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APPROVED
OCT 17 1976

8/10/17/76

THE WHITE HOUSE
WASHINGTON
October 14, 1976

ACTION

Last Day: October 19

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *JDC*
SUBJECT: S. 3667 - Relief of Song Chan Ki

*Posted
10/18/76*

*archives
10/18/76*

Attached for your consideration is S. 3667, sponsored by Senator Abourezk.

The enrolled bill would facilitate the issuance of an immigrant visa to an alien orphan to be adopted by U.S. citizens.

The beneficiary is an 11-year-old Korean orphan who is to be adopted by a couple who have already adopted two other Korean children and are ineligible to petition for a third under the Immigration and Nationality Act.

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 S. 3667 at Tab B.



OCT 17 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 S. 3667 - Relief of Song Chan Ki
Sponsor - Sen. Abourezk (D) South Dakota

Last Day for Action

October 19, 1976 - Tuesday

Purpose

To facilitate issuance of an immigrant visa to an alien orphan to 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 beneficiary is an eleven-year-old Korean orphan boy who resides in an orphanage in Korea. His natural parents' whereabouts are unknown. He will be adopted by Mr. and Mrs. George Cook, Jr., both U.S. citizens residing in South Dakota, who have two other adopted Korean children.

The Immigration and Nationality Act (INA) limits the number of immediate relative immigrant visa petitions which can be approved for adopted children to two per petitioner. Because the Cooks have had two such petitions approved in behalf of their other children, they are ineligible to petition for an

immigrant visa for Song Chan Ki. S. 3667 would waive this limitation in their behalf and enable them to request a visa for Song Chan Ki. In addition, the enrolled bill would make the beneficiary's natural parents and siblings ineligible for preferential treatment under the INA as his immediate relatives.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

B



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 12

Time: 830pm

19

FOR ACTION:

Dick Parsons *DP*
NSC/S *DP*
Max Friedersdorf *MF*
Bobbie Kilbegg *BK*

cc (for information): Jack Marsh
Ed Schmults
Ste

FROM THE STAFF SECRETARY

DUE: Date: October 15

Time: 300pm

SUBJECT:

H.3667-Relief of Song Chan Ki

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

7 OCT 1976

AND REFER TO THIS FILE NO.

A21 221 356

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 3667 ; Office of Management
and Budget request dated October 6, 1976

Beneficiary or Beneficiaries Song Chan Ki

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

OCT 7 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of October 6, 1976, transmitting for comment enrolled bill, S. 3667, "For the relief of Song Chan Ki".

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

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kempton E. Jenkins".

Kempton E. Jenkins
Acting Assistant Secretary
for Congressional Relations

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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 3

Date: October 12

Time: 830pm

FOR ACTION:

Dick Parsons
NSC/S
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 15

Time: 300pm

SUBJECT:

S.3667-Relief of Song Chan Ki

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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 37

Date: October 12

Time: 830pm

FOR ACTION:

Dick Parsons
NSC/S
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 15

Time: 300pm

SUBJECT:

S.3667-Relief of Song Chan Ki

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Approve. RP
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 M. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 3

Date: October 12

Time: 830pm

FOR ACTION:

Dick Parsons
NSC/S
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 15

Time: 300pm

SUBJECT:

S.3667-Relief of Song Chan Ki

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

*Recommend
Approval
mf*

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

MEMORANDUM

NATIONAL SECURITY COUNCIL

5715

October 13, 1976

MEMORANDUM FOR: JAMES M. CANNON

FROM: Jeanne W. Davis ~~WJ~~

SUBJECT: *JW* S. 3667

The NSC Staff concurs with the proposed enrolled bill S. 3667-
Relief of Song Chan Ki.

SONG CHAN KI

SEPTEMBER 29 (legislative day, SEPTEMBER 24), 1976.—Ordered to be printed

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

REPORT

[To accompany S. 3667]

The Committee on the Judiciary, to which was referred the bill (S. 3667), for the relief of Song Chan Ki, 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 facilitate the entry into the United States as an immediate relative the alien child to be adopted by U.S. citizens, notwithstanding the fact that the prospective adoptive parents have previously had the maximum number of petitions approved.

STATEMENT OF FACTS

The beneficiary of the bill is an eleven-year-old native and citizen of Korea who presently resides at the Ham Kwane Christia Orphanage. The whereabouts of the beneficiary's parents are unknown. The prospective adoptive parents, Mr. and Mrs. George Cook, Jr., are the parents of two naturalized citizen children in behalf of whom orphan petitions were approved. Mr. Cook is a native and citizen of the U.S.; his wife is a naturalized U.S. citizen.

A letter, with attached memorandum, dated September 22, 1976, to the Chairman of the Senate Judiciary Committee from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D.C., September 22, 1976.

A21 221 356.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (S. 3667) for the relief of Song Chan Ki, there is attached a memorandum of information concerning the beneficiary.

The bill would provide that the beneficiary, who is to be adopted by United States citizens, may be classified as a child and be granted immediate relative status. The bill further provides that the provision of the Immigration and Nationality Act which limits the number of petitions which may be approved for adopted children shall be inapplicable in this case. The bill also provides that the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any rights, privilege or status under the Immigration and Nationality Act.

Absent enactment of the bill, the beneficiary, a native of Korea, would be chargeable to the nonpreference portion of the numerical limitation for immigrants and conditional entrants from countries in the Eastern Hemisphere.

Sincerely,

L. F. CHAPMAN,
Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 3667

Information concerning the case was obtained from Mr. and Mrs. George Cook, Jr., the interested parties.

The beneficiary, Song Chan Ki, a native and citizen of Korea, was born on August 20, 1965. His natural parents and siblings are unknown. He presently resides at the Ham Kwane Christia Orphanage, 10 Kwane Chun Done, Sueu, Kwane-Ju City, Chun Nan, Korea.

Mr. George Cook, Jr. is a native and citizen of the United States. He was born on November 18, 1938 at Oak Park, Illinois. Since October of 1971 he has been employed by the Doyle-Lunstra Equipment Company of Rapid City, South Dakota as a branch manager. His annual income is approximately \$22,000. He and his wife have assets totaling approximately \$90,000, less a \$15,000 mortgage. He served in the United States Army from 1958 to 1962. Mrs. Ok-Tan Cook was born at Mopko, Korea on January 10, 1932. She and Mr. Cook were married at Seoul, Korea on April 12, 1961. She was admitted to the United States as a lawful permanent resident on January 15, 1962. She became a naturalized United States citizen at Rapid City, South Dakota on February 28, 1974.

Mr. and Mrs. Cook are the adoptive parents of two naturalized United States citizen children. The children, Mary Lou Cook, nee Myung Hee Kim, and Jinny Anne Cook, nee Jin He Kim, were born in Korea on September 18, 1969 and January 11, 1967, respectively. They were issued immigrant visas pursuant to orphan petitions filed by the Cooks and approved by this Service and were admitted to the United States as lawful permanent residents in July of 1974. The children are residing with their parents.

H.R. 15063, in behalf of the beneficiary, was also introduced in the 94th Congress.

Senator James Abourezk, the author of the bill, submitted the following letter of support:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON SEPARATION OF POWERS,
Washington, D.C., September 22, 1976.

Hon. JAMES O. EASTLAND,
Chairman, Subcommittee on Immigration and Naturalization, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I would like to request your favorable consideration of S. 3667, a private bill for the relief of Song Chan Ki. This bill will classify him as a child within the meaning of section 101 (b) (1) (F) of the Immigration and Nationality Act.

I personally know that Mr. and Mrs. George J. Cook are fine, upstanding citizens of Rapid City, South Dakota. Four years ago the Cooks adopted 2 children from Korea, two sisters who are now 7 and 9 years old. They now want to adopt another orphan Korean child, Song Chan Ki, who is eleven years old.

As you know, the immigration laws provide that an American family may adopt only two alien orphan children. 8 U.S.C. § 1154(c). The private bill for the relief of Song Chan Ki would permit the Cooks to adopt him and provide a good home for him.

The Cooks are financially able to care for Song Chan Ki and I know that they will provide a warm, loving, and secure home for him.

Sincerely,

JAMES ABOUREZK, Chairman.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 3667) 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 Song Chan Ki.

*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, Song Chan Ki may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. George J. Cook, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act. 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.*