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APPROVED
AUG 14 1976

8/14/76

THE WHITE HOUSE
WASHINGTON

ACTION

Last Day: August 21

August 13, 1976

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *Jani*

SUBJECT:

H.R. 7404 - Relief of
Christine Donnelly

Attached for your consideration is H.R. 7404, sponsored by Representative Pike.

The enrolled bill would waive the residence and physical presence requirements of the Immigration and Nationality Act for naturalization of the beneficiary. Mrs. Donnelly was brought to the United States when she was three months old. She is now 47 years old, married to a U.S. citizen and the mother of five children. In 1974, it was discovered there was no record of her entry into the United States and that she was not a citizen.

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

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

RECOMMENDATION

That you sign H.R. 7404 at Tab B.

*Posted
8/16/76*

*archives
8/16/76*





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

AUG 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 7404 - Relief of Christine Donnelly
Sponsor - Rep. Pike (D) New York

Last Day for Action

August 21, 1976 - Saturday

Purpose

To facilitate the naturalization as a United States citizen of Christine Donnelly.

Agency Recommendations

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

Discussion

Christine Donnelly, nee Jardine, was born in Canada and brought to the United States when she was about 3 months old. Mrs. Donnelly, who is now 47 years old, has lived in the United States since then and is married to a U.S. citizen and the mother of five children. She has been a registered voter for over 20 years.

When Mrs. Donnelly applied for a job with the Internal Revenue Service in 1974, she discovered that there was no record of her entry into the United States and that she was not a citizen and therefore did not meet one of the requirements for employment in the Civil Service system. By virtue of her marriage to a U.S. citizen, she may complete the residence requirement for naturalization on June 26, 1977.

H.R. 7404 would waive the residence and physical presence requirements of the Immigration and Nationality Act for naturalization and allow Mrs. Donnelly to be naturalized at any time after its enactment. Thus, she would not have to wait an additional year to qualify for federal employment.

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.

A7 033 675

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 7404 ; Office of Management
and Budget request dated August 9, 1976.

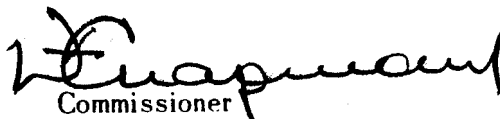
Beneficiary or Beneficiaries Christine Donnelly.

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

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. 2399, "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,

A handwritten signature in cursive script that reads "Kempton B. Jenkins".

Kempton B. Jenkins
Acting Assistant Secretary
for Congressional Relations



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

To -
J. Cavanaugh
8-12-76
6:00 P.M.

AUG 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 7404 - Relief of Christine Donnelly
Sponsor - Rep. Pike (D) New York

Last Day for Action

August 21, 1976 - Saturday

Purpose

To facilitate the naturalization as a United States citizen of Christine Donnelly.

Agency Recommendations

Office of Management and Budget

Approval

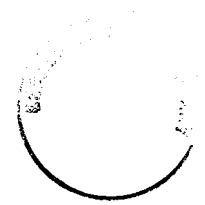
Immigration and Naturalization Service
Department of State

Approval
No objection

Discussion

Christine Donnelly, nee Jardine, was born in Canada and brought to the United States when she was about 3 months old. Mrs. Donnelly, who is now 47 years old, has lived in the United States since then and is married to a U.S. citizen and the mother of five children. She has been a registered voter for over 20 years.

When Mrs. Donnelly applied for a job with the Internal Revenue Service in 1974, she discovered that there was no record of her entry into the United States and that she was not a citizen and therefore did not meet one of the requirements for employment in the Civil Service system. By virtue of her marriage to a U.S. citizen, she may complete the residence requirement for naturalization on June 26, 1977.



H.R. 7404 would waive the residence and physical presence requirements of the Immigration and Nationality Act for naturalization and allow Mrs. Donnelly to be naturalized at any time after its enactment. Thus, she would not have to wait an additional year to qualify for federal employment.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 12

Time: 7:00 pm

FOR ACTION: Dick Parsons *ms* cc (for information): Jack Marsh
 Max Friedersdorf *ms* Jim Cavanaugh
 Ken Lazarus *ms* Ed Schmults
 NSC/S *ms*

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 2:00 pm

SUBJECT:

H.R. 7404-relief of Christine Donnelly

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



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 12

Time: 700pm

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

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

MF

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 7404-relief of Christine Donnelly

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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 12

Time: 700pm

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

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

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 7404-relief of Christine Donnelly

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Approve. RR

please return to judy johnston, ground floor west wing

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 12

Time: 700pm

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

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

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 7404-relief of Christine Donnelly

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.


Ken Lazarus

MEMORANDUM

NATIONAL SECURITY COUNCIL

4619

August 13, 1976

MEMORANDUM FOR: JAMES M. CANNON
FROM: Jeanne W. Davis 
SUBJECT: Enrolled Bill

The NSC staff concurs with the proposed enrolled bill-H. R. 7604-
relief of Christine Donnelly.

CHRISTINE DONNELLY

JUNE 18, 1976.—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. 7404]

The Committee on the Judiciary, to whom was referred the bill (H.R. 7404), for the relief of Christine Donnelly 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 facilitate the naturalization as a citizen of the United States of Mrs. Christine Donnelly.

GENERAL INFORMATION

The beneficiary of this bill is a 47-year-old native of Canada who was brought to the United States by her mother when she was about three months old and has resided in this country since that time. She was unaware of her alien status until she applied for Civil Service employment in May of 1974.

The pertinent facts in this case are contained in a letter dated January 20, 1976 from the Commissioner of Immigration and Naturalization to the Chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., January 20, 1976.

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. 7404) for the relief of Christine Donnelly, there is attached a memorandum of information concerning the beneficiary.

The bill would waive the residence and physical presence requirements of the Immigration and Nationality Act for naturalization.

Sincerely,

LEONARD F. CHAPMAN, *Commissioner.*

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE H.R. 7404

The beneficiary, Christine Donnelly, nee Jardine, was born on March 13, 1929 in Toronto, Canada. Her parents, both of whom were born in Toronto, Canada, were residents of the United States at the time of her birth. The beneficiary claims to have been brought to the United States from Canada by her mother and grandmother, on an unknown date, when she was three months of age. A record of such entry is not available.

She states that she has remained in the United States continually since then, with the exception of a one-week visit to Toronto during 1953. Ms. Donnelly resided with her parents in the United States until they divorced when she was ten years old. She continued to reside with her father, Warren T. Jardine, who became a United States citizen by naturalization on August 5, 1944. The present address and citizenship status of the beneficiary's mother, Dorothy E. Reilly, is unknown. The beneficiary graduated from high school in Bellmore, New York and married Joseph C. Donnelly, a United States citizen, on June 12, 1947. She resides with her spouse and five children in Miller Place, New York.

Throughout her life the beneficiary believed herself to be a United States citizen and exercised the privileges of a citizen. While applying for Civil Service employment in May 1974 she learned that she had not derived citizenship. On June 26, 1974 she was accorded the status of a lawful permanent resident. By virtue of her marriage to a United States citizen, she may complete the residence requirement for naturalization on June 26, 1977.

Private Bill H.R. 17174, 93rd Congress, introduced in the beneficiary's behalf, was not enacted.

Mr. Pike submitted the following statement in support of his bill:

STATEMENT OF CONGRESSMAN OTIS G. PIKE IN SUPPORT OF
H.R. 7404, MAY 19, 1976

Mr. Chairman, distinguished members of the Subcommittee on Immigration, Citizenship, and International Law: I am extremely grateful for the kindness of the invitation extended to me to testify in support of the bill, H.R. 7404, which I have introduced in behalf of Mrs. Christine Donnelly. This bill is, I firmly believe, especially meritorious of favorable consideration and approval for unique reasons I shall very briefly set forth.

Imagine the surprise, not to mention the chagrin, of someone whose father is a naturalized U.S. citizen by virtue of

H.R. 1277

wartime service in the Armed Forces of the United States, who has lived here all of her life, who is married to an American citizen, whose five progeny are all American citizens, upon suddenly discovering as a mature adult that technically she is not a U.S. citizen. This has been the shocking experience of my constituent, Mrs. Donnelly, who might well have been born here except that her parents happened to be visiting their native Toronto, Canada, at the time of her birth. Mrs. Donnelly might never have discovered the fact had not she been, as she related to me back in early 1974, "desperately in need of employment" and applied to the local Long Island office of the U.S. Internal Revenue Service for employment as a tax examiner. She was, it appears, eminently qualified in all respects, save one: she was not a U.S. citizen. Upon ascertaining that she had exhausted all other possibilities for attaining citizenship in order to qualify for timely employment, I was pleased to introduce the original bill for her relief back in 1974.

Now it is several years later. I have introduced the same bill and Mrs. Donnelly is as desperate for employment as ever. If she opts for the regular naturalization process now, citizenship is still a year away because she cannot complete the residence requirement until June 26, 1977.

I'm sure that the committee members will have no trouble appreciating the frustrations of a lady who has lived on Long Island since the age of three months, married and raised a family there and who has felt so completely American that, by her own admission, she has been a registered voter for over 20 years, "voting regularly and working on the local Board of Elections.

Realizing as I do that there are still far too many native born Americans who don't take the sacred rights of citizenship as seriously as Mrs. Donnelly apparently does, I am sure that you will want to move speedily to grant the relief that Mrs. Donnelly has earned as her due many, many years ago and as now provided in H.R. 7404.

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. 7404 should be enacted and accordingly recommends that the bill do pass.

○

H.R. 1277

CHRISTINE DONNELLY

August 4, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 7404]

The Committee on the Judiciary, to which was referred the bill (H.R. 7404), for the relief of Christine Donnelly, 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 enable the beneficiary to file a petition for naturalization.

STATEMENT OF FACTS

The beneficiary of this bill is a 47-year-old native of Canada who was brought to the United States by her mother when she was about 3 months old and has resided in this country since that time. She was unaware of her alien status until she applied for Civil Service employment in May of 1974.

A letter, with attached memorandum, dated January 20, 1976, to the chairman of the House Judiciary Committee from the Commissioner of Immigration and Naturalization reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., January 20, 1976.

HON. PETER W. ROBINO, 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. 7404) for the relief of Christine Donnelly, there is attached a memorandum of information concerning the beneficiary.

The bill would waive the residence and physical presence requirements of the Immigration and Nationality Act for naturalization.

Sincerely,

LEONARD F. CHAPMAN, *Commissioner.*

Enclosure.

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She states that she has remained in the United States continually since then, with the exception of a 1-week visit to Toronto during 1953. Ms. Donnelly resided with her parents in the United States until they divorced when she was 10 years old. She continued to reside with her father, Warren T. Jardine, who became a U.S. citizen by naturalization on August 5, 1944. The present address and citizenship status of the beneficiary's mother, Dorothy E. Reilly, is unknown. The beneficiary graduated from high school in Bellmore, N.Y., and married Joseph C. Donnelly, a U.S. citizen, on June 12, 1947. She resides with her spouse and five children in Miller Place, N.Y.

Throughout her life the beneficiary believed herself to be a U.S. citizen and exercised the privileges of a citizen. While applying for civil service employment in May 1974 she learned that she had not derived citizenship. On June 26, 1974 she was accorded the status of a lawful permanent resident. By virtue of her marriage to a U.S. citizen, she may complete the residence requirement for naturalization on June 26, 1977.

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who has lived here all of her life, who is married to an American citizen, whose five progeny are all American citizens, upon suddenly discovering as a mature adult that technically she is not a U.S. citizen. This has been the shocking experience of my constituent, Mrs. Donnelly, who might well have been born here except that her parents happened to be visiting their native Toronto, Canada, at the time of her birth. Mrs. Donnelly might never have discovered the fact had not she been, as she related to me back in early 1974, "desperately in need of employment" and applied to the local Long Island office of the U.S. Internal Revenue Service for employment as a tax examiner. She was, it appears, eminently qualified in all respects, save one: she was not a U.S. citizen. Upon ascertaining that she had exhausted all other possibilities for attaining citizenship in order to qualify for timely employment, I was pleased to introduce the original bill for her relief back in 1974.

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Realizing as I do that there are still far too many native born Americans who don't take the sacred rights of citizenship as seriously as Mrs. Donnelly apparently does, I am sure that you will want to move speedily to grant the relief that Mrs. Donnelly has earned as her due many, many years ago and as now provided in H.R. 7404.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 7404) should be enacted.

○



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 Christine Donnelly.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Christine Donnelly shall be held and considered to have satisfied the requirements of section 316 of the Immigration and Nationality Act relating to required periods of residence and physical presence within the United States and, notwithstanding the provisions of section 310(d) of that Act, she may be naturalized at any time after the date of enactment of this Act if she is otherwise eligible for naturalization under the Immigration and Nationality Act.

Speaker of the House of Representatives.

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