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APPROVED
AUG 14 1976

82/14/76

THE WHITE HOUSE
WASHINGTON
August 13, 1976

ACTION
Last Day: August 21

Posted
8/16/76
2 copies
8/16/76

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *JC*

- SUBJECT:
- H.R. 1507 - Relief of Marisa Marzano
 - H.R. 2411 - Relief of Alinor Anvari Adams
 - H.R. 2502 - Relief of Peter Olav Mesikepp
 - H.R. 6392 - Relief of Koviljka C. Clendenen
 - H.R. 7908 - Relief of Edward Drag
 - H.R. 5500 - Relief of Rafael Strochlitz Wurzel
 - H.R. 5648 - Relief of Violetta Cebreros
 - H.R. 3372 - Relief of Tze Tsun Li
 - H.R. 2940 - Relief of Maria Sylvia Macias Elliott
 - H.R. 2495 - Relief of Malgorzata Kuzniarek Czapowski
 - H.R. 2118 - Relief of Cheryl V. Camacho
 - H.R. 7882 - Relief of Miss Leonor Young

Attached for your consideration are twelve enrolled bills all with the common purpose of granting immediate relative status to aliens who have been or are in the process of being adopted by United States citizens. All of the beneficiaries are over the age of 14, and do not qualify for exception to the immigration waiting list.

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 the enrolled bills at Tabs B through M.



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

AUG 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1507 - Relief of Marisa Marzano
Sponsor - Rep. Danielson (D) California
- (2) H.R. 2411 - Relief of Alinor Anvari Adams
Sponsor - Rep. Sisk (D) California
- (3) H.R. 2502 - Relief of Peter Olav Mesikepp
Sponsor - Rep. Sisk (D) California
- (4) H.R. 6392 - Relief of Koviljka C. Clendenen
Sponsor - Rep. Blouin (D) Iowa
- (5) H.R. 7908 - Relief of Edward Drag
Sponsor - Rep. Conable (R) New York
- (6) H.R. 5500 - Relief of Rafael Strochlitz Wurzel
Sponsor - Rep. Dodd (D) Connecticut
- (7) H.R. 5648 - Relief of Violetta Cebrenros
Sponsor - Rep. Burgener (R) California
- (8) H.R. 3372 - Relief of Tze Tsun Li
Sponsor - Rep. Burke (D) California
- (9) H.R. 2940 - Relief of Maria Sylvia Macias Elliott
Sponsor - Rep. Burgener (R) California
- (10) H.R. 2495 - Relief of Miss Malgorzata Kuzniarek
Czapowski
Sponsor - Rep. Burke (D) Massachusetts
- (11) H.R. 2118 - Relief of Cheryl V. Camacho
Sponsor - Rep. Talcott (R) California
- (12) H.R. 7882 - Relief of Miss Leonor Young
Sponsor - Rep. Meyner (D) New Jersey

Last Day for Action

August 21, 1976 - Saturday

Purpose

To grant immediate relative status to aliens who have been or are in the process of being adopted by United States citizens.

Agency Recommendations

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

Discussion

These 12 enrolled bills would define their beneficiaries as "children" under the Immigration and Nationality Act (INA) and grant them immediate relative status upon approval of a petition filed by their adopted or prospective adopting parents, all of whom are U.S. citizens. The bills also provide that the natural parents or siblings shall not be accorded any right, privilege or status under the INA by virtue of their relationship to the beneficiaries.

The INA provides an exception to the immigration waiting list for children adopted by U.S. citizens who are 14 years of age or younger. Because the beneficiaries of these bills are over 14, they do not qualify for this exemption. Accordingly, absent enactment of these bills, those beneficiaries now living outside the U.S. would have to remain on the regular immigration waiting list (with consequent uncertainty as to when they would be admitted); those beneficiaries now in the U.S. would have to leave and begin the process of returning to the U.S. under the regular immigration procedures.

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.

A20 533 906

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 3372; Office of Management
and Budget request dated August 9, 1976.

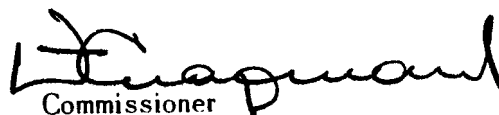
Beneficiary or Beneficiaries Tze Tsun Li.

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. 3372, "For the relief of Tze Tsun Li", H.R. 4053, "For the relief of Roderic Patrick Stafford", and H.R. 5052, "For the relief of Yolanda E. Vez".

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kempton B. Jenkins".

Kempton B. Jenkins
Acting Assistant Secretary
for Congressional Relations

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

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

AUG 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1507 - Relief of Marisa Marzano
Sponsor - Rep. Danielson (D) California
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Sponsor - Rep. Talcott (R) California
- (12) H.R. 7882 - Relief of Miss Leonor Young
Sponsor - Rep. Meyner (D) New Jersey

Last Day for Action

August 21, 1976 - Saturday

Purpose

To grant immediate relative status to aliens who have been or are in the process of being adopted by United States citizens.



Agency Recommendations

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

Discussion

These 12 enrolled bills would define their beneficiaries as "children" under the Immigration and Nationality Act (INA) and grant them immediate relative status upon approval of a petition filed by their adopted or prospective adopting parents, all of whom are U.S. citizens. The bills also provide that the natural parents or siblings shall not be accorded any right, privilege or status under the INA by virtue of their relationship to the beneficiaries.

The INA provides an exception to the immigration waiting list for children adopted by U.S. citizens who are 14 years of age or younger. Because the beneficiaries of these bills are over 14, they do not qualify for this exemption. Accordingly, absent enactment of these bills, those beneficiaries now living outside the U.S. would have to remain on the regular immigration waiting list (with consequent uncertainty as to when they would be admitted); those beneficiaries now in the U.S. would have to leave and begin the process of returning to the U.S. under the regular immigration procedures.

(Signed) James M. Frey
Assistant Director for
Legislative Reference

Enclosures

Calendar No. 1033

94TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 94-1099

TZE TSUN LI

August 4, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 3372]

The Committee on the Judiciary, to which was referred the bill (H.R. 3372) for the relief of Tze Tsun Li, 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 admission into the U.S. of the prospective adoptive son of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is an 18-year-old native of Hong Kong, B.C.C. and is a citizen of the United Kingdom who presently resides in Hong Kong. His two younger brothers and a sister were admitted to the U.S. as permanent residents on December 27, 1974 and have been legally adopted by their aunt and uncle. They plan to adopt him after he is admitted to the U.S. The beneficiary's mother is deceased and the whereabouts of his father is unknown.

A letter, with attached memorandum, dated January 29, 1974 to the chairman of the Committee on the Judiciary, House of Representatives, from the Commissioner of Immigration and Naturalization with reference to H.R. 11102, a similar bill for the relief of the same alien introduced in the 93d Congress, reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., January 29, 1974.

A-20-533-906.

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. 11102) for the relief of Tze Tsun Lee, there is attached a memorandum of information concerning the beneficiary.

The bill would provide that the beneficiary be classified as a child upon approval of a petition filed in his behalf by Teong Din Deer and Elenore Deer, citizens of the United States. It would further provide 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.

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

Sincerely,

Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 11102

Information concerning this case was obtained from the interested party, Teong Din Deer, the beneficiary's uncle.

The beneficiary, Tze Tsun Lee, native of Hong Kong and citizen of the United Kingdom and Colonies, was born August 11, 1958, and is single. He, his father, two younger brothers, and a younger sister reside in Hong Kong. His mother is deceased. He is a student attending seventh grade. He is not employed. His assets are negligible, and he has no income. Partial support for the family is furnished by the interested party. The beneficiary has never been in the United States.

The interested party, a native of China and citizen of the United States, was born August 31, 1921. He graduated from high school in his native country. His father is deceased. His mother resides in Hong Kong. Two sisters reside in mainland China. He resides in Los Angeles, Calif., with his wife and an adopted daughter both citizens of this country. A son by a previous marriage is in the United States as a permanent resident. The interested party is employed as a waiter, earning \$550 monthly. He receives about \$3,000 yearly from rental property in Hong Kong. He has \$32,000 equity in his home, \$42,000 equity in apartments, property in Hong Kong valued at \$15,000, furniture and other personal property worth \$5,000, and an automobile valued at \$500.

The interested party was admitted to this country on October 29, 1940, as a derivative citizen under the assumed name Kay Ngon Woo. His wife, Fung Har Lee, native of China, was thereafter admitted to this country as a permanent resident based upon her husband's

status. The interested party subsequently confessed his true name and illegal status in conjunction with an application for naturalization as a United States citizen. He was naturalized on September 18, 1967, based upon 2 weeks of active duty in the United States Army during 1944. He also confessed to a prior marriage in China and revealed the existence of a son from that relationship residing in Hong Kong. The son, his wife, and 3 children were subsequently admitted to the United States as permanent residents following a petition by the interested party.

The interested party states that he will provide a good home for the beneficiary. He also plans to adopt the younger brothers and the sister and bring them to the United States.

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., February 21, 1974.

A-20-533-906.

HON. PETER W. RODINO, JR.,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN. This refers to H.R. 11102 in behalf of Tze Tsun Lee.

The interested party, Teong Din Deer, states that he has initiated proceedings with the State of California to adopt the two younger brothers and sister of the beneficiary. His plans to adopt the beneficiary, however, depend upon the outcome of the private bill. Adoption absent enactment of the bill will not qualify the beneficiary for issuance of an immigrant visa.

Sincerely,

Commissioner.

A letter, with attached memorandum, dated April 24, 1974 to the chairman of the Committee on the Judiciary, House of Representatives, from the Assistant Secretary for Congressional Relations, U.S. Department of State with reference to the case, reads as follows:

DEPARTMENT OF STATE,
Washington, D.C., April 24, 1974.

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 Tze Tsun Lee, beneficiary of H.R. 11102, 93d Congress, there is enclosed a memorandum of information concerning the beneficiary. This memorandum has been submitted by the American Consulate at Hong Kong, in whose consular jurisdiction the beneficiary resides.

The bill would provide for the beneficiary's classification as a child and for granting of immediate relative status upon approval of a petition filed by Teong Din Deer and Elenore Deer, American citizens. It also provides that the natural parents or brothers or sisters of the

beneficiary shall not be accorded any right, privilege or status under the Immigration and Nationality Act by virtue of such relationship.

Sincerely yours,

LINWOOD HOLTON,
*Assistant Secretary
for Congressional Relations.*

Enclosure: Memorandum.

MEMORANDUM OF INFORMATION CONCERNING H.R. 11102, FOR
THE RELIEF OF TZE TSUN LEE

The beneficiary, Tze Tsun Lee (Li), was born on August 11, 1958, in Hong Kong, B.C.C. He is single, a student, and has resided since birth in Hong Kong.

Kut Cheng Li, the beneficiary's father, left the family in 1968 and reportedly went to Brazil. His whereabouts since then is unknown to them. The beneficiary's mother, Song Ho Chan, died in Hong Kong on September 20, 1972. Tze Tsun has 2 younger brothers and a sister who live at the same address with the beneficiary and Ling-Cheung Wong, a 25-year-old maternal cousin who came to Hong Kong from China on July 15, 1972 and joined the family. Shortly after his arrival, the children's mother died, and the cousin has been responsible for their care since then.

According to a local social welfare organization, the beneficiary's father was a drug addict. Even prior to his departure from Hong Kong and subsequent disappearance, financial assistance was being sent the family from the United States by Mrs. Elenore Deer, sister of beneficiary's father, and her husband, Mr. Teong Din Deer. The Deers provided regular financial support after Mr. Li's disappearance, including the purchase of the apartment in which the children and cousin live.

The International Social Service informed the Consulate General that Mr. and Mrs. Deer have begun proceedings for adoption of the beneficiary and the other three children under California State law. The Deers correspond with the family as well as assisting them financially.

No petition has been received on behalf of the beneficiary or the other siblings, who were also born in Hong Kong.

The results of the beneficiary's medical examination have not been received. If a ground of medical ineligibility is disclosed, a further report will be furnished.

Congresswoman Yvonne B. Burke, the author of the bill, submitted the following letter dated April 28, 1975 in connection with the case.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 28, 1975.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship and International Law, Committee on the Judiciary, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN. EILBERG: In response to your letter of April 17, I am writing in support of H.R. 3372 for the relief of Tze Tsun Li.

S.R. 1099

The beneficiary, Tze Tsun Li, native of Hong Kong and citizen of the United Kingdom and colonies, was born August 11, 1958, and is single. His mother is deceased. He has graduated from high school and is presently attending a special English School to learn the English language. He is not employed. Tze Tsun Li has never been in the United States.

Mr. Teong Din Deer is the person primarily interested in the alien's admission to the United States. He resides in California with his wife and an adopted daughter, both citizens of this country. Mr. Deer has a full-time, permanent job as a waiter and a supplemental income from property in Hong Kong. Mr. Deer was admitted to this country on October 29, 1940 and naturalized on September 18, 1967, based upon two weeks of active duty in the United States Army during 1944.

Mr. and Mrs. Deer wish to adopt Tze Tsun Li upon his admittance to the United States. I feel that the family will provide a very good home for the beneficiary, and hope that the measure in their behalf is acted upon favorably.

Very truly yours,

YVONNE BRATHWAITE BURKE,
Member of Congress.

The following letter dated January 16, 1976 to the chairman of the Committee on the Judiciary, House of Representatives, from the Acting Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., January 16, 1976.

HON. PETER W. RODINO, JR.,
*Chairman, Committee on the Judiciary, House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: This refers to H.R. 3372 in behalf of Tze Tsun Li, who was also the beneficiary of H.R. 11102, 93rd Congress.

The interested party, Teong Din Deer, states that he has now legally adopted the beneficiary's two younger brothers and sister, who were admitted to the United States as permanent residents on December 27, 1974. The children, who were all born in Hong Kong, B.C.C., are: Sui Wan Li born July 27, 1963, Chi Kit Li born January 27, 1961, and Tze Wai Li born July 15, 1966.

There have been no changes in the status of either the beneficiary or the interested party.

Sincerely,

JAMES F. GREENE,
Acting Commissioner.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 3372) 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 Tze Tsun Li.

*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, Tze Tsun Li 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 Teong Din Deer and Eleanore Deer, 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.*

Speaker of the House of Representatives.

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