

**APPROVED**  
OCT 08 1976

*8/10/8/76  
m. a. k. a.*

THE WHITE HOUSE  
WASHINGTON  
October 4, 1976

ACTION  
Last Day: October 9

*Posted  
10/9/76*

MEMORANDUM FOR THE PRESIDENT  
FROM: JIM CANNON *Jim Cannon*  
SUBJECT: H.R. 11890 - Relief of Bernard Julian Phillips

*Archives  
12/12/76*

Attached for your consideration is H.R. 11890, sponsored by Representative Holtzman.

The enrolled bill would waive the provision of immigration law which excludes the admission of aliens convicted of illicit possession of marihuana and authorize an immigrant visa to Mr. Phillips. The beneficiary's wife is a U.S. citizen now residing in England, who would like to return to the U.S. because of the illness of both her parents.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Kilberg), NSC and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 11890 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

SEP 30 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11890 - Relief of  
Bernard Julian Phillips  
Sponsor - Rep. Holtzman (D) New York

Last Day for Action

October 9, 1976 - Saturday

Purpose

To permit the issuance of an immigrant visa to an alien convicted of a drug offense who is the spouse of a United States citizen.

Agency Recommendations

Office of Management and Budget	Approval
Immigration and Naturalization Service	Approval
Department of State	No objection

Discussion

The beneficiary is a 32-year-old Englishman who resides in England with his wife, a U.S. citizen. He has been denied an immigrant visa because of a May 1974 conviction in England for possession of 19.8 grams of marihuana for which he was fined \$200. Mr. Phillips was also convicted of possession of LSD at the same time, but this is not a basis for visa ineligibility under current law.

The beneficiary's wife, who is expecting the birth of their child in the near future, wishes to return to the United States because of the illness of both her parents who reside in Brooklyn, New York. Her mother is undergoing treatment for lung cancer and her father suffers from Parkinson's disease.



H.R. 11890 would waive the provision of the Immigration and Nationality Act (INA) which excludes the admission of aliens convicted of illicit possession or trafficking in narcotic drugs or marihuana, and authorize INS to issue an immigrant visa to Mr. Phillips, provided that he is otherwise admissible under the INA. However, the enrolled bill also declares that Mr. Phillips would be subject to deportation if he is convicted of another drug violation, or engages in any conduct which is a ground for deportation, while an alien.

*James M. Frey*  
James M. Frey  
Assistant Director for  
Legislative Reference

Enclosures

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE  
Washington 25, D.C.

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

27 SEP 1976

AND REFER TO THIS FILE NO.

A21 064 896

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 11890 ; Office of Management  
and Budget request dated September 24, 1976.

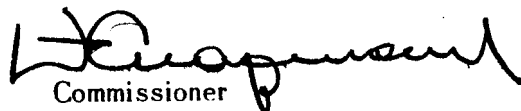
Beneficiary or Beneficiaries Bernard Julian Phillips.

Pursuant to your request for the views of the Department of Justice on the subject bill, a review has been made of the facsimile of the bill, the relating Congressional Committee report or reports, and all pertinent information in the files of the Immigration and Naturalization Service

On the basis of this review the Immigration and Naturalization Service, on behalf of the Department of Justice:

- Recommends approval of the bill
- Interposes no objection to approval of the bill

Sincerely,

  
Commissioner



DEPARTMENT OF STATE

Washington, D.C. 20520

SEP 28 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of September 24, 1976, transmitting for comment enrolled bills, H.R. 10434, "For the relief of Doctor Carlos Montenegro Gorbitz, his wife, Maria Elena Olguin de Gorbitz, and their son, Carlos Gorbitz Olguin", H.R. 10793, "For the relief of Afaf Kanafani Yassine, Najla Yassine, Walid Yassine, Mona Yassine and Maher Yassine", and H.R. 11890, "For the relief of Bernard Julian Phillips".

This Department has no objection to the enactment of these bills.

Sincerely yours,

Kempton B. Jenkins  
Acting Assistant Secretary  
for Congressional Relations

The Honorable  
James T. Lynn,  
Director,  
Office of Management  
and Budget.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 2

Time: 600pm

FOR ACTION: NSC/S *ML* cc (for information): Jack Marsh  
 Max Friedersdorfer  
 Bobbie Kilberg *al* Jim Connor  
 Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 4

Time: noon

SUBJECT: H.R. 11890-Relief of Bernard Julian Phillips

ACTION REQUESTED:

- |   |   |
|---|---|
| <input type="checkbox"/> For Necessary Action         | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief     | <input type="checkbox"/> Draft Reply              |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks            |

REMARKS:

please return to judy johnston, ground floor west wing

THIS COPY TO MATERIAL SUBMITTED.

anticipate a  
please

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 K. R. COLE, JR.  
 For the President

Date: October 2

Time: 600pm

FOR ACTION: NSC/S  
Max Friedersdorf  
Bobbie Kilbergcc (for information): Jack Marsh  
Jim Connor  
Ed Schmultz

FROM THE STAFF SECRETARY

DUE: Date: October 4

Time: noon

SUBJECT:

H.R. 11890-Relief of Bernard Julian Phillips

## ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

## REMARKS:

please return to judy johnston, ground floor west wing

No objection

Barry Roth

10/4

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
Per the President

Date: October 2

Time: 600pm

FOR ACTION: NSC/S  
Max Friedersdorf  
Bobbie Kilbergcc (for information): Jack Marsh  
Jim Connor  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 4

Time: noon

SUBJECT:

H.R. 11890-Relief of Bernard Julian Phillips

## ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

## REMARKS:

please return to judy johnston, ground floor west wing

*Recommend Approval. (Mef)*PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President



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BERNARD JULIAN PHILLIPS

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JUNE 25, 1976.—Committed to the Committee of the Whole House  
and ordered to be printed

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

REPORT

[To accompany H.R. 11890]

The Committee on the Judiciary, to whom was referred the bill (H.R. 11890), for the relief of Bernard Julian Phillips, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to waive the provision of section 212(a) (23) of the Immigration and Nationality Act in behalf of Bernard Julian Phillips. The bill also provides that this exemption shall apply only to a ground for exclusion known to the Departments of State or Justice prior to the enactment of this act.

GENERAL INFORMATION

The beneficiary is a 32-year-old native and citizen of England who resides there with his wife, a citizen of the United States. He has been denied an immigrant visa because of a conviction in England for possession of marihuana for which he was fined \$200. The beneficiary's wife, who is expecting the birth of their child in the near future, desires to return to the United States because of the illness of both of her parents. Her mother is undergoing chemotherapy treatment for lung cancer, and her father suffers from Parkinson's disease.

The pertinent facts in this case are contained in a letter dated April 29, 1976, from the Commissioner of Immigration and Naturali-

zation to the chairman of the Committee on the Judiciary, which reads as follows:

DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D.C., April 29, 1976.

A-21064896

HON. PETER W. RODINO, JR.,  
Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 11890) for the relief of Bernard Julian Phillips, there is attached a memorandum of information concerning the beneficiary.

The bill would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who have been convicted of a violation of any law or regulation relating to the illicit possession of or traffic in narcotic drugs or marihuana, and would authorize the issuance of a visa to the beneficiary and his admission to the United States for permanent residence, if he is otherwise admissible under that Act. The bill also limits the exemption granted the beneficiary to a ground of exclusion known to the Department of State or Justice prior to the date of its enactment.

Sincerely,

L. F. CHAPMAN, JR., *Commissioner.*

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE H.R. 11890

Information concerning this case was obtained from the beneficiary's father-in-law, Solomon Efraim Mensch.

The beneficiary, Bernard Julian Phillips, a native and citizen of the United Kingdom, was born in England on December 12, 1943. He has been in the United States on several occasions as a nonimmigrant visitor for pleasure. His last visit began in June 1975 when he was admitted at New York, New York for a period not to exceed six months. He effected timely departure in September 1975. He is employed as an advertising specialist by a firm in London, England. His close relatives consist of his mother, brother and two sisters, who are citizens and residents of the United Kingdom, and his father, whose citizenship and whereabouts are unknown.

The beneficiary married Susan Phillips, nee Mensch, a United States citizen, on June 15, 1972 at New York City. Susan Phillips resides with her husband in London, England. She is pregnant with their first child and her expected time of confinement is May 1976. On September 12, 1975 a visa petition, submitted by Mrs. Phillips to accord the beneficiary immediate relative classification in issuance of an immigrant visa, was approved at the American Embassy, Lon-

don, England. However, the beneficiary was found ineligible to receive an immigrant visa under Section 212(a)(23) of the Immigration and Nationality Act because of his conviction in May 1974 in London for the possession of 19.8 grams of marihuana. A fine of approximately \$200 was levied against the beneficiary. He was also convicted of possession of a small amount of LSD but this would not be a basis for visa ineligibility.

Solomon and Rose Mensch, the parents of Susan Phillips, are the interested parties in this case. Rose Mensch is undergoing chemotherapy treatment for sarcoma of the lungs at the Memorial Sloan-Kettering Cancer Center. This treatment, which commenced in August 1975, has an approximate duration of two years. According to her physician, it would be an immense help to Mrs. Mensch physically, as well as emotionally, if her daughter could be at her side during this period. Mrs. Mensch has not known the whereabouts of her only other child, Barbara, for several years. Mr. and Mrs. Mensch reside in Brooklyn, New York and estimate their assets at \$200,000, about one half of which is deposited in savings accounts. They are prepared to assume financial responsibility for the beneficiary and their daughter should the need arise.

A report from the Department of State on this legislation reads as follows:

DEPARTMENT OF STATE,  
Washington, D.C., April 2, 1976.

HON. PETER W. RODINO, JR.,  
Chairman, Committee on the Judiciary, House of Representatives,  
Washington, D.C.

DEAR MR. CHAIRMAN: In reference to your request for a report concerning the case of Bernard Julian Phillips, beneficiary of H.R. 11890, 94th Congress, there is enclosed a memorandum of information concerning the beneficiary. This memorandum has been submitted by the American Embassy at London, England in whose consular jurisdiction the beneficiary resides.

This bill would provide for visa issuance and the beneficiary's admission for permanent residence notwithstanding his ineligibility as an alien who has been convicted of a violation of any law or regulation relating to the illicit possession of or traffic in narcotic drugs or marihuana, if he is otherwise admissible under the provisions of the Immigration and Nationality Act. The relief granted is limited to a ground for exclusion known to the Department of State or the Department of Justice prior to enactment.

Sincerely yours,

ROBERT J. McCLOSKEY,  
Assistant Secretary for  
Congressional Relations.

Enclosure: Memorandum of information.

MEMORANDUM OF INFORMATION CONCERNING H.R. 11890 FOR THE RELIEF  
OF BERNARD JULIAN PHILLIPS

(Submitted by the American Embassy at London, England)

The beneficiary was born on December 12, 1943 at London, England. He is married and is presently residing at 75 Heathcroft, Hamstead Way, London, England. He is an advertising writer and has been self-employed for more than one year. His spouse resides with him at the London address given. He has no close ties in the United States of America other than his spouse's family.

On October 28, 1975 the beneficiary was found ineligible to receive a visa by the United States Embassy at London, England under the provisions of Section 212(a) (23) of the Immigration and Nationality Act, due to his conviction by the Petty Sessional Division of Gore, London, England, on May 9, 1974 of possession of cannabis. He was found guilty and fined fifty pounds sterling. Mr. Phillips was also convicted of possession of LSD on the same date, but this would not form a basis of ineligibility. Mr. Phillips further has the following convictions which, inasmuch as they do not involve moral turpitude and/or come within the purview of the petty offense clause of Section 212(a) (9) of the Act, are not considered grounds of ineligibility: Court of Petty Sessions in Frankston (Melbourne) Australia on January 30, 1962 of offensive behavior for which he was fined ten pounds sterling and Court of Petty Sessions in Hawthorn (Melbourne) Australia on April 18, 1962 of larceny for which he was fined five pounds sterling. There are enclosed copies of the Court records.

The beneficiary is not chargeable to any foreign state limitation. An immediate relative petition was filed and approved on September 12, 1975 at the American Embassy, London, granting him status as the spouse of an American citizen.

The Embassy's investigation revealed no additional derogatory information concerning the beneficiary.

The beneficiary underwent a medical examination on March 29, 1976 and was found medically eligible for a visa.

Enclosures: Court records.

CHIEF COMMISSIONER'S OFFICE,  
POLICE HEADQUARTERS,  
Melbourne, September 29, 1975.

Our Ref. 40-6-10158.

OFFICER IN CHARGE,  
Immigrant Visa Division,  
United States of America Embassy,  
London W.I., England

DEAR SIR: A request has been received in this office from Mr. Bernard J. Phillips for a Police Clearance Certificate to enter America.

The records of this office show that a person named Bernard John Phillips, born on the 12th December, 1943, who may be identical with the person requesting this certificate has been convicted as follows:

Court	Date	Offense	Sentence
Court of Petty Sessions, Frankston	Jan. 30, 1962	Offensive behaviour	Fined £10 in default 14 days imprisonment.
Court of Petty Sessions, Hawthorn	Apr. 18, 1962	Larceny	Fined £5 in default 5 days imprisonment.

Yours faithfully,

M. McDERMOTT,  
*Acting Senior Executive Officer.*

In the Middlesex area of Greater London—Petty Sessional Division of Gore, memorandum of an extract in the Register of the Court of Summary Jurisdiction sitting at the Court House, Hendon, the 9th day of May 1974.

Name of informant or complainant	Name of defendant Age (if known)	Nature of offense	Date of offense Plea	Minute of adjudication
T. D. C. Crofts	Bernard Julian Phillips, 30, 75 Heathcroft, Hampstead Way, NW 11. Writer.	At 75 Heathcroft, Hampstead, NW 11 did in contravention of sec. 5(1) of the Misuse of Drugs Act, 1971 unlawfully having in his possession a controlled drug class A to wit: LSD.	Feb. 4, 1974 EST/guilty	Fined £50.
Do	Bernard Julian Phillips.	At 75 Heathcroft, Hampstead, NW 11 did in contravention of sec. 5(1) of the Misuse of Drugs Act, 1971 unlawfully having in his possession a controlled drug of class B to wit: 19.48 grams of cannabis resin and 24.71 milligrams of cannabis. Contrary to sec. 5(2) of the Misuse of Drugs Act, 1971.	do	Do.

I certify the above extract to be a true copy the 13th day of December 1974.

O. CARZELL,  
*Clerk of the said Court of Summary Jurisdiction.*

Ms. Holtzman, the author of this bill, submitted the following statements and letters in support of her bill:

STATEMENT BY REPRESENTATIVE ELIZABETH HOLTZ-  
MAN IN SUPPORT OF H.R. 11890, A BILL FOR THE  
RELIEF OF BERNARD JULIAN PHILLIPS

Mr. Chairman, the purpose of this bill is to prevent an American citizen, the wife of the beneficiary, from having to choose whether to remain with her husband and provide a father for their child, or to leave her husband in order to care for her sick father and dying mother.

Bernard Julian Phillips is married to an American citizen, Susan Mensch Phillips, whose parents are constituents of mine. Susan Phillips seeks to return to the United States with her family. Her husband, however, is ineligible to receive a visa because of a 1974 conviction for a minor drug offense which is not waivable under the law.

My concern for this case is prompted by the extraordinary and tragic situation of Mr. Phillips' parents-in-law, Solomon and Rose Mensch. Mrs. Mensch is terminally ill with lung cancer. She is being treated at the Memorial Sloan-Kettering Cancer Center in New York City, and her physicians predict that she has less than two years to live. In the words of one of her doctors treating Mrs. Mensch, "it would prove to be immense help physically as well as emotionally if her daughter could be at her side during this trying period."

Mr. Mensch has borne alone the painful burden of caring for his wife. In April 1976, however, Mr. Mensch was diagnosed as suffering from Parkinson's Disease. His doctor advises that he "is no longer capable of caring for his wife."

The Mensches desperately need their daughter, Susan Phillips, at home in the United States to comfort and care for them. At the present time, however, Mrs. Phillips can come to the United States only if she is willing to leave her husband for an indefinite period of time—the duration of her mother's illness and some time thereafter to care for her father. In addition, I am advised that Mrs. Phillips is expecting a child in the near future. Thus, if she were to come to the United States without her husband, she would have to care for an infant by herself, as well as for two seriously ill parents. The infant, of course, would be separated from its father for a lengthy period.

In light of these circumstances, I believe it would be unreasonably cruel to deny Bernard Julian Phillips admission to the United States because of a minor drug offense. According to the Immigration Service, Mr. Phillips was convicted of "the possession of 19.8 grams [less than one ounce] of marihuana," for which he was fined \$100. (He was simultaneously convicted of possession of a miniscule quantity of LSD, and received an additional fine of \$100. No waiver, however, is being sought with regard to this conviction, since it would not bar his entry.) According to Mr. Phillips, he had purchased the drugs four years earlier and had never actually used them.

In the two years since Mr. Phillips' conviction he has had no further narcotics violations, nor had he any such violation previously. He is a hard-working, successful family man, and has a job waiting in the United States as an advertising copywriter. He surely is no threat to the public welfare of this country.

Mr. Chairman, the circumstances of this case are exceptional and require the remedy of a private bill. In view of the minor nature of Mr. Phillips' offense, I do not think that we should force upon his wife the intolerably painful task of deciding between her husband and child on the one hand, and her dying mother and disabled father on the other.

ELIZABETH HOLTZMAN.

OCTOBER 1, 1975.

*To Whom It May Concern:*

Be it known that the undersigned—Mr. Solomon E. Mensch and Mrs. Rose W. Mensch—are natural born citizens of the United States of America and the in-laws of Mr. Bernard Phillips. We can truly attest that we will take full responsibility that he will not become a public charge.

We are ready to deposit a bond to that effect.

Sincerely,

SOLOMON E. MENSCH.  
MRS. ROSE W. MENSCH.

MEMORIAL SLOAN-KETTERING CANCER CENTER,  
*New York, N.Y., August 22, 1975.*

Re Mrs. Rose Mensch, Chart No. 56-80-48.

*To Whom It May Concern:*

This is to inform you that Mrs. Rose Mensch is presently undergoing chemotherapy treatment for sarcoma of the lungs at this Institution. This treatment should have an approximate duration of two years. It would prove to be immense help physically as well as emotionally if her daughter could be at her side during this trying period.

We thank you for your consideration to this request.

NANCY KEMENY, M.D.,  
*Solid Tumor Service.*

MILTON I. KAPLAN, M.D., F.I.C.S.,  
*Brooklyn, N.Y., April 22, 1976.*

*To Whom It May Concern:*

Sol Mensch has been my patient for many years. As of the last five months, he has not been feeling well and I attributed this to the stress, the pressure and tension he has been under since his wife has been afflicted with Lung Cancer.

However, due to the onset of certain pertinent symptoms, I referred him to a Neurologist, Dr. Stephen Gilbert of 1199 Ocean Ave., Brooklyn, N.Y., whose diagnosis was that patient was suffering from Parkinson's Disease. As a result of this disease, patient is no longer capable of caring for his wife.

Their daughter, Susan, presently resides in England and is most anxious to return to the United States in order to care for her parents.

Very truly yours,

MILTON I. KAPLAN, M.D.

McCANN-ERICKSON,  
*December 11, 1975.*

*To Whom It May Concern:*

I understand that Mr. Bernard Phillips and his wife plan to emigrate to the United States of America. Mr. Phillips worked closely with me for a period as a copywriter in an advertising agency. He was professionally very capable and completely reliable as an employee. During his period of working with me he proved to be popular with his other close colleagues.

To the best of my knowledge I would consider him a reliable potential citizen.

R. P. BRAZELEY.

75 HEATHCROFT, HAMPSTEAD WAY,  
*London, NW11, England, April 12, 1976.*

Congresswoman ELIZABETH HOLTZMAN,  
*Brooklyn, N.Y.*

DEAR Ms. HOLTZMAN: I am doing what I can to obtain the Court Records of my two convictions in Melbourne, Australia, as you requested.

However, I fear there may be delays and that it may be impossible to have them reach you by April 28th, the date of the hearing. Assuming, that is, that records were actually kept.

Nonetheless, I shall do what I can to hurry up the procedure and stress to the authorities concerned the need for urgency.

Frankly, I'm not sure how detailed any records that were kept may be, so for this reason, I think it best that I give you in writing a fully detailed account of both arrests.

You will find these details corroborated by any documents you receive from Australia, although it is unlikely they will give the exact details I feel you should have.

The only details I am unsure about are the exact dates of the offences and the court proceedings, but no doubt the documents forwarded by Ms. Wing, the US Consul in London, and any other documents you receive from the Melbourne Police will contain these.

Both offences were minor and tried in a court of petty sessions. I was 17 or 18 years of age at the time of both.

The first conviction was for disturbing the peace/disorderly conduct. I think the circumstances surrounding the arrest deserve description.

A group of friends and myself attended a jazz music festival in a small seaside town, Frankston, outside Melbourne, Australia. The festival was held over the two nights of a weekend. Thousands of young people descended on this small, quiet town for the occasion.

As you may understand, the local residents, at first happy that their town was to be the centre of a big occasion, quickly reversed their

views when they found the streets packed with wandering young people for the two-day weekend, many of them sleeping rough in fields and in back gardens.

It was only to be expected, with so many young people gathered in one place, that hostilities from local residents would be aroused.

As a result, after the first night of the festival was over, and young people began spilling out into the streets and wandering in groups around the town and on the beach, singing and playing instruments, the police began arresting large numbers of them, quite indiscriminately. All those, in fact, who were still on the streets after 12 p.m. were arrested and charged.

I was one of them. I had no idea about the 12 p.m. curfew and was among a group of friends and young people, singing and playing guitars, when we were all arrested.

I was convicted in court the next day of disturbing the peace/disorderly conduct (although I absolutely denied a charge of drunkenness) and fined, I think, either £15 or £20 (\$30 or \$40).

Hundreds of other young people were arrested that night and charged with the same offences.

I believe I was 17 years of age at the time.

The second arrest was for petty theft.

It was a foolish teenage prank, but I shall nonetheless explain it.

My brother and I had stayed late at a friend's party. We left in the early hours of the morning and on the way home, stole a number of bottles of milk (5 or 6) from front doorsteps and drank them. (As you may know, milk is delivered to the front door or gate by the milkman in Australia, as it is in England).

We were caught with the bottles of milk, drinking them, while sitting on the sidewalk, by two police officers who were watching us from a parked car.

We were convicted of petty theft the next day in court and fined £5 (\$12) each.

I was 18 years of age at the time.

Frankly, I had forgotten about these offenses until this Immigration case arose.

They were silly offenses, but since I was a teenager at the time, I feel I can look back on them without disgrace.

I hope my explanation of the circumstances surrounding both arrests is adequate for your purposes.

I have told you the truth, in every detail. However, you can verify this against whatever details you receive from the Melbourne Police. I shall begin pressing them immediately to forward available information directly to your office.

I apologise sincerely for any extra inconvenience this added matter has caused you and again express my own and my wife's very profound gratitude for the interest and effort you have given to our case.

Yours faithfully,

BERNARD J. PHILLIPS.

#### BUDGETARY INFORMATION

This legislation does not provide new budget authority and no estimate or comparison has been received from the Director of the Congressional Budget Office.

#### OVERSIGHT STATEMENT

The committee exercises general oversight jurisdiction with respect to all immigration and nationality matters but no specific oversight is contemplated in this instance.

#### COMMITTEE RECOMMENDATIONS

Upon consideration of all the facts in this case, the committee is of the opinion that H.R. 11890 should be enacted and accordingly recommends that the bill do pass.

○

H. R. 11890

# Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,  
one thousand nine hundred and seventy-six*

## An Act

For the relief of Bernard Julian Phillips.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(23) of the Immigration and Nationality Act, Bernard Julian Phillips may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act: Provided further, That while an alien, the beneficiary shall be subject to deportation, in accordance with section 241(a)(11) of the Immigration and Nationality Act, if, subsequent to the enactment of this Act, he is convicted of a violation of any law or regulation with regard to the illicit possession of narcotic drugs or marijuana or if he otherwise engages in conduct which would serve as the basis for deportation under such section.*

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*