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APPROVED
OCT 15 1976

810/15/76

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: October 18

October 13, 1976

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *Jim Cannon*
SUBJECT: H.R. 13417 - Relief of Dae Ho Park and Maria Park

*Posted
10/15/76*

*Archives
10/15/76*

Attached for your consideration is H.R. 13417, sponsored by Representative Riegle.

The enrolled bill would facilitate issuance of immigrant visas to two alien children who will be adopted by U.S. citizens.

The Immigration and Nationality Act limits the number of adopted child visa petitions to two per petitioner. The beneficiaries are two Korean orphans who will be adopted by a couple who have already adopted three other alien children.

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. 13417 at Tab B.



OCT 14 1976



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

OCT 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13417 - Relief of Dae Ho Park
and Maria Park
Sponsor - Rep. Riegle (D) Michigan

Last Day for Action

October 18, 1976 - Monday

Purpose

To facilitate issuance of immigrant visas to two alien children who will be adopted by U.S. citizens.

Agency Recommendations

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


Discussion

The beneficiaries, nine-year-old Dae Ho Park and his five-year-old sister Maria Park, are Korean orphans currently residing in a Seoul, Korea orphanage. They will be adopted by Mr. and Mrs. Neil Frank Markva of Springfield, Virginia. The Markva's have five children, three of whom are adopted alien daughters.

The Immigration and Nationality Act limits the number of adopted child visa petitions to two per petitioner. Because the Markvas have already utilized their quota in this regard, they are ineligible to apply for similar visas

in behalf of the beneficiaries.

H.R. 13417 would waive the two-petition limitation, authorize approval of the adopted child visa petitions filed by Mr. and Mrs. Markva, and, thus, permit prompt issuance of immigrant visas to the children. In addition, the enrolled bill would also declare that the beneficiaries' natural parents and siblings are ineligible for preferential immigration treatment by virtue of such a relationship.


Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 8

Date: October 12

Time: 815pm

FOR ACTION: Dick Parsons
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Ed Schmults
Steve

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 530pm

SUBJECT:

H.R.13417-Relief of Dee Ho Park and Maria Park

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.

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

OCT 6 1976

AND REFER TO THIS FILE NO.

A21 411 986

A21 411 987

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 13417; Office of Management
and Budget request dated October 5, 1976.

Beneficiary or Beneficiaries Dae Ho Park and Maria Park.

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,


Acting Commissioner

9 SEP 1976

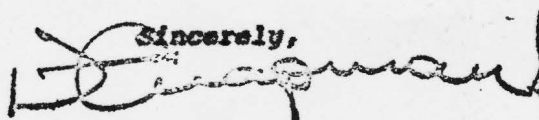
A21 411 986
A21 411 987

Dear Mr. Chairman:

In response to your request for a report relative to the bill (H.R. 13417) for the relief of Dae Ho Park and Maria Park, there is attached a memorandum of information concerning the beneficiaries.

The bill provides that the beneficiaries, who are to be adopted by United States citizens, may be classified as children and granted immediate relative status. It further provides that the number of petitions that may be approved for adopted children shall not be applicable in this case. It also provides that the beneficiaries' natural parents or siblings shall derive no immigration benefits by virtue of such relationship.

Absent enactment of the bill, the beneficiaries, natives of Korea, are chargeable to the nonpreference portion of the numerical limitation for immigrants and conditional entrants from countries in the Eastern Hemisphere.

Sincerely,


Commissioner

Enclosure

Honorable Peter W. Rodino, Jr.
Chairman, Committee on the Judiciary
House of Representatives
Washington, D. C.

SIGNED AND MAILED

SEP 9 1976



MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 13417

Information concerning this case was obtained from Mr. and Mrs. Neil Frank Markva, who are the prospective adoptive parents of the beneficiaries of the bill.

The beneficiaries, Dae Ho Park and Maria Park, were born in Korea on August 21, 1967 and April 8, 1971, respectively. They are brother and sister and are the illegitimate children of Miss Jung Ja Park, who has reported that the children were fathered by an American soldier. Miss Park has relinquished the beneficiaries to the Korea Social Service Adoption Agency in Seoul, Korea, for adoption. They presently reside at the Korea Social Service Orphanage in Seoul.

The prospective adoptive parents are desirous of adopting the beneficiaries as they feel that they are capable of rearing two more children, and are particularly interested in these two children because of their biracial background. They feel that the children, if allowed to stay in Korea would face severe hardship and social discrimination.

Neil Frank Markva was born on September 5, 1937 in Flint, Michigan and his wife Constance Markva, was born on November 13, 1937 in Risco, Missouri. They were married in Flint, Michigan in 1959. They have two sons who are United States citizens and three adopted daughters who are lawful permanent residents.

The beneficiaries are residing in Springfield, Virginia where Mr. Markva is an attorney-at-law. Mrs. Markva is not gainfully employed. Mr. Markva received the degree of Juris Doctorate from the American University in Washington, D. C. in 1966. Mrs. Markva earned a Bachelor of Science degree in nursing in 1959 from the University of Michigan. They report an annual salary ranging from \$40,000 to \$60,000 per annum. They estimate their assets to be \$150,000 consisting of personal property, real estate and savings.

S. 3590 has also been introduced in behalf of the beneficiaries.

OCT 7 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of October 5, 1976, transmitting for comment enrolled bills, H.R. 9543, "For the relief of Eupert Anthony Grant", H.R. 12707, "For the relief of Barry Ray Leftwich Dibling", and H.R. 13417, "For the relief of Dae Ho Park and Maria Park".

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.

OFFICE OF MANAGEMENT
AND BUDGET

OCT 7 1976

RECEIVED

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 12

Time: 815pm

6

FOR ACTION: Dick Parsons
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Ed Schmults
e7

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 530pm

SUBJECT:

H.R.13417-Relief of Dae Ho Park and Maria Park

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
K. Lazarus 10/13*

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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Draft Remarks

REMARKS:

Approve. RA

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please return to judy johnston, ground floor west wing

Recommend Approval.

[Signature]

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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 W. Cannon
for the President

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 Dae Ho Park and Maria Park.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Dae Ho Park and Maria Park may be classified as children within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in their behalf by Mr. and Mrs. Neil Markva, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the natural parents or brothers or sisters of the beneficiaries shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.*

SEC. 2. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

Speaker of the House of Representatives.

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