

THE WHITE HOUSE OFFICE

REFERRAL

GENERAL

IM 12
0053

To: The Attorney General

Date: July 1, 1970

ACTION REQUESTED

- ☐ Draft reply for:
☐ President's signature.
☐ Undersigned's signature.
- ☐ Memorandum for use as enclosure to reply.
- ☒ Direct reply.
☐ Furnish information copy.
- ☐ Suitable acknowledgment or other appropriate handling.
☐ Furnish copy of reply, if any.
- ☐ For your information.
- ☐ For comment.

NOTE

Prompt action is essential.

If more than 48 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Also referred to State. *Copy*

Description:

☒ Letter: ☐ Telegram: ☐ Other:

To: **The President**

From: **Mr. Matteo Lamelza, 4206 North 7th Street, Philadelphia, Pennsylvania 19140**

Date: **5/12/70 (pm 5/13/70)**

Subject: **Son killed in Vietnam; requests permission for granddaughter and husband to enter U. S. from Germany.**

By direction of the President:

Noble M. Melencamp
Staff Assistant
to the President

pb

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JUL 2 1970
CENTRAL FILES

THE WHITE HOUSE OFFICE

REFERRAL

To: The Secretary of State

Date: July 1, 1970

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REMARKS:

Also referred to Justice.

Description:

☒ Letter: ☐ Telegram: Other: ☐
To: The President
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Date: 5/12/70 (pm 5/13/70)
Subject: Son killed in Vietnam; requests permission for granddaughter and husband to enter U. S. from Germany.

By direction of the President:

Noble M. Melencamp
Staff Assistant
to the President

pb

4206 N. 7th Street
Phila., Penna 19140
May 12th, 1970

Honorable Mr. Richard Nixon, President
Washington, D.C.

Dear Mr. President:

PFC Mario Lamelza
U.S. 67053065
Killed 5-25-69 Vietnam
Our son

Will appreciate your kindness in seeing what can be done to have
my Grand-daughter and Grand-son, being admitted to this country.
My grand-daughter is 21 years of age., husband age 26. Their trades
are tailors. Her name (married Maria D'Angelo, his husband Carlo D'Angelo)
They both reside at 7257 Dirizingen,
Knibisstrasse 16, Germany.

My wife, is very sick, since our son died in the war. Need them to
live with me and help me.

I am also sick. Am over 65 years of age. Needs their assistance
for health and morally help.

I appreciate all you can do.

Sincerely yours,

Matteo Lamelza

Matteo Lamelza

7/22/08

THE WHITE HOUSE OFFICE

2

REFERRAL

GENERAL
I M/D*

To: The Secretary of State

Date: May 27, 1969

ACTION REQUESTED

- _____ Draft reply for:
_____ President's signature.
_____ Undersigned's signature.
- _____ Memorandum for use as enclosure to reply.
- _____ Direct reply.
_____ Furnish information copy.
- ☒ Suitable acknowledgment or other appropriate handling.
☒ Furnish copy of reply, if any.
- _____ For your information.
- _____ For comment.

NOTE

Prompt action is essential.

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Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Description:

_____ Letter: ☒ Telegram: _____ Other: _____

To: The President

From: Nancy N. Leonard, 1601 Dorothy Lane, Newport Beach, California

Date: 5/26/69

Subject: Is polio victim -- her nurse, Maria Antonietta Acosta Rubio de Aguilar, returned to Mexico April 18th visit sick father and now detained in Tijuana; Amn Consul has all necessary documents--asks President's help expedite permanent visa for her.

By direction of the President:

John R. Brown III
Staff Assistant
to the President

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The White House
Washington

1969 MAY 26 PM 4 32

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NEWPORT BEACH CALIF 26

THE PRESIDENT

THE WHITE HOUSE

DESPERATELY NEED YOUR HELP IN RETURNING TO NEWPORT BEACH,
MARIA ANTONIETTA ACOSTA RUBIO DE AGUILAR. I AM A POLIO VICTIM,
USING A RESPIRATOR AND COMPLETELY PARALYZED. MARIA, SKILLED
IN MY CARE, HAS BEEN EMPLOYED BY ME SINCE AUGUST 1968. SHE
RETURNED TO MEXICO TO VISIT HER SICK FATHER ON APRIL 13TH 1969,
AND HAS BEEN DETAINED IN TIJUANA SINCE THAT DATE. THE AMERICAN

↑

CONSUL IN TIJUANA HAS ALL OF THE NECESSARY LEGAL DOCUMENTS
TO GRANT A PERMANENT VISA. THESE WERE RECEIVED ON APRIL 24TH
1969. THEY INCLUDE APPLICATION PAPERS, FINANCIAL RESPONSIBILITY,
ETC. WHICH ARE IN PERFECT ORDER.

3 WOULD YOU PLEASE EXPEDITE THE GRANTING OF MARIA'S PERMANENT
VISA? OUR EFFORTS HAVE BEEN FUTILE. I HAVE BEEN USING TEMPORARY
HELP WHICH NOT ALWAYS AVAILABLE, CONSISTENT, OR COMPETENT.

THIS IS A MOST DESPERATE SITUATION AND I GRATEFULLY APPRECIATE
ANY ASSISTANCE YOU CAN RENDER. YOURS TRULY

2 NANCY N LEONARD 1601 DOROTHY LANE NEWPORT BEACH CALIF.

710
GENERAL

IM/D*

October 6, 1969

Dear Tom:

This will acknowledge and thank you for your letter to the President with which you forwarded the copy of your letter to the Secretary of State regarding a visa being granted to Vladimir Dedijer.

You may be assured that this will be called to the President's early attention.

With warm regard,

Sincerely,

Kenneth E. Belieu
Deputy Assistant to the President

Honorable Thomas J. Dodd
United States Senate
Washington, D. C.

bcc: w/incoming to Dr. Kissinger for APPROPRIATE ACTION.
bcc: Lyn Nofziger - FYI

KEB:EF:VO:emu - 4

OCT 18 1969
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J. W. FULBRIGHT, ARK., CHAIRMAN

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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, D.C. 20510

CARL MARCY, CHIEF OF STAFF
ARTHUR M. KUHL, CHIEF CLERK

September 30, 1969

The President
White House
Washington, D. C.

Dear Mr. President:

I am enclosing for your information a copy
of a letter I have today sent to Secretary of State
Rogers.

With best wishes,

Sincerely,

Tom Dodd

THOMAS J. DODD

Enclosure

BH

COPY

September 30, 1969

The Honorable William P. Rogers
Department of State
Washington, D. C. 20520

Dear Mr. Secretary:

RE: Vladimir Dedijer

I have just learned that a recent Belgrade newspaper announced that a visa has been granted to the Yugoslav writer Vladimir Dedijer, who will be coming to the United States at the invitation of MIT.

As you may recall, Vladimir Dedijer presided over the so-called international court organized by Bertrand Russell which conducted a mock war crimes trial in Stockholm at which President Johnson and the United States were tried and sentenced as war criminals.

It was for this reason that the Johnson Administration refused a visa to Dedijer when he was invited by MIT to give a series of lectures there. His projected visit at the time was also the subject of many protests by American historians and other scholars.

As one Senator, I must say that I would have to consider any decision to grant a visa to Vladimir Dedijer most unfortunate. It would be an affront to former President Johnson, to the United States of America, and to our servicemen in Vietnam.

It is my earnest hope that you will be able to confirm to me that the report about Dedijer having been granted a visa is an error. In any case, I would be grateful if you could provide me with a statement of the facts in this case.

Sincerely,

THOMAS J. DODD

Copy to the President



10035

DEPARTMENT OF STATE

Washington, D.C. 20520

GENERAL
IM/D*

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cb

July 28, 1969

MEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSE

Subject: Visa Application of Boris B. ~~Dotsenko~~.

In accordance with Mrs. White's request of June 26, there is enclosed a copy of the Department's reply to the letter addressed to the President by Mr. Mark Weinbaum regarding Mr. Dotsenko.


John P. Walsh

Acting Executive Secretary

Enclosures:

1. Letter to Mr. Weinbaum.
2. From Mr. Weinbaum,
dated June 23, 1969,
with enclosures.

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AUG 4 1969
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DEPARTMENT OF STATE

WASHINGTON

JUL 25 1969

Mr. Mark Weinbaum
Novoye Russkoye Slovo
243 West 56th Street
New York, New York 10019

Dear Mr. Weinbaum:

The President has asked me to reply to your letter of June 23 concerning your interest in the desire of Mr. Boris B. Dotsenko to come to the United States from Canada.

When Mr. Dotsenko applied for an immigrant visa at the American Consulate General in Calgary, Canada, he was found ineligible for an immigrant visa under Section 212(a) of the Immigration and Nationality Act. I enclose for your information a leaflet listing the classes of aliens ineligible to receive visas. His status in Canada had no bearing on his application for a United States immigrant visa.

If Mr. Dotsenko has any additional facts bearing on his application, he should bring them to the attention of the United States Consulate General, Calgary, Alberta, Canada.

Sincerely yours,

Barbara M. Watson
Administrator
Bureau of Security and
Consular Affairs

Enclosure:
DSL-851



DEPARTMENT OF STATE

Information Sheet

CLASSES OF ALIENS INELIGIBLE TO RECEIVE VISAS

Section 221(g) of the Immigration and Nationality Act reads as follows:

"No visa or other documentation shall be issued to an alien if (1) it appears to the consular officer, from statements in the application, or in the papers submitted therewith, that such alien is ineligible to receive a visa or such other documentation under section 212, or any other provisions of law, (2) the application fails to comply with the provisions of this Act, or the regulations issued thereunder, or (3) the consular officer knows or has reason to believe that such alien is ineligible to receive a visa or such other documentation under section 212, or any other provision of law: Provided, That a visa or other documentation may be issued to an alien who is within the purview of section 212(a)(7), or section 212(a)(15), if such alien is otherwise entitled to receive a visa or other documentation, upon receipt of notice by the consular officer from the Attorney General of the giving of a bond or undertaking providing indemnity as in the case of aliens admitted under section 213: Provided further, That a visa may be issued to an alien defined in section 101(a)(15)(B) or (F), if such alien is otherwise entitled to receive a visa, upon receipt of a notice by the consular officer from the Attorney General of the giving of a bond with sufficient surety in such sum and containing such conditions as the consular officer shall prescribe, to insure that at the expiration of the time for which such alien has been admitted by the Attorney General, as provided in section 214(a), or upon failure to maintain the status under which he was admitted, or to maintain any status subsequently acquired under section 248 of the Act, such alien will depart from the United States."

Section 212(e) of the Immigration and Nationality Act reads as follows:

"No person admitted under section 101(a)(15)(J) [Exchange Visitor] or acquiring such status after admission shall be eligible to apply for an immigrant visa, or for permanent residence, or for a nonimmigrant visa under section 101(a)(15)(H) until it is established that such person has resided and been physically present in the country of his nationality or his last residence, or in another foreign country for an aggregate of at least two years following departure from the United States: Provided, That such residence in another foreign country shall be considered to have satisfied the requirements of this subsection if the Secretary of State determines that it has served the purpose and intent of the Mutual Education and Cultural Exchange Act of 1961: Provided further, That upon the favorable recommendation of the Secretary of State, pursuant to the request of an interested United States Government agency, or of the Commissioner of Immigration and Naturalization after he has determined that departure from the United States would impose exceptional hardship upon the alien's spouse or child (if such spouse or child is a citizen of the United States or a lawfully resident alien), the Attorney General may waive the requirement of such two-year foreign residence abroad in the case of any alien whose admission to the United States is found by the Attorney General to be in the public interest: And provided further, That the provisions of this paragraph shall apply also to those persons who acquired exchange visitor status under the United States Information and Educational Exchange Act of 1948, as amended."

Section 212(a) of the Immigration and Nationality Act reads as follows:

"Except as otherwise provided in this Act, the following classes of aliens shall be ineligible to receive visas and shall be excluded from admission into the United States:

- "(1) Aliens who are mentally retarded;
- "(2) Aliens who are insane;
- "(3) Aliens who have had one or more attacks of insanity;
- "(4) Aliens afflicted with psychopathic personality, or sexual deviation, or a mental defect;
- "(5) Aliens who are narcotic drug addicts or chronic alcoholics;
- "(6) Aliens who are afflicted with any dangerous contagious disease;
- "(7) Aliens not comprehended within any of the foregoing classes who are certified by the examining surgeon as having a physical defect, disease, or disability, when determined by the consular or immigration officer to be of such a nature that it may affect the ability of the alien to earn a living, unless the alien affirmatively establishes that he will not have to earn a living;
- "(8) Aliens who are paupers, professional beggars, or vagrants;
- "(9) Aliens who have been convicted of a crime involving moral turpitude (other than a purely political offense), or aliens who admit having committed such a crime, or aliens who admit committing acts which constitute the essential elements of such a crime; except that aliens who have committed only one such crime while under the age of eighteen years may be granted a visa and admitted if the crime was committed more than five years prior to the date of the application for a visa or other documentation, and more than five years prior to date of application for admission to the United States, unless the crime resulted in confinement in a prison or correctional institution, in which case such alien must have been released from such confinement more than five years prior to the date of the application for a visa or other documentation, and for admission, to the United States. Any alien who would be excludable because of the conviction of a misdemeanor classifiable as a petty offense under the provisions of section 1(3) of title 18, United States Code, by reason of the punishment actually imposed, or who would be excludable as one who admits the commission of an offense that is classifiable as a misdemeanor under the provisions of section 1(2) of title 18, United States Code, by reason of the punishment which might have been imposed upon him, may be granted a visa and admitted to the United States if otherwise admissible: Provided, That the alien has committed only one such offense, or admits the commission of acts which constitute the essential elements of only one such offense.

"(10) Aliens who have been convicted of two or more offenses (other than purely political offenses), regardless of whether the conviction was a single trial or whether the offenses arose from a single scheme of misconduct and regardless of whether the offenses involved moral turpitude, for which the aggregate sentences to confinement actually imposed were five years or more;

"(11) Aliens who are polygamists or who practice polygamy or advocate the practice of polygamy;

"(12) Aliens who are prostitutes or who have engaged in prostitution, or aliens coming to the United States solely, principally, or incidentally to engage in prostitution; aliens who directly or indirectly procure or attempt to procure, or who have procured or attempted to procure or to import, prostitutes or persons for the purpose of prostitution or for any other immoral purpose; and aliens who are or have been supported by, or receive or have received, in whole or in part, the proceeds of prostitution or aliens coming to the United States to engage in any other unlawful commercialized vice, whether or not related to prostitution;

"(13) Aliens coming to the United States to engage in any immoral sexual act;

"(14) Aliens seeking to enter the United States, for the purpose of performing skilled or unskilled labor, unless the Secretary of Labor has determined and certified to the Secretary of State and to the Attorney General that (A) there are not sufficient workers in the United States who are able, willing, qualified, and available at the time of application for a visa and admission to the United States and at the place to which the alien is destined to perform such skilled or unskilled labor, and (B) the employment of such aliens will not adversely affect the wages and working conditions of the workers in the United States similarly employed. The exclusion of aliens under this paragraph shall apply to special immigrants defined in section 101 (a) (27) (A) (other than the parents, spouses, or children of United States citizens or of aliens lawfully admitted to the United States for permanent residence), to preference immigrant aliens described in section 203 (a) (3) and (6), and to nonpreference immigrant aliens described in section 203 (a) (8);

"(15) Aliens who, in the opinion of the consular officer at the time of application for a visa, or in the opinion of the Attorney General at the time of application for admission, are likely at any time to become public charges;

"(16) Aliens who have been excluded from admission and deported and who again seek admission within one year from the date of such deportation, unless prior to their reembarkation at a place outside the United States or their attempt to be admitted from foreign contiguous territory the Attorney General has consented to their reapplying for admission;

"(17) Aliens who have been arrested and deported, or who have fallen into distress and have been removed pursuant to this or any prior act, or who have been removed at Government expense in lieu of deportation pursuant to section 242 (b), unless prior to their embarkation or reembarkation at a place outside the United States or their attempt to be admitted from foreign contiguous territory the Attorney General has consented to their applying or reapplying for admission;

"(18) Aliens who are stowaways;

"(19) Any alien who seeks to procure, or has sought to procure, or has procured a visa or other documentation, or seeks to enter the United States, by fraud, or by willfully misrepresenting a material fact;

"(20) Except as otherwise specifically provided in this Act, any immigrant who at the time of application for admission is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document required by this Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality, if such document is required under the regulations issued by the Attorney General pursuant to section 211 (e);

"(21) Except as otherwise specifically provided in this Act, any quota immigrant at the time of application for admission whose visa has been issued without compliance with the provisions of section 203;

"(22) Aliens who are ineligible to citizenship, except aliens seeking to enter as nonimmigrants; or persons who have departed from or who have remained outside the United States to avoid or evade training or service in the armed forces in time of war or a period declared by the President to be a national emergency, except aliens who were at the time of such departure nonimmigrant aliens and who seek to reenter the United States as nonimmigrants;

"(23) Any alien who has been convicted of a violation of, or a conspiracy to violate, any law or regulation relating to the illicit possession of or traffic in narcotic drugs or marihuana, or who has been convicted of a violation of, or a conspiracy to violate, any law or regulation governing or controlling the taxing, manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, exportation, or the possession for the purpose of the manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, or exportation of opium, coca leaves, heroin, marihuana, or any salt derivative or preparation of opium or coca leaves, or isonipecaine or any addiction-forming or addiction-sustaining opiate; or any alien who the consular officer or immigration officers know or have reason to believe is or has been an illicit trafficker in any of the aforementioned drugs;

"(24) Aliens (other than those aliens who are native-born citizens of countries enumerated in section 101 (a) (27) (C) and aliens described in section 101 (a) (27) (B)) who seek admission from foreign contiguous territory or adjacent islands, having arrived there on a vessel or aircraft of a nonsignatory line, or if signatory, a noncomplying transportation line under section 238 (a) and who have not resided for at least two years subsequent to such arrival in such territory or adjacent islands;

"(25) Aliens (other than aliens who have been lawfully admitted for permanent residence and who are returning from a temporary visit abroad) over sixteen years of age, physically capable of reading, who cannot read and understand some language or dialect;

"(26) Any nonimmigrant who is not in possession of (A) a passport valid for a minimum period of six months from the date of the expiration of the initial period of his admission or contemplated initial period of stay authorizing him to return to the country from which he came or to proceed to and enter some other country during such period; and (B) at the time of application for admission a valid nonimmigrant visa or border crossing identification card;

"(27) Aliens who the consular officer or the Attorney General knows or has reason to believe seek to enter the United States solely, principally, or incidentally to engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States;

"(28) Aliens who are, or at any time have been, members of any of the following classes:

(A) Aliens who are anarchists;

- (B) Aliens who advocate or teach, or who are members of or affiliated with any organization that advocates or teaches, opposition to all organized government;
- (C) Aliens who are members of or affiliated with (i) the Communist Party of the United States, (ii) any other totalitarian party of the United States, (iii) the Communist Political Association, (iv) the Communist or any other totalitarian party of any State of the United States, of any foreign state, or of any political or geographical subdivision of any foreign state, (v) any section, subsidiary branch, affiliate, or subdivision of any such association or party, or (vi) the direct predecessors or successors of any such association or party, regardless of what name such group or organization may have used, may now bear, or may hereafter adopt: Provided, That nothing in this paragraph, or in any other provision of this Act, shall be construed as declaring that the Communist Party does not advocate the overthrow of the Government of the United States by force, violence, or other unconstitutional means;
- (D) Aliens not within any other provisions of this paragraph who advocate the economic, international, and governmental doctrines of world communism or the establishment in the United States of a totalitarian dictatorship, or who are members of or affiliated with any organization that advocates the economic, international, and governmental doctrines of world communism or the establishment in the United States of a totalitarian dictatorship, either through its own utterances or through any written or printed publications issued or published by or with the permission or consent of or under the authority of such organization or paid for by the funds of, or funds furnished by, such organization;
- (E) Aliens not within any of the other provisions of this paragraph, who are members of or affiliated with any organization during the time it is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950, unless such aliens establish that they did not have knowledge or reason to believe at the time they became members of or affiliated with such an organization (and did not thereafter and prior to the date upon which such organization was so registered or so required to be registered have such knowledge or any reason to believe) that such organization was a Communist organization;
- (F) Aliens who advocate or teach or who are members of or affiliated with any organization that advocates or teaches (i) the overthrow by force, violence, or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage;
- (G) Aliens who write or publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published, or displayed, or who knowingly have in their possession for the purpose of circulation, publication, distribution, or display, any written or printed matter, advocating or teaching opposition to all organized government, or advocating or teaching (i) the overthrow by force, violence, or other unconstitutional means of the Government of the United States or of all forms of law; or (ii) the duty, necessity or propriety of unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of the United States or of any other organized government, because of his or their official character; or (iii) the unlawful damage, injury, or destruction of property; or (iv) sabotage; or (v) the economic, international, and governmental doctrines of world communism or the establishment in the United States of a totalitarian dictatorship;
- (H) Aliens who are members of or affiliated with any organization that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published, or displayed, or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in paragraph (G);
- (I) Any alien who is within any of the classes described in subparagraphs (B), (C), (D), (E), (F), (G), and (H) of this paragraph because of membership in or affiliation with a party or organization or a section, subsidiary, branch, affiliate, or subdivision thereof, may, if not otherwise ineligible, be issued a visa if such alien establishes to the satisfaction of the consular officer when applying for a visa and the consular officer finds that (i) such membership or affiliation is or was involuntary, or is or was solely when under sixteen years of age, by operation of law, or for purposes of obtaining employment, food rations, or other essentials of living and when necessary for such purposes, or (ii) (a) since the termination of such membership or affiliation, such alien is and has been, for at least five years prior to the date of the application for a visa, actively opposed to the doctrine, program, principles, and ideology of such party or organization or the section, subsidiary, branch, or affiliate or subdivision thereof, and (b) the admission of such alien into the United States would be in the public interest. Any such alien to whom a visa has been issued under the provisions of this subparagraph may, if not otherwise inadmissible, be admitted into the United States if he shall establish to the satisfaction of the Attorney General when applying for admission to the United States and the Attorney General finds that (i) such membership or affiliation is or was involuntary, or is or was solely when under sixteen years of age, by operation of law, or for purposes of obtaining employment, food rations, or other essentials of living and when necessary for such purposes, or (ii) (a) since the termination of such membership or affiliation, such alien is and has been, for at least five years prior to the date of the application for admission actively opposed to the doctrine, program, principles, and ideology of such party or organizations, or the section, subsidiary, branch, or affiliate or subdivision thereof, and (b) the admission of such alien into the United States would be in the public interest. The Attorney General shall promptly make a detailed report to the Congress in the case of each alien who is or shall be admitted into the United States under (ii) of this subparagraph;

“(29) Aliens with respect to whom the consular officer or the Attorney General knows or has reasonable ground to believe probably would, after entry, (A) engage in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activity subversive to the national security, (B) engage in any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States, by force, violence, or other unconstitutional means, or (C) join, affiliate with, or participate in the activities of any organization which is registered or required to be registered under section 7 of the Subversive Activities Control Act of 1950;

“(30) Any alien accompanying another alien ordered to be excluded and deported and certified to be helpless from sickness or mental or physical disability or infancy pursuant to section 237 (e), whose protection or guardianship is required by the alien ordered excluded and deported;

“(31) Any alien who at any time shall have, knowingly and for gain, encouraged, induced, assisted, abetted, or aided any other alien to enter or to try to enter the United States in violation of law.

NOTE: If you believe you are ineligible for a visa under one of the classes enumerated above, please read carefully the following exceptions and explanations to determine whether they might be applicable to you.

Section 212 (g) of the Immigration and Nationality Act, provides that:

“Any alien who is excludable from the United States under paragraph (1) of subsection (a) of this section, or any alien afflicted with tuberculosis in any form who (A) is the spouse or the unmarried son or daughter, or the minor unmarried lawfully adopted child, of a United States citizen, or of an alien lawfully admitted for permanent residence, or if an alien who has been issued an immigrant visa, or (B) has a son or daughter who is a United States citizen, or of an alien lawfully admitted for permanent residence, or an alien who has been issued an immigrant visa, shall, if otherwise admissible, be issued a visa and admitted to the United States for permanent residence in accordance with such terms, conditions, and controls, if any, including the giving of a bond, as the Attorney General, in his discretion after consultation with the Surgeon General of the United States Public Health Service, may by regulations prescribe. Any alien excludable under paragraph (3) of subsection (a) of this section because of past history of mental illness who has one of the same family relationships as are prescribed in this subsection for aliens afflicted with tuberculosis and whom the Surgeon General of the United States Public Health Service finds to have been free of such mental illness for a period of time sufficient in the light of such history to demonstrate recovery shall be eligible for a visa in accordance with the terms of this subsection.”

Section 212 (h) of the Immigration and Nationality Act, provides that:

“Any alien, who is excludable from the United States under paragraphs (9), (10), or (12) of this section, who (A) is the spouse or child, including a minor unmarried adopted child, of a United States citizen, or of an alien lawfully admitted for permanent residence, or (B) has a son or daughter who is a United States citizen or an alien lawfully admitted for permanent residence, shall, if otherwise admissible, be issued a visa and admitted to the United States for permanent residence (1) if it shall be established to the satisfaction of the Attorney General that (A) the alien's exclusion would result in extreme hardship to the United States citizen or lawfully resident spouse, parent, or son or daughter of such alien, and (B) the admission to the United States of such alien would not be contrary to the national welfare, safety, or security of the United States; and (2) if the Attorney General, in his discretion, and pursuant to such terms, conditions, and procedures as he may by regulations prescribe, has consented to the alien's applying or reapplying for a visa and for admission to the United States.”

Section 212 (i) of the Immigration and Nationality Act, provides that:

“Any alien who is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence and who is excludable because (1) he seeks, has sought to procure, or has procured, a visa or other documentation, or entry into the United States, by fraud or misrepresentation, or (2) he admits the commission of perjury in connection therewith, may be granted a visa and admitted to the United States for permanent residence, if otherwise admissible, if the Attorney General in his discretion has consented to the alien's applying or reapplying for a visa and for admission to the United States.”

Section 212 (b) (1) exempts from the literacy requirement of paragraph (25) any prospective immigrant who is the parent, grandparent, spouse, daughter, or son of an admissible alien, or any alien lawfully admitted to the United States for permanent residence, or any citizen of the United States, if accompanying such admissible alien, or coming to join such citizen or alien permanent resident, and if otherwise admissible.

The provisions of paragraphs (11) and (25) are not applicable to aliens who in good faith seek to enter the United States as nonimmigrants. (212 (d) (1))

The exceptions under paragraph (28) (I) should be noted; these exceptions apply to nonimmigrants and immigrants alike.

The provisions of paragraphs (9), (10), (12), and (23) above apply regardless of the issuance of a decree of amnesty, a foreign pardon, the expungement of penal records, or any other act of clemency. A visa applicant must furnish full information regarding any conviction of a criminal offense regardless of the fact that he may have subsequently benefited from an amnesty, pardon or other act of clemency. Failure to reveal such a conviction might result in permanent exclusion from the United States, or in prosecution or deportation in the event admission is effected on the basis of such a misrepresentation. An explanation of any amnesty, pardon or other act of clemency should be given in order that the consular officer may have complete information as a basis for determining whether the conviction or convictions would have a bearing upon the applicant's eligibility to receive a visa.

Additionally, the Immigration and Nationality Act contains provisions for waiver of certain grounds of ineligibility for nonimmigrants and persons who have been lawfully admitted to the United States for permanent residence and who are returning to a lawful unrelinquished domicile of seven consecutive years in the United States.

Penalties.

An applicant will be required to make certain statements under oath at the time of formal application for a visa and submit certain documentary evidence that he is not among any of the ineligible classes. These statements and the evidence will be carefully examined. It should be understood that willful misrepresentation of a material fact in connection with a visa application may result in permanent inadmissibility to the United States or deportation if admitted.

THE WHITE HOUSE OFFICE

REFERRAL

GENERAL
IM/D*
CO 28
10035

To: Secretariat
Department of State

Date: June 26, 1969

ACTION REQUESTED

- ☐ Draft reply for:
☐ President's signature.
☐ Undersigned's signature.
- ☐ Memorandum for use as enclosure to reply.
- ☒ Direct reply.
☒ Furnish information copy.
- ☐ Suitable acknowledgment or other appropriate handling.
- ☐ Furnish copy of reply, if any.
- ☐ For your information.
- ☐ For comment.

NOTE

Prompt action is essential.

If more than 48 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Description:

☒ Letter: ☐ Telegram; Other:

To: The President

From: Mark Weinbaum, Edit-in-Chief, Novoye Russkoye Slovo, 243 W. 56th St.
Date: June 23, 1969 N.Y. N.Y.

Subject: Appeals to the President to grant permission for Boris B. Dotzenko,
Soviet nuclear scientist to come to the U.S. from Canada.

By direction of the President:

Margita White
Mrs. Margita E. White
Admin. Asst. to the
Director of Communications
for the Executive Branch

(Copy to remain with correspondence)

17
encl
State
(in)

MARK WEINBAUM
Editor in Chief

ANDREI SEDYCH
Managing Editor

Novoye Russkoye Slovo

Oldest Russian Daily - Established 1910

243 WEST 56th STREET
NEW YORK, N. Y. 10019

Tel. COlumbus 5-5500

10035

June 23, 1969

The President
The White House
Washington, D.C.

Dear Mr. President:

HK-1

I am making this appeal to you on behalf of Boris B. Dotsenko, a Soviet nuclear scientist, who resides at the present time in Canada, to grant him permission to come to the United States and continue his scientific work.

Mr. Dotsenko arrived in Canada with a group of Soviet scientists in an exchange program between the Kiev State University in USSR and the University of Alberta in Canada. He refused to return to the USSR because like many Russians he chose freedom, and asked the Canadian Government for political asylum. The Canadian Government granted Mr. Dotsenko a temporary permit until September 1969.

Mr. Dotsenko has applied for a visa to the USA but our consulate in Canada has rejected his application because he is not a permanent resident of Canada.

The enclosed documents speak for themselves: Mr. Dotsenko's statement, his curriculum vitae, the list of his publications, two letters of recommendation.

I can only add that for humane and practical reasons Mr. Dotsenko should be granted a visa to the United States. I am certain that he will be able to contribute a great deal to our knowledge of Soviet nuclear capabilities.

Under no circumstances will Mr. Dotsenko become a burden to this country: his aunt, Mrs. Maria Zbruev, who resides at 19 Dover Street, Rochester, NY, 14613, will readily support him.

The readers of our newspaper will hail your part in such an act. Many of them have found refuge in our country and have become loyal American citizens.

Please accept, Mr. President, my great thanks for your kind attention in this matter.

Respectfully yours

Mark Weinbaum
Mark Weinbaum

MW/eg

Yellowknife, N.W.T., CANADA

January 17-1969.

I, DOTSENKO, Boris Borisovich hereby apply for the admission into the UNITED STATES of AMERICA as an Immigrant for following reasons. Till the end of October 1966 I was working in the USSR as a scientist (See Curriculum Vitae). During my life in the Soviet Union I learned many facts about unhuman nature of Soviet ruling system which is theoretically "Dictatorship of proletariat" and practically-nothing more but ruthless and secretive rule of party, state security and Soviet-puppet-administrations-all these three kinds of administrations form special ruling elite. This organization concerned mainly only about the strengthening of their own power and do not hesitate to violate even laws formulated under their supervision. They consider moral as an instrument for the establishing and strengthening of their dictatorship without any real responsibility before anybody. And they don't hesitate to entertain any action which could be considered as a criminal from usual point of view of human rights and duties. When I was sent abroad to Canada I was supposed mainly to do in future some intelligence work for this system which I could not accept because it would mean for me direct support and collaboration with this immoral and criminal system. But being in Soviet Union I was invited thrice to be a member of the Communist party of USSR. After 2-nd invitation it became evident that I will not be sent abroad unless I become a member of Com. Party of Sov. Union. So, having in mind my intention to escape from the necessity to serve them, I accepted the invitation of party officials-being successful scientist-and became a member of CPSU. Relatively soon I was sent to Canada for a scientific mission according to the agreement between the Kiev State University (USSR) and the University of Alberta. In Canada I renounced my Soviet citizenship and my membership of the Communist Party of Soviet Union and asked also Government of Canada for granting me political asylum and Status of a Landed Immigrant. I did not get any though I presented my case before representatives of Canadian authorities in all details which I could restore in my memory. Besides, my grant for scientific research expired by the April-68

and I was advised to leave the University of Alberta because certain influential staff members of this University were disappointed very much when USSR suspended exchange program because of my defection. They decided to do everything possible to force the Government of Canada to return me back to Sov.Union which-after my open renunciation of USSR and Communism-would mean for me strict persecution if not death sentence. In such situation I feel for me is necessary to ask the most powerful Democratic State-USA-to give me an asylum and a possibility to work in science. Despite present situation which was being considered by known me Canadian people as an unjust for me I do not have even slightest intention to return to Soviet Union- and not only for the sake of my own security but because I consider Soviet system as an unhuman, criminal system-one of the worst ever existed on the Earth. I am ready to give all necessary evidence and proof of this my opinion.

For this reason I request for the admission as an Immigrant into the USA and for the job in any research or teaching establishment corresponding to my profession of theoretical and nuclear scientist.

I ask my aunt, Mrs. Maria Zbruev to act on my behalf.

I feel that I will be able to make useful contribution into science
and industry in the USA.

Boris Dotsenko

Boris Dotsenko,
P.O.Box # 1658,
Yellowknife, N.W.T.,
CANADA.

CURRICULUM VITAE

Name: Boris B. DOTSENKO
 Citizenship: Stateless
 Nationality: Ukrainian,

Date of Birth: October 15, 1926
 Place of Birth: Kiev, U.S.S.R.
 Marital Status: Separated.

Education:

Sept. 1934 - Apr. 1943	8 years of High school education in U.S.S.R.
Sept. 1944 - Apr. 1945	Electro Technical School Kharkov, USSR
June 1945 - Oct. 1945	Preparatory courses at Kiev State University Kiev, USSR
Oct. 1945 - July 1950	Student, Physical-Mathematical Faculty, L'vov State University L'vov, USSR finished with top honors, B.A. M.Sc.
Nov. 1950 - June 1954	Post-graduate student (aspirant) Faculty of Physics Moscow State University Moscow, USSR
July 1954	Awarded degree of Candidate of Physical-Mathematical Sciences (PhD.) by Faculty Council of Moscow State University, approved by Higher Attestation Commission at the Ministry of Higher Education, USSR.

Employment Experience:

Oct. 1954 - Dec. 1957	Junior Research Fellow Energetics Institute of the Academy of Science of the USSR. Moscow, USSR
Dec. 1957 - Jan. 1963	Senior Research Fellow Institute of Physics Ukrainian Academy of Science. Kiev, USSR
Feb. 1963 - Nov. 1965	Head of the Nuclear Physics Research Laboratory Faculty of Physics, Kiev State University. Kiev, USSR
Nov. 1965 - Oct. 1966	Senior Research Fellow Nuclear Physics Research Laboratory, Dept. of Nuclear Physics, Kiev State University Kiev, USSR.
Nov. 1966 - Feb. 1967	Special postgraduate student Nuclear Research Centre University of Alberta Edmonton, Alberta Canada
March 1967 - April 1968 Aug 1968	Research Associate Nuclear Research Centre University of Alberta Edmonton, Alberta Canada.
Sept 1968 -	Teacher of Science, Yellowknife Public School Yellowknife N.W.T. Canada.

LIST OF PUBLICATIONS

10035

by B. B. Dotsenko

- B.B. Dotsenko, J.P. Stakhanov, "Viscosity coefficients of the air for the temperatures up to 5000°C and in wide interval of pressures". Scientific Report of the Laboratory of the Physics of Combustion - Spec. Publ. Energetics Institute of the Acad. of Sci. USSR, Moscow, (1955).
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10035

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(Presented by academician N.N. Bogolubov).
- E.V. Stupochenko, B.B. Dotsenko, J.P. Stakhanov, E.V. Samoylov, "Methods of calculation of kinetical coefficients of the air at high temperatures". Collected works: Physical gasodynamics. Acad. of Science, USSR, Moscow, (1959).
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(Forwarded for publication to Physical Review)



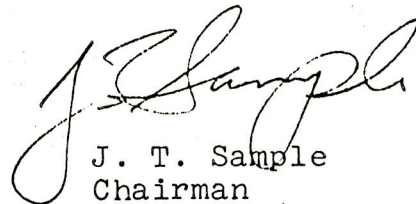
August 21, 1967

TO WHOM IT MAY CONCERN

I have been very favorably impressed by the research carried on by Professor B. B. Dotsenko during his stay at the University of Alberta. I regard his work as a significant contribution to modern science in the fields of nuclear reaction mechanisms and nuclear structure.

Since his research is in my own field, I have had many enjoyable discussions of his work with him and I am therefore in a position to judge it.

Yours sincerely,


J. T. Sample
Chairman

JTS/gd

Yellowknife Public School _____ ELEMENTARY and JUNIOR HIGH _____

XX XX XX Blackcl: BwXPRINCIPAL

BOX 218

YELLOWKNIFE, N.W.T.

November 4th, 1968.

TO WHOM IT MAY CONCERN:

Dr. Boris Dotsenko has been employed at the Yellowknife Public School teaching science in Grades 6 to 9. He has proven himself an extremely efficient and inspiring teacher. He has no problem with discipline because of the quality of his teaching and his obviously outstanding knowledge of his subject.

I have no hesitation in recommending him for a teaching position in any public or private school. He has a charming personality and fits in very well with the staff.

He has made a considerable impression on the people in Yellowknife for his total involvement in the community.

T. P. Deamer

T. P. Deamer,
Principal.

07/
June 3, 1970

GENERAL

IM/D*

Dear Mr. Powell:

This will acknowledge and thank you for your letter to the President concerning the request of Mrs. Shirley Graham DuBois to obtain a non-immigrant visa. Your letter in support of this application will be brought to the President's attention.

With cordial regard,

Sincerely,

William E. Timmons
Assistant to the President

X
Honorable Adam C. Powell
House of Representatives
Washington, D.C. 20515

bcc: w/inc to Justice Dept. (John Dean) FYI

WET:EF:VO:abp

Sent
6/4

American Committee on Africa

164 Madison Avenue • New York, N. Y. 10016 • (212) 532-3700 • Cable AMCOMMAF

Washington Office: 711 14th Street, N. W., Washington D.C. 20005 • (202) 638-0335
Chicago Office: 1514 South Albany, Chicago, Illinois 60623 • (312) 762-1021

President Richard M. Nixon
1600 Pennsylvania Avenue, Northwest
Washington, D. C.

May 18, 1970

Dear Mr. President:

We the undersigned address this message to you as President of the United States in order to protest the recent decision by the Justice Department to deny a non-immigrant visa to Mrs. Shirley Graham Du Bois.

According to the Justice Department, Mrs. Shirley Graham Du Bois was excludable from the United States because of alleged activities, membership in or affiliation with certain unspecified organizations.

We find that such exclusion from the country of her birth is incompatible with the nature of a free open society.

Therefore we ask you, Mr. President, to express the act of such a free and open society, by recommending the granting of a non-immigrant visa to Mrs. W.E.B. Du Bois.

Sincerely yours,



ADAM C. POWELL, M.C.

GENERAL

Im/D *

JUN 8 1970

CO 893.1-C

Mr. Charles Hightower
Washington Director
The American Committee on Africa
711 - 14th Street, N. W.
Washington, D. C. 20005

Dear Mr. Hightower:

President Nixon has asked me to thank you for your telegram of May 28, 1970 concerning Mrs. Shirley G. Du Bois.

The basic law under which the Service operates is the Immigration and Nationality Act of 1952. The United States, as a matter of sovereign right, exercises control over aliens seeking to enter, pass through, or remain in this country. The purpose of the controls is to protect the national interest and the continuing good order and well-being of the nation. These controls have been spelled out by the Congress in the Immigration and Nationality Act.

Aliens may, because of their political activities, or because of membership in or affiliation with certain organizations, render themselves ineligible to receive visas and subject themselves to exclusion from the United States under section 212(a)(28) of the Immigration and Nationality Act, 8 U.S.C. 1182. A United States Consular Officer of the Department of State, in Cairo, Egypt, found Mrs. Du Bois to be ineligible for a visa under that section of law when she applied to visit the United States in February 1970. This decision was based, according to that Department, on her activities in the Communist movement and her affiliation with Communist organizations.

While there is a provision in the law whereby under certain conditions the temporary admission of such an alien into the United States may be authorized, a decision was made that the exercise of this extraordinary authority in the case of Mrs. Du Bois would not be in the best interests of this country. It was decided, after a full and careful review of her file, that the reasons advanced by Mrs. Du Bois, primarily a wish to speak on a number of United States college campuses, including Fisk University, did not outweigh, from a national interest view, the factors in her background which compelled the initial denial of the visa.

File

-2-

Mrs. Du Bois, a native of Indianapolis, Indiana, voluntarily renounced her United States citizenship at the American Embassy at Accra, Ghana, on October 4, 1963. She has been affiliated with over thirty Communist-controlled organizations, in many of which she held leadership positions, and there is no evidence of any change in her views.

Sincerely,


James F. Greene
Associate Commissioner
Operations

✓ CC: Mr. Noble M. Melencamp
Staff Assistant to the
President
The White House

For your information.

RECEIVED
JUN 10 1970
CENTRAL FILES

THE WHITE HOUSE OFFICE

REFERRAL

GENERAL

Im B *

Du Bois, W. E. B.

To: The Attorney General

Date: June 1, 1970

ACTION REQUESTED

- ☐ Draft reply for:
- ☐ President's signature.
- ☐ Undersigned's signature.
- ☐ Memorandum for use as enclosure to reply.
- ☐ Direct reply.
- ☐ Furnish information copy.
- ☒ Suitable acknowledgment or other appropriate handling.
- ☐ Furnish copy of reply, if any.
- ☐ For your information.
- ☐ For comment.

NOTE

Prompt action is essential.

If more than 48 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Description:

Letter: ☒ Telegram: ☐ Other: ☐

To: The President

From: Charles Hightower, Washington Director, The American Committee on Africa, Washington, D. C.

Date: 5/28/70

Subject: Re Justice Dept denying non-immigrant visa to Mrs. Shirley Graham Du Bois-- feel this not compatible with "free open society" and urge issuance of visa to her.

By direction of the President:

NM

Noble M. Melencamp
Staff Assistant
to the President

rah

1970 MAY 29 AM 12 33

WC033 HD PDF 2 EXTRA

WASHINGTON DC 28 1115A EDT

THE PRESIDENT

THE WHITE HOUSE

DEAR MR PRESIDENT, WE THE UNDERSIGNED ADDRESS THIS MESSAGE TO YOU
AS PRESIDENT OF THE UNITED STATES IN ORDER TO PROTEST THE RECENT
DECISION BY THE JUSTICE DEPARTMENT TO DENY A NON-IMMIGRANT VISA TO
MRS SHIRLEY GRAHAM DU BOIS.

ACCORDING TO JUSTICE DEPARTMENT MRS SHIRLEY GRAHAM DU BOIS WAS
EXCLUDABLE FROM THE UNITED STATES BECAUSE OF ALLEGED ACTIVITIES
MEMBERSHIP IN OR AFFILIATION WITH CERTAIN UNSPECIFIED ORGANIZATIONS.

WE FIND THAT SUCH EXCLUSION FROM THE COUNTRY OF HER BIRTH IS
INCOMPATIBLE WITH THE NATURE OF A FREE OPEN SOCIETY.

THEREFORE WE ASK YOU, MR PRESIDENT, TO EXPRESS THE ACT OF SUCH
A FREE AND OPEN SOCIETY BY RECOMMENDING THE GRANTING OF A
NON-IMMIGRANT VISA TO MRS W. E. B. DU BOIS

CHARLES HIGHTOWER WASHINGTON DIRECTOR THE AMERICAN COMMITTEE ON
AFRICA.

cc/

GENERAL

IM/19

June 4, 1970

Dear Mr. Koch:

This will acknowledge your letter to the President regarding the request of Mrs. Shirley Graham DuBois for a non-immigrant visa. Your comments on this matter will be brought to the President's attention at the earliest opportunity.

With cordial regard,

Sincerely,

William E. Timmons
Assistant to the President

Honorable Edward I. Koch
House of Representatives
Washington, D. C. 20515

bcc: w/incoming to Justice Department (John Dean) - FYI

WET:EF:VO:Abp

Sent
6/6

4

JUN 8 1970
CENTRAL FILES

7
EDWARD I. KOCH
17TH DISTRICT, NEW YORK

DAVID W. BROWN
COUNSEL

COMMITTEE ON
SCIENCE AND ASTRONAUTICS

✓ 6-2
Congress of the United States
House of Representatives
Washington, D.C. 20515

NEW YORK OFFICE:
Room 3139
26 FEDERAL PLAZA
PHONE: 212-264-1066

WASHINGTON OFFICE:
1223 LONGWORTH OFFICE BUILDING
PHONE: 202-225-2436

May 27, 1970

BT
Honorable Richard M. Nixon
The President
The White House
Washington, D. C.

Dear Mr. President:

I write to you in support of the requests made of you to issue a non-immigration visa to Mrs. Shirley Graham Du Bois.

In my judgement it is harmful to the very best interests of the United States to ever deny visitor visas to individuals on political grounds unless there is a clear and present danger that the physical presence of such individual would be harmful to the best interest of the United States.

I believe that the outrage and sense of despair of our own citizens arising as a result of the denial in this case of the requested visa is far more harmful to our government than the entry of Mrs. Shirley Graham Du Bois.

I urge you to reconsider and direct the issuance of the non-immigrant visa.

Sincerely,



Edward I. Koch

EIK:bg

GENERAL

IM/D*

June 30, 1970

Dear Mr. Culver:

This is to acknowledge and thank you for your June 24 letter to the President concerning the denial of a non-immigrant visa to Mrs. Shirley Graham Du Bois. I shall call your letter to the President's attention upon his return from San Clemente.

With cordial regard,

Sincerely,

William E. Timmons
William E. Timmons
Assistant to the President

Honorable John C. Culver
House of Representatives
Washington, D.C. 20515

bcc: w/inc to David Abshire, Asst. Sec. of State for further, DIRECT
reply with copy to Bill Timmons five days after receipt

WET:EF:cmf

RECEIVED
JUL 1 1970
CENTRAL FILES

JOHN C. CULVER
2D DISTRICT, IOWA

✓
COMMITTEE ON
FOREIGN AFFAIRS
GOVERNMENT OPERATIONS

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

June 24, 1970

DT
President Richard M. Nixon
The White House
Washington, D.C.

Dear Mr. President:

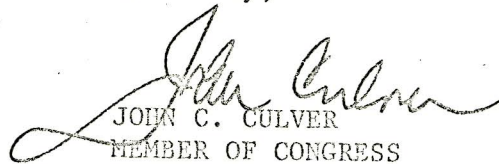
I am writing to you in reference to the recent decision to deny a non-immigrant visa to Mrs. Shirley Graham Du Bois.

It is my understanding that the Department of State recommended that a visa be granted, but that the Department of Justice refused to concur on the grounds of her alleged affiliation with certain unspecified organizations. It is also my understanding that the basis for denial has not been meaningfully clarified since then.

Considering Mrs. Du Bois' advanced age and the limited purposes and duration of her proposed visit, it is difficult to understand how a significant threat to the security of the United States could be involved.

I respectfully urge you to review this decision and recommend that a non-immigrant visa be granted.

Sincerely,


JOHN C. CULVER
MEMBER OF CONGRESS

JCC:t/s