to establish her permanent residence in our community.

Very respectfully yours,

THOMAS UYEDA,
Representing the Community.

Mrs. Fusa Kimura—H. R. 3634, by Mrs. Farrington

The beneficiary is a 53-year-old Japanese widow who was last admitted to the United States as a visitor in 1951. She had previously been in the United States on 3 occasions and 2 of her sons are native-born United States citizens, and 1 son is a native and citizen of Japan. All of her children are dependent upon her for support. She is supported by inheritance from her husband's estate. He died in Hawaii in 1952.

The pertinent facts in this case are contained in a letter dated June 24, 1954, from the executive assistant to the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 8405), pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

JUNE 24, 1954.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 8405) for the relief of Fusa Kimura, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Honolulu, T. H., office of this Service, which has custody of those files.

The bill would grant this alien permanent residence in the United States as of the date of enactment of the act upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The alien is chargeable to the quota of Japan.

Sincerely,

_____ _____,
Executive Assistant to the Commissioner
(In absence of Commissioner).

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE FUSA KIMURA, BENEFICIARY OF H. R. 8405

Fusa Kimura, maiden name Fusa Murashige, citizen of Japan, was born in Yamaguchi-ken, Japan, on February 16, 1903. Her last residence abroad was Yamaguchi-ken, Japan. She last entered the United States at Honolulu, T. H., on August 30, 1951, and was admitted on February 28, 1952, as a temporary visitor under $500 bond. She received extensions of stay, the last of which expired on February 28, 1954. On January 21, 1954, she submitted an application for change of nonimmigrant status to that of a student. Consideration of this application has been held in abeyance pending action on her private bill. Since September 1953, she has been attending Pololei English Language School, Honolulu, T. H. Mrs. Kimura's previous visits in the United States were from March 19, 1931, to October 6, 1931;

from October 8, 1932, to April 23, 1936; from July 1, 1938, to November 25, 1940.

Mrs. Kimura was married to Akio Kimura on July 25, 1919, by being registered as his wife. She has 2 sons, Chris Manabu and Stanley Tooru, born in Honolulu, T. H., and 1 son, Herbert Hiroshi, born in Japan. Her husband, Dr. Robert Akio Kimura, died in Honolulu, T. H., on January 31, 1952. In settling the estate she received full title to their home, appraised value $16,000; insurance approximately $30,000 and other assets valued at approximately $40,000. Mrs. Kimura graduated from the Tokyo Women's Pharmacy School, Tokyo, Japan, and is regularly licensed to practice that profession in Japan. She has not been employed in the United States.

Mrs. Kimura's three sons are dependent upon her for support. She has a brother-in-law, Robert Takenori Kimura, residing in Honolulu, T. H. She has 1 brother and 3 sisters residing in Japan.

Mrs. Farrington, the author of H. R. 3634, appeared before a subcommittee of the Committee on the Judiciary and testified in support of her measure, as follows:

Mr. Chairman, I introduced H. R. 3634 for the relief of Fusa Kimura.

Mrs. Kimura, who is 52 years of age, was married in Japan on July 25, 1919, to Dr. Robert Akio Kimura, an alien born in Japan who was brought to the Territory of Hawaii when he was an infant and who enjoyed permanent residence in the Territory for over 50 years until his death in Honolulu on January 31, 1952. During this period she made several trips between Japan and Hawaii. She last entered the Territory on a nonimmigrant visa on September 18, 1951. Following her husband's death her visa was extended to permit her to settle her late husband's estate. She was ordered deported when she endeavored to change her status in the United States.

Three children were born of this marriage, two are United States citizens. Her alien born son accompanied her when she last entered this country and is attending high school. At her husband's death Mrs. Kimura received full title to their home and became vested with real and personal property approximately valued at $85,000. The three children, except possibly her eldest son who is now in the United States Army, derive their support from these assets and are dependent upon their mother for their support.

Inasmuch as her closest family ties are with her children in this country she desires to remain with them, especially since her youngest child, who is a citizen, is too young to be left alone. If she is forced to leave this country it will require either the maintenance of two homes or she will be forced to take her children with her and they will not enjoy the benefits of the American way of life.

As there is no administrative relief available to Mrs. Kimura, I introduced H. R. 3634 in her behalf.

Lau Geu—H. R. 8450, by Mr. Walter.

The beneficiary is a 64-year-old Chinese widow who was admitted to the United States as a visitor in 1951, accompanying Gen. Douglas MacArthur and his family, by whom she has been employed since 1938.

The pertinent facts in this case are contained in a letter dated March 8, 1956, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., March 8, 1956.

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

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 8450) for the relief of Geu Lau, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service file relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of that file. According to the records of this Service, the correct name of the beneficiary is Lau Geu.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Chinese persons.

Sincerely,

——— ———, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE GEU LAU, BENEFICIARY OF H. R. 8450

The records of this Service reflect that the correct name of the beneficiary is Lau Geu. She was born on July 4, 1891, in Canton, China, and is a citizen of China.

Her parents and husband are deceased, and she has no relatives in this country. She has a brother, son, and daughter residing in China. She has not heard from her son since 1942 nor from her brother and daughter since 1951. Her education consists of 2 years of private tutorship.

She is employed as a housekeeper by Gen. Douglas MacArthur and his family and resides with them at the Waldorf Towers of the Waldorf Astoria Hotel, New York, N. Y. She has been in General MacArthur's employ since 1938 and earns a salary of $125 a month including room and board. Her assets consist of $7,000 in savings and personal effects of indeterminate value.

The beneficiary last arrived in the United States on April 16, 1951, at Honolulu as a visitor destined to and accompanied by Gen. Douglas MacArthur. She was granted one extension of stay to April 15, 1952.

Mr. Walter, the chairman of Subcommittee No. 1 of the Committee on the Judiciary recommended the enactment of this legislation, pointing out to the fact that the beneficiary is a refugee from China at the present time. She has been with General MacArthur's family as a nursemaid practically since the birth of his son and obviously would be persecuted if she was forced to return to Communist-dominated China. Her excellent moral character is personally vouched for by General MacArthur, as witnessed by the following letter:

THE WALDORF-ASTORIA,
New York, January 9, 1956.

Hon. FRANCIS E. WALTER,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN WALTER: General Whitney has informed me of your very kind offer to sponsor legislation extending the statutory period in which my Chinese housekeeper, Geu Lau, may apply for permanent residence in the United States and I am most grateful to you for this courtesy.

Geu Lau was born in Canton, China, on July 4, 1891, and has been employed as my housekeeper since 1937. During the Pacific war she cheerfully shared with my family the hazards of the early Philippine battles, the seige of Corregidor, the dash therefrom to Australia in response to President Roosevelt's orders, and the subsequent campaigns leading to the liberation of the Philippines and the victory over Japan.

Upon my relief from my far-eastern assignments she accompanied my family to the United States, making her first entry therein at Honolulu on April 16, 1951.

From my long and close observation of Geu Lau, I cannot too strongly attest to her high moral character and personal fitness for permanent residence and eventual citizenship in the United States and it is my desire and intention to retain her in the service of my family throughout the balance of her life.

Again my thanks for your offer to sponsor the necessary legislation to such end and with expressions of cordial regard, I am,

Most faithfully,

DOUGLAS MACARTHUR.

Antonio Doncovio—H. R. 1936, by Mr. Klein

The beneficiary, Antonio Doncovio, is a citizen of Italy who was born in Cherso, formerly Italy and now a part of Yugoslavia. He was admitted to the United States as a seaman in 1948. He is married to a citizen of the United States and is the father of two United States citizen children. Mr. Doncovio is deportable because he was an intending immigrant and was not in possession of a valid immigration visa, and he is not eligible for voluntary departure from the United States because he is held to have willfully failed to comply with the requirements of the Alien Registration Act.

The pertinent facts in this case are contained in a letter dated December 11, 1953, from the Acting Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary regarding a bill pending during the 83d Congress (H. R. 6447) for the relief of the same person. That letter and accompanying memorandum read as follows:

DECEMBER 11, 1953.

Hon. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 6447) for the relief of Antonio Doncovio, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

As the husband of a United States citizen, Mr. Doncovio is entitled to nonquota status in the issuance of an immigrant visa. However, as there is an outstanding order of deportation against him he would be inadmissible to the United States unless he first obtained permission to reapply for admission from the Attorney General.

Sincerely,

——— ———, *Acting Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ANTONIO DONCOVIO, BENEFICIARY OF H. R. 6447

Antonio Doncovio, a citizen of Italy, was born February 22, 1917, in Cherso, formerly Italy, now part of the territory of Yugoslavia. He entered the United States at Baltimore, Md, March 22, 1948, as a seaman with the intention of remaining permanently. He was made the subject of deportation proceedings through the issuance of a warrant of arrest on March 9, 1953, on the ground that at the time of entry, he was an immigrant not in possession of a valid immigration visa. An order directing his deportation is presently outstanding.

Mr. Doncovio was married to a citizen of the United States on June 27, 1948. He has two citizen children, 4 years and 1 month of age, respectively. He is employed as a laborer in the building trades and earns an average of $80 per week. He has no assets other than furniture and personal effects which he values at approximately $800.

During the course of the pending proceedings, it was established that Mr. Doncovio failed to register as an alien and failed to make annual address reports for fear of apprehension by the Immigration Service. This matter was referred to the United States attorney for the southern district of New York for consideration of the institution of criminal proceedings. This official, however, declined to prosecute.

In support of H. R. 1936, Mr. Klein submitted the following letter and order of the Board of Immigration Appeals:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., December 6, 1955.

Re H. R. 1936 for the relief of Antonio Doncovio.

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

DEAR MR. CHAIRMAN: Reference is made to the above-captioned measure on which action was deferred by the committee pending outcome of his application for preexamination as per your letter of June 3, 1955.

On July 29, 1955, the Board of Immigration Appeals declared Mr. Doncovio ineligible for the privilege of voluntary departure (sec. 244 (e) of the Immigration and Nationality Act of 1952) and therefore did not authorize his preexamination. For this reason, I now request that the committee grant a rehearing on the measure early in the coming session of Congress.

With many thanks for giving this your consideration, and with kindest personal regards and best wishes for the holiday season, I am

Sincerely yours,

ARTHUR G. KLEIN,
Member of Congress.

DEPARTMENT OF JUSTICE,
BOARD OF IMMIGRATION APPEALS,
January 6, 1955.

In re Antonio Doncovio.
In deportation proceedings.
In behalf of respondent Saul S. Berzin, Esq., New York, N. Y.

Charges: Warrant: Act of 1952, section 241 (a) (1), excludable, no immigration visa.

Lodged: Act of 1952, section 241 (a) (5), failed to furnish notification of address.

Application: Voluntary departure and preexamination.

Detention status: Released on conditional parole.

This case comes to the Board of Immigration Appeals on appeal from decision of the special inquiry officer entered September 30, 1954, denying voluntary departure with preexamination and the order of deportation.

Counsel excepts to finding of fact No. 6 and conclusion of law No. 2. Argument of counsel is that respondent, through social-security records in his correct name, has kept the Government informed of his whereabouts. Further argument of counsel is that respondent's deportation will result in a serious economic detriment to respondent's citizen wife and two minor citizen children.

This case relates to a 37-year-old married male, native of that part of Italy which is now a part of Yugoslavia. Respondent last entered the United States at Baltimore March 22, 1948, as a member of

the crew of the steamship *Posillipo*. He then was inspected and admitted for shore leave. Actually respondent intended to seek work ashore and to remain indefinitely in the United States. He was not in possession of an unexpired immigration visa and he has never been admitted to the United States for permanent residence. The charge in the warrant is clearly sustained.

Respondent further testified during original hearing on the warrant March 31, 1953 that he did not register under the Alien Registration Act of 1940, as amended, after entry in 1948, and did not report his address, as required by the Internal Security Act of 1950, in January 1951 and 1952 and since December 24, 1952, under section 265 of the Immigration and Nationality Act because he was afraid that disclosure of his whereabouts would lead to his apprehension by Immigration and Naturalization authorities. Respondent registered for the first time March 3, 1953 (p. 5). During reopened hearing September 30, 1954 counsel of record through examination of respondent, attempted to develop failure to register was not willful; that had respondent feared apprehension respondent would not have used his correct name on social-security records and that respondent believed the Government could locate him through social-security records (pp. 13–14). It is noted however that respondent during the foregoing interrogation made no response to two leading questions (p. 14).

It is true that citizens, as well as aliens, can be located through social-security records. They can also be located through Internal Revenue and census records. The three foregoing Federal agencies, however, are primarily engaged in keeping records covering the activities chargeable to them by law. As a routine matter none of the foregoing agencies are charged with, and staffed to carry out, the enforcement of the activities of other Federal agencies, hence it is only when specific requests are submitted that these agencies are able to furnish necessary information. Aside from the untenable position taken by counsel September 30, 1954, in reference to the interchange of Government records, the explanation as to respondent's failure to register as an alien, is not otherwise persuasive. Respondent voluntarily and unequivocally testified March 31, 1953, at which time he was represented by counsel, that he did not register as an alien because he feared disclosure of his whereabouts would lead to his apprehension by immigration and naturalization authorities. The foregoing statement made freely and apparently without fear of the consequences is entitled to great weight. Moreover as hereinbefore noted respondent did not answer all of the questions propounded by counsel September 30, 1954, when the latter attempted to minimize the effect of the materiality of respondent's prior statements as to his failure to register as an alien. The conclusion is justified that respondent's failure to register as an alien was willful. The charge lodged during the hearing on the warrant is also sustained.

Respondent is not statutorily eligible for suspension of deportation under the provisions of section 244 (a) (1) of the Immigration and Nationality Act. Voluntary departure under section 244 (e) of the said act is precluded because respondent has been found to be deportable under section 241 (a) (5) of the Immigration and Nationality Act. The appeal will be dismissed.

Order. It is ordered that the appeal from the decision of the special inquiry officer entered September 30, 1954 be and the same is hereby dismissed.

——— ———, *Chairman.*

Upon consideration of all the facts in each case included in the joint resolution (H. J. Res. 592) the committee is of the opinion that the resolution, as amended, should be enacted and accordingly recommends that it do pass.

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