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APPROVED
OCT 11 1976

8 10/11/76

THE WHITE HOUSE
WASHINGTON
October 8, 1976

ACTION
Last Day: October 12

Posted
10/12/76

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *Holtzman*
SUBJECT: H.R. 11199 - Relief of Hollis Anthony Millet

Archives
10/12/76

Attached for your consideration is H.R. 11199, sponsored by Representative Holtzman.

The enrolled bill authorizes an immigrant visa for a 21-year old citizen of Trinidad despite a 1973 conviction for possession of one marijuana cigarette.

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

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

RECOMMENDATION

That you sign H.R. 11199 at Tab B.





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

OCT 4 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11199 - Relief of
Hollis Anthony Millet
Sponsor - Rep. Holtzman (D) New York

Last Day for Action

October 12, 1976 - Tuesday

Purpose

Authorizes an immigrant visa for the alien son of permanent resident aliens of the United States despite a conviction for possession of a marijuana cigarette.

Agency Recommendations

Office of Management and Budget

Approval

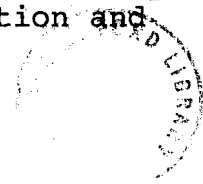
Immigration and Naturalization Service
Department of State

Approval
No objection

Discussion

The beneficiary is a 21-year-old citizen of Trinidad who has been denied an immigrant visa because of a conviction in 1973 for possession of one marijuana cigarette. His mother, stepfather, brother, and sister are permanent resident aliens of the United States and reside in Brooklyn, New York.

H.R. 11199 would waive the provision of immigration law barring admission of aliens who have been convicted of illicit possession or trafficking in narcotic drugs or marijuana; and authorize the issuance of an immigrant visa to Mr. Millet. However, the relief granted Mr. Millet by the enrolled bill is limited to this drug conviction and



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 6

Time: 1215pm

FOR ACTION: Dick Parsons *on* cc (for information): Jack Marsh
 Max Friedersdorf *u* Jim Connor
 Bobbie Kilberg *ak* EA Schmults
 NSC/S *sh*

FROM THE STAFF SECRETARY

DUE: Date: October 8

Time: noon

SUBJECT:

H.R. 11199-Relief of Hollis Anthony Millet

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

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

30 SEP 1976

AND REFER TO THIS FILE NO.

A21 083 366

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 11199; Office of Management
and Budget request dated September 29, 1976

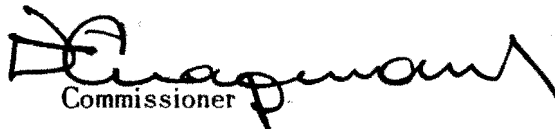
Beneficiary or Beneficiaries Hollis Anthony Miller

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

SEP 30 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of September 29, 1976, transmitting for comment enrolled bills, H.R. 8119, "For the relief of Fernando Alves Macos", and H.R. 11199, "For the relief of Hollis Anthony Millet".

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

Sincerely yours,

(S)
Kempton B. Jenkins
Acting Assistant Secretary
for Congressional Relations

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

OFFICE OF MANAGEMENT
AND BUDGET

SEP 30 PM 3:28

RECEIVED

To-
Johnston
10-5-76
H: 3:31 PM



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

OCT 4 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11199 - Relief of
Hollis Anthony Millet
Sponsor - Rep. Holtzman (D) New York

Last Day for Action

October 12, 1976 - Tuesday

Purpose

Authorizes an immigrant visa for the alien son of permanent resident aliens of the United States despite a conviction for possession of a marijuana cigarette.

Agency Recommendations

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

Discussion

The beneficiary is a 21-year-old citizen of Trinidad who has been denied an immigrant visa because of a conviction in 1973 for possession of one marijuana cigarette. His mother, stepfather, brother, and sister are permanent resident aliens of the United States and reside in Brooklyn, New York.

H.R. 11199 would waive the provision of immigration law barring admission of aliens who have been convicted of illicit possession or trafficking in narcotic drugs or marijuana; and authorize the issuance of an immigrant visa to Mr. Millet. However, the relief granted Mr. Millet by the enrolled bill is limited to this drug conviction and

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 6

Time: 1215pm

FOR ACTION: Dick Parsons
Max Friedersdorf
Bobbie Kilberg
NSC/S

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

FROM THE STAFF SECRETARY

DUE: Date: October 8

Time: noon

SUBJECT:

H.R. 11199-Relief of Hollis Anthony Millet

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Approve. RJD

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 James M. Cannon delay in submitting the required material, please for the President telephone the Staff Secretary immediately.

THE WHITE HOUSE
WASHINGTON

October 7, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M.L.F.*
SUBJECT: HR 11199 - Relief of Hollis Anthony Millet

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments

THE WHITE HOUSE

ACT MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 6

Time: 1215pm

FOR ACTION: Dick Parsons
Max Friedersdorf
Bobbie Kilberg
NSC/S

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

FROM THE STAFF SECRETARY

DUE: Date: October 8

Time: noon

SUBJECT:

H.R. 11199-Relief of Hollis Anthony Millet

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 Kelley 10/8/76

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

HOLLIS ANTHONY MILLET

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

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

REPORT

[To accompany H.R. 11199]

The Committee on the Judiciary, to whom was referred the bill (H.R. 11199), for the relief of Hollis Anthony Millet having considered the same, report favorably thereon with amendment and recommend that the bill as amended do pass.

The amendment is as follows:

On page 1, line 10, strike out the word "Act." and substitute in lieu thereof the following:

Act: Provided further, That for the Immigration and Nationality Act the said Hollis Anthony Millet shall be held and considered to be a minor and to have retained his priority date for Western Hemisphere immigration.

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 Hollis Anthony Millett. The bill also provides that the waiver shall apply only to a ground for exclusion known to the Departments of State or Justice prior to the enactment of this Act. The bill has been amended to provide that the beneficiary also be held and considered to be a minor and for retention of his priority date for Western Hemisphere immigration.

GENERAL INFORMATION

The beneficiary is a 20-year-old native and citizen of Trinidad who has been denied a visa because of a conviction in 1972 for possession of one marihuana cigarette. His mother, stepfather, brother and sister, are lawful permanent residents of the United States and reside in New York.

The pertinent facts in this case are contained in a letter dated April 23, 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:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., April 23, 1976.

A21 083 366

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. 11199) for the relief of Hollis Anthony Millet, 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 further provides that this exemption shall apply only to a ground for exclusion of which the Department of State or Justice had knowledge prior to the date of its enactment.

Sincerely,

LEONARD F. CHAPMAN, JR.,
Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 11199

Information concerning this case was obtained from Mrs. Elma Cynthia Thomas, the beneficiary's mother and the interested party in this case.

The beneficiary, Hollis Anthony Millet, a native and citizen of Trinidad, was born on August 30, 1955 in Trinidad. He has never been in the United States and presently resides at Carapichaima, Trinidad. He has completed seven years of elementary school and is now training to be an automotive mechanic. In 1972 he was arrested, convicted, and fined \$75 in Trinidad for the possession of one marihuana cigarette. The beneficiary's mother, stepfather, and a brother and sister are citizens of Trinidad and lawful permanent residents of the United States. They reside in Brooklyn, New York.

Elma Cynthia Thomas and Leon Thomas, the beneficiary's mother and stepfather, are gainfully employed, earning a combined gross yearly salary of approximately \$20,000. Their estimated total assets are \$22,000, of which \$20,000 is represented by real estate holdings in Trinidad and the remainder

is a savings deposit in a New York bank. Mrs. Thomas was admitted to the United States for lawful permanent residence on January 10, 1969. She married her spouse at New York, New York on March 8, 1972. The beneficiary's mother and stepfather have visited him in Trinidad on three occasions over the past four years at a cost to themselves of approximately \$2,000. Mr. and Mrs. Thomas are presently responsible for the support of the beneficiary and are willing to continue to assume this responsibility should he be permitted to enter the United States. They state that the necessity of maintaining a separate domicile for their son has placed an additional financial burden on them.

The Department of State submitted the following report on this legislation:

DEPARTMENT OF STATE,
Washington, D.C., April 7, 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 Hollis Anthony Millet, beneficiary of H.R. 11199, 94th Congress, there is enclosed a memorandum of information concerning the beneficiary. This memorandum has been submitted by the American Embassy at Port of Spain, Trinidad and Tobago where 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.

Because the beneficiary will reach the age of 21 years on August 30, 1976 and will no longer be exempt from the labor certification requirement, the Committee may wish to amend the bill to waive the labor certification requirement.

Sincerely yours,

ROBERT J. McCLOSKEY,
Assistant Secretary for
Congressional Relations.

Enclosure: Memorandum of Information.

SUBMITTED BY THE AMERICAN EMBASSY AT PORT OF SPAIN, TRINIDAD, MEMORANDUM OF INFORMATION, CONCERNING H.R. 11199, FOR THE RELIEF OF HOLLIS ANTHONY MILLET

The beneficiary was born on August 30, 1955, at St. Mary's, Waterloo, Carapichaima, Trinidad. He is single and is presently residing at Carapichaima, Trinidad. He attended five years of primary school and presently earns his living by selling his own wood carvings. For a period of about one year

in 1974-75 he was employed as a tile setter. His mother, brother, sister and aunt are residing in Brooklyn, New York. His father, grandparents, aunts and uncles reside in Trinidad.

On June 27, 1974 the beneficiary was informally found ineligible to receive a visa by the United States Embassy at Port of Spain, Trinidad, under the provisions of Section 212(a) (23) of the Immigration and Nationality Act, due to his conviction for the possession of marijuana at the Couva Magistrate's Court on February 14, 1973. According to the facts reflected in the court notes, Mr. Millet was searched by a police constable who found one marijuana cigarette in his possession. Mr. Millet told the police constable that the cigarette had been given to him to give to someone else and that it was not for his own use. He was found guilty of the possession of a narcotic, namely Cannabis Saliva (marijuana) and sentenced to pay a fine of \$75 or to serve three months hard labor. There are enclosed copies of the court records.

The beneficiary is a native of an independent country of the Western Hemisphere and is eligible to apply for an immigrant visa as the child of a United States legal resident.

The beneficiary will become 21 years old on August 30, 1976 at which time he will be ineligible to apply for an immigrant visa under Section 212(a) (14) of the Immigration and Nationality Act.

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

The beneficiary underwent a medical examination on March 25, 1976 and was found to be in good health.

STATEMENT BY REPRESENTATIVE ELIZABETH HOLTZMAN IN SUPPORT OF H.R. 11199

Mr. Chairman, I wish to express my support for H.R. 11199, a bill for the relief of Hollis Anthony Millet.

Mr. Millet's mother, stepfather, younger brother, and younger sister are constituents of mine. They are permanent residents of the United States, having emigrated from Jamaica. Mr. Millet would like to join his family in the United States but is ineligible for a visa under the provisions of section 212(a) (23) of the Immigration and Nationality Act.

In 1973, when he was 17 years old, Mr. Millet was convicted of possession of one marijuana cigarette. He was fined \$75. He had never been in trouble with the law before that time, nor has he since.

At the present time, Mr. Millet is a student, who supplements the support he receives from his parents with part-time work. I have received many recommendations from persons who know him in Trinidad saying that he is of fine moral character.

I urge the Subcommittee to act favorably upon this bill so that one youthful indiscretion will not keep Hollis Anthony Millet permanently separated from his family.

ELIZABETH HOLTZMAN.

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. 11199, amended, should be enacted and accordingly recommends that the bill do pass.

○

(5)

CORRECTED SHEET

H. R. 11199

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 Hollis Anthony Millet.

*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, Hollis Anthony Millet 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 for the purposes of the Immigration and Nationality Act the said Hollis Anthony Millet shall be held and considered to be a minor and to have acquired a priority date for Western Hemisphere immigration as of June 27, 1974.*

Speaker of the House of Representatives.

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