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FROM: Habana

Control: 3912

Rec'd: March 13, 1952  
12:54 p.m.

Info

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TO: Secretary of State

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NO: 633, March 13.

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President Prio and party departed Mexican plane 9:23 a.m. today. Party consisted President, wife, two daughters, Curti Sanchez Arango and wife, two sons of Cuban Ambassador to Mexico Grana, Col Izquiero (President's aide), Capt. Augusto Rodriguez Santos (Army Aide to Sanchez).

BEAULAC

RA:ECW

DEPARTMENT OF STATE  
BUREAU OF  
INTER-AMERICAN AFFAIRS  
MAR 13 1952  
*[Signature]*

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# Office Memorandum • UNITED STATES GOVERNMENT

TO : MID - Mr. Wellman

DATE: March 18, 1952

FROM : VD - Mr. L'Heureux *LH*

SUBJECT: Status of ex-President Prio of Cuba.

The ex-President of Cuba arrived in the United States from Mexico on March 14, 1952 with a nonimmigrant visa issued to him as a temporary visitor under Section 3(2) of the Immigration Act of 1924. He was admitted for a period ending June 17, 1952. If he had been admitted here as a nonimmigrant foreign government official under Section 3(1) of the Immigration Act of 1924 the Secretary of State would have authority under the act to permit him to remain here indefinitely, although in such an asylum status he could not travel outside of the United States and return, nor could he become an American citizen.

As the facts are, only the Attorney General may grant asylum to the ex-President as provided in Section 20(a) of the Act of February 5, 1917, as amended by Section 23 of the Internal Security Act of 1950, which reads as follows:

"No alien shall be deported under any provisions of this Act to any country in which the Attorney General shall find that such alien would be subjected to physical persecution."

This means that on June 17, when the stay of the ex-President expires, he may apply for an extension of his temporary stay, and if he stays so long that he becomes deportable he can escape deportation by showing to the satisfaction of the Attorney General that the only country which will receive him as a deportee is Cuba, which should be easy to show, and that in Cuba he would be subjected to physical persecution, which will depend upon the facts at that time. Even the kind of asylum the Attorney General may grant would not permit the alien to travel back and forth between the United States and a foreign country, nor to become a citizen of the United States.

The only other alternative is to have an Act of Congress enacted to grant the alien a permanent resident status.

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*cc sent Habana*

# Office Memorandum • UNITED STATES GOVERNMENT

TO : ARA - Mr. Miller

DATE: March 19, 1952

FROM : MID - Mr. Wellman

SUBJECT: Desire of ex-President Prio and Family to Remain in United States Indefinitely

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After consultation with Protocol and VD, the situation is ascertained to be as follows:

1. Prio and his family cannot obtain permanent residence in the United States without (1) leaving the United States and re-entering with immigration visas, or (2) being the beneficiaries of a private act of Congress. This is a matter of law; there is no discretion.

The nearest and most convenient place to which they could apply for immigration visas would probably be a Mexican border Consulate. The Department could facilitate their obtaining immigration visas by informing the Consulate in advance and securing agreement of the Consular Officer to the waiver under the circumstances of certain documents normally required of an intending immigrant.

2. Prio entered the United States from Mexico with a temporary visitor's visa. He has been admitted for a period ending June 17. If he remains in the United States as a temporary visitor, he will have to apply for an extension of his temporary stay. The Attorney General has discretion to grant extensions and would undoubtedly exercise this discretion especially if the Department so recommended. If, however, Prio should remain here so long that he would become deportable under ordinary circumstances he could under the law escape deportation and be granted continued asylum only by showing (1) that the only country which would receive him is Cuba, and (2) that in Cuba he would be subjected to physical persecution.

In the status of temporary visitors the Prios would not have permanent residence and would not be permitted to travel back and forth between the United States and foreign countries.

There is attached a memorandum from Mr. L'Heureux which confirms the foregoing.

Since

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*[Handwritten initials]*

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Since you received the indication that Prio and his family wish to remain in the United States indefinitely from Luis Machado, I presume that he is acting as Prio's representative in this matter. You are at liberty to inform him of the above. If you would prefer that I explain the situation to him I would be glad to call upon him and do so.

*cc. Habana*

*[Signature]*  
D: [Signature] ellman:dwm