

Referred to another gov't agency

UNITED STATES GOVERNMENT

# Memorandum

TO : FILE

DATE: July 21, 1971

FROM : M. J. Mason  
Immigration Examiner

SUBJECT: Mr. and Mrs. John Lennon

Miss Gilchrist, Visa Office (101-22900) advises that a telegram from the London Embassy states the subjects have applied for B-1/2 visas to consult with business associates in NYC and to attend custody hearing in St. Thomas, Virgin Islands on July 26, 1971.

They plan to arrive NYC 7/21 and remain for four weeks and State recommends 212(d)(3)(A) be authorized.

At Mr. Bernsen's direction, Miss Gilchrist was asked to verify that the Lennons had departed the U. S. Also in view of item in Washington Star about July 16, 1971 which indicated Mrs. Lennon intended to make her home in the U. S. to find out in the light of this item what their plans are.

On July 26, 1971 Miss <sup>Gilchrist</sup>~~Coburn~~ was notified that Section 212(d)(3)(A) authorization had been granted. (See CO order of July 26, 1971).

*Mason*

TC:MJM:hcm



5010-108

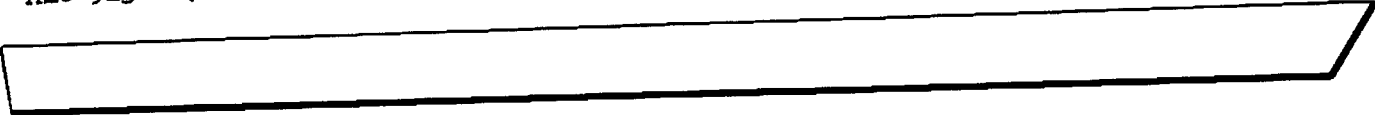
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

3018

✓

<u>FILE</u>	<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>COUNTRY OF BIRTH</u>	<u>EMPLOYER</u>
A17 597 321	John W. O. Lennon	9-10-40	England	Member of the "Beatles" musical group
A18 523 007	George Harrison	2-23-43	England	Member of the "Beatles" musical group

(b)(6)



Name (Last, in CAPS)		(First)	(Middle)	No.
<b>LUNNON,</b>		<b>John</b>	<b>Winston</b>	<b>A-17 307 321</b>
Alias				Index Code
				<b>L-860</b>
Entered: (Mo.) (Day) (Year)	(Port)	(Class)	Born: (Country)	(Mo.) (Day) (Year)
<b>3-11-68</b>	<b>NYC</b>	<b>B-2</b>	<b>England</b>	<b>10-9-1940</b>
Type of Action:			Name of Sponsor:	
<b>I-100</b>				
Action on VP: (Decision)		(Mo.) (Day) (Year)	(Section)	(Forwarded to Consul et.)
Naturalized: (Mo.) (Day) (Year)		(Court No.)	(Court Location)	(Certificate No.)
FCO	Date	FCO	Date	FCO
<b>NYC</b>	<b>3-14-68</b>	<b>NYC</b>		
Accession No.			Box No.	
INDEX CARD				TriPLICATE
Form G-361 (Rev. 7-1-60)				

1

10/11

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE

THIS SHEET MUST BE RETAINED ON TOP OF ORIGINAL WORKFOLDER CASE SUMMARY

LENNON, John	A17 597	
NAME AND ALIASES	FILE NO.	
See also: CO 837-C	NYC	NERO
Cross-Reference	DIST.	REGION

BIOGRAPHICAL DATA

10/9/40 -- Born: Liverpool, England  
 11/28/68 - Convicted in England for possession of cannabis resin.  
 Member of "Beatles" music group.  
 Married to Yoko Ono, a native and citizen of Japan born 2/18/33.  
 1/30/69 -- Wife Yoko divorced former husband Anthony Cox.

IMMIGRATION HISTORY AND PROCEEDINGS

1964 - 1971 -- Entered U.S. on several occasions as nonimmigrant.	1/17/72 - H-1 visa approved for subject and wife. PHI valid to 1/31/72. Status subject adjusted to H-1.
8/13/71 -- Admitted B-2 at NYC to 9/24/71 with wife, Yoko, subject with 212(d)(a) order.	2/1/72 - Status subject and wife adjusted to H-1 to B-2. Stay extended to 2/29/72.
9/3/71 -- H-1 petition for subject only. Approved at NYC - valid to 9/24/71.	2/25/72 - P-3 visa posted.
11/29/71 - Extension of stay authorized to 1/31/72.	3/1/72 - Subject and wife granted V/D to 3/15/72.
12/16/71 - H-1 petitions approved for subject and wife at NYC valid to 12/16/71. Change of status not required.	3/6/72 - Privilege of V/D revoked.
	3/7/72 - OSC interview in both cases - remained longer. Hearing scheduled.

Date	Action	Date	Action	Date	Action
				10/31/72	Return Permit

IMMIGRATION HISTORY AND PROCEEDINGS

- 3/ 8/72 -- Requested State Dept. to ascertain if subject's conviction on 11/28/68 had been expunged
- 3/10/72 -- State Dept. reported 1968 conviction not expunged
- 3/16/72 -- Deportation hearing commenced and adjourned to 4/18/72.
- 4/18/72 -- Deportation hearing adjourned to 5/2/72.
- 4/24/72 -- NYC advised to no action to be taken on third preference petitions filed by subjects.
- 5/2/72 -- Federal Court in NYC issued temporary order restraining Service from holding deportation hearing. Suit charges that Service failed to act on their applications to remain in the U.S. as outstanding artists. (Approved of 3rd pref. petition.)
- Third preference petitions approved. Hearing scheduled for 5/9/72.
- 5/4/72 -- NYC reported deportation hearing postponed to 5/12/72.

5/12/72 --Hearing adjourned to 5/17/72.

5/17/72 Hearing completed. SIO reserved decision. Atty. given to 7/1/72 to file brief.

3/23/73 *Decision of Immigration Judge - Adjustment of Status under Section 245 - denied. V/D granted in lieu of deportation on or before 60 days or any extensions granted by IJ. If fails to depart as directed V/D shall be withdrawn and respondent shall be deported to England. Section 241(a)(2) of the I&N Act no further action by investigations,*

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AND REFER TO THIS FILE NO.

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 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. 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.

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,

*Letter being used by D&D,  
File -  
WF - John Lennon  
ALT  
5/7/75*

3024



# Lennon Wins Right to Quiz Jus

BY JOE TREEN

NEW YORK — Can you imagine what must have gone through the judge's mind? Can you imagine the torture and agony he must have felt? Allow John Lennon — ex-Beatle John Lennon, hardly the epitome of middle-class America—allow him to . . . to . . . the word comes hard . . . to investigate the United States Department of Justice? The idea is almost absurd! John Lennon, unfettered and free, flying from one file cabinet to another. Opening drawers. Pulling out files. Asking questions.

But on the other hand, the judge must have had another thought: What if Lennon is right? What if the local immigration people in New York did try to kick Lennon out because the Nixon honchos down in Washington were afraid he'd disrupt the 1972 Republican National Convention? What if there was a governmental conspiracy against Lennon? What if they did pre-judge his case? What if they did plan a big political trial for him as *ROLLING STONE* reported two months ago. (RS December 5th, 1974.)

And so the judge found a compromise. On January 2nd, U.S. District Court Judge Richard Owen ruled that Lennon's lawyers, as they had requested, will be permitted to question federal officials; they will be permitted to see immigration files; they will have a chance to try to prove the Watergate connection in the Lennon deportation case. But there is a catch. Judge Owen is afraid Lennon might "disrupt" the operations of the government. The witnesses, therefore, will be witnesses approved by the judge; the files will be files screened beforehand. Although immigration officials once planned a big political trial for John Lennon, Lennon cannot plan a big political trial for them.

Lennon's attorney, Leon Wildes, was elated. He issued a press release the day after the judge's ruling and left immediately for the Virgin Islands for a planned holiday. The decision was "a significant step forward," the release said, "in vindicating my client's position that he had been selectively prosecuted because of his antiadministration opinions." Wildes's associate, Steven Weinberg, said the judge's restrictions would not hamper Lennon's inquiry. "He just wants to see that there's some pertinence to the people we are examining," he said.



Lennon to examine. There is Senator Strom Thurmond (R-S.C.), who has admitted through a spokesman that he sent "some information" about Lennon to then attorney general John Mitchell; a few weeks later the case against Lennon began. There is Mitchell's No. Two man, Richard Kleindienst; sources close to the situation say Kleindienst sent a note—"Let's get on this right away"—which was clipped to Lennon's file in New York. There is Raymond Farrell, then commissioner of the Immigration and Naturalization Service, a branch of the Justice Department. There is James F. Greene, then Farrell's associate commissioner. There is Sol Marks, who headed the New York immigration office and there is Vincent A. Schiano, the government lawyer assigned to the case.

Sources say that Marks, acting on Greene's instructions, ordered Schiano to hold a political trial—to show

ideas that he was unfit to be a resident of the U.S.—but that Schiano talked him out of it. Greene denies that; Marks says the idea might have been "discussed very tangentially"; and Schiano isn't talking.

But if Lennon's lawyers have their way, that will change. Schiano is high on the list of witnesses they would like to question. "We wouldn't mind examining every one of the defendants," Weinberg said. But if it got down to a crunch, he said, the big three are Schiano, Marks and Greene. "Because that's where any kind of predetermination was made," he said. "That's where instructions were given and that were the people who received the instructions."

Lennon's lawyers also want to see Lennon's file. "We want everything," Weinberg said. "We are going to examine the government file completely. . . . We want to see how this thing was

3025

# Justice Dept.

Just what limits Judge Owen places on Lennon's lawyers will not be decided until a closed hearing now set for January 17th. But the limits on Lennon will probably not be decided until after the hearing anyway. Judge Owen, 52, has the reputation of being a thoughtful, careful and fair judge whose caseload is so heavy it takes a long time for him to work out a decision (this one took two months). Even though he was appointed to the bench by Richard Nixon and was in the Justice Department during the Eisenhower administration (he prosecuted some would-be assassins of Harry Truman), Judge Owen has something in common with John Lennon: They are both composers. Owen composes operas. After law school he studied at Juilliard and has written four operas which were well received both in this country and abroad.

His concern that the questions of composer John Lennon may disrupt the government seem unfounded.

Of the seven potential witnesses in the Lennon case, only two—Thurmond and Greene—are still in government. Mitchell and Kleindienst, you may have noticed, are no longer there. Farrell and Marks have retired and Schiano is in private law practice.

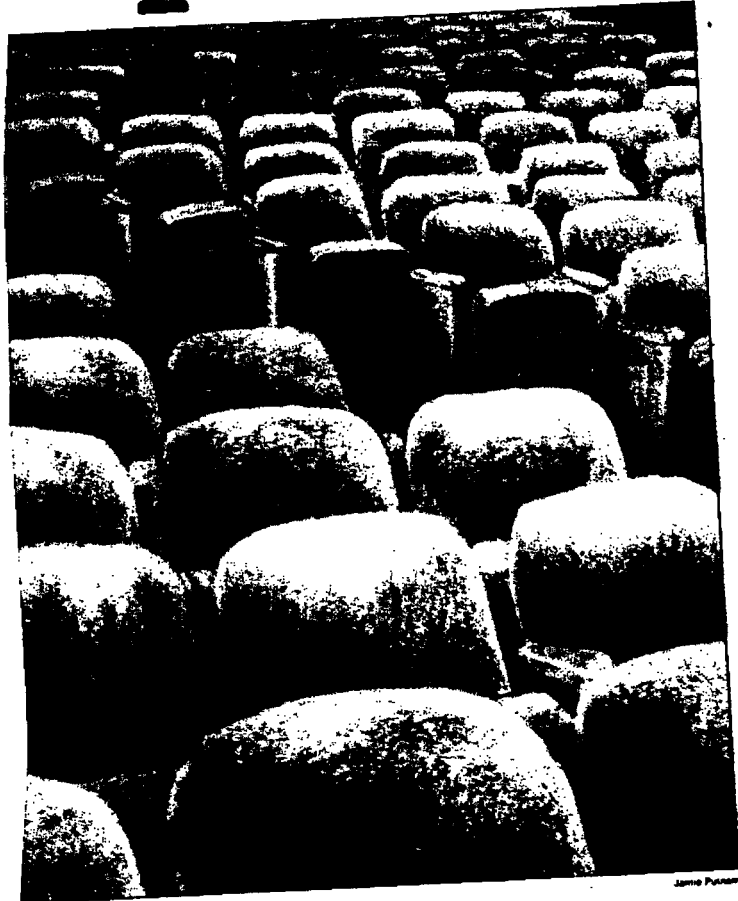
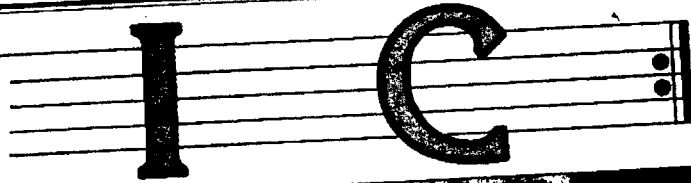
Perhaps because they are out of government, Schiano and Marks are expected to say there was illegal interference in the case from Washington. Perhaps because he is still in the Immigration Service, Greene is expected to say that there was not. In fact, in a letter protesting the ROLLING STONE investigation of the case, Greene made his position quite clear:

"Mr. Lennon is simply one of the thousands of tourists who come to this country as visitors for business or pleasure and, lured by the attraction of our nation's economic opportunities and freedom, decide to remain here. Often they do so illegally, as did Mr. Lennon.

"Although he applied for status as a permanent resident, Mr. Lennon is not eligible because he has a prior drug conviction. That is the law as passed by Congress.

"This position was upheld in the Lennon case by the Immigration judge who conducted a hearing and by the Board of Immigration Appeals. If upholding the law, as the public pays me to do, is wrong in the eyes of ROLLING STONE, then I plead guilty."

Next witness.



## oters Take Lumps

a children's series. etting close to stable bottom," n. "There are going to be some nights biting the dust before it's Some acts will decide they just ford to tour anymore for the that's around. The promoter a will purge itself. There's only or so major promoters now and this is all over there'll only be ight left. People who depend on il bite the dust. I know of a num- promoters—no names here— e bouncing checks now. Lots of re on the brink of collapse. They realize—this is no longer a time rich—it's a time to survive. You ow, since your grosses are off by you must buy the acts 33% er. The acts are coming around to easoning. Like Johnny Winter is g the Felt Forum for me. Money rown around so recklessly for a there was a thoroughly decadent ss atmosphere. Now, the acts sober up, the promoters must

Northern Jersey, where the Capitol Theater is, has four-and-a-half million people. So it's a better market. Still, it slips around the holidays, and I had to close the Capitol the first three weeks in January. "What's happening now," he added, "is that door sales are just gone. We can only count on advance sales. We're losing the marginal kids who never decide till the last minute." Promoters in St. Louis and Atlanta agreed about the drop in advance ticket sales.

Jerry Weintraub is suddenly one of the country's hottest promoters by virtue of handling Zeppelin, John Denver and Elvis. "I have only Standing Room Only acts," he says. "I've never promoted attractions that were not headliners. I don't buy a middle attraction, because I think that's where the recession hurts. The kid'll save his money to see Zeppelin instead of run- see an act he d...

*File*  
WF-LENNON,  
JOHN  
OHC  
3/18/75

ceasefire pledges is tested.

The hardest question may confront the U.S. For it is difficult to envisage a durable settlement that will not require the Greek junta to relinquish any fruits of the anti-Makarios coup it sponsored. Anything short of such a retreat will embolden Turkey to seek to maintain gains won by its counter-invasion.

On both sides, considerations of "face" may begin to overshadow the basic issue of the restoration of independence to Cyprus.

### Penalty for Conscience

Albert E. Jenner Jr. has been reportedly relieved of his post as counsel to the Republican minority on the House Judiciary Committee because conscience and reason induced him to join with John Doar in concluding that the evidence warrants an impeachment trial of Richard Nixon. While Jenner will retain his title as co-counsel, his duties as lawyer for the GOP bloc have been transferred to his deputy.

### The Lennon Case

The crime for which John Lennon was convicted in London in 1968 would not even land him in a New York jail. Police here have virtually stopped making arrests for small amounts of marijuana. Yet U. S. immigration authorities have been relentless in their determination that he be deported; their latest action affirms an order that he must leave the U. S. within 60 days.

Lennon's only hope now is that the federal courts will put a halt to the bureaucratic machinery with a precedent-setting decision barring deportation for such minor offenses.

Lennon's artistry not only brought a fresh intelligence and imagination to America's music. It shaped much of

### Tools for Oppression

Will crime-detection devices used to entrap Soviet dissidents be supplied by American companies?

Sen. Henry Jackson and Rep. Charles A. Vanek report that a group of American manufacturers of security equipment are planning to exhibit their wares at a Moscow fair in August. Obviously, the companies are not simply trying to show the Soviets how sophisticated their equipment is. They are hoping to sell it. The logical buyer for such de-

vice that story will be very much in order if and when the present peril is surmounted.

The fragile, obsolete structure of NATO will also call for reappraisal. At this moment, however, the urgent challenge to Washington is to end its servility to the Greek despotism and press for restoration of a non-aligned Cypriot sovereignty that prevailed under Makarios. Ambiguity and vacillation on that issue are an invitation to incalculable, interminable peril. It is time for the long-delayed moment of truth between the U.S. and the Greek tyranny.

There is surely no humiliation for Jenner in this punishment by the floundering Republican committee members. Even men who joined in the action against him felt obligated to pay tribute to his character and diligence. We believe the country will be far more impressed by the solemnity of his decision to say what he believed than by the removal of his Republican credentials.

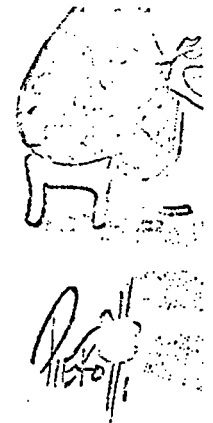
the style and tone of the Sixties. He should be valued as a distinguished resident of this country, not driven out.

By contrast, it is painful to note that the Immigration and Naturalization Service has been less than zealous in starting deportation proceedings against scores of suspected Nazi war criminals who have found a haven in the U. S. There have been reports of INS officials resisting such deportation cases and charges that files of some of the war criminals have disappeared. Congressional investigation is called for. In the meantime, it is clear that immigration authorities should have larger matters to occupy them than harassing John Lennon.

VICES as voice identifiers and fingerprint analyzers would be the KGB, the Soviet secret police.

Commerce Secretary Dent has apparently bowed to Congressional pressure and agreed to impose licensing controls on such sales.

Incidentally, amid our concern over these prospective sales to the Soviets, it might be interesting to explore how many of these "crime-detection" gadgets are used for illicit operations here.



### Lei

Deaf, Dumb and Blind Agnew, Chapin, Colso Ehrlichman, Kalmback Krogh, Magruder and Pater, each of them guilty. Believe it or not, Nixon didn't know what was going on! Isn't it fantastic?

JAMES FINNEY

### Expert Promoter

I know that Baruch Korff has the right to use the word "Rabbi" before his name. However during the past year, he has been involved in activities which have nothing whatever to do with the rabbinate. He has been devoting his time to advertising and promoting his political organization, National Citizens Committee for Fairness to the Presidency.

While I disagree with his views about President Nixon I respect his opinion and admire his talents as an advertising executive and promoter. His masterful handling of the publicity for the book he just wrote will surely make it a best-seller. But I resent his attempt to emphasize the "Rabbi" angle and to make it appear that somehow he represents some segment of American Jewry. The fact is that he has no authority to speak on behalf of any congregation, any Jewish community or any Jewish organization. It's wrong to drag a religious element into something which merely involves politics, promotion and publicity.

JACK GELBER

*File in*  
✓ W.F. Lennan, John  
cc: W.F. War Criminals &

THE WASHINGTON POST

Friday, March 15, 1974

# Call It John Lennon's Hard Day's Night

An investigation of a West Hollywood nightclub brawl involving former Beatle John Lennon was ordered yesterday by the Los Angeles district attorney's office.

A free-lance photographer, 51-year-old Brenda M. Perkins, filed a citizen's complaint against Lennon after he allegedly slapped her while she was trying to take a picture of him being escorted out of the Troubadour nightclub.

Lennon allegedly shouted obscenities at the Smothers Brothers who were performing at the club. Peter Lawford reportedly told Lennon

to "shut up or get out" after Lennon threw a glass against a wall.

W.F. - Lennon, J.L.  
3/15/74

John Lennon and his wife, Yoko Ono, were last admitted into the United States on August 13, 1971, as visitors for pleasure until September 24, 1971. His admission was under the waiver provisions of Section 212(d)(3) of the Immigration and Nationality Act, inasmuch as he is ineligible for a visa and admission into the United States because of a conviction of possession

November 28, 1968. On September 3, of non-immigrant status to H-1 effect was granted an extension of stay on 1972. Thereafter, John and Yoko were H-1 petitions and were subsequently February 1, 1972, from H-1 to B-2 with 1972.

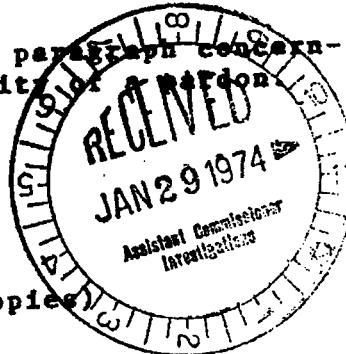
On March 1, 1972, they were granted 1972, which privilege was revoked on Cause were issued on March 7, 1972, o the deportation hearing was scheduled commenced on that date but was adjour completed on May 17, 1972. On March ordered that the application of Yoko status under Section 245 of the Immig that of a permanent resident of the United States, be granted but that the application of John Lennon be denied. It was further ordered that the privilege of voluntary departure be granted to John Lennon on or before sixty days from the date the decision became

Form G-25 (Rev. 6-16-66) ROUTE SLIP CO 837-C  
 Date 1-29-74  
 Mr. Gary Baise  
 To Assoc. Dep. Atty. Gen. Room 4208

<input type="checkbox"/> Approval	<input type="checkbox"/> Note & Return	<input type="checkbox"/> See me
<input type="checkbox"/> Comment	<input type="checkbox"/> Note & File	<input type="checkbox"/> As requested
<input type="checkbox"/> Necessary action	<input type="checkbox"/> Signature	<input type="checkbox"/> For your information
<input checked="" type="checkbox"/> Per telephone conversation	<input type="checkbox"/> Call me Ext.	

Remarks  
 Re: JOHN LENNON and his wife, YOKO ONO

Please note last paragraph concerning the possibility of a pardon



Attachment (2 copies)

MG:keh

James F. Greene 425 Eye St NW  
 From Deputy Commissioner Room 7104  
 IMMIGRATION AND NATURALIZATION SERVICE (over) 34-128

*Orig + 3 handed to Gibson 1/28/74 W.Z.B.*

John Lennon and his wife, Yoko Ono, were last admitted into the United States on August 13, 1971, as visitors for pleasure until September 24, 1971. His admission was under the waiver provisions of Section 212(d)(3) of the Immigration and Nationality Act, inasmuch as he is ineligible for a visa and admission into the United States because of a conviction of possessing cannabis resin in England on November 28, 1968. On September 3, 1971, he was granted a change of non-immigrant status to H-1 effective to September 24, 1971. He was granted an extension of stay on November 29, 1971, to January 31, 1972. Thereafter, John and Yoko were the beneficiaries of several H-1 petitions and were subsequently granted change of status on February 1, 1972, from H-1 to B-2 with their stay extended to February 29, 1972.

On March 1, 1972, they were granted voluntary departure to March 13, 1972, which privilege was revoked on March 6, 1972. Orders to Show Cause were issued on March 7, 1972, on a remained longer charge and the deportation hearing was scheduled for March 16, 1972. The hearing commenced on that date but was adjourned on several occasions and was completed on May 17, 1972. On March 23, 1973, the Immigration Judge ordered that the application of Yoko Ono Lennon for adjustment of status under Section 245 of the Immigration and Nationality Act to that of a permanent resident of the United States, be granted but that the application of John Lennon be denied. It was further ordered that the privilege of voluntary departure be granted to John Lennon on or before sixty days from the date the decision became

*Orig + 3 handed to Gibson 1/28/74 W.Z.R*

final, and further that the privilege of voluntary departure be withdrawn if he failed to depart, when and as required, and that he shall then be deported from the United States on the remained longer charge.

John Lennon appealed the decision of the Immigration Judge to the Board of Immigration Appeals which was argued there on October 29, 1973. The decision of the Board of Immigration Appeals is still pending.

A pardon granted by a foreign government does not avert exclusion or deportation (Weedin v. Hempel, 28 F. 2d 603 (C.A. 9, 1928); Consola v. Karnuth, 108 F. 2d 178 (C.A. 2, 1939); Sohaiby v. Savoretti, 195 F. 2d 139 (C.A. 5, 1952). nor does expungement of a narcotic or marijuana conviction by a foreign government or in the United States erase the ground for exclusion or deportation. The courts have followed this position. Kelly v. INS, 349 F. 2d 473, (C.A. 9, 1965), cert. den. 382 U. S. 932; Brownrigg v. INS, 356 F. 2d 877, (C.A. 9, 1966); Gonzalez de Lara v. U. S., 439 F. 2d 1316, (C.A. 5, 1971).



An editorial in the Jan. 24, 1974 issue of the MIAMI TIMES says that when it is clear that refugees fled to our shores at great risks to their own lives, the burden ought to be on immigration authorities to prove that the refugees are only looking for jobs. In particular, Government experts ought to have to testify under oath about conditions in the country from which refugees fled. The fate of any who returned ought to be followed by our embassies. The country ought not offer sanctuary to political refugees of one race or nationality, and refuse it to others. The editorial concludes with the hope that South Florida Congressmen will keep close watch on the affairs of the Haitian refugees to see that such discrimination does not happen.

John Lennon, in a last attempt to prevent the U.S. government from deporting him, is appealing to the Queen of England to pardon him. The Ex-Beatle was convicted in London in 1968 of possessing marijuana. Lennon wants very much to become a U.S. citizen, but foreigners with drug convictions are not permitted U.S. citizenship. Lennon would like to fly to London and appeal to Her Majesty in person, but he is afraid that if he once leaves the U.S., he will not be allowed to return. Lennon's non-resident visa expired last February, at which time U.S. immigration authorities sought to deport him, but he hired a battery of lawyers who won him extensions. Beatle John has been an exemplary individual in the U.S., contributing to many causes and working strenuously for the relief of Bangladesh refugees. No doubt he would prove a welcome addition to this country. He is intelligent, talented, and creative, which is more than can be said for some of the bureaucrats who want to deport him. (Parade, WASH. POST 1/27)

EL PASO - A new twist has been added to the swindles perpetrated on the ignorant Mexican laboring class who journey to the border area and fall prey to the numerous "con" men and bracero smugglers who promptly relieve them of their meager savings. Now it is the Chamizal Border Police who patrol the river bank who are victimizing these wets. When the wets turn back to Mexico because their attempts to illegally enter the U.S. are frustrated by the presence of the Border Patrol, the Chamizal Police Agents are alleged to be extorting money from these people in return for not taking them to the Juarez Jail. (EL FRONTIZERO 1/24)

EL PASO - The Ford Motor Co. will build the International Monorail, expected to be under construction within two or three months and be operational by early 1976. Maintenance and control facilities will be in Juarez. The selection of Ford was announced today by Stephen W. Kent, President of International Monorail Corp., at a conference in the Chamber of Commerce Building, and by Julio Laguette, President of Monoriel International, S.A., in Juarez. The system will cost from \$14 to \$15 million, including Juarez and El Paso Terminals. The route will be along Oregon Street in El Paso and along Francisco Villa Street in Juarez. Although not disclosed today, the Juarez terminal is expected to be located near the Downtown Bull Ring and the El Paso Terminal where the American Furniture Co. stands today. An elevated narrow bridge is to span the Rio Grande between the two International Bridges. The Ford system will carry from 25,000 to 30,000 international travelers a day. Russel F. Thielman, Marketing Manager for Transportation Systems Operations of Ford, said in El Paso today that the Monorail System will be computer operated with each car carrying 70 persons along the 1.5 mile interna-



*715C*  
**HARTFORD** - Forged search warrants and stolen police credentials were the keys to an elaborate theft scheme, according to Connecticut and Rhode Island police, in which four men were arrested on a series of conspiracy, larceny, and forgery charges. Rhode Island police said surveillance was spurred by information from Canadian authorities. The four suspects included two Canadians, John J. Sholtanuk, 47, of St. Thomas, Ontario, and Delore D. Bovard, 61, of London, Ontario. After they were taken into custody police found forged search warrants, slugs, and stolen badges for an Albany, New York, District Attorney and for Canadian investigators. Bond for the Canadians was set at \$50,000 each. (HARTFORD COURANT 11/3)

DD states Sholtanuk, A13 462 769 DET, is in SLOB under K-2 and K-3. Bovard not listed, and DET Investigations is presently trying to identify.

**WASHINGTON** - Attorney Wildes told the BIA he is suing the government in New York for evidence of government bugging and wiretaps against former Beatle John Lennon and his wife, Yoko Ono, and therefore requesting the BIA to delay its decision on Lennon's deportation order until a U.S. District Court rules on that suit. The order finding Lennon, 32, residing illegally in the U.S. because of a prior conviction for possession of marijuana while living in England was appealed to the BIA. (MIAMI HERALD 11/2) See DIGEST 10/26.

*W.F. LENTON*

**MCALLEN, TEXAS (AP)** - Thirteen persons were arrested on charges of illegal mass picketing as United Farm Workers of America pickets urged supermarkets not to buy California lettuce picked by non-union workers. Antonio Oredain of McAllen, an aide of Cesar Chavez, was one of those arrested. Six of the group were juveniles and one of the six an alien illegally in the country, who will be turned over to the U.S. Border Patrol. A McAllen lawyer contended the arrests were unlawful because the law itself had been declared unconstitutional, but police authorities claimed that part of the law which permitted arrests for interference with traffic was still valid. Oredain said the police are trying to break the strike just as the Texas Rangers did in 1966 in Starr County. (SAN ANTONIO EXPRESS/NEWS 11/4)

**CHICAGO** - The director of the Illinois Department of Registration and Education stated that citizenship is no longer a requirement for a professional license in Illinois. Previously the state had required citizenship or a declaration of intention for most professional licenses, including medicine and dentistry. A Supreme Court decision in a New York case recently ruled the citizenship requirement was unconstitutional. (CHICAGO TRIBUNE, 11/5)

*Lennon Mark Solter  
 Auth. by the*



WASHINGTON - An estimated 25,000 Cuban refugees stranded in Europe and Latin America may be allowed to come here beginning early next week, according to U.S. officials in Washington. The State Department recommended that the Attorney General parole all Cubans into the U.S. as fast as possible for humanitarian reasons. The Justice Department is expected to act on the recommendation early next week. It will take about eight months to process the refugees, at the rate of 3,125 monthly. Eight hundred to 1,000 monthly are entering from third countries under the quota system, and will come with visas; the rest will be paroled in, allowing them to wait their turn on the quota while already in the U.S. An INS official estimated it would take 8 to 12 months to parole all the Cubans, as there will be no arrangements similar to the defunct Freedom Flights at government expense. Justice Department officials said that Secretary of State Kissinger signed the parole recommendation two weeks ago, but State Department officials say it was signed in late September by Acting Secretary Kenneth Rush. (MIAMI NEWS 10/25)

PHILADELPHIA (UPI) - Four men, including two Sicilians, have been indicted by a federal grand jury on fraud charges involving alleged sham marriages by aliens to American women so the foreigners can remain in the United States. Indicted were Federico Giordano and Guisepppe Giambanco, both Sicilians who live in Doylestown, Pa., Francesco Mannino of Doylestown, and

Girolamo Russo, New Britain, Pa. The four were charged in the two-count indictment with conspiracy and fraud and misuse of documents required by U.S. immigration laws. (WASH. STAR-NEWS 10/25)

EL PASO - A Mexican Federal Police crackdown on narcotics smuggling along the Juarez border, ordered by the Attorney General, has begun with the arrival from Mexico City of a crack six-man team of narcotics agents on special assignment. The assignment was made because of the alarming and uncontrolled smuggling of large shipments of marijuana to the U.S. along the entire Juarez Valley area. The western boundary line from Antelope Wells, N.M. to Columbus, N.M., where active marijuana smuggling has been reported, will be placed under heavy surveillance. (EL PASO TIMES 10/25)

NEW YORK - Former Beatle John Lennon has brought suit against the U.S. Government, demanding the government admit or deny whether Lennon or his lawyer were the subjects of illegal wiretaps or surveillance. The U.S. is seeking to deport Lennon because his 1968 conviction in England for possession of marijuana makes him ineligible for permanent residence. The suit alleges that denial of Lennon's application for residence was the contrived result of illegal wiretaps and surveillance. Lennon has also asked the court to force INS to produce the records under which deportation decisions are made. (HOUSTON POST 10/21, OMAHA WORLD HERALD 10/25) See DIGEST 4/3/73.

W/F LENNON ✓

↑  
PHI

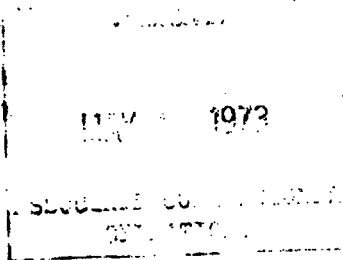
11/28/73 3034

*Mr. Nikshaitis*  
*W.L.K.*

MM:RMD:BB:ljm  
CO 703.762

MAY 4 1973

Honorable Clarence B. Long  
House of Representatives  
Washington, D. C. 20515



Dear Clarence:

Thank you for your letter of April 2, 1973 with enclosure from Mr. Benjamin Davis concerning the deportation of Mr. John Lennon.

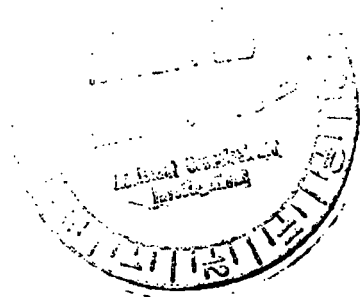
Mr. Lennon is ineligible for a visa and admission into the United States because of a conviction of possessing cannabis resin. An alien convicted of such an offense may not be admitted for permanent residence. Nevertheless, his entry may be authorized under a special provision of law for a temporary visit.

Mr. Lennon's present visit to the United States was authorized under this special provision of law for business purposes and to attend a custody hearing in court proceedings in connection with Mrs. Lennon's child by a previous marriage. His entry was authorized for these purposes upon the recommendation of the Department of State. Mr. and Mrs. Lennon were last admitted into this country on August 13, 1971.

Since they did not depart from the United States within the time authorized, deportation proceedings were instituted against them on that ground. Subsequent to the institution of such proceedings, the Department of Labor issued a labor certification on Mr. Lennon's behalf and he was accorded a third preference classification to be used in applying for an immigrant visa.

cc: Imm. & Nat. Service

*file W/F John Lennon*  
*W.L.K.*  
*5/15/73*



Following a hearing, a Special Inquiry Officer of the Immigration and Naturalization Service found Mr. Lennon deportable and granted him the privilege of departing the United States voluntarily within 60 days.

Mr. Lennon's case is now pending before the Board of Immigration Appeals in Washington, D. C., on appeal from the decision of the Special Inquiry Officer.

Sincerely,

**MIKE McKEVITT**  
Assistant Attorney General

5/2/73  
The Lennon Case  
W.F. [unclear]

Benedict and his associate, David Jones, President Winer pointed out:

The feeding of American children has become a number one concern of the U.S. Jaycees.

In cooperation with other groups interested in the problem of nutrition for our school population, the Jaycees are moving forward with an effort to make certain that all of our children have available to them a sound nutritional program with which to meet the day.

I am particularly pleased to make note here of the fact that planning is rapidly being completed on a seminar which will be held on May 5 in my own State of Michigan. The Jaycees will attempt to outline a wide range of involvement methods to officials of the various school districts, and to local Jaycees, to assist in bringing the one thousand plus "no program" schools in Michigan into some kind of food service assistance.

In bringing this effort to the attention of the House I wish to associate myself with my good friend and colleague, the minority leader, who stated that he was "most pleased to learn that the Jaycees are currently directing their energies toward the area of child nutrition. I heartily concur with the Jaycees statement that, 'It just makes common sense to feed children.'" I wish the Michigan Jaycees, the national organization, and its new Office of Child Nutrition every success in their efforts.

THE LENNON CASE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. KOCH. Mr. Speaker, I am sure our colleagues are aware of the immigration case involving John Lennon and his wife, Yoko Ono. Mr. Lennon is being ordered to leave the United States because the law automatically bars from permanent residence anyone who has ever been convicted of a drug violation. His record shows a conviction for "possession of marihuana" in a British court in 1968.

Clearly, there are reasons why the immigration statute would be strict with aliens involved in drugs. But to treat an alien convicted for possession of marihuana the same way a dealer in heroin is treated is certainly unjust.

To deal with such cases in a compassionate manner, I have introduced a bill with 12 cosponsors to amend the Immigration and Nationality Act to allow the Attorney General, at his discretion, to waive the now automatic bar to immigration of aliens who have been convicted, at any time in their lives, of marihuana possession. This bill has been introduced in the Senate by Senator ALAN CRANSTON.

The inclusion in section 212(a) 23 and 214(a) (11) of marihuana as an "excludable offense" for the purposes of admission to the United States and as a "deportable offense" occurred in 1960 when

marihuana was a felony under both Federal and State law.

Since that time a number of changes have been made in both Federal and State laws with the National Commission of Marihuana recommending that penalties for the simple possession of marihuana be removed entirely. Only two States classify possession of marihuana as a felony. This offense, now recognized as a misdemeanor under Federal law, continues to prevent desirable aliens from being admitted to the United States.

I urge our colleagues to support this legislation.

TAXATION WITHOUT REPRESENTATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. DERWINSKI. Mr. Speaker, a development, which I believe has escaped the attention of the Members is the imposition of what amounts to a tax upon a tax, is very clearly described by Radio Station WGN, Chicago, Ill., in an editorial of April 8. I insert this editorial into the Record and direct it to the special attention of the members of the House Ways and Means Committee trusting that they will recognize the legitimacy of the point contained in the editorial.

The editorial follow:

TAXATION WITHOUT REPRESENTATION

Two hundred years ago, Americans were complaining about taxation without representation. Now, we feel, there's new reason for complaint.

The federal government has ordered the airlines to enforce tight security measures at airport boarding areas . . . to discourage would-be hijackers. Metal detecting devices, people to operate them, other people to search hand luggage . . . all of these things cost the airlines money. So, the government has allowed the airlines to pass along the cost.

The domestic airlines of the nation and the government settled on the figure of \$57 million as the estimated cost of these security measures. Further estimating, on the number of passengers to be carried this year, brought the cost down to 34 cents per passenger. The airlines were told they could add this charge for each portion of an airline trip.

While no one likes having the price of anything go up, the 34 cents on a \$100- or \$200-ticket is not unreasonable. But, said the government, add the 34 cents into the ticket price before you compute the tax.

There is an eight percent federal tax on airline tickets. So, the 34-cent charge becomes 37 cents . . . those other three pennies going to Uncle Sam. It's not a lot of money . . . in relation to tax revenue and government spending. We guesstimate it will bring four and a half to five million dollars into the federal treasury in the next year. But, the Constitution says Congress should levy taxes, not some administrative agency which, in effect, orders an increase in costs, permits the cost to be passed along to the general public, and then taxes the increase.

The surcharge, to defray security costs, is reasonable. But, the tax isn't. The airlines should be permitted to add the extra 34 cents after computing the tax.

THE ENERGY CRISIS

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. ARMSTRONG. Mr. Speaker, the United States is on the verge of an energy disaster.

Our country has been so rich in natural resources and productivity for so long that we have been isolated from any real resource sacrifices. Famine and shortages of other kinds almost seem un-American as if our country were immune to the problems plaguing other nations.

But the energy crisis is real and its effect will be felt in every household across the country. Americans will have to face skyrocketing fuel prices, rationing, restrictions on travel as well as on the ownership of automobiles and home appliances. We will probably have an energy czar with regional administrators and a typical costly governmental bureaucracy as well as an increasing dependence on foreign suppliers which will inevitably subject the United States to international blackmail by oil-rich potentates of the Middle East—unless we act quickly and decisively to close the energy gap.

It may not be too late to avert the worst consequences if Congress formulates energy policies based upon the realization that—

The United States has only 6 percent of the world's population but consumes 35 percent of the world's energy, more than the combined usage of the U.S.S.R., Germany, Japan, and Great Britain.

Domestic energy production has not kept pace; in fact, production of domestic crude oil and natural gas liquids peaked in November 1970 and has decreased by about 5 percent since that time. Even more ominous is the oil drilling rate—the drilling footage—which stands now only about half the rate of 1955. Significantly, the finding rate—volume of oil and gas found per unit of drilling effort—is also declining, a factor heavily influencing the supply and cost of production.

With gasoline consumption rising dramatically it is no wonder shortages are developing all over the country and gas rationing is just around the corner.

As a result of these trends in petroleum supply and usage we have become heavily dependent on imported oil; about one-quarter of America's oil comes from abroad today. It is estimated that within 12 years 50 to 65 percent of U.S. oil consumption will depend on overseas sources.

Obviously this has tremendous foreign policy implications as well as staggering financial consequences. The net cost of imported fuels already results in a sizable dollar drain, approximately \$2.1 billion in 1970. This deficit is expected to range between \$9 and \$13 billion in 1975 and may reach \$32 billion in 1985, if present trends are not reversed.

The magnitude of this problem is highlighted by the fact we already have the worst balance of trade in 70 years

file w/f - John Lennon  
5/3/73

and by noting our total annual export of all goods and services is only about \$65 billion at present.

An even more imminent crisis is developing in natural gas, as probably anybody whose children were sent home from school this winter already knows. School and factory closings due to fuel shortages have been rare in the past but will occur with monotonous regularity in the future unless the present trend is reversed. In the last 6 years natural gas consumption has increased 37 percent while our proven reserves of gas have decreased 21 percent.

It is no exaggeration to describe the present situation as an "energy crisis." I therefore recommend the adoption of energy policies based on these considerations:

First. Energy policy and environment policy must be coordinated. In the last few years there has been an enormous outpouring of public interest in the environment. After decades of neglect we have awakened to the realization that we cannot go on squandering our great natural heritage of clean air, clean water, wilderness and natural areas and the other environmental resources with which our country is so richly endowed.

But somehow a lot of people have gotten the idea that environmental concerns can be measured in money; or, in short, if we are willing to spend enough money we can solve any environmental problem. This is not true.

For example, we all want to clean up air pollution. And certainly there is no problem that is more visible or of greater concern to Colorado than air pollution. So we all want to support the most rigid feasible air pollution control standards for automobiles. But here is the rub.

Implementing the 1975-76 Environmental Protection Agency—EPA—standards, which require a 96-percent reduction in emission levels from those allowed in 1970, has a huge environmental cost. I am not talking about the economic cost of higher priced automobiles and lowered engine efficiency. I am talking about fuel consumption. The difference in fuel efficiency from a 90-percent reduction to a 96-percent reduction will cost 3 million barrels of oil per day, 50 percent more than the expected flow from the Alaska pipeline which may never be built due to other environmental concerns. Here are two valid environmental concerns that clash head on.

Unfortunately, most Americans have no idea this kind of environmental tradeoff is involved in decisions now being studied.

Second. Let us recognize that ill-conceived Federal policies have actually fostered the energy gap. The Government out to be doing everything it can to solve the problem instead of continuing price controls which are certain to make the situation worse.

The present shortage of natural gas is a logical result of the Government-decreed wellhead price of natural gas. At 25 cents per million Btu's it is far below the energy equivalent of crude oil at 60 cents, and heating oil at 80 cents. Even coal has risen to 35 cents. These

artificially low natural gas prices discourage exploration and development to provide new supplies while encouraging consumption of the cheap natural gas by many industrial users and utilities which might otherwise be using other fuels.

The same situation applies to the Government ceiling price on gasoline: this is the opposite of sound policy. Instead of encouraging further production and letting prices rise to reflect true cost, thereby discouraging unnecessary and wasteful use of gasoline products, this policy does just the opposite. At a time when a shortage already exists, the price ceiling discourages production and encourages consumption—a sort of Alice-in-Wonderland approach to the problem.

Third. Congress should support the President's recommended appropriation for Government energy research and encourage private research, particularly the development of oil shale and coal gasification which appear to be the only two promising sources for large-scale energy development.

Research in oil shale is particularly meaningful to Colorado. And it is essential that this research proceed at a measured pace now so shale can be turned into oil on a basis that is consistent with sound environmental standards. If this research is not given high priority now, at some later time oil shale development may be pushed through on a panic basis and environmental concerns could be left in the lurch.

Fourth. Congress should seriously consider an antitrust exemption for energy companies which wish to enter joint ventures for research and development of these projects. The economics of coal gasification and oil shale are so huge that it is unlikely any private enterprise, even the gigantic companies, will undertake these projects on their own. Since joint efforts could run afoul of the antitrust laws, the only alternative to Government research and development seems to be some kind of narrowly defined antitrust exemption, or, as a further alternative, a Government-industry joint venture.

Fifth. Congress should enact tax incentives, including investment credits advocated by the President, to encourage exploration, research and development of energy resources.

Energy policy should be coordinated by a single department of the executive branch and a similar coordinating effort should be undertaken by Congress. At present, energy policymaking in Congress is fragmented among many committees and administration is scattered throughout the executive branch. The delays, confusion and counter-productive efforts which result can be tolerated no longer.

I hope that my colleagues in Congress share the sense of urgency I feel about meeting the energy needs of America. It is an irony this energy-rich Nation of ours should be so close to disaster. Even the most decisive action will not head off some consequences of our past policies. Anything less than our strongest and best efforts is certain to end in disaster.

PENNSYLVANIA LEGAL PROFESSION SUPPORTS LEGAL SERVICES

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 30, 1973

Mr. BIESTER. Mr. Speaker, the merit of legal services activities and performance in past years is an active topic of discussion in Congress at the present time. Much evidence and testimony is being submitted for and against continuance of the legal services program—and, if it is to be continued, the exact manner in which it should be structured.

In my estimation, legal services has done a commendable job in helping the poor realize that lack of money need not be a barrier to the exercise of their basic rights. Critics of the program have tried to picture legal services as a politicized operation fighting causes at the expense of the simple and fundamental legal needs of the indigent. The General Accounting Office study and report of legal services performance issued March 21, refuted these charges and demonstrated how legal services attorneys have effectively and admirably represented the poor on behalf of those commonplace legal problems so many other persons—who know their rights and can afford the necessary legal fees—take for granted.

I am pleased to note that the Pennsylvania Bar Association, in its recent board of governors meeting, has passed a resolution strongly in favor of continuing the legal services program as an independent corporation.

Mr. Speaker, I would like to submit for the Record the Pennsylvania Bar Association resolution regarding the legal services program:

PENNSYLVANIA BAR ASSOCIATION RESOLUTION

Whereas, the ideal of equal justice is dependent upon a viable system of legal services available to the poor; and

Whereas, since 1965 the federal government has committed many millions of dollars through the Office of Economic Opportunity and the Department of Health, Education and Welfare to funding local programs to provide such legal services; and

Whereas, proposed regulations promulgated by HEW would eliminate legal services as an optional social service permitted to be provided by states to poor; and

Whereas, it is proposed that OEO be discontinued before July of this year and there is no present provision for transfer and continuation of the OEO-funded local legal services programs; and

Whereas, in Pennsylvania the substantial utilization of available federal resources, resulting in the sponsorship of HEW and OEO-funded programs in 26 counties—with 13 more soon to be started—is now threatened by the federal proposals; and

Whereas, the President of the United States has repeatedly committed his Administration to the creation of an independent national legal services corporation designed to continue providing the poor with access to the courts for redress of grievances;

Now, therefore, it is resolved that the Pennsylvania Bar Association urges:

(1) The Secretary of the Department of Health, Education and Welfare to adopt regulations which include legal services as an



WASHINGTON - President Nixon sent Congress on Wednesday a reorganization plan which includes a transfer to the Treasury Department of all functions of INS involving inspection of persons or their documents entering the country. He said that he intends to direct the Secretary of the Treasury, when the plan takes effect, to use the approximately 1,000 employees transferred from INS to augment the Customs Bureau's staff.  
(WASH. STAR-NEWS 3/28, WASH. POST 3/29)

CHICAGO - A suspended Illinois State Trooper was indicted Tuesday by a Cook County Grand Jury on charges he received \$150 from three illegal Mexicans. The trooper allegedly withheld information about their illegal status. They reported the incident to their employer who notified the police.  
(CHICAGO SUN-TIMES 3/28)

BALTIMORE - A story captioned "Chinese-American Told China is Home" reports a complaint by David Wu, assistant manager of the Jade Palace Restaurant, Columbia, Maryland. Wu said that an INS agent asked him, "Why don't you people go back to your own country?" The INS acting district director said he forwarded the complaint to the Southeast Regional Office, but declined to name the agent while an investigation is pending. The proprietor of the restaurant says he is to meet with Senator Mathias to discuss the complaint.  
(BALTIMORE SUN 3/28)

SAN ANTONIO - "Illegal Alien Flow Reaches Peak." The flood of illegal aliens swarming across the Rio Grande is at an all time high, with many of them funneling through San Antonio as they head north. DD Vaughan said, "We pick them up every day and send them back every day, but they are always coming in. Our forces are inadequate to stop the wave of illegal aliens." Vaughan is firm in his belief there is only one way out of this difficult problem -- legislation to penalize the people who hire the illegal entrant. As to the charge by San Antonio police that INS does not want illegal aliens picked up, he avers, "Police are not actually authorized to pick up a man for illegal entry. Also, when city or county officers pick them up they put them in jail and we have to pay for their stay there. When we pick them up, we return them as soon as possible and it saves us thousands of dollars per month."

(SAN ANTONIO LIGHT 3/25)

NEW YORK - THE WALL STREET JOURNAL of March 28 has an editorial saying that the laws have created an intolerable situation with regard to John Lennon and his wife, Yoko. It points out that Immigration Judge Ira Fieldsteel recognized the human equities in the situation but nonetheless ruled that the law is the law. The editor takes the position that when the law does not reflect the human equities, it needs to be changed.

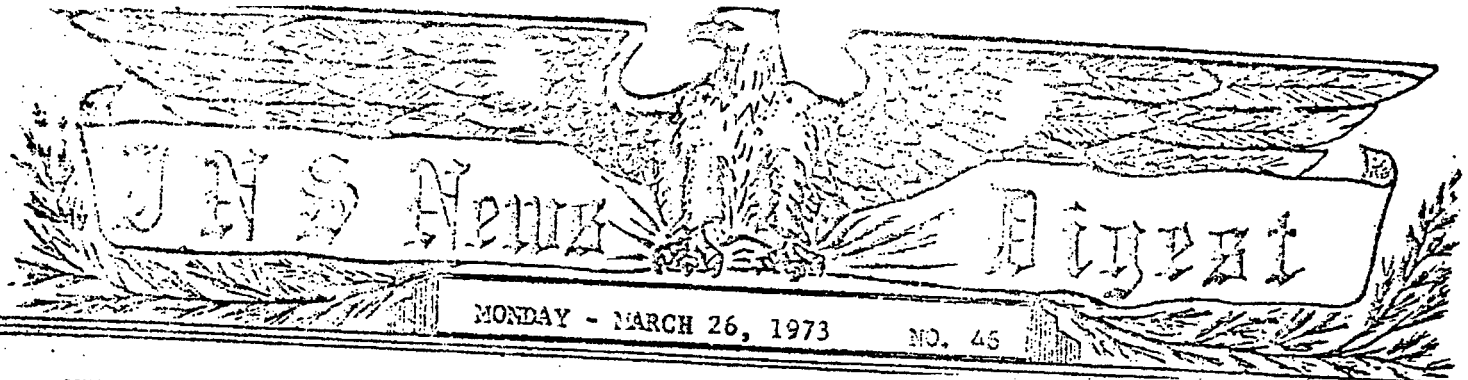
See DIGEST 3/26.

*W.F. - John Lennon*

LOS ANGELES - The first of a two-part series "Illegal Aliens Know Gnow of Terror," by staff writer Richard Klemp in the SAN GABRIEL VALLEY TRIBUNE of 3/25, tells of an alien couple living in fear for the past ten years. Enrique was apprehended about two months ago, and it was discovered that he qualified for residency through a law that allows persons who are in the U.S. "for ten years and who have ties" to remain here. Enrique and his wife are now awaiting their resident visas. The article also tells of the plight of Rafael and Maria who arrived in Los Angeles four months ago. Rafael is working for a meat packing company, while his wife is employed as a live-in maid. Once a week Maria goes to Rafael's apartment. They pray that their baby will be born in the U. S. so that they will be allowed to remain. Deputy DD Donald T. Williams said that "Many women cross the border as temporary tourists or with work permits and they just stay until the baby is born." The second article captioned "Aliens Win Numbers Game With Government" comments on an interview with Williams in which he explained the reasons for INS not being able to remove aliens residing illegally in the U.S. He also discussed aliens on welfare and those enrolled in schools at taxpayers' expense.







NEW YORK - John Lennon must leave the U.S. in 60 days but his wife, Yoko Ono, was granted permanent residence and may eventually apply for U.S. citizenship. INS District Director Sol Marks gave the first press conference he has ever held to announce the rulings by Immigration Judge Ira Fieldsteel contained in a 47-page decision. Lennon was denied permanent residence because he was convicted in London in 1968 of possession of cannabis resin, popularly known as hashish. Lennon was given 10 days in which to appeal. If he does appeal, his case will go first to the BIA and then, if necessary, to a U.S. Circuit Court of Appeals. He might thus be able to stay in the U.S. for years as he goes through due process. John and Ono did not attend the press conference held in the MASH room on the 14th floor of the INS building near the southern tip of Manhattan. MASH is the acronym for Multiple Accelerated Summary Hearings -- an INS device for quick processing of aliens who are willing to leave the country, jokingly referred to in the building as Move Aliens Swiftly Home. Lennon was granted permission to leave voluntarily rather than be deported. If he leaves voluntarily at any time in the next 60 days he might be able to return as a visitor on the same kind of a waiver of his narcotics conviction that enabled him to come here in 1971. (WASH. POST 3/24 and others)

*John Lennon*  
*3/27/73*

Leisure

B.L.

# John Lennon: 'Get Back'

# Lennon: 'Get Back'

**Lennon's 'From B1'**

...to drugs. The law... possible in certain... the Immigration... overlook conviction... more serious... compelling... as deport... of even... amount of mari...

...case... by the fact... in the... of the... by her... to... have... the... of the... but Cox has... and... the Lennon.

Judge... in his 41-page opinion... that since the Lennon... had been able to have... and then... keep an eye on... not be quite as... as the Lennon... and that... staying with...

Yoko... Judge... pel... her... After... their... place... fourth... not... separate... Love.

### By ... Attraction

... John... was... and... in... judge...

... artist and... John... was... declared... resident... apply for... citizenship.

... district... of the U.S. Immigrant... and Naturalization... gave the... to announce the decision.

... Immigration Judge... had denied... because he was... in London in 1968... of... resin, popularly known as hashish.

... was given 10 days in which to appeal. If he does appeal, as expected, his case will go first to the Board of Immigration Appeals and then, if necessary, to a U.S. Circuit Court of Appeals. He might thus be able to stay in the United States for years as he goes through this process.

Lennon also was granted permission to leave... early... to...



John Lennon

... himself had initiated the case against the Lennon... without instructions from Washington, as he "ambiguously" does in all such cases.

Other immigration officials who asked not to be... said that it was... that Washington had... the prosecution of the... for political reasons.

... who contended... Lennon case was... that it... to... her... barred...

... did not... depart... was now... for in... allowed to... or her family... though officially classed... for an... This

PHOTO COURTESY ...

W.F. - John Lennon

on the same kind of waiver of his narcotics conviction that enabled him to come here in 1971.

John and Yoko did not attend the press conference, held in the MASH room on the 14th floor of the Immigration Building near the southern tip of Manhattan—a room with a view over the New York that John and Yoko say they have come to know and love. MASH is the acronym for Multiple Accelerated Summary Hearings—an Immigration Service device for quick processing of aliens who are willing to leave the country, jokingly referred to in the building as Move Aliens Swiftly Home.

The Lennons' spirit was present in the MASH room, however, in the tiny yellow rose they sent their lawyer, Leon Wildes; in the large bunch of white tulips they sent Marks; and in the pointed questions asked by reporters who seemed determined to think of the Lennons as martyrs.

Wildes has said repeatedly that he thinks John and Yoko are victims of Nixon administration reprisals for their stands against the Vietnam war and perhaps their attitudes on lifestyles, the arts and other subjects.

Marks specifically denied this yesterday and insisted

Other officials suggested that many of these did not actually result in deportation. A person who was now a "good citizen," for instance, might be allowed to stay with his or her family even though officially classified as deportable for an earlier, minor offense. This is just what Marks refused to do with John, before the case went to Fieldsteel.

Lennon supporters tended to picture John and Yoko as special cases because of their standing as artists and their position as counterculture idols. Marks virtually went along with this a year ago when he gave them "third-preference" status, a formality granting the right to apply for permanent residence and ultimately for citizenship ahead of other categories of immigrants because they would, in the words of the law, "substantially benefit prospectively the national economy, cultural interests or welfare of the United States."

Vincent Schiano, the Immigration Service attorney who prosecuted the Lennons, said it might have been more to the point if the defense had used the Lennons as a general case to campaign for revision of the immigration law with

See LENNON, B2, Col 5

## Lennon: 'Get Back'

LENNON, From B1

respect to drugs. The law makes it possible, in certain cases, for the Immigration Service to overlook convictions for more serious crimes while compelling it to classify people as deportable for possession of even a small amount of marijuana.

John and Yoko's case is also complicated by the fact that she must remain in the United States or take custody of her nine-year-old daughter by her former marriage to Anthony Cox. Two courts have awarded Yoko custody of the child, Kyoko, but Cox has taken the girl and succeeded in evading the Lennons.

Judge Fieldsteel, in his 47-page opinion, suggested that since the Lennons had been able to have their convictions and then friends keep an eye on Kyoko, she might not be quite as hard to find as the Lennons had claimed—and that she might prefer staying with her father.

Yoko had pleaded with Judge Fieldsteel to be compelled to choose between her child and her husband.

After the hearing, the Lennons sent their belongings from their undisclosed nesting place on the West Coast. "Having just celebrated our fourth anniversary, we are not prepared to sleep in separate beds. John and Yoko." Love.

CHINESE & CHONG, a com- and handing each of them what appeared to be a joint tied in a ribbon. Many of Cheech & Chong's routines were drawn directly from their \$2 million-selling albums, but the repell- their humor would appeal. While it's doubtful that Cheech & Chong's last night of the Grove Music Fair last night had its audience at Shady act around the drug culture, eds and who killed their



United Press International

Yoko Ono, now declared a permanent resident of the United States.

Leisure

March 25, 1973

THE WASHINGTON POST-Sunday

B 1

# John Lennon: 'Get Back'

By Anthony Astrachan

NEW YORK—John Winston Ono Lennon—actor, artist, author, composer, filmmaker, musician and former Beatle—must leave the United States in 60 days, an immigration judge decided yesterday.

His wife, artist and composer Yoko Ono Lennon, may stay. She was declared a permanent resident and may eventually apply for American citizenship.

Sol Marks, the district director of the U.S. Immigration and Naturalization Service, gave the first press conference he has ever held to announce the decision. He said Immigration Judge Ira Fieldsteel had denied Lennon permanent residence because he was convicted in London in 1968 of possession of cannabis resin, popularly known as hashish. The Lennons' visas ran out Feb. 29, 1972.

Lennon, 32, was given 10 days in which to appeal. If he does appeal, as expected, his case will go first to the Board of Immigration Appeals and then, if necessary, to a U.S. Circuit Court of Appeals. He might thus be able to stay in the United States for years as he goes through due process.

Lennon also was granted permission to leave voluntarily rather than be deported. If he leaves voluntarily at any time in the next 60 days, he might be able to return as a visitor



John Lennon

that he himself had initiated the case against the Lennons without instructions from Washington, as he "automatically" does in all such cases.

Other immigration officials, who asked not to be identified, said that it was certain that Washington had ordered the prosecution of the Lennons for political reasons.

Officials who contended that the Lennon case was not political claimed that it was merely one of "200 to 500" cases a year seeking deportation for narcotics convictions.

# Lennon: 'Get Back'

LENNON, From B1

respect to drugs. The law makes it possible, in certain cases, for the Immigration Service to overlook convictions for more serious crimes while compelling it to classify people as deportable for possession of even a small amount of marijuana.

John and Yoko's case is also complicated by the fact that she must remain in the United States to gain custody of her nine-year-old daughter by her former marriage to Anthony Cox. Two courts have awarded Yoko custody of the child, Kyoko, but Cox has taken the girl and succeeded in evading the Lennons.

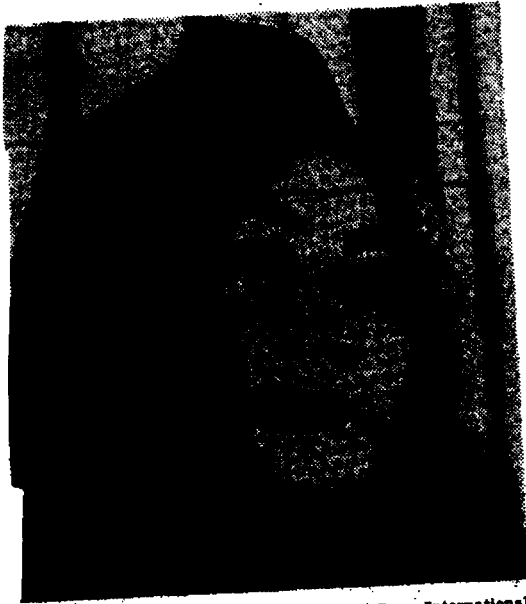
Judge Fieldsteel, in his 47-page opinion, suggested that since the Lennons had been able to have first detectives and then friends keep an eye on Kyoko, she might not be quite as hard to find as the Lennons had claimed—and that she might prefer staying with her father.

Yoko had pleaded with Judge Fieldsteel not to compel her to choose between her child and her husband.

After the hearing, the Lennons sent this message from their undisclosed resting place on the West Coast: "Having just celebrated our fourth anniversary, we are not prepared to sleep in separate beds. Peace and Love."

RECEIVED MARCH 25 1973

John Lennon



United Press International

*Yoko Ono, now declared a permanent resident of the United States.*

## Lennon: 'Get Back'

LENNON, From B1

respect to drugs. The law makes it possible, in certain cases, for the Immigration Service to overlook convictions for more serious crimes while compelling it to classify people as deportable for possession of even a small amount of marijuana.

John and Yoko's case is also complicated by the fact that she must remain in the United States to gain custody of her nine-year-old daughter by her former marriage to Anthony Cox. Two courts have awarded Yoko custody of the child, Kyoko, but Cox has taken the girl and succeeded in evading the Lençons.

Judge Fieldsteel, in his 47-page opinion, suggested that since the Lençons had been able to have first detectives and then friends keep an eye on Kyoko, she might not be quite as hard to find as the Lençons had claimed—and that she might prefer staying with her father.

Yoko had pleaded with Judge Fieldsteel not to compel her to choose between her child and her husband.

After the hearing, the Lençons sent this message from their undisclosed resting place on the West Coast: "Having just celebrated our fourth anniversary, we are not prepared to sleep in separate beds. Peace and Love."

# Justice Dept. Orders Lennon U.S., but Allows Him to Stay

By GRACE LICHTENSTEIN

The Justice Department yesterday gave John Lennon 60 days to leave the United States, ruling that he was "deportable" because of a disputed conviction for possession of hashish in England in 1968.

Mr. Lennon, the 32-year-old British singer, songwriter, author and film-maker who rose to fame as a member of the Beatles, was denied status as a permanent resident alien. His lawyer said he would appeal the decision.

Mr. Lennon's wife, Yoko Ono, was granted permanent resident status. Both had applied for that status last March, after their temporary visas ran out and the Justice Department made it known they would not be granted routine extensions.

The rulings were announced by Sol Marks, the district director of the Immigration and Naturalization Service, at what he acknowledged was the first news conference he had ever called.

The Lennons, who are in Los Angeles, were represented at the news conference by Leon Wildes, their lawyer, who held a yellow rose from Mr. Lennon as he spoke. Later, the couple issued a one-sentence statement saying, "Having just celebrated our fourth anniversary,

we are not prepared to sleep in separate beds."

The decision came as no surprise to Mr. Lennon's associates, who have maintained that the Nixon Administration was out to banish the couple from the country because of their antiwar activities. They have been living here since 1971.

The rulings released by Mr. Marks were in the form of a



John Lennon and his wife, Yoko Ono, here last year

47-page brief by Ira Fieldsteel, the immigration judge who presided over hearings in the case last spring.

The Lennons had sought to stay in the United States primarily to search for Mrs. Lennon's 9-year-old daughter by a previous marriage, Kyoko. The girl is presumed to be with her father, Anthony Cox, but the Lennons have been unable to locate either of them. Mrs. Lennon, a native of Japan, was granted custody of the child provided she brought her up in this country, where the girl was born.

### Dilemma Noted

At the deportation hearings, both Mr. and Mrs. Lennon, who is 40, pleaded with Mr. Fieldsteel not to separate them.

"You are asking me to choose between my child and my husband," Mrs. Lennon said when asked what she would do if she were allowed to stay but Mr. Lennon was not.

In his brief, Mr. Fieldsteel

took sympathetic note of the problem, remarking that "the law" which is enforcing the departure of Mr. Lennon from the United States has been unable to enforce its own edict with regards to the custody of Mrs. Lennon's child.

Nevertheless, he said, "although the human equities of the situation are apparent, they do not in any way alter the excludability of Mr. Lennon from the United States."

Mr. Fieldsteel also noted that an array of public figures who ran "the gamut from Baron Harlech of England and Mayor Lindsay of New York through every field of artistic endeavor" had urged that the Lennons be allowed to remain because they were major artists who were making significant contributions to the nation's culture.

When asked how he felt requesting a major artist to leave the country, Mr. Marks replied, "I'm a law enforcement officer."

He said that did not know the Lennons personally, but that "I enjoy their music." Mr. Marks received a bouquet of tulips from Mrs. Lennon yesterday, but did not allow them to be brought into the hearing room.

Experts on immigration law

### Lennons Described Difficulties in a Song

John Lennon and Yoko Ono have made New York City their home since 1971. In a song released last year, Mr. Lennon wrote of their stay in the United States and their difficulties with immigration authorities:

*Well, we did the Staten Island ferry,*

*Making movies for the telly. Payed the Fillmore and the Apollo for freedom.*

*Tried to shake our image. Just cycling through the Village. But found that we had left it back in London.*

*Well nobody came to bug us, Hustle us or shove us, So we decided to make it our home.*

*If the Man wants to shove us out, We gonna jump and shout. "The Status of Liberty said, 'Come!'"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

*"Come!"*

File

March 19, 1973

James F. Greene  
Associate Commissioner, Operations

*W.F.G.*

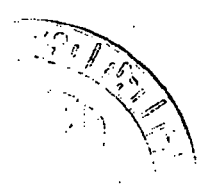
JOHN LENNON

Immigration Judge Fieldsteel has informed District Director Marks and Attorney Wildes that they will be advised of his decision in this case Friday, March 23, 1973, 10:00 a.m.

Mr. Kramer, Deputy Regional Commissioner, Burlington, Vt. who reported this information advised that Mr. Marks would like to inform the press that this will occur so that they can be present and get the story firsthand. I agreed.

- CC: John M. Lehmann, Executive Assistant to the Commissioner
- CC: Charles Gordon, General Counsel
- CC: Richard W. Cull, Jr. Public Information Officer
- CC: Carl G. Burrows, Assistant Commissioner, Investigations

*cc sent to C.M.U. 3/20/73 W.L.*



JFG:keb

*file w/f John Lennon  
W.L.  
3/20/73*

*M. F. [unclear] 12/6/72  
for Lennon WIF  
[unclear]*

CO 837-C  
December 5, 1972

File

James F. Greene  
Associate Commissioner, Operations

JOHN LENNON

New York District Director, Mr. Sol Marks, informed me today that the Government's brief has been filed with the SIO. The Lennon's counsel was given an opportunity to file a cross brief. He has asked for more time to file his answer. Counsel requested until March, 1973, and SIO Fieldsteel has the matter under consideration. Lennon's counsel has advised that the officer who arrested Lennon in Britain has been convicted of taking a bribe (?) and it is for this reason he asked for the extended period to file his brief.

- CC: Richard W. Cull, Jr., Public Information Officer
- CC: Carl G. Burrows, Assistant Commissioner, Investigations

JFG:keh

*1/31/73 Mr. Greene inquiry re: status  
Checked w/ Marks re: amended status  
He said case is now before SIO  
Fieldsteel but will verify  
whether cross-  
brief has been  
filed. It has!  
Mr. Greene advised [unclear]*



*James F. Greene*

*Copy to Mann, E.H. &  
11/31/73  
[unclear]*

*CO/F John Lennon WIF*



PAGE WITHHELD PURSUANT TO  
(b)(5),(b)(6)

John Lennon and his wife, Yoko Ono, accompanied by Elephant's Memory at the benefit in the Garden

# Lennon's Elan Infuses 'One to One' Garden Concert

By DON HECKMAN

Visions of the now-classic Concert for Bangladesh danced in the heads of the less-than-capacity audience at the One to One concert in Madison Square Garden yesterday afternoon. But the realities of a sluggish, sometimes-good, more-often-bad program of three major acts soon drove away any expectations of a truly memorable event.

Only three groups performed on the madrigal bill: Sha-Na-Na; Stevie Wonder and the Supremes; and John Lennon and Yoko Ono, ac-

companied by Elephant's Memory. That nothing surprising happened in a musical sense was, of course, disappointing, but from another point of view, the real significance of this event was the fact that it was expected to raise substantial funds for the treatment of retarded children.

Sha-Na-Na, as delightful as ever, stomped and sung their way through a maze of 1950's hits, but they've appeared in so many concerts this summer that predictability — and perhaps a little dullness — is beginning to

take the edge off their humor.

The same, in a different sense, was true of Stevie Wonder. He played virtually the same tunes he had used all summer when he was touring with the Rolling Stones, and good as they are, they, too, have become overly predictable. Wonder brought both his music and the audience alive, however, with a crackling new rhythm song called "Superstition."

The stars of the show were John Lennon and his wife, Yoko Ono, of course, but it was apparent that many listeners were less entranced by the new directions of the Lennons' music than they were by the real life appearance of a former Beatle. Clearly, the magic is still there.

The couple, with Elephant's Memory backing them, played a group of tunes from their current album, highlighted by the now-notorious song, "Woman Is the Nigger of the World"

and Yoko Ono's wailing performance of "Born in a Prison." And Lennon dipped a bit further back into the past to sing "Mother," a smashingly passionate song that drew a shouting, emphatic reaction from the young audience.

If there were any doubts that Lennon—with his wife —has decided to chart a musical course for himself that is eons removed from the Beatles, he clarified them in what was one of his extremely rare public appearances since the group's break-up. As with his post-Beatles recordings, one sometimes had the impression that musicality and lyricism had been sacrificed for the sake of political, social and psychological tracts. But the rhythms were still strong, the energy still powerful, and what really mattered was that John Lennon—one of pop music's most gifted performers—was once more back on a stage.

*John W/F John Lennon  
8/31/72*

**Lennon Adds a Matinee**  
Heavy demands for tickets for the charity performance of John Lennon and Yoko Ono at Madison Square Garden next Wednesday night has prompted the scheduling of a second show at 2 P.M. that day. Proceeds of the concerts will be used to establish small community residential facilities for the mentally retarded.

*file w/r John Lennon  
cc-  
8/28/72*

# Best "Reproducible" Copy Available

To the extent that the  
information and

that is contained in

is not

That the person  
and work here and

And a copy of  
entirement of  
name to the  
for their permanent

ADDRESS

NAME

This form is included  
with Beetle records  
in case - 71c

File w/f  
John Simon  
7/11/73 3052

To the use of those siding with John Lennon in his effort to win permission to take up permanent residence in the United States add the name of Lord Harlech. The former British Ambassador to the United States says he has written in defense of Mr. Lennon to the Immigration and Naturalization Service, which is contesting Mr. Lennon's application on grounds of a marijuana conviction in London four years ago.

FILES - 7/5/72

file w/f John Lennon  
7/5/72  
uan

ROUTE SLIP

Date 6-28

To M. R. Poteris Room 650

- Approval
- Comment
- Necessary action
- Per telephone conversation
- Note & Return
- Note & File
- Signature
- Call me Ext. \_\_\_\_\_
- See me
- As requested
- For your information

Remarks

*for conclusion in  
the Lennon W/F*

From J. H. T. C. Room 711  
 IMMIGRATION AND NATURALIZATION SERVICE GPO 922-615

# John and Yoko Fight to Stay in U.S. Until Missing Daughter Is Found

By Daniel St. Albin Greene  
From New York City

Waiting for John and Yoko amid a roomful of fellow mortals who had lived through the Beatlemania of the '60s, one unregenerated Beatle fan felt vaguely older than usual: Has it been that long? Have the times changed that much?

Incredibly, yes. It has been 10 years since that first big record, *Love Me, Do*, introduced the pounding, frenetic Liverpool Sound to the world; eight years since Barclay's Bank declared the Beatles a national asset because the export of their records had done so much for England's balance of payments; seven years since the queen honored them with membership in the most excellent Order of the British Empire; six years since their last U.S. tour; and more than a year since the Beatle Myth was finally demolished by a civil suit to dissolve the partnership and by shocking revelations about what the dads were doing all those years when the public wasn't watching.

And now, a decade after it all began, this ultimate irony: about 60 people crammed into a room on the 14th floor of the U.S. Immigration and Naturalization Service building here for a hearing to determine whether the United States should deport John Lennon, creative spirit behind the Beatle Sound, and his artist wife, Yoko Ono. The hearing began last Friday and was to continue this week.

## Question of Motive

Even before the hearing, the move to deport one of the world's most celebrated musicians and an eminent *avant-garde* artist had provoked, in some eyes, serious questions about the Government's motives and the law that bars them from living here.

The Immigration Service insists it has simply been following the letter of the law. Mr. and Mrs. Lennon entered the United States last August with a visa classifying them as "nonimmigrant visitors for pleasure." The specified purpose of their visit was to gain custody of Mrs. Lennon's 8-year-old daughter by her first husband, Anthony Cox, who had prevented Yoko from seeing the child.

Their visa expired Feb. 29 and Sol Marks, the Immigration Service's district director here, sent them a letter, dated March 1, telling them to "effect your departure" on or about March 15. Five days

later the Lennons received another letter from Marks, "revoking the privilege of voluntary departure" because, he said, "it is now understood that you have no intention of effecting your departure by that date." Deportation proceedings began.

Director Marks said that the former Beatle, who was mobbed by adoring fans every time he showed his aquiline nose outside not long ago, could stay no longer in this country because he had been convicted in 1968 of possession of marijuana in London—a misdemeanor for which he was fined \$360. U.S. immigration law bars any foreigner who has ever been convicted of a narcotics or marijuana violation from gaining residency, or even coming into the United States. Waivers can be granted to some who have important reasons to visit the United States for a limited time, including people in show business. Lennon got in on a waiver last summer.

But the Lennons and their supporters contend that the Government has another reason for wanting John and Yoko out of the country in this election year: their much-publicized, often ingeniously dramatized opposition to the Vietnam War, and their influential status in the counterculture and Third World movements—positions, their partisans charge, that are not likely to endear them to the Nixon Ad-

ministration. They also contend that the Government's haste in deporting them is motivated by a desire to please the voters.

Leon Wildes, who has specialized in immigration law here for 14 years, says the Government's handling of the Lennon case has been a sudden and puzzling departure from normal procedure. Shortly after he was retained to represent the Lennons, Wildes recalls, he discussed the matter with immigration officials here.

"It was made abundantly clear to me that no application which would be filed by my clients would be likely to be approved," he says. "I spoke to the district director, and it was my impression he was perhaps not speaking for himself, that this was a policy that had been established elsewhere."

## No Dissenting Voices?

Where? The Lennons and their lawyer are sure someone high up in the Nixon Administration is calling the shots. "Now that we are getting closer to a Presidential election, maybe that's when they want dissenting voices to be heard the least," Wildes suggests. "We sit here and wonder whether there isn't something else that could explain the Government's action in this case. To me, John and Yoko couldn't conceivably be dangerous people. But to somebody up there, who has his own idea of who is dangerous, they might be considered very dangerous."

Wildes, a soft-spoken, self-styled "square," says it has always been "routine" for the district director to grant visa extensions of one to three years for compelling humanitarian reasons: "If you can show that being kept out of the country would cause any kind of hardship, normally you can get a waiver—even if you had been convicted of rape, murder, or a crime of moral turpitude."

Immigration Service officials flatly deny that political considerations have had anything to do with decisions in the Lennon case. At Immigration Service Headquarters in Washington, D.C., the official response to reporters' questions about the matter has been a terse "no comment." Queries have been referred to the New York director, who has taken full responsibility for the deportation proceedings.

Marks, a ruddy, stocky man with 36 years of civil service behind him, has consistently maintained that nobody in Washington or anyplace else has been telling him what to do in the Lennon case. He acknowledges that a district director has discretionary authority to decide whether to deport an alien who has overstayed his welcome or to leave him alone for indefinite periods. Marks argues that his decision to order the Lennons to leave was justified.

## Marks' Explanation

"The way I saw it," he explains, "the Lennons are people who are in the drug scene, by reason of the marijuana conviction, and we've had our own problems with that in this country; we didn't want to do anything that might encourage the entry of people who are involved in this sort of thing."

Despite the official line, at least one decision in the case of John Lennon and Yoko Ono was made in the nation's Capital. On March 3, two days after Marks' first letter asking John and Yoko to leave the country, their attorney filed petitions to get them "third-preference" status as outstanding artists. This was the first step in an attempt to gain them permanent residency. On April 2, however, when Wildes went to the Immigration Service building to examine the case file, he couldn't find the petitions he had filed. They were eventually produced by an Immigration Service employee, still in the envelope in which they had been sent. In nearly two months they had not been processed.

Incensed, Wildes promptly went to Federal district court to get an injunction against the deportation hearing. Marks acted on the petitions. According to Wildes, Marks subsequently approved the petitions only after a phone call from Washington.

In an interview last week, Marks told me he had originally decided not to act on the petitions because they "were necessary for a determination of the [deportation] case." Reluctantly, however, he admitted that, after conferring with "my people in Washington," he had later approved the petitions.

Who made the decision?

"I'd prefer not to say," Marks replied.

"I don't want to put anybody else on the pan."

After several phone calls to Immigration Service headquarters in Washington and to the Justice Department, I was referred to James F. Greene, associate commissioner of operations of the Immigration Service. Yes, Greene said, he had "conferred" with Marks about the Lennon case. Yes, he had told Marks to go ahead and approve the third-preference petitions.

All of this sometimes-perplexing business tends to obscure a human side of the John and Yoko story. In two separate court proceedings since they arrived in the United States, Yoko Ono Lennon has been awarded custody of her daughter, Kyoko. But her former husband, Anthony Cox, has ignored these rulings and vanished with the child.

John and Yoko are afraid they will never see the girl again if they are forced to leave the United States. The custody rulings stipulate that Mrs. Lennon, a citizen of Japan, must raise Kyoko in the United States. "They are making me choose between me and the child," John Lennon said last week.

Appearing much paler and more slender than the mop-headed guitarist of the Beatle years, Lennon was asked on the first day of the hearing if he and his wife had intended to obey the order to leave the country.

"We haven't been able to make up our minds or think about anything except finding Kyoko," he replied solemnly. "Our whole life is built around that."

PAGE WITHHELD PURSUANT TO  
(b)(5)



PAGE WITHHELD PURSUANT TO  
(b)(5),(b)(6)

PAGE WITHHELD PURSUANT TO  
(b)(5),(b)(6)

CO 893.2

May 23, 1972

Terence McCann  
Special Assistant to the Attorney General

Raymond F. Farrell  
Commissioner of Immigration and Naturalization

John and Yoko Lennon

Pursuant to your telephonic request, there is attached a statement of facts in the cases of John and Yoko Lennon.

Mr. Lennon's ineligibility for a visa and inadmissibility to the United States is based on Section 212(a)(23) of the Immigration and Nationality Act. A copy of that section is attached for your information. Section 212(d)(3) of the Act provides for the Attorney General, upon a recommendation of the Secretary of State, to admit an alien temporarily despite his inadmissibility. Such a waiver was granted upon Mr. Lennon's arrival as a visitor. The law provides no such waiver for persons seeking permanent residence.

We understand Mr. Lennon is attempting to have his conviction expunged from the record. If he is successful in that endeavor, a legal problem will exist as to whether the expungement results in his no longer being inadmissible to the United States.

JML/jpr

*WF Lennon, John*

CO 893.2

Terrence McCann  
Special Assistant to the Attorney General

Raymond F. Farrell  
Commissioner of Immigration and Naturalization

John and Yoko Lennon

Pursuant to your telephonic request of May 22, 1972, there is attached  
a statement of facts in the cases of John and Yoko Lennon.

cc: WF - John Lennon

DC:WCN:ls

- File
- Work Folder
- JFG Log
- Operations Log
- Investigations Log
- 
- 
- Filed by: -----

NON-RECORD MATERIAL

STATEMENT OF FACTS

(b)(6) Mr. John Lennon, a native and citizen of England, born October 9, 1940, last entered the United States on August 13, 1971, as a non-immigrant for business purposes [redacted]

[redacted] he was found by the American Consul, who considered his application for a visitor's visa, to be ineligible for same because of his conviction in England on November 28, 1968, for possession of cannabis resin. Despite this ground of ineligibility, he was issued a visa and was admitted to this country on a temporary basis pursuant to the provisions of Section 212(d)(3) of the Immigration and Nationality Act. On January 17, 1972, Mr. Lennon was granted a change of nonimmigrant status to perform temporary services as an alien of distinguished merit and ability. On February 1, 1972, his nonimmigrant status was changed back to that of a visitor for pleasure and his temporary stay in this country was authorized until February 29, 1972.

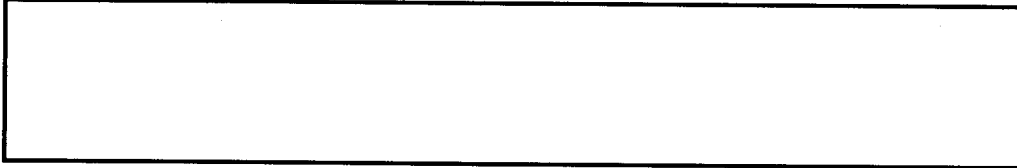
(b)(6) [redacted]

On March 1, 1972, Mr. and Mrs. Lennon were advised in writing that they were expected to effect their departure from this country before March 15, 1972. Prior to that date it was ascertained that they had no intention of departing this country within the time allotted. Therefore, on March 6, 1972, the privilege of voluntary departure was revoked and deportation proceedings were instituted against them on the ground that they had remained in the United States for a longer time than permitted. Subsequent to the institution of such proceedings the Department of Labor issued a labor certification on behalf of Mr. Lennon and he was accorded a third preference status by the Service.

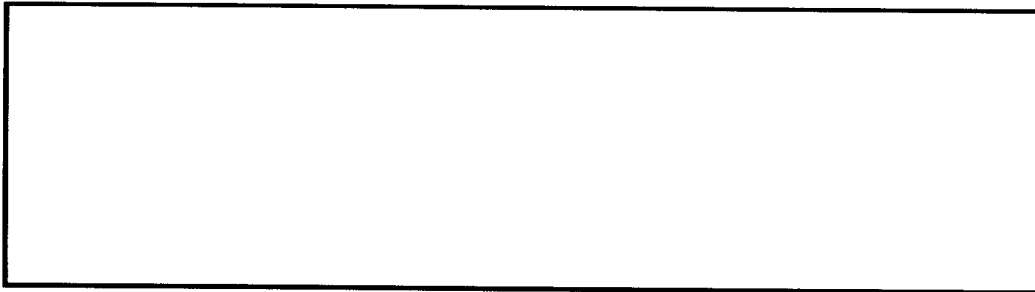
The deportation hearing before a Special Inquiry Officer originally scheduled for March 16, 1972, and adjourned on several occasions was concluded on May 17, 1972. The Special Inquiry Officer reserved his decision in the case of Mr. Lennon and gave his attorney until July 1, 1972, to file a brief. His attorney is urging favorable action on an application for adjustment of status to that of permanent resident. However, Mr. Lennon is statutorily ineligible for permanent resident status because of the above conviction. With regard to Mrs. Lennon, the Special Inquiry Officer is presently considering her application for adjustment of status to that of a permanent resident.

In the event of an adverse decision in one or both of these cases, there appears to be no doubt that the attorney for the Lennons will appeal to the Board of Immigration Appeals. If the Board rules against them, the possibility remains that the Lennons will seek judicial relief through the courts.

(b)(6)



(b)(6)



(b)(6)

