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151 12/27

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: December 31

December 24, 1974

MEMORANDUM FOR: THE PRESIDENT
FROM: KEN COLE *C*
SUBJECT: Enrolled Bill S. 3397 - Relief of
Jose Ismarnardo Reyes-Morelos

Attached for your consideration is S. 3397, sponsored by Senator Griffin, which would waive provisions of the Immigration and Nationality Act to enable beneficiary to move to his adoptive home.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign S. 3397 (Tab B).



APPROVED
DEC 27 1974

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

DEC 30 1974

Posted in
Colorado
12/27
To Archie
12/31

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 3397 - Relief of Jose Ismarnardo
Reyes-Morelos
Sponsor - Sen. Griffin (R) Michigan

Last Day for Action

December 31, 1974 - Tuesday

Purpose

To waive provisions of the Immigration and Nationality Act to enable beneficiary to move to his adoptive home.

Agency Recommendations

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

Discussion

Beneficiary is a 3 year old native and citizen of Mexico now living in an orphanage in Mexico. Mr. and Mrs. Lawrence A. Lemmen of Eaton Rapids, Michigan plan to adopt beneficiary. They solicited the private relief bill because they have already filed immediate relative petitions on behalf of other alien adoptive children and they are permitted no more under the law.

Were they to wait for the normal process to ensue, several years would pass and they hope to bring the child into their family while it is very young.

Mr. Lemmen is a U.S. citizen by birth, is employed as a payroll supervisor at a salary of approximately \$21,000 a year. Mrs. Lemmen is not employed outside their home. They own their



home valued at about \$60,000 and have savings of approximately \$40,000. Mrs. Lemmen is a naturalized U.S. citizen born in Canada. They have adopted three children, ages 12, 9, and 4, who now live in their home.

Welfred H. Rommel

Assistant Director for
Legislative Reference

Enclosures





DEPARTMENT OF STATE

Washington, D.C. 20520

DEC 19 1974

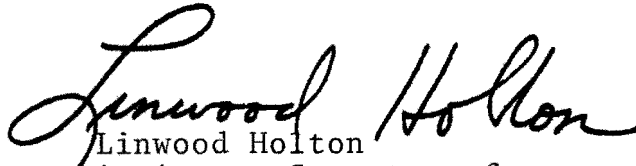
Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Ash:

Reference is made to Mr. Rommel's communication of December 18, 1974, transmitting for comment enrolled bills S. 3397 "For the relief of Jose Ismarnardo Reyes-Morelos" and S. 3578 "For the relief of Anita Tomasi".

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

Sincerely yours,


Linwood Holton
Assistant Secretary for
Congressional Relations



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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

DEC 20 1974

AND REFER TO THIS FILE NO.

A20 659 093

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 3397; Office of Management
and Budget request dated December 18, 1974.

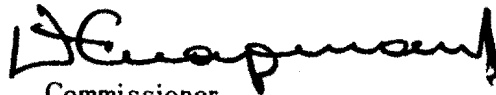
Beneficiary or Beneficiaries Jose Ismarnardo Reyes-Morelos

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



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

To
Kawan Kumbira
12-20-74
4:30 p.m.

DEC 20 1974

... valued at about \$40,000 and have savings approximately
\$40,000. Mrs. Lemmen is a naturalized U.S. citizen born in
Canada. They have adopted three children, ages 12, 9, and 4,
who now live in their home.

MEMORANDUM FOR THE PRESIDENT

**Subject: Enrolled Bill S. 3397 - Relief of Jose Ismarnardo
Reyes-Morelos
Sponsor - Sen. Griffin (R) Michigan** Director for
Legislative Reference

Enclosures

Last Day for Action

December 31, 1974 - Tuesday

Purpose

To waive provisions of the Immigration and Nationality Act
to enable beneficiary to move to his adoptive home.

Agency Recommendations

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

Discussion

Beneficiary is a 3 year old native and citizen of Mexico now
living in an orphanage in Mexico. Mr. and Mrs. Lawrence A.
Lemmen of Eaton Rapids, Michigan plan to adopt beneficiary.
They solicited the private relief bill because they have already
filed immediate relative petitions on behalf of other alien
adoptive children and they are permitted no more under the law.

Were they to wait for the normal process to ensue, several years
would pass and they hope to bring the child into their family
while it is very young.

Mr. Lemmen is a U.S. citizen by birth, is employed as a payroll
supervisor at a salary of approximately \$21,000 a year.
Mrs. Lemmen is not employed outside their home. They own their



THE WHITE HOUSE

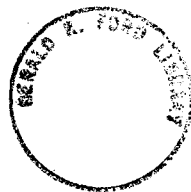
WASHINGTON

December 23, 1974

MEMORANDUM FOR: WARREN HENDRIKS
FROM: MAX L. FRIEDERSDORF *M.L.F.*
SUBJECT: Action Memorandum - Log No. 816
Enrolled Bill S. 3397 - Relief of Jose Ismarnardo
Reyes-Morelos

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 816

Date: December 21, 1974

Time: 3:00 p.m.

FOR ACTION: Geoff Shepard
Phil Areeda
Max Friedersdorf

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 23

Time: 1:00 p.m.

SUBJECT:

Enrolled Bill S. 3397 - Relief of Jose Ismarnardo
Reyes-Moreños

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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 816

Date: December 21, 1974

Time: 3:00 p.m.

FOR ACTION: Geoff Shepard
Phil Areeda
Max Friedersdorf

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FROM THE STAFF SECRETARY

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Time: 1:00 p.m.

SUBJECT: Enrolled Bill S. 3397 - Relief of Jose Ismarnardo
Reyes-Morelos

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

*to Judy Johnston
P. Areeda
12/23*



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.

Warren K. Hendriks
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 816

Date: December 21, 1974

Time: 3:00 p.m.

FOR ACTION: Geoff Shepard ✓
Phil Areeda
Max Friedersdorf

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Enrolled Bill S. 3397 - Relief of Jose Ismarnardo
Reyes-Morelos

ACTION REQUESTED:

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For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

ok I'll say on GC's.



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.

Warren K. Hendriks
For the President

JOSE ISMARNARDO REYES-MORELOS

OCTOBER 1, 1974.—Ordered to be printed

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

REPORT

[To accompany S. 3397]

The Committee on the Judiciary, to which was referred the bill (S. 3397) for the relief of Jose Ismarnardo Reyes-Morelos, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

Beginning on line 1, page 2, strike the language
and the provisions of section 245(c) of the Act shall be in-
applicable in this case.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry of the beneficiary into the United States as an immediate relative of the U.S. citizen parents by whom he is to be adopted. The purpose of the amendment is to delete reference to section 245(c), since the beneficiary is not in the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 3-year-old native and citizen of Mexico. He currently resides in an orphanage in Morelia, Michoacan, Mexico. He was abandoned at an early age and no information is available concerning his family.

The prospective adoptive father, Lawrence A. Lemmen, is a native and citizen of the United States. His wife is a naturalized U.S. citizen.

The couple resides in Eaton Rapids, Mich. The Lemmens have two other adopted children.

A letter, with attached memorandum, dated July 8, 1974, to the chairman of the Senate Committee on the Judiciary from the 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., July 8, 1974.

A-20659098.

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

DEAR SENATOR: In response to your request for a report relative to the bill S. 3397 for the relief of Jose Ismarnardo Reyes-Morelos, there is attached a memorandum of information concerning the beneficiary.

The bill would permit Mr. and Mrs. Lawrence A. Lemmen, citizens of the United States, to file an immediate relative petition notwithstanding the fact that they have previously filed and had approved petitions in behalf of other alien children. The bill would also permit the beneficiary, who is a native of the Western Hemisphere, to adjust to that of a permanent resident alien. It further provides that the natural brothers and sisters of the beneficiary shall not by virtue of such relationship be accorded any right, privilege, or status under the

Absent enactment of the bill, the beneficiary, a native of Mexico, is chargeable to the numerical limitation for immigrants from the Western Hemisphere and would be required to obtain a visa outside the United States.

Sincerely,

LEONARD F. CHAPMAN, JR.,
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 3397

Information concerning the case was obtained from Mr. and Mrs. Lawrence A. Lemmen, the prospective adoptive parents of the beneficiary.

The beneficiary, Jose Ismarnardo Reyes-Morelos, a native and citizen of Mexico, was born on October 4, 1971. He was abandoned sometime after birth and no information is available concerning his parents or other members of his family. He resides in Morelia, Michoacan, Mexico, in an orphanage operated by the Roman Catholic Church.

Lawrence A. Lemmen is a U.S. citizen by birth in Ionia, Mich., on November 13, 1917. He received a bachelor's degree in business administration from the University of Michigan, and is employed as a payroll supervisor at \$21,000 annually. His wife, Christine, is a native of Canada, born on July 7, 1913, and has been naturalized as a U.S. citizen. She is a high school graduate and is not employed outside of their home. They were married on August 15, 1970, and reside in Eaton Rapids, Mich. Mr. Lemmen has not been previously married.

S.R. 1198

Mrs. Lemmen's first marriage ended in divorce in October 1953. An adult son, born of that marriage, resides in Arizona. Mr. and Mrs. Lemmen have adopted two children, Mary Katherine and Therese Marie, natives of Korea, now ages 12 and 9, who were lawfully admitted to the United States for permanent residence as eligible orphans on October 26, 1971. They attend the local public school. In 1972, a third child, Anthony Joseph, now age 4, a native-born citizen, was adopted by them in Lansing, Mich. Mr. and Mrs. Lemmen own their home, which is valued at \$60,000. They have stocks and bonds totaling \$40,000, life insurance in the amount of \$125,000, and furniture and personal effects worth \$10,000.

Mr. and Mrs. Lemmen learned of the beneficiary from friends who had previously adopted a child from the same orphanage. They intend to adopt the beneficiary in the United States, and will raise him as their own child. They advised that the beneficiary is being registered for an immigrant visa at an American Consulate in Mexico. The latest information indicates that numbers currently being issued under the Western Hemisphere limitation are for applicants with priority dates earlier than March 15, 1972.

Senator Robert P. Griffin, the author of the bill, has submitted the following information in connection with the case:

EATON RAPIDS, MICH.,
April 20, 1974.

HON. ROBERT P. GRIFFIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRIFFIN: Thank you for your reply of April 8, 1974, to my inquiry regarding our desire to adopt a third alien orphan child.

With your reply, you enclosed a copy of the Department of State's communication of March 27, 1974, addressed to you regarding our situation. This letter indicated that the child we wish to adopt (born in New Mexico) could be issued a Western Hemisphere immigrant visa only when a quota number became available. It further states that numbers under the Western Hemisphere numerical limitation will be available in April, 1974 for those who have registration dated before February 15, 1972.

It's quite disheartening to my wife and myself to think we will be prevented from providing our love and a home to this little 3-year-old boy for a minimum of another 2 years or more because of these official restrictions. We have some friends who formerly lived in Lansing (now of Alma, Mich.) who also had adopted two Korean alien children and wished to adopt another unrelated Korean alien child. Subsequently, through the efforts of Representative Charles Chamberlain, they were successful in obtaining a visa through the passage of a special bill in Congress. Accordingly, we would be very grateful if you would be able to introduce a special bill in Congress, on our behalf, which would authorize the issuance of a visa for the admission of the following alien child:

Jose Ismarnardo Reyes-Morelos
Birth Date: 10-4-71
Morelia, Michoacan, Mexico

Again, my wife and I wish to thank you for your efforts on our behalf and hope you will be able to introduce a special bill that will enable us to obtain a visa for the entry of the little Mexican boy. If you should require any further information that we can furnish, please feel free to contact us by letter or by phone, collect.

Respectfully yours,

LAWRENCE A. LEMMEN.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 3397), as amended, should be enacted.

○



Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

For the relief of Jose Ismarnardo Reyes-Morelos.

*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, section 204(c) of the Act, relating to the number of petitions which may be approved in behalf of children, shall be inapplicable in the case of a petition filed in behalf of Jose Ismarnardo Reyes-Morelos by Mr. and Mrs. Lawrence A. Lemmen, citizens of the United States: *Provided*, That the 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.*

December 19, 1974

Dear Mr. Director:

The following bills were received at the White House on December 19th:

✓ S.J. Res. 234	S. 2838 ✓	S. 3578 ✓
S. 184 ✓	S. 3341 ✓	S. 3615 ✓
S. 194 ✓	S. 3397 ✓	H.R. 3538 ✓
S. 1283 ✓	S. 3418 ✓	H.R. 14401 ✓
S. 1357 ✓	S. 3489 ✓	H.R. 15912 ✓
S. 2125 ✓	S. 3518 ✓	H.R. 16609 ✓
S. 2594 ✓	S. 3574 ✓	H.R. 16901 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.