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THE WHITE HOUSE

WASHINGTON

October 13, 1982

FOR:

FRED F. FIELDING

FROM:

SHERRIE M. COOKSEY

SUBJECT:

Enrolled Bill S. 1698 -- Preferential

Treatment in Admitting Amerasian

Children to the United States

Attached for your review and signature is a memorandum to Dick Darman stating that we have reviewed S. 1698, which provides for preferential treatment in the admission of Amerasian children to the United States, and have no legal objections to the President signing it.

- S. 1698 provides that a child fathered by a United States citizen and born in Korea, Vietnam, Laos, Kampuchea, or Thailand, after 1950 and before the date of enactment of this bill, may enter the United States as a permanent resident. A visa petition must be filed with the Department of Justice either by the child or someone acting on the child's behalf. All applicants must have a sponsor who agrees to furnish financial support to the child for 5 years after admission or until the age of 21, whichever is longer. This guarantee of financial support is an enforceable contract between the sponsor and the Department of Justice. Additional safeguards for children under the age of 18 are also contained in the bill.
- S. 1698 passed both Houses by voice vote. A signing ceremony is scheduled for this bill on Thursday, October 14.

Attachment

THE WHITE HOUSE

WASHINGTON

October 13, 1982

MEMORANDUM FOR RICHARD G. DARMAN

ASSISTANT TO THE PRESIDENT AND DEPUTY TO THE CHIEF OF STAFF

FROM:

FRED F. FIELDING

COUNSEL TO THE PRESIDENT

SUBJECT:

Enrolled Bill S. 1698 -- Preferential

Treatment in Admitting Amerasian

Children to the United States

We have reviewed S. 1698, which provides for preferential treatment in the admission of Amerasian children to the United States, and have no legal objections to the President signing it.

FFF:SMC:sd 10/13/82

cc: FFFielding

SMCooksey Subject Chron.

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WHITE HOUSE STAFFING MEMORANDUM

2:00 Wednesday

DATE: Oct. 12, 1982 ACTION/CONCURRENCE/COMMENT DUE BY:

October 13, 1982

SUBJECT: Enrolled Bill S. 1698--Preferential Treatment in Admitting

Amerasian Children to the United States

	ACTION	FYI		ACTION	FYI
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FELDSTEIN			ROGERS		
FIELDING					

Remarks:

Please forward comments on this enrolled bill to my office by 2:00 tomorrow. PLEASE NOTE A SIGNING CEREMONY IS SCHEDULED FOR THURSDAY, SEPTEMBER 14.

Thank you.

Richard G. Darman Assistant to the President (x2702)

Response:



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 1 2 1982

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1698 - Preferential Treatment in

Admitting Amerasian Children to the United States

Sponsor - Sen. Denton (R) Alabama and 41 others

Last Day for Action

<u>Purpose</u>

To provide preferential treatment in the admission of Amerasian children to the United States.

Agency Recommendations

Office of Management and Budget

Approval

Department of Defense
Department of Justice
Department of State
National Security Council
Agency for International Development
Department of Health and Human Services
Department of Labor

Approval
Approval(Informally)
Approval
Approval
No objection
No objection(Informally)
No objection(Informally)

Discussion

There are many children fathered by United States citizens living in Korea, Vietnam, Laos, Kampuchea, or Thailand. These Amerasian children are often ill-treated and considered outcasts or subjected to subtle forms of discrimination because of their American parentage. To give relief to these children, S. 1698 amends the Immigration and Naturalization Act to give them preferential treatment with respect to their admission to the United States.

The bill provides that a child fathered by a United States citizen and born in the Southeast Asian countries noted above, after 1950 and before the date of enactment of the bill, may enter the United States as a permanent resident. The process by which this permanent residence may be obtained is devised in the

bill so as to provide certain safeguards for both the child and the American public. The process is begun by filing a visa petition either by the child or by any person acting on the child's behalf. The visa petition is filed with the Department of Justice, which has responsibility for determining whether the applicant qualifies under the basic criteria set forth above.

In addition, all applicants must have a sponsor who agrees to furnish financial support to the applicant for five years after admission, or until the age of 21, whichever is longer. Financial support must be at a level equal to at least 125 per cent of the official poverty lines. This guarantee of financial support is made in effect an enforceable contract between the sponsor and the Department of Justice, which may bring civil suit against the sponsor for failure to meet obligations to the child.

In the case of an applicant under the age of 18, further requirements are specified to insure that the child is protected. In these cases, sponsorship of the child must be arranged by a child welfare agency licensed in the United States and actively involved in intercountry placement of children, and the child's mother or guardian must in writing irrevocably release the child for emigration to the United States.

In sum, the bill provides safeguards and limitations on eligibility that should prevent abuse of this preferential admission program.

* * * * * * * *

The enrolled bill passed the House and Senate by voice vote.

Assistant Director for Legislative Reference

Enclosures

THE WHITE HOUSE

WASHINGTON

October 13, 1982

MEMORANDUM FOR RICHARD G. DARMAN

ASSISTANT TO THE PRESIDENT AND DEPUTY TO THE CHIEF OF STAFF

FROM:

FRED F. FIELDING Orig. signed by FFF

COUNSEL TO THE PRESIDENT

SUBJECT:

Enrolled Bill S. 1698 -- Preferential

Treatment in Admitting Amerasian

Children to the United States

We have reviewed S. 1698, which provides for preferential treatment in the admission of Amerasian children to the United States, and have no legal objections to the President signing it.

FFF:SMC:sd 10/13/82

cc: FFFielding

SMCooksey Subject Chron.