

**The original documents are located in Box 53, folder “8/14/76 HR2399 Relief of Leonard Alfred Brownrigg” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

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**APPROVED**

**AUG 14 1976**

8/14/76

THE WHITE HOUSE

ACTION

WASHINGTON  
July 13, 1976

Last Day: August 21

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *J.C.*  
SUBJECT: H.R. 2399 - Relief of Leonard Alfred Brownrigg

*Posted  
8/10/76*

*Archives  
8/16/76*

Attached for your consideration is H.R. 2399, sponsored by Representative Bell.

The enrolled bill would permit the beneficiary, a permanent resident alien, to remain in the United States despite a conviction for possession of marihuana. The details of the bill are provided in OMB's enrolled bill report at Tab A.

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

RECOMMENDATION

That you sign H.R. 2399 at Tab B.





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

AUG 13 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 2399 - Relief of Leonard Alfred  
Brownrigg  
Sponsor - Rep. Bell (R) California

Last Day for Action

August 21, 1976 - Saturday

Purpose

To permit a permanent resident alien to remain in the United States despite a conviction for possession of marihuana.

Agency Recommendations

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

Discussion

Leonard Alfred Brownrigg, the beneficiary of this bill, is a 46-year-old native and citizen of Great Britain who was admitted to the United States for permanent residence in May 1953. On August 31, 1964, he was convicted in the Superior Court of the State of California of unlawful possession of marihuana. Deportation proceedings were instituted against him and despite the fact that the same court expunged his conviction on March 8, 1965, he was found deportable on June 28, 1965. His appeal was dismissed by the Board of Immigration Appeals in August 1965. A federal court has ruled that the expunging of a conviction by a State court has no effect upon federal immigration laws. Thus the beneficiary is facing deportation proceedings which are now pending before the Supreme Court on a writ of certiorari, because



under the federal immigration law he is still considered a convicted felon.

H.R. 2399 would grant the beneficiary a visa and permanent residence status on the date of its enactment, notwithstanding his conviction for possession of marihuana. This exemption would 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 bill.

*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

11 AUG 1976

AND REFER TO THIS FILE NO.

A8 481 606

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 2399 ; Office of Management  
and Budget request dated August 9, 1976.

Beneficiary or Beneficiaries Leonard Alfred Brownrigg.

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

AUG 11 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of August 9, 1976, transmitting for comment enrolled bills, H.R. 2392, "For the relief of Leonard Alfred Brownrigg", H.R. 7404, "For the relief of Christine Donnelly", and H.R. 7494, "For the relief of Luigi Santaniello".

This Department's files contain no information identifiable with the above cited bills, and in the absence of any derogatory information, this Department has no objection to the enactment of these bills.

Sincerely yours,

Kempton B. Jenkins  
Acting Assistant Secretary  
for Congressional Relations

AND BUDGET  
OFFICE OF MANAGEMENT

30 AUG 11 PM 3:18

RECEIVED

To: J. Casanova  
8-13-76  
4:00 p.m.



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

AUG 13 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 2399 - Relief of Leonard Alfred Brownrigg  
Sponsor - Rep. Bell (R) California

Last Day for Action

August 21, 1976 - Saturday

Purpose

To permit a permanent resident alien to remain in the United States despite a conviction for possession of marihuana.

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

Discussion

Leonard Alfred Brownrigg, the beneficiary of this bill, is a 46-year-old native and citizen of Great Britain who was admitted to the United States for permanent residence in May 1953. On August 31, 1964, he was convicted in the Superior Court of the State of California of unlawful possession of marihuana. Deportation proceedings were instituted against him and despite the fact that the same court expunged his conviction on March 8, 1965, he was found deportable on June 28, 1965. His appeal was dismissed by the Board of Immigration Appeals in August 1965. A federal court has ruled that the expunging of a conviction by a State court has no effect upon federal immigration laws. Thus the beneficiary is facing deportation proceedings which are now pending before the Supreme Court on a writ of certiorari, because

under the federal immigration law he is still considered a convicted felon.

H.R. 2399 would grant the beneficiary a visa and permanent residence status on the date of its enactment, notwithstanding his conviction for possession of marihuana. This exemption would 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 bill.

*James M. Fry*  
Assistant Director for  
Legislative Reference

Enclosures




MEMORANDUM

NATIONAL SECURITY COUNCIL

4635

August 13, 1976

MEMORANDUM FOR: JAMES M. CANNON  
FROM: Jeanne W. Dav   
SUBJECT: H. R. 2399

The NSC Staff concurs with the proposed enrolled bill H. R. 2399-  
Relief of Leonard Brownrigg.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 13

Time: 600pm

FOR ACTION: NSC/S *oh*  
Dick Parsons *oh*  
Max Friedersdorf *oh*  
Ken Lazarus *oh*

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date:

August 13

Time:

600pm

SUBJECT:

H.R. 2399-Relief of Leeann Brownrigg

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judi johnston, ground floor west wing

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.

\_\_\_\_\_  
K. R. COLE, JR.  
For the President

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 13

Time: 600pm

FOR ACTION: NSC/S  
 Dick Parsons  
 Max Friedersdorf *RKW*  
 Ken Lazarus

cc (for information): Jack Marsh  
 Jim Cavanaugh  
 Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date:

Time:

August 13600pm

SUBJECT:

H.R. 2399-Relief of Leonard Brownrigg

## 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

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 H. Cannon  
 For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 13

Time: 600pm

FOR ACTION: NSC/S  
Dick Parsons  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: August 13 Time: 600pm

SUBJECT:

H.R. 2399-Relief of Leonard Brownrigg

ACTION REQUESTED:

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

REMARKS:

*Approval. RD*

please return to judy johnston, ground floor west wing



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

James H. Cannon  
President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 13

Time: 600pm

FOR ACTION: NSC/S  
Dick Parsons  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date:

August 13

Time:

600pm

SUBJECT:

H.R. 2399-Relief of Leonard Brownrigg

ACTION REQUESTED:

\_\_\_\_\_ For Necessary Action

\_\_\_\_\_ For Your Recommendations

\_\_\_\_\_ Prepare Agenda and Brief

\_\_\_\_\_ Draft Reply

  X   For Your Comments

\_\_\_\_\_ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

8/13/76

No objection

BR for KL.

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.

LEONARD ALFRED BROWNRIGG

JULY 25, 1975.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany H.R. 2309]

The Committee on the Judiciary, to which was referred the bill (H.R. 2399) for the relief of Leonard Alfred Brownrigg, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That, notwithstanding the provision of section 212(a)(23) of the Immigration and Nationality Act, Leonard Alfred Brownrigg 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.

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to waive the provision of section 212(a)(23) of the Immigration and Nationality Act in behalf of Leonard Alfred Brownrigg. The bill also provides that the 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 of this bill is a 45-year-old native and citizen of Great Britain who was admitted to the United States for permanent residence in May of 1953. He was convicted in August of 1964 for possession of marihuana and placed on probation for five years. The record of conviction was expunged according to California law in March of 1965. The beneficiary is married to a citizen of the United States and resides in California where he is employed as a land surveyor.



Bills for the relief of the same person were favorably reported to the House in the Ninety-second and Ninety-third Congresses and the legislation was approved by the House of Representatives on May 18, 1971. The following information is reprinted from H. Rept. 92-104 and H. Rept. 93-491.

Deportation proceedings were instituted against the beneficiary on December 23, 1964, on the ground that he had been convicted in Superior Court of the State of California for the unlawful possession of marihuana. On June 28, 1965, he was found deportable on that charge. On August 17, 1965, his appeal was dismissed by the Board of Immigration Appeals. Deportation proceedings against him are pending before the Supreme Court on a writ of certiorari. A mandate before the U.S. Ninth Circuit Court of Appeals has been stayed pending the action before the Supreme Court.

U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D.C., September 9, 1966.

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

DEAR MR. CHAIRMAN: This refers to H.R. 15337 in behalf of Leonard Alfred Brownrigg.

The beneficiary failed to file a petition with the Supreme Court of the United States for a writ of certiorari before July 16, 1966. The judgment of the Ninth Circuit Court of Appeals is now final.

Sincerely,

RAYMOND F. FARRELL,  
Commissioner.

Mr. Bell submitted the following statement and letter in support of his bill:

H.R. 1795 ON BEHALF OF LEONARD ALFRED BROWNRIGG

Leonard Alfred Brownrigg was born in Liverpool, England, March 1, 1930. He has a widowed mother in England and a sister who is a permanent resident alien of the United States, married to a sergeant in the U.S. Air Force. Mr. Brownrigg was admitted to the United States for permanent residence on May 16, 1953, and was married to a native and citizen of the United States on October 13, 1962. However, they were divorced in 1967. They are childless and she is self-supporting.

On August 31, 1964, Mr. Brownrigg was convicted in the Superior Court for the State of California for unlawful possession of marihuana, but on September 22, 1964 (1 month later) the same court suspended the proceedings and he was placed on probation for a period of 5 years. However, deportation proceedings were instituted against the beneficiary on December 23, 1964, on the grounds that he had been convicted in the Superior Court of the State of California for unlawful possession of marihuana. Although the same court on March 8, 1965, expunged the foregoing conviction, he was found deportable on

that charge on June 28, 1965. And on August 17, 1965, his appeal was dismissed by the Board of Immigration Appeals.

Since Mr. Brownrigg failed to file a petition with the Supreme Court of the United States for a writ of certiorari before July 16, 1966, the judgment of the Ninth Circuit Court of Appeals is final. Deportation is a drastic step to take especially since the California court has given expungment of this crime. Therefore, I ask this committee to please consider this case favorably.

The pertinent facts in this case are contained in letters dated July 14 and September 9, 1966, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary, which read as follows:

U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D.C., July 14, 1966.

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

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 15337) for the relief of Leonard Alfred Brownrigg, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment. It appears the bill is intended to grant the beneficiary permanent residence in the United States notwithstanding the fact that he has been found subject to deportation under section 241(a)(11) of the Immigration and Nationality Act on the ground of conviction of the violation of a law relating to the illicit possession of marihuana.

Sincerely,

RAYMOND F. FARRELL,  
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE H.R. 15337

The beneficiary, Leonard Alfred Brownrigg, a native and citizen of Great Britain, was born March 1, 1930. He was married October 13, 1962, to a native and citizen of the United States. They have been separated for over 2 years. They are childless and his wife is self-supporting. The beneficiary completed elementary school in England. He is presently employed as a surveyor's chainman and receives a weekly salary of \$180. He resides in Beverly Hills, Calif., and his assets consist of personal property which he values at \$500. His widowed mother resides in England. His sister is married to a sergeant of the U.S. Air Force stationed in West Germany. According to the beneficiary, his sister resides abroad with

her husband and has the status of a permanent resident alien of the United States.

The beneficiary was admitted to the United States for permanent residence on May 6, 1953. His last admission to the United States was in September of 1961, following a temporary visit to Mexico.

The beneficiary was convicted in the Superior Court for the State of California on August 31, 1964, for the offense of the unlawful possession of marihuana in violation of section 11530 of the Health and Safety Code of the State of California. On September 22, 1964, proceedings were suspended and he was placed on probation for a period of 5 years. On March 8, 1965, the foregoing conviction against him was expunged.

MARCH 11, 1971.

Congressman ALPHONZO BELL,  
*House of Representatives,*  
*Washington, D.C.*

DEAR MR. BELL: I am in receipt of your letter dated March 9, 1971. I have been a member in good standing of the International Union of Operating Engineers Local 12 since shortly after arriving in the United States 18 years ago. I have accumulated large credits toward a pension, which I would lose completely if I were deported. I work in land surveying and am classified as a chainman. Due to the temporary nature of construction jobs, the union places me with various companies as my services are needed.

My divorce became final in 1967 and I have not remarried. However, I am engaged to a native born American girl but have postponed marrying because of my uncertain status.

Beside the above, I can think of no other appropriate changes. Although repetitive, I am no less sincere in thanking you once again from the bottom of my heart.

Very truly yours,

L. A. BROWNRIGG.

Mr. Bell, the author of the instant bill as well as the previous bills, submitted the following statement and letters in support of this legislation:

H.R. 2399 (PRIVATE BILL) FOR THE RELIEF OF LEONARD ALFRED BROWNRIGG

Leonard Brownrigg is a native of Liverpool, England. He was admitted to the U.S. on permanent resident status in 1953. In 1964, when he was 34 years old, he was convicted of possession of a small amount of marijuana. Three weeks later, the California Superior Court suspended the proceedings and placed Brownrigg on probation for five years. A few months later the court expunged the conviction.

For the past eleven years Brownrigg has lived a trouble-free life as a surveyor in Southern California. He lived up to every requirement of his probation.

However, Leonard Brownrigg is now facing deportation because under federal immigration law he is still considered a convicted felon. A federal court has ruled that the expunging of a conviction by a state court has no effect upon federal immigration laws.

Deportation of Mr. Brownrigg is a drastic step to take for a single-crime which occurred 11 years ago and which was expunged by the very court which tried him.

Since 1966 I have consistently introduced a private bill on Mr. Brownrigg's behalf and it has consistently received favorable consideration by the House Judiciary Committee. His bill passed the House on May 18, 1972 and was subsequently introduced in the Senate where it died at the end of the Session.

Brownrigg is now 45 years old; he recently married an American citizen. After 22 years of residence in the U.S., he is threatened with loss of his home and family if the deportation is carried out.

He has been a member in good standing of the International Union of Operating Engineers Local 12 in which he has been employed as a land surveyor for various employers in Southern California. His conscientiousness and personal integrity are reflected in his steady work habits and his good moral character is supported by U.S. citizens and colleagues who have submitted telegrams on his behalf.

As a result of Brownrigg's membership with the International Union of Operating Engineers Local 12 for the past 22 years, he has accumulated large credits toward a pension which he would lose completely if deported.

Brownrigg no longer has any relatives in England. His widowed mother died on November 15, 1974. His sister is a naturalized citizen living in California.

Given Mr. Brownrigg's background and record of employment, I ask your favorable consideration on his behalf and appeal to you to allow him to remain in the United States where he so earnestly desires the opportunity to become a U.S. citizen.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., June 18, 1975.*

HON. JOSHUA EILBERG,  
*Chairman, Subcommittee on Immigration, Citizenship and International Law, Washington, D.C.*

DEAR MR. CHAIRMAN: Enclosed is new information concerning Mr. Leonard Alfred Brownrigg relative to his private bill, H.R. 2399.

His recent marriage to Ms. Valerie Rose who is an American citizen should further support his case in attributing to his fine character.

Your kind consideration of Mr. Brownrigg's bill would be very much appreciated.

With warm personal regards, I am  
Sincerely,

ALPHONZO BELL,  
*United States Congressman.*

Enclosure.



JUNE 14, 1975.

Re private bill H.R. 2399.

Congressman ALPHONZO BELL,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN BELL: Per your request that I keep you informed of any change in status, I married Valerie Rose on May 24, 1975, in Los Angeles, California. Valerie is an American citizen, born February 14, 1948 in Buffalo, New York.

We had postponed our wedding plans for several years pending disposition of my bill but felt we could wait no longer and decided to settle down and raise a family. I can only pray that my bill is acted upon favorably so we may plan a future in the United States.

My thanks for your consideration and assistance. Please contact me if you require any further information.

Very truly yours,

L. A. BROWNRIFF.

#### 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.

Upon consideration of all of the facts in this case, the Committee is of the opinion that H.R. 2399, as amended, should be enacted and accordingly recommends that the bill do pass.

○

# Calendar No. 1026

94TH CONGRESS }  
2d Session }

SENATE

REPORT  
No. 94-1092

## LEONARD ALFRED BROWNRIGG

August 4, 1976.—Ordered to be printed

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

### REPORT

[To accompany H.R. 2399]

The Committee on the Judiciary, to which was referred the bill (H.R. 2399) for the relief of Leonard Alfred Brownrigg, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has been convicted for possession of marihuana.

#### STATEMENT OF FACTS

The beneficiary of this bill is a 46-year-old native and citizen of Great Britain who was admitted to the United States for permanent residence in May of 1953. He was convicted in August of 1964 for possession of marihuana and placed on probation for five years. The record of conviction was expunged according to California law in March of 1965. The beneficiary is married to a citizen of the United States and resides in California where he is employed as a land surveyor.

The following information was contained in House Report 92-104 and House Report 93-491:

Deportation proceedings were instituted against the beneficiary on December 23, 1964, on the ground that he had been convicted in Superior Court of the State of California for the unlawful possession of marihuana. On June 28, 1965, he was found deportable on that charge. On August 17, 1965, his appeal was dismissed by the Board of Immigration Appeals. Deportation proceedings against him are pending before the Supreme Court on a writ of certiorari. A mandate before the U.S. Ninth Circuit Court of Appeals has been stayed pending the action before the Supreme Court.

U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D.C., September 9, 1966.

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

DEAR MR. CHAIRMAN: This refers to H.R. 15337 in behalf of Leonard Alfred Brownrigg.

The beneficiary failed to file a petition with the Supreme Court of the United States for a writ of certiorari before July 16, 1966. The judgment of the Ninth Circuit Court of Appeals is now final.

Sincerely,

RAYMOND F. FARRELL,  
Commissioner.

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On August 31, 1964, Mr. Brownrigg was convicted in the Superior Court of the State of California for unlawful possession of marihuana, but on September 22, 1964 (1 month later) the same court suspended the proceedings and he was placed on probation for a period of 5 years. However, deportation proceedings were instituted against the beneficiary on December 23, 1964, on the grounds that he had been convicted in the Superior Court of the State of California for unlawful possession of marihuana. Although the same court on March 8, 1965, expunged the foregoing conviction, he was found deportable on that charge on June 28, 1965. And on August 17, 1965, his appeal was dismissed by the Board of Immigration Appeals.

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U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D.C., July 14, 1966.

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

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 15337) for the relief of Leonard Alfred Brownrigg, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment. It appears the bill is intended to grant the beneficiary permanent residence in the United States notwithstanding the fact that he has been found subject to deportation under section 241(a)(11) of the Immigration and Nationality Act on the ground of conviction of the violation of a law relating to the illicit possession of marihuana.

Sincerely,

RAYMOND F. FARRELL,  
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE H.R. 15337

The beneficiary, Leonard Alfred Brownrigg, a native and citizen of Great Britain, was born March 1, 1930. He was married October 13, 1962, to a native and citizen of the United States. They have been separated for over 2 years. They are childless and his wife is self-supporting. The beneficiary completed elementary school in England. He is presently employed as a surveyor's chainman and receives a weekly salary of \$180. He resides in Beverly Hills, Calif., and his assets consist of personal property which he values at \$500. His widowed mother resides in England. His sister is married to a sergeant of the U.S. Air Force stationed in West Germany. According to the beneficiary, his sister resides abroad with her husband and has the status of a permanent resident alien of the United States.

The beneficiary was admitted to the United States for permanent residence on May 6, 1953. His last admission to the United States was in September of 1961, following a temporary visit to Mexico.

The beneficiary was convicted in the Superior Court for the State of California on August 31, 1964, for the offense of the unlawful possession of marihuana in violation of section 11530 of the Health and Safety Code of the State of California. On September 22, 1964, proceedings were suspended and he was placed on probation for a period of 5 years. On March 8, 1965, the foregoing conviction against him was expunged.

MARCH 11, 1971.

Congressman ALPHONZO BELL,  
House of Representatives,  
Washington, D.C.

DEAR MR. BELL: I am in receipt of your letter dated March 9, 1971. I have been a member in good standing of the International Union of Operating Engineers Local 12 since shortly after arriving in the United States 18 years ago. I have accumulated large credits toward a pension, which I would lose completely if I were deported. I work in land surveying and am classified as a chainman. Due to the temporary nature of construction jobs, the union places me with various companies as my services are needed.

My divorce became final in 1967 and I have not remarried. However, I am engaged to a native born American girl but have postponed marrying because of my uncertain status.

Beside the above, I can think of no other appropriate changes. Although repetitive, I am no less sincere in thanking you once again from the bottom of my heart.

Very truly yours,

L. A. BROWNRIGG.

Congressman Alphonzo Bell, the author of the bill, has submitted the following information in connection with the case:

H.R. 2399 (PRIVATE BILL) FOR THE RELIEF OF LEONARD ALFRED BROWNRIGG

Leonard Brownrigg is a native of Liverpool, England. He was admitted to the U.S. on permanent resident status in 1953. In 1964, when he was 34 years old, he was convicted of possession of a small amount of marijuana. Three weeks later, the California Superior Court suspended the proceedings and placed Brownrigg on probation for five years. A few months later the court expunged the conviction.

For the past eleven years Brownrigg has lived a trouble-free life as a surveyor in Southern California. He lived up to every requirement of his probation.

However, Leonard Brownrigg is now facing deportation because under federal immigration law he is still considered a convicted felon. A federal court has ruled that the expunging of a conviction by a state court has no effect upon federal immigrations laws.

Deportation of Mr. Brownrigg is a drastic step to take for a single crime which occurred 11 years ago and which was expunged by the very court which tried him.

Since 1966 I have consistently introduced a private bill on Mr. Brownrigg's behalf and it has consistently received favorable consideration by the House Judiciary Committee. His bill passed the House on May 18, 1972 and was subsequently introduced in the Senate where it died at the end of the Session.

Brownrigg is now 45 years old; he recently married an American citizen. After 22 years of residence in the U.S., he is threatened with loss of his home and family if the deportation is carried out.

He has been a member in good standing of the International Union of Operating Engineers Local 12 in which he has been employed as a land surveyor for various employers in Southern California. His conscientiousness and personal integrity are reflected in his steady work habits and his good moral character is supported by U.S. citizens and colleagues who have submitted telegrams on his behalf.

As a result of Brownrigg's membership with the International Union of Operating Engineers Local 12 for the past 22 years, he has accumulated large credits toward a pension which he would lose completely if deported.

Brownrigg no longer has any relatives in England. His widowed mother died on November 15, 1974. His sister is a naturalized citizen living in California.

Given Mr. Brownrigg's background and record of employment, I ask your favorable consideration on his behalf and appeal to you to allow him to remain in the United States where he so earnestly desires the opportunity to become a U.S. citizen.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 18, 1975.

Hon. JOSHUA EILBERG,  
Chairman, Subcommittee on Immigration, Citizenship and International Law, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is new information concerning Mr. Leonard Alfred Brownrigg relative to his private bill, H.R. 2399.

His recent marriage to Ms. Valerie Rose who is an American citizen should further support his case in attributing to his fine character.

Your kind consideration of Mr. Brownrigg's bill would be very much appreciated.

With warm personal regards, I am

Sincerely,

ALPHONZO BELL,  
United States Congressman.

Enclosure.

JUNE 14, 1975.

Re private bill H.R. 2399.

Congressman ALPHONZO BELL,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN BELL: Per your request that I keep you informed of any change in status, I married Valerie Rose on May 24, 1975, in Los Angeles, California. Valerie is an American citizen, born February 14, 1948 in Buffalo, New York.

We had postponed our wedding plans for several years pending disposition of my bill but felt we could wait no longer and decided to settle down and raise a family. I can only pray that my bill is acted upon favorably so we may plan a future in the United States.

My thanks for your consideration and assistance. Please contact me if you require any further information.

Very truly yours,

L. A. BROWNRIGG.

The following letter dated February 18, 1976 to the chairman of the Senate Committee on the Judiciary from the beneficiary of the bill reads as follows:

FEBRUARY 18, 1976.

HON. JAMES O. EASTLAND,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR EASTLAND: Private Bill H.R. 2399, relieving me from deportation due to a first offense, possession of marijuana arrest in 1963, is presently before you in the Senate Judiciary Committee. This was the only time in my life I was ever arrested, and this action has been pending since 1965.

I have lived in the United States for 23 years and have been a member of the International Union of Operating Engineers for 22 years. I am presently employed by Bechtel Power Corporation in the construction of two nuclear generating stations at San Onofre, California.

My wife, Valerie, is a native-born American and it is our fondest wish to raise a family in the United States. We pray that my bill will be favorably considered by you and the Committee. If you think it would be helpful, we would be happy to fly to Washington, to meet with you and discuss this in more depth. Thank you for your time and attention.

Very truly yours,

L. A. BROWNRIGG.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 2399) should be enacted.

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# 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 Leonard Alfred Brownrigg.

*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, Leonard Alfred Brownrigg 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.*

*Speaker of the House of Representatives.*

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