but which in fact contains a narcotic drug, cannot be convicted of being in possession of the drug. Lord Parker expressed disagreement with this view and agreed instead with the dissenting justices in Beaver.

In R. v. Smith, [1966] Crim. L. Rev. 558, the defendant was convicted of possessing a drug found in a room at a house where she was living. The trial judge had instructed the jury that it was necessary for the prosecution to show that the defendant lived in the room and "had a common interest in it so that she controlled all the things that were in it of any significance." The conviction was quashed by the Court of Criminal Appeal, which held that the jury should have been directed to decide whether the defendant knew of the drug and if so whether she had possession or control of it.

In the case of Dalas, [1967] Crim. L. Rev. 125, the defendant appealed from a conviction for possession of cannabis and the imposition of a three-year sentence. He claimed a belief that the substance he possessed was an Indian culinary herb rather than a dangerous drug. The Court of Criminal Appeal accepted the idea that for the sentence to have a rational foundation there must be convincing evidence that the defendant knew he was carrying cannabis rather than curry powder. The court concluded, however, that the evidence fully justified the trial judge's rejection of the defendant's explanation of innocence and also justified the imposition of the severe sentence.

The House of Lords considered for the first time the type of knowledge required for conviction of the statutory offense of drug possession in Warner v. Metropolitan Police Commissioner, [1968] 2 All E.R. 356 (H.L.). In that case, the defendant's van was stopped by police and two parcels were found, one containing bottles of perfume and the other containing 20,000 amphetamine sulphate

tablets. The defendant claimed that he sold perfume as a sideline and that he believed both packages, which had been left for him at a cafe, contained perfume. The jury was instructed that the defendant was guilty if he had control of the box which in fact turned out to be full of amphetamines, and that his claim of lack of knowledge was to be considered only in mitigation of sentence. Both the trial judge and the jury expressed the opinion that the defendant knew that the parcel contained the drugs, although this finding was not necessary for conviction. The defendant was convicted and the Court of Appeal affirmed. R. v. Warner, [1967] 3 All E.R. 93 (C.A.).

On appeal to the House of Lords, there were only two points on which the five justices could agree: (1) that as per Lord Parker's dictum in Lockyer, a person does not possess something which is slipped into his control entirely without his knowledge, and (2) that the appeal in Warner should be dismissed. As to the mental element necessary to convict a man of possession, the individual justices took diverse approaches.

Lord Guest felt that the prosecution must show that the accused had knowledge that he possessed the package or bottle which contained the drugs. According to this view, a person shown to be in possession of a package will be deemed to also possess its contents. 7/

Lord Morris expressed the opinion that a person possesses the contents of a container when he is knowingly in control of that container in circumstances in which he had the opportunity, whether availed of or not, to discover the contents. 8/

7/ [1968] 2 All E.R. at 384-85.

8/ Id., at 375.

On the other hand, Lord Pearce and Lord Wilberforce both thought that a person could not be said to be in possession of the contents of a package if he was entirely unaware of those contents. These two justices concluded that proof that a person knowingly possessed a package raised a strong inference that he also knew the contents; however, the defendant should be allowed to assert in his defense that he had no knowledge of, or was genuinely mistaken as to, the actual contents or their illicit nature, and received them innocently, and that he had no reasonable opportunity since acquiring the package to acquaint himself with its contents. 9/

Finally, Lord Reid took the view that the statute required the prosecution to prove facts from which the jury could infer that the defendant knew that he had a prohibited drug in his possession. 10/ Lord Reid also

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9/ Id., at 388-90, 393-94. Lord Pearce further stated that "the term 'possession' is satisfied by a knowledge only of the existence of the thing itself and not its qualities, and that ignorance or mistake as to its qualities is not an excuse." Id., at 388. The introduction of this somewhat metaphysical distinction between "kind" and "qualities" was the subject of criticism by commentators. See e.g. D. Miers, The Mental Element In Drug Offences, 20 Nor. Ir.L.Q. 370, 380 (1969); A. Owen, Dangerous Drugs--Possession, The New Law Journal, September 28, 1972, at 844, 845. However, it should be noted that Lord Pearce felt the question of whether a difference in qualities amounts to a difference in kind "is a matter for a jury who would probably decide it sensibly in favour of the genuinely innocent but against the guilty." [1968] 2 All E.R. at 388.

10/ Id., at 367.

suggested that: "In a case like this Parliament, if consulted, might think it right to transfer the onus of proof so that an accused would have to prove that he neither knew nor had any reason to suspect that he had the prohibited drug in his possession. . . ." 11/ Lord Pearce put forth a similar suggestion. 12/

With the exception of Lord Guest, the justices expressed the opinion that the direction to the jury given by the trial court had been defective. 13/ Nevertheless, Lords Reid, Pearce, and Wilberforce believed that the defendant's story regarding lack of knowledge was so preposterous that no reasonable jury could have acquitted him, and that therefore no injustice had been done. 14/

From the foregoing discussion, it is evident that a majority of the court, consisting of Lords Reid, Pearce, and Wilberforce, believed that there was a substantial knowledge requirement for conviction of possession of a

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11/ Id., at 367.

12/ "It would, I think, be an improvement of a difficult position if Parliament were to enact that when a person has ownership or physical possession of drugs he shall be guilty unless he proves on a balance of the probabilities that he was unaware of their nature or had reasonable excuse for their possession. . . ." Id., at 390.

13/ Id., at 370, 375, 391, 395.

14/ Id., at 370, 391, 395. See Section 4, Criminal Appeal Act of 1966. Lord Morris took the view that although the jury instruction was faulty, the admitted facts brought the defendant within his definition of possession, thereby justifying dismissal of the appeal. [1968] 2 All E.R. at 375.

dangerous drug. The inference that possession of a package meant possession of its contents could be rebutted by the defendant if he raised substantial doubt that he knew the contents; this could be done either by showing that he had no right to open the package and no reason to suspect its contents to be illicit, or by showing that he was genuinely mistaken as to the contents and had no reasonable opportunity to ascertain what they were. See D. Miers, The Mental Element In Drug Offences, 20 Nor. Ir.L.Q. 370, 389-90 (1969). The majority view in Warner, then, was the prevailing interpretation at the time of the respondent's conviction in 1968.

The cases which were decided after Warner confirm the existence of a substantial knowledge requirement for conviction of possession. In R. v. Marriott, [1971] 1 All E.R. 595 (C.A.), the defendant possessed a penknife with some traces of cannabis on the blade. On appeal from the defendant's conviction, the Court of Appeal held that, in order to establish unlawful possession of cannabis, the prosecution had to show that the defendant knew or had reason to know that a foreign substance was on the knife. The court noted that nothing said in Warner negated the necessity for such proof of knowledge. The conviction was quashed.

In R. v. Irving, [1970] Crim. L. Rev. 642, the defendant had a bottle in his possession which contained his stomach pills along with some amphetamines, the latter being a prohibited drug. He defended on the ground that the amphetamines had been prescribed for his wife, and that she must have put them in his bottle by mistake; consequently, he claimed, he had no knowledge that the amphetamines were there. The trial judge directed that if the defendant knowingly possessed the bottle he also possessed the contents, and the jury returned a guilty verdict. The Court of Appeal sustained the appeal, stating that the jury direction was wrong because the circumstances were comparable to those where a drug was slipped into a person's pocket or bag without his knowledge.

In R. v. Fernandez, [1970] Crim. L. Rev. 277, the defendant was convicted of possession of cannabis. The facts adduced at trial showed that the respondent had reason to believe that the package he was carrying contained a prohibited substance. The trial judge directed that "if the person were to receive the package under circumstances whereby it would be clear to any person of ordinary common sense that it might well contain either drugs or some other article which ought not to be in distribution the mere fact that it could not be shown that the carrier knew the exact contents would not prevent him from being guilty . . . the mere fact that the prosecution cannot show that he knew the exact nature of the drug would not matter if he did know that the package might well contain some prohibited article and if in fact it did contain a prohibited drug." On appeal it was held that, on the facts of the case, the direction was adequate. The Court of Appeal observed that: "The majority view in Warner was that one could not safely regard the offence as absolute: some mental element, or subjective test, might have to be applied."

In Sweet v. Parsley, [1969] 1 All E.R. 347 (H.L.), the House of Lords considered the question of whether a landlord who had no knowledge that cannabis was being smoked on his premises could be convicted for being concerned in the management of premises used for the smoking of cannabis under section 5(b) of the Dangerous Drugs Act of 1965. The court's holding that the conviction should be quashed hinged on the wording of section 5(b) and prior enactments. However, in the course of the opinion all of the justices agreed that knowledge is normally a requirement for conviction and that such requirement should not be lightly dispensed with. More important for the present case, several justices commented as to what they thought Warner held in regard to the mental element required for conviction of possession.

Lord Reid stated that he had no reason to alter the view which he expressed in Warner, that knowledge is an element of the crime. 15/ Lord Pearce, Lord Wilberforce, and Lord Diplock all expressed the view that the term "possession" as used in Warner imported a mental element. 16/

One commentator has stated that prior to the enactment of the Misuse of Drugs Act of 1971, the mental element required for conviction for drug possession consisted of two stages:

> First, it had to be proved that an accused knew that he had actual or constructive possession of the article which contained the drugs. Secondly, although it could not be proved that the accused knew the exact nature of what he had, it had to be proved that there were facts from which it could be inferred that he knew he had a substance of an illicit nature, though not necessarily what kind of illicit substance it was. I. McCleam & P. Morrish, Harris's Criminal Law 269 (22d ed. 1973). 17/

15/ [1969] 1 All E.R. at 349.

16/ Id., at 358, 360, 361.

17/ The Misuse of Drugs Act of 1971 attempted to clarify the law pertaining to possession of dangerous drugs. The Dangerous Drugs Act of 1965, under which the respondent was convicted, was repealed. Section 28(3)(b) of the new Act specifically provided that a defendant shall be acquitted of various drug offenses, including possession:

> (i) if he proves that he neither believed nor suspected nor had reason to suspect that the substance or product in question was a controlled drug; or

(cont'd)

We conclude that the statute under which the respondent was convicted contained a sufficient knowledge requirement to ensure that persons whose possession was

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> (ii) if he proves that he believed the substance or product in question to be a controlled drug, or a controlled drug of a description, such that, if it had in fact been that controlled drug or a controlled drug of that description, he would not at the material time have been committing any offence to which this section applies.

By the enactment of this section, Parliament appears to have been taking the course suggested by Lord Reid and Lord Pearce in Warner, and thereby placing the burden on the defendant who has been shown to be in the physical control to prove that his possession was innocent.

There are several statements in the legislative history of the Misuse of Drugs Act of 1971 which indicate that at least one member of Parliament believed that as a result of Warner the crime of possession under the Dangerous Drugs Act of 1965 was "absolute" and did not require any mens rea. 808 Parl. Deb., H.C. (5th ser.) 617-18 (1970). This view ignores the fact that there was a substantial knowledge requirement before one could even be said to be in "possession" of a drug. To say that possession is an "absolute" offense begs the question. The term "absolute" is very imprecise. As was pointed out by Lord Pearce in Sweet v. Parsley, [1969] 1 All E.R. 347, 358 (H.L.), the term "absolute" may describe "an offence to which the normal assumption of mens rea does not apply, but in which the actual words of the offence (without any additional implication of mens rea) may well import some degree of knowledge, e.g., the word

(cont'd)

entirely innocent would not be convicted. In this respect, cases such as Irving, Marriott, Smith, and Carpenter establish that persons asserting plausible defenses based on lack of knowledge were not convicted. On the other hand, in cases such as Warner, Lockyer, Fernandez, and Dalas, where the defenses advanced were quite incredible, the courts sustained the convictions.

It is true that some of the formulations of the knowledge requirement in the British cases seem obtuse. It has been suggested that this may be due, in part, to judicial overreaction to the fear that juries would abuse a liberal formulation of the knowledge requirement and be too eager to allow drug peddlers to escape for lack of proof of knowledge. D. Miers, The Mental Element In Drug Offences, 20 Nor. Ir.L.Q. 370, 376-77, 383 (1969). See the commentary on the Dalas case in [1967] Crim. L. Rev. 125. This fear may have been misplaced; however, we do not believe that the Dangerous Drugs Act of 1965 created an offense which permitted the conviction of persons whose possession was innocent and readily explainable.

Conviction for possession of cannabis resin under the Dangerous Drugs Act of 1965 required that the defendant have had knowledge that he possessed an illicit substance which proved to be cannabis resin. A person who was entirely unaware that he possessed any illicit substance would not have been convicted under the Dangerous Drugs Act of 1965. The respondent's plea of guilty to the charge of possession of cannabis resin under the Dangerous Drugs Act of 1965 is a conviction

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'possession' as in Warner's case." We believe that the cases, not the Parliamentary Debates, are the most accurate source of information as to the state of English law at the time of the respondent's conviction.

of a law relating to the illicit possession of marihuana within the meaning of section 212(a)(23) of the Immigration and Nationality Act.

Furthermore, counsel's intimation that the respondent pleaded guilty on the advice of British counsel that British law did not permit a defense of lack of knowledge is not reflected in the record. In a letter dated March 14, 1972, British counsel retained by the respondent at the time of his conviction stated that he believed the respondent had a good defense on the facts of the case. 18/ However, the respondent allegedly expressed a concern for the welfare of his wife, who was then pregnant and suffering physical and emotional difficulties, if she were called upon to testify. British counsel stated that he "was obliged to explain to him [the respondent] that the only course open that would obviate the need for her [his wife's] appearance would be for him to plead guilty." The letter implies that the respondent pleaded guilty to obviate the necessity for his wife's appearance as a witness. British counsel does not state that his advice to the respondent, or the respondent's decision to plead guilty, had anything to do with the unavailability of a defense based on lack of knowledge under the British statute.

The respondent had an opportunity to obtain advice of competent counsel and to fully litigate all possible defenses. He chose instead to take a calculated risk by pleading guilty to the charge. Deportation proceedings are not a forum for redetermining the question of guilt, which has already been established by the respondent's plea. See Rosasco v. INS, 377 F.2d 971, 974 (7 Cir. 1966), vacated and remanded on other grounds 377 F.2d 975

18/ A copy of this letter is appended to the respondent's motion to terminate dated March 24, 1972.

(7 Cir. 1967); Giannerio v. Hurney, 311 F.2d 285, 287 (3 Cir. 1962); Matter of Gutierrez, Interim Decision 2234 (BIA 1973). Although counsel indicated at oral argument that a challenge to the British conviction was being contemplated, we have received no information that such a challenge has actually been undertaken (Transcript of oral argument, pp. 45-6).

B. Is Cannabis Resin Marihuana Within the Meaning of Section 212(a)(23)?

The respondent asserts that the term "marihuana" as used in section 212(a)(23) does not include cannabis resin. Counsel introduced expert testimony by Lester Grinspoon, M.D., and a book written by Dr. Grinspoon, to show that cannabis resin is not marihuana (Transcript of hearing, pp. 35-43; Ex. 13).

According to Dr. Grinspoon, there are three grades of intoxicating drug which are prepared in India from the plant Cannabis sativa (L.), and which serve as standards against which preparations produced in other parts of the world are compared for potency. Bhang consists of Cannabis sativa leaves dried and then crushed into a coarse powder and perhaps mixed with seeds and chopped up stems of the plant. Ganja, the second strongest preparation, is made from the tops of cultivated female plants and is estimated as being two or three times as strong as bhang. Pure resin of the pistillate flowers is called charras and is the most potent of the intoxicants, being five to eight times more potent than bhang. Charras, or cannabis resin, is called hashish in some places.

Dr. Grinspoon has stated that the chemical compounds responsible for the intoxicating effect of cannabis are commonly found in the resin. Although it is generally believed that the plant's active agents are found solely

in the resin, there is insufficient evidence to support this hypothesis. It is possible that other parts of the female and male plants may contain active substances.

The gist of Dr. Grinspoon's testimony is that, as used in the United States, the term "marihuana" refers only to a preparation comparable to Indian bhang, and should be distinguished from cannabis resin which is comparable to Indian charrus (or hashish) (Transcript of hearing, p. 37). While this argument has some technical appeal, we are not persuaded by it.

The term "marihuana" is not defined in the Act, nor is the legislative history explicit as to the meaning to be given to the term. In the absence of explicit legislative guidance, we must strive to interpret the Act in a manner consistent with the congressional purpose.

The provisions for the exclusion and deportation of persons convicted of possession of marihuana were part of a congressional scheme to deal with the evils of drug abuse. S. Rep. No. 1651, 86th Cong., 2d Sess., U.S. Code Cong. & Ad. News 3134-35 (1960). In other statutes having the same objective, Congress has treated the term "marihuana" as including cannabis resin. 21 U.S.C. 802(15); Act of August 16, 1954, ch. 736, 68A Stat. 565; Act of July 18, 1956, ch. 629, §106, 70 Stat. 570; see United States v. Piercefield, 437 F.2d 1188 (5 Cir. 1971), cert. denied, 403 U.S. 933 (1971); United States v. Cepelis, 426 F.2d 134 (9 Cir. 1970), cert. denied, 404 U.S. 846 (1971). In the absence of express congressional direction to the contrary, we shall not create a distinction between cannabis resin and marihuana under the Immigration and Nationality Act.

Several federal courts have noted that hashish (cannabis resin) is merely a refined form of marihuana. United States v. Piercefield, supra; see United States

v. Cepelis, supra. It would be illogical to construe the term "marihuana" under section 212(a)(23) as including the cannabis leaves (possibly mixed with stems and seeds) which contain intoxicating cannabis resin, while not including the pure form of the resin which has a much greater intoxicating effect. While it is true that ambiguous provisions of the immigration laws are often construed in favor of the alien, this general maxim does not require us to ignore common sense and legislative objectives in order to reach a construction favoring the alien. Cf. Chuman Din Khan v. Barber, 253 F.2d 547, 550 (9 Cir. 1958), cert. denied, 357 U.S. 920 (1958).

Matter of Paulus, 11 I&N Dec. 274 (BIA 1965), is distinguishable. That case involved a factual issue concerning the identity of the drug that the alien was convicted of trafficking in. The record of conviction referred only to a "narcotic drug" under California law, which included substances not defined as "narcotic drugs" under the immigration laws as interpreted by the federal courts. Since the conviction was alleged to be the ground for deportation under section 241(a)(11), we held that the factual uncertainty as to what drug was involved had to be resolved against the Service, the party bearing the burden of proving deportability.

In the present case, however, there is no factual dispute as to what drug the respondent was convicted of possessing. The issue is a legal one: Is cannabis resin "marihuana" within the meaning of section 212 (a)(23)? We have resolved this legal issue against the respondent.

Counsel has cited Matter of Gray, A30 310 271 (IJ September 23, 1971), an unpublished decision by an immigration judge, which held that hashish is not "marihuana" within the meaning of section 212(a)(23) of the Act. The Service took an appeal from that decision, but the appeal was later withdrawn. Such withdrawal, however, does not

indicate Service acquiescence to that decision. Cf. Matter of Manggabat, Interim Decision 2131 (BIA 1972), aff'd on other grounds Cabggo-Flores v. INS, 477 F.2d 108 (9 Cir. 1973). Our decisions are binding precedent on the immigration judges, rather than vice versa. 8 C.F.R. 3.1(g). The short answer to counsel's use of Gray is that we disagree with that decision and decline to adopt its reasoning in the present case.

In his brief, counsel attacks the constitutionality of section 212(a)(23). 19/ As he concedes, however, we have no power to consider a constitutional challenge to the statutes which we administer. Matter of Santana, 13 I&N Dec. 362, 365 (BIA 1969); Matter of Wang, 13 I&N Dec. 820, 823 n. 2 (BIA 1971); Matter of L-, 4 I&N Dec. 556, 557 (BIA 1951).

We are not unsympathetic to the plight of the respondent and others in a similar situation under the immigration laws, who have committed only one marihuana violation for which a fine was imposed. Nevertheless, arguments for a change in the law must be addressed to the legislative, rather than the executive, branch of government.

IV. SUMMARY AND CONCLUSION

We have concluded that the respondent's motion to defer our decision must be denied. We have also concluded that the respondent is deportable under section

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19/ We have also considered the amicus curiae brief submitted in behalf of the respondent by the American Civil Liberties Union. A large portion of that brief is devoted to arguments concerning the constitutionality of section 212(a)(23). We believe that the other issues raised in the amicus brief have been dealt with adequately in the course of our opinion and need not be reiterated.

241(a)(2) of the Act, and that he is statutorily ineligible for adjustment of status under section 245 of the Act. The respondent is not eligible for any relief from deportation except voluntary departure, which has been granted to him by the immigration judge. The immigration judge reached the correct result; the appeal will therefore be dismissed.

ORDER: The appeal is dismissed.

FURTHER ORDER: Pursuant to the immigration judge's order, the respondent is permitted to depart from the United States voluntarily within 60 days from the date of this order or any extension beyond that time as may be granted by the District Director; and in the event of failure so to depart, the respondent shall be deported as provided in the immigration judge's order.

Maurice A Roberts

Chairman

CO 243.129-C
C T

SEP 13 P 1:22

9/10/74

United States Senate

Re: Attached from Mr. Gary Craden of St. Louis, Missouri. Would appreciate your comment. Thank you.

Respectfully referred to

Chief, Congressional Liaison
Immigration and Naturalization Service
Department of Justice
Washington, D. C.

for such consideration as the communication herewith submitted may warrant, and for a report thereon, in duplicate to accompany return of inclosure.

By direction of

Stuart Symington

U. S. S.

GPO 16-73697-1

CM 703.149

Comm Reply Sent

SEP 25 1974

SIGNED AND MAILED

SEP 25 1974

CO 893.2-C

(b)(6)

I have your letter addressed to the Attorney General regarding John Lennon, as it concerns a deportation matter.

As you are aware, the Board of Immigration Appeals dismissed Mr. Lennon's appeal and granted him 60 days from the date of that decision in which to depart voluntarily from the United States. However, on September 6, 1974, a petition to review Mr. Lennon's deportation order was filed in the United States Court of Appeals in New York. The petition for review stays Mr. Lennon's deportation pending determination of the petition by that Court.

Thank you for your interest in this matter.

Sincerely,

Carl J. Wask, Jr.
Acting Deputy Commissioner

CC: CO 243.129-C

CC: Commissioner's Reading File

ENF:HB:me

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GARNER E. SHRIVER
4TH DISTRICT, KANSAS

ROOM 2209
RAYBURN HOUSE OFFICE BUILDING

LESTER ROSEN
ADMINISTRATIVE ASSISTANT

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

MEMBER:
COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:
LABOR—HEALTH, EDUCATION, AND WELFARE
FOREIGN OPERATIONS

August 31, 1974

(b)(6)

[redacted]

This is to acknowledge and thank you for your recent letter regarding the deportation matter of John Lennon.

As you know, the decision to provide for the deportation of John Lennon was made by the Immigration and Naturalization Service and not by any Members of Congress.

I received a similar inquiry about a month ago and at that time I contacted the Commissioner of Immigration and Naturalization Service. Please find enclosed a copy of the response I received which I believe you will find informative.

With kind regards, I am

Sincerely,

Garner E. Shriver

Garner E. Shriver
Member of Congress

GES:clf
Enclosure

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
WASHINGTON, D.C. 20536

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AUG 14 1974

AND REFER TO THIS FILE NO.

CO 703.659

Dear Mr. Shriver:

I have your letter of July 29, 1974, with enclosed correspondence from regarding the deportation matter of John Lennon.

Mr. Lennon entered the United States as a visitor in August 1971 and was authorized to remain until February 29, 1972. As a result of his failure to honor that departure date, he was informed that he was expected to depart by March 15, 1972, and that failure to comply would result in the institution of deportation proceedings.

Upon his failure to depart, a deportation hearing was held and the immigration judge found that Mr. Lennon was deportable in that he had remained in the United States for longer time than permitted. The immigration judge granted Mr. Lennon 60 days in which to depart voluntarily from the United States in lieu of deportation. He appealed the immigration judge's decision to the Board of Immigration Appeals.

On July 10, 1974, the Board of Immigration Appeals dismissed Mr. Lennon's appeal and granted him 60 days from the date of that decision in which to depart voluntarily from the United States.

Mr. Lennon is guaranteed and indeed has received the same constitutional rights of "due process" and "equal protection under the law" as would any other alien or citizen of this country, and you may be assured that he received a fair and impartial deportation hearing.

Thank you for your interest in this matter.

Sincerely,

L. F. Chapman, Jr.
Commissioner

Honorable Garner E. Shriver
House of Representatives
Washington, D.C. 20515

Enclosure

August 21, 1974 1974

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CO 243.129-C

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[redacted]

United States Senate

RECEIVED
SEP 12 1974
DETENTION AND DEPORTATION

OFFICE OF LEGISLATIVE AFFAIRS

Respectfully referred to:

INS

ROUTE TO
IMMIG & NATZ.
AUG 26 1974
OFFICE OF LEGISLATIVE AFFAIRS

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested. Your findings in duplicate form, along with return of the enclosure, will be appreciated.

ROUTE TO
IMMIG & NATZ.

Edward M Kennedy
U.S.S.

encl ✓

Form #2

Form Reply Sent 9/26/74

CMU 703.724

~~cc: Office of Legislative Affairs~~
~~Dept. of Justice, Room 1139~~
~~Washington, D.C. 20530~~

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September 11, 197[illegible] 196

Ext

United States Senate

(b)(6)

[redacted]

243.129-C

Respectfully referred to

INS

for such consideration as the communication herewith submitted may warrant. Please reply directly to the constituent and forward a duplicate report to this office with the original correspondence.

By direction of

Edward M Kennedy

U.S.S.

CMU 703.724

Form Reply Sent

9/26/74

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September 11, 1974

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United States Senate

(b)(6)

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Respectfully referred to

INS

for such consideration as the communication herewith submitted may warrant. Please reply directly to the constituent and forward a duplicate report to this office with the original correspondence.

By direction of

Edward M Kennedy

U.S.S.

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United States Senate

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[redacted]

Respectfully referred to

INS

for such consideration as the communication herewith submitted may warrant. Please reply directly to the constituent and forward a duplicate report to this office with the original correspondence.

By direction of

Edward M. Kennedy
U.S.S.

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September 11, 1974 196

United States Senate

(b)(6)

[redacted]

Respectfully referred to
INS

for such consideration as the communication herewith submitted may warrant. Please reply directly to the constituent and forward a duplicate report to this office with the original correspondence.

By direction of

Edward M. Kennedy
U.S.S.

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United States Senate

COMMITTEE ON
LABOR AND PUBLIC WELFARE
WASHINGTON, D.C. 20510

CO 243.129-C

SEP 18 1974

TO: Immigration and Naturalization Service
425 I St. N.W.
Washington, D. C.

ENCLOSURE FROM:

RE:

I am forwarding the attached for your consideration. I would appreciate receiving any information you have available that will enable me to be responsive to my constituent's inquiry.

Please return the enclosed correspondence with your report.

Thank you for your time and effort.

Sincerely,

Harrison A. Williams, Jr.

Reply to:

SENATOR HARRISON A. WILLIAMS, JR.
352 Richard Russell Building
Washington, D.C. 20510

CMU 703544

Form Reply Sent 9/27/74

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SEP 30 1974

CO 243.129-C

(b)(6)

[redacted]

Thank you for your comments regarding the deportation matter of Mr. John Lennon.

For your information, a petition to review Mr. Lennon's deportation order was filed on September 6, 1974 in the United States Court of Appeals in New York. The petition for review stays Mr. Lennon's deportation pending determination of the petition by that Court.

Your views on this matter are appreciated.

Sincerely,

James F. Greene
Deputy Commissioner

CC: Commissioner's Reading File

EMF:HB:me

HB

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