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2009-0275-S

FOIA Number:
2009-0275-S

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the George Bush Presidential
Library Staff.**

Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Scowcroft, Brent, Collection
Series: China Chronological Files
Subseries: Tiananmen Files

OA/ID Number: 91132
Folder ID Number: 91132-002

Folder Title:
China: Tiananmen (October - December 1989)

Stack:	Row:	Section:	Shelf:	Position:
G	34	3	4	4

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01a. Schedule	Re: Schedule Proposal (1 pp.)	10/21/89	(b)(1)	C
01b. Memo	Douglas Paal to Brent Scowcroft Re: Schedule Proposal - China's Ambassador Zhu Qizhen Call on the President (1 pp.)	10/19/89	(b)(1)	C
02a. Memo	Douglas Paal to Brent Scowcroft Re: Meeting with Chinese Ambassador Zhu Qizhen (1 pp.)	10/25/89	(b)(1)	S
02b. Outline	Re: Meeting with China's Ambassador Zhu Qizhen (2 pp.)	10/25/89	(b)(1)	S
02c. Talking Points	Re: Points To Be Made for Meeting with China's Ambassador Zhu Qizhen (1 pp.)	n.d.	(b)(1)	S
02d. Talking Points	Re: Points To Be Made for Meeting with China's Ambassador Zhu Qizhen (2 pp.)	n.d.	(b)(1)	S
02e. Report	Government Report (1 pp.)	5/10/89	(b)(1)	S
03a. Memo	Brent Scowcroft to POTUS Re: The Pelosi Bill, H.R. 2712: Immigration Relief for Chinese Students (3 pp.)	11/27/89	(b)(1)	C

Page 1 of 2

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Files
Series: China Chronological Files
Subseries: Tiananmen Files
WHORM Cat.:
File Location: China: Tiananmen (October - December 1989)

Pinksheet Number: cap1108
OA/ID Number: 91132-002
Date Closed: 5/1/2009
FOIA/Sys Case #: 2009-0275-S
Re-review Case #:
P-2/P-5 Review Case #:

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
03b. Memo	Douglas Paal to Brent Scowcroft Re: The Pelosi Bill, H.R. 2712: Immigration Relief for Chinese Students (1 pp.)	11/25/89	(b)(1)	C

Page 2 of 2

Collection:

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Pinksheet Number: cap1108
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FOIA/Sys Case #: 2009-0275-S
Re-review Case #:
P-2/P-5 Review Case #:

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8391

THE WHITE HOUSE
WASHINGTON

October 21, 1989

CHRON FILE

3

SCHEDULE PROPOSAL

TO: JOSEPH W. HAGIN, II, Deputy Assistant to
the President for Appointments and Scheduling

FROM: BRENT SCOWCROFT *BG for*

REQUEST: Meeting in the Oval Office with China's new
Ambassador Zhu Qizhen.

PURPOSE: To communicate interest in maintaining the
fundamental U.S.-China relationship in a
quiet, authoritative fashion, without
publicity.

BACKGROUND: Zhu arrives as the new Ambassador of the PRC
on October 20. His credentials will not be
presented for 6-8 weeks. Zhu was Vice
Foreign Minister for American and Oceanian
Affairs.

PREVIOUS
PARTICIPATION: Zhu participated in the President's meetings
and events in Beijing in February; he
escorted Wan Li to the White House in May.

DATE & TIME: Any time, week of October 23-28, 1989.
DURATION: 20 minutes

LOCATION: Oval Office

PARTICIPANTS: See Tab A.

OUTLINE OF EVENTS: The President will meet with Zhu, on the
unpublished calendar.

REMARKS REQUIRED: To be provided by NSC

MEDIA COVERAGE: None

RECOMMENDED BY: The Department of State, NSC

OPPOSED BY: None

Attachment
Tab A List of Participants

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

DECLASSIFIED
PER E.O. 12958,
AS AMENDED

CAP

2000.0116.F/2
8/14/07

PARTICIPANTS

U.S.

The President

The Vice President

John Sununu, Chief of Staff

Brent Scowcroft,

Assistant to the President for National Security Affairs

Robert M. Gates, Assistant to the President and Deputy for
National Security Affairs

Douglas H. Paal, Director of Asian Affairs, NSC

PRC

Zhu Qizhen, PRC Ambassador to the U.S.

Chen Mingming, Interpreter

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8391

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

October 19, 1989

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: KARL JACKSON *KJS*

FROM: DOUGLAS PAAL *DP*

SUBJECT: Schedule Proposal - China's Ambassador Zhu Qizhen
Call on the President

At Tab I is a Schedule Proposal for a twenty minute meeting between the President and newly arrived Chinese Ambassador Zhu Qizhen.

I recommend that the meeting not be publicized due to the pending Congressional conference on China sanction legislation. Zhu will probably not be able to present his credentials for 6-8 weeks.

RECOMMENDATION

That you sign the Schedule Proposal at Tab I.

Attachmenta

Tab I Schedule Proposal
Tab A List of Participants

DECLASSIFIED
PER E.O. 12958,
AS AMENDED

CAP

2000.0116-F/2

8/14/07

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

**National Security Council
The White House**

PROOFED BY: MEN

LOG # 8391

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG 87 A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep Exec	<u>1</u>	<u>W</u>	<u>A</u>
Philip Hughes	<u>2</u>	<u>10/21</u>	
Bob Gates	<u>3</u>	<u>8</u>	
Brent Scowcroft	<u>4</u>		
Philip Hughes			
Situation Room			
West Wing Desk	<u>4</u>	<u>mc 10/21</u>	<u>D</u>
NSC Secretariat	<u>5</u>		<u>N</u>

All: 16
89 OCT 20

A = Action ! = Information D = Dispatch R = Retain N = No further Action

cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

SP - Korea Chinese Amb.
Zhu Qizhan
23-28 Oct

CHRON FILE

National Security Council The White House

PROOFED BY: me

LOG # 2574

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG _____ A/O _____

	SEQUENCE TO	HAS SEEN	DISPOSITION
Dep Exec	<u>1</u>	<u>W</u>	<u>A</u>
Philip Hughes			
Bob Gates	<u>2</u>	<u>8</u>	
Brent Scowcroft			
Philip Hughes			
Situation Room			
West Wing Desk	<u>3</u>		
NSC Secretariat	<u>4</u>		<u>DBE</u>

A = Action I = Information D = Dispatch R = Retain N = No further Action

cc: VP Sununu Other _____

COMMENTS

*Phillips -
For the record.
DP*

(Date/Time)

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~~SECRET~~

8574

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20508

October 25, 1989

3

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

THROUGH: KARL JACKSON *KJ*
FROM: DOUGLAS PAAL *DP*
SUBJECT: Meeting with Chinese Ambassador Zhu Qizhen

At Tab I is a memorandum for the President's meeting with China's Ambassador Zhu Qizhen.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab A Points to be Made
Tab B Participants List
Tab C Biography

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Declassify on: OADR

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PER E.O. 12958,
AS AMENDED
2000-0116-F11
① 513109

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~~SECRET~~

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THE WHITE HOUSE

WASHINGTON

MEETING WITH
CHINA'S AMBASSADOR ZHU QIZHEN

DATE: October 25, 1989
LOCATION: Oval Office
TIME: 7:30 a.m. - 8:00 a.m. EDT

FROM: BRENT SCOWCROFT

I. PURPOSE

To present your views on the China relationship directly to the newly arrived Chinese ambassador; to hear whatever message he may carry; to put impending China sanctions legislation into perspective.

II. BACKGROUND

Before leaving Beijing, Zhu gave an interview in which he claimed the White House is orchestrating international pressures on China. The hope is that Zhu used the article to win himself the maneuvering room at home that he will need to operate here, and that he will refrain from further public criticism.

The most urgent issue is the impending Congressional legislation. The Chinese told former Ambassador to Beijing Arthur Hummel yesterday that if new legislation is passed, the Chinese government will have "no recourse but to respond." While this is not specific, Ambassador Hummel described the tone as "ominous." We have uniform indicators that the Chinese do not understand the process that led to the legislation under consideration, and you should expect pressure to veto it.

III. PARTICIPANTS

See Tab B.

IV. PRESS PLAN

None.

cc: Vice President
Chief of Staff

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Declassify on: OADR

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AS AMENDED
2000-0116-F11
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~~SECRET~~

V. SEQUENCE

Ambassador Zhu and interpreter Chen Mingming will be escorted quietly to the Oval Office.

Attachments

Tab A	Points to be Made
Tab B	Participants List
Tab C	Biography

~~SECRET~~

~~SECRET~~

A

POINTS TO BE MADE FOR MEETING WITH
CHINA'S AMBASSADOR ZHU QIZHEN

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PER E.O. 13526

2009-1033-MR
4/1/2014 4M

- WELCOME. I UNDERSTAND WE MAY HAVE A CREDENTIAL CEREMONY FOR YOU RELATIVELY EARLY.
- YOU HAVE HEARD MY VIEWS BEFORE ON THE U.S. RELATIONSHIP WITH CHINA. LET ME REPEAT THEM PERSONALLY TO YOU.
- I CONSIDER U.S.-CHINA RELATIONS VERY IMPORTANT, AND I WANT TO PROTECT AS MUCH OF THE RELATIONSHIP AS POSSIBLE. AT THE SAME TIME, WHAT HAPPENED AROUND TIANANMEN SQUARE COULD NOT BE IGNORED.
- WHAT I WANT TO DO IS FIND A WAY TO PUT OUR RELATIONS BACK ON A POSITIVE TRACK.

~~SECRET~~

Declassify on: OADR

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CARD 2 OF 3

- UNFORTUNATELY, FROM YOUR PERSPECTIVE, THE CONGRESSIONAL SANCTIONS LEGISLATION PASSED BY BOTH HOUSES LAST SUMMER IS IN THE FINAL STAGES OF BECOMING LAW.
- UP TO THIS POINT, I HAVE BEEN CAUTIOUS IN STATEMENTS ABOUT POLICY TOWARD CHINA IN ORDER NOT TO STIR UP STRONGER LEGISLATIVE PROPOSALS.
- I OPPOSE LEGISLATION OF THIS TYPE, BUT I RECOGNIZE THAT IT HAS BEEN DRAFTED TO CONFORM TO EXISTING ADMINISTRATION POLICY. I WOULD BE HARD-PRESSED TO VETO IT AND CANNOT TELL YOU THAT I WILL VETO IT. THERE IS A NATIONAL INTEREST WAIVER IN THE LEGISLATION THAT I FULLY APPRECIATE.

~~SECRET~~~~SECRET~~

CARD 3 OF 3

- I VIEW THE END OF THE LEGISLATIVE PROCESS NOT AS THE BEGINNING OF A NEW ROUND OF RECRIMINATIONS BETWEEN OUR TWO COUNTRIES, BUT AS THE POINT AT WHICH WE CAN START REBUILDING THE RELATIONSHIP -- IF CHINA IS WILLING TO COOPERATE.
- I HOPE CHINA CAN TAKE SOME STEPS TO HELP THIS DIFFICULT PROCESS OF REBUILDING. YOU KNOW WHAT MIGHT BE DONE.
- I WILL NOT PUBLICLY MAKE DEMANDS FOR CHINA TO TAKE A CERTAIN ACTION. THAT WILL ONLY MAKE THINGS MORE DIFFICULT.
- YOU HAVE SEEN ALREADY THAT OUR DOORS ARE OPEN. IT IS IMPORTANT THAT YOUR DOORS BE OPEN TOO.
- I ALSO EXPECT THAT AMBASSADOR LILLEY WILL BE ABLE TO WORK EFFECTIVELY IN CHINA.

~~SECRET~~

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~~SECRET~~

POINTS TO BE MADE FOR MEETING WITH
CHINA'S AMBASSADOR ZHU QIZHEN

- Welcome. I understand we may have a credential ceremony for you relatively early.
- You have heard my views before on the U.S. relationship with China. Let me repeat them personally to you.
- I consider U.S.-China relations very important, and I want to protect as much of the relationship as possible. At the same time, what happened around Tiananmen Square could not be ignored.
- What I want to do is find a way to put our relations back on a positive track.
- Unfortunately, from your perspective, the Congressional sanctions legislation passed by both houses last summer is in the final stages of becoming law.
- Up to this point, I have been cautious in statements about policy toward China in order not to stir up stronger legislative proposals.
- I oppose legislation of this type, but I recognize that it has been drafted to conform to existing Administration policy. I would be hard-pressed to veto it and cannot tell you that I will veto it. There is a national interest waiver in the legislation that I fully appreciate.

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PER E.O. 13526

2009-1033-MR
4/1/2014 MM

- I view the end of the legislative process not as the beginning of a new round of recriminations between our two countries, but as the point at which we can start rebuilding the relationship -- if China is willing to cooperate.
- I hope China can take some steps to help this difficult process of rebuilding. You know what might be done.
- I will not publicly make demands for China to take a certain action. That will only make things more difficult.
- You have seen already that our doors are open. It is important that your doors be open too.
- I also expect that Ambassador Lilley will be able to work effectively in China.

PARTICIPANTS

U.S.

The President

The Vice President

John Sununu, Chief of Staff

Brent Scowcroft,

Assistant to the President for National Security Affairs

Robert M. Gates, Assistant to the President and Deputy for

National Security Affairs

Karl Jackson, Senior Director for Asian Affairs, NSC

PRC

Zhu Qizhen, PRC Ambassador to the U.S.

Chen Mingming, Interpreter

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02e. Report	Re: Biography (1 pp.)	5/10/89	(b)(1)	S

Collection:

Record Group: Bush Presidential Records
Office: Scowcroft, Brent, Collection
Series: China Chronological Files
Subseries: Tiananmen Files
WHORM Cat.:
File Location: China: Tiananmen (October - December 1989)

Date Closed: 5/1/2009	OA/ID Number: 91132-002
FOIA/SYS Case #: 2009-0275-S	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P-1 National Security Classified Information [(a)(1) of the PRA]
 P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
 P-3 Release would violate a Federal statute [(a)(3) of the PRA]
 P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
 P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
 P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

(b)(1) National security classified information [(b)(1) of the FOIA]
 (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
 (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
 (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
 (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
 (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
 (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
 (b)(9) Release would disclose geological or geophysical information

REQUEST FOR APPOINTMENTS

Florence

To: Officer-in-charge
Appointments Center
Room 060, DEOB

Please admit the following appointments on October 26, 19 89

for THE PRESIDENT of White House
(NAME OF PERSON TO BE VISITED) (AGENCY)

ZHU Qizhen
DOB: 12/19/27
PRC Ambassador to the U.S.

CHEN Mingming
DOB: 8/18/50
Interpreter, PRC Embassy

Driver of Vehicle who will enter via SW Gate and who will stay
with vehicle:

ZHANG, Qingwang
DOB: 3/5/43

License of vehicle: DCY 001.

NOTE: LAST NAME I.

*Per J. J. Jeffers
Florence Gantt has
already seen this.
Just keep w/ file.
TX, me*

MEETING LOCATION

Building White House

Room No Oval Office

Time of Meeting 7:30 a.m.

Requested by Douglas Paal

Room No. 493 Telephone 5746

Date of request October 25, 1989

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NSC/S PROFILE

RECORD ID: 8909494
RECEIVED: 25 NOV 89 14

TO: SCOWCROFT

FROM: PAAL

DOC DATE: 25 NOV 89
SOURCE REF:

KEYWORDS: CHINA P R

IMMIGRATION

CHRON FILE

PERSONS:

SUBJECT: PELOSI BILL HR-2712 / IMMIGRATION RELIEF FOR CHINESE STUDENTS

ACTION: NOTED BY PRESIDENT DUE DATE: 29 NOV 89 STATUS: C

STAFF OFFICER: PAAL

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

JACKSON
PAAL

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By Cap NARA, Date 5/1/09

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSMEN

CLOSED BY: NSDGR

DOC 1 OF 1

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ACTION DATA SUMMARY REPORT

RECORD ID: 8909494

DOC ACTION OFFICER

001 SCOWCROFT
001

CAO ASSIGNED ACTION REQUIRED

Z 89112710 FWD TO PRES FOR INFORMATION
X 89121614 NOTED BY PRESIDENT

DECLASSIFIED
White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By Cap NARA, Date 5/1/09

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DECLASSIFIED
PER E.O. 13526

2010-2788-MR
2/18/2014 MM

THE WHITE HOUSE
WASHINGTON

November 27, 1989

710N

1530 NOV 27 PM 6:55

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: BRENT SCOWCROFT 

SUBJECT: The Pelosi Bill, H.R. 2712: Immigration Relief
for Chinese Students

You asked for more information on the Pelosi Bill (text at Tab A). This memorandum presents a summary of the pros and cons of vetoing the bill.

Pros

- You have the authority -- and have already exercised it -- to permit Chinese students to extend their stays in the United States until the situation in China improves. INS has also liberally granted work permits for officially-sponsored students to support themselves. The Pelosi Bill will not materially improve the students' situation.
- The Pelosi legislation represents additional Congressional micromanagement of foreign policy and reduces your flexibility.
- To be honest, many of the students never intended to return to China and are looking at this legislation and the situation in China as an opportunity to obtain a green card and stay permanently. This is contrary to longstanding U.S. policy of encouraging the students to return to China as a force for modernization and political reform.
- It is also unnecessary to act to protect the politically endangered. Chinese who feel at risk because of their political activities have received sympathetic review of their asylum requests, and over 300 asylum cases have been approved since June.
- As a matter of principle, the U.S. should not unilaterally suspend formal arrangements with foreign governments, such as the J-1 visa.

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Declassify on: OADR

cc Vice President
Chief of Staff

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- In making clear that it will retaliate against future student and Fulbright exchanges as well as against the Peace Corps if you do not veto the Pelosi Bill, Beijing is threatening to deny us the access and influence we have long sought deeper into Chinese society. By doing so publicly, the Chinese have made a tactical mistake in reducing your flexibility. Nevertheless, we should note that implicit in China's demarche on Pelosi is a willingness to go ahead with those exchanges and with the Peace Corps -- a surprising signal from the Chinese and one the hardliners have strongly resisted making.
- More conjecturally, the Chinese have been picking and choosing among the various anti-China bills for the one they wish to be seen as most opposing. They let your veto over UNFPA funds for abortion in China pass unnoticed, did not lobby hard for a veto of the omnibus sanctions amendment to the State Authorization Bill (expecting it to be veto-proof and recognizing the "national interest" waiver), and did not protest your signing a bill with an amendment against Chinese launches of U.S.-built satellites. Rather, the Chinese focused on Pelosi, possibly believing it is the one bill you can most easily veto. In other words, their selective emphasis on Pelosi may be intended as a constructive effort in rebuilding U.S.-China relations.
- In discussions with the State Department, Congressmen have not played up concerns about Chinese who seek U.S. protection from forced abortion, another component of the Pelosi Bill.
- Finally, the Chinese government and people have set great store by their access to U.S. educational institutions as a key to modernization and keeping China's door open. Different Chinese give different answers to the question: should the U.S. freeze out the current regime in the expectation that the P.R.C. will accept U.S. terms eventually? The students want the U.S. to join them in manning the barricades. Older scholars and officials say that now is the time incrementally to start rebuilding ties, because change does not come that fast in China and, moreover, the U.S. should not get caught up in the next Chinese civil war. Ambassador Lilley has recommended a veto of Pelosi in the interest of modestly rebuilding ties.

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Cons

- The Pelosi Bill passed the House 403 - 0. If the mood of Congress does not improve toward China in the next six to eight weeks, your veto might be overridden.
- The Chinese students are well-organized, smart and attractive. There are plans to protest against a veto by declaring a hunger strike with maximum publicity. The students seem to be divided so far over whether to begin the strike.
- Proponents of Pelosi argue that the geriatric leadership in China will not last long. Some predict that a transformation similar to that in East Europe is just around the corner in China. The U.S., in this view, should not align itself, through a veto of Pelosi, with a dying regime.
- In response to those who say that signing Pelosi will ruin the chances for future scholars to have the advantages of current students here, Pelosi supporters argue that in its current frame of mind, Beijing will only send the most "reliable" students to the U.S.
- Chinese students argue that under current INS guidelines, to take advantage of your policy of sympathetic review of their visa status, they must "make a declaration against our country." (Implicitly, the students seek to have the U.S. government bear the responsibility when they overstay their time of study abroad. They have not shown how the Chinese government would see their failure to return to China, whether under Pelosi or under your "sympathetic review," as any less objectionable.)
- Language in the legislation on abortion practices in China, which not emphasized so far, is not inconsistent with your veto of funds for UNFPA.

Attachment
Tab A Pelosi Bill

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H.R. 2712 ("Pelosi Bill")

A bill to facilitate the adjustment or change of status of Chinese nationals in the United States by waiving the 2-year foreign residence requirement for "J" nonimmigrants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Emergency Chinese Immigration Relief Act of 1989."

SEC. 2. STATUS OF CERTAIN NATIONALS OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) WAIVER OF FOREIGN RESIDENCE REQUIREMENT FOR "J" NONIMMIGRANTS.--The 2-year home country residence and physical presence period requirement under section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)) is hereby waived in the case of any national of the People's Republic of China (in this Act referred to as "China") if--

(1) the alien is present in the United States on the date of the enactment of this Act (or who would have been present in the United States but for a brief, casual, and innocent departure from the United States),

(2) the alien would otherwise be subject to that 2-year home residence requirement because of having had the status of a nonimmigrant described in section 101(a)(15)(J) of such Act (8 U.S.C. 1101(a)(15)(J)), and

(3) not later than 4 years after the date of the enactment of this Act, the alien files a nonfrivolous application for adjustment or any change of status under section 245 or 248 of such Act (8 U.S.C. 1255, 1258).

(b) PRESUMPTION OF CONTINUOUS RESIDENCE FOR CERTAIN PRC NATIONALS.--For purposes of any adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1225) or any change of status under section 248 of such Act (8 U.S.C. 1258) in the case of an alien who is a national of China and who, as of June 5, 1989, was present in the United States in the lawful status of a nonimmigrant (or who would have been present in the United States in that status but for a brief, casual, and innocent departure from the United States), such an alien shall be considered as having continued to maintain lawful status as such a nonimmigrant (and to have maintained continuously in a lawful status) for the period described in subsection (d).

(a) IN GENERAL.--With respect to the adjudication of all applications for asylum, withholding of deportation, or refugee status from nationals of China filed before, on, or after the date of the enactment of this Act, careful consideration shall be given to such an applicant who expresses a fear of persecution upon return to China related to China's "one couple, one child" family planning policy. If the applicant establishes that such applicant has refused to abort or be sterilized, such applicant shall be considered to have established a well-founded fear of persecution, if returned to China, on the basis of political opinion consistent with paragraph (42)(A) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

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9494

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

November 25, 1989

ACTION

MEMORANDUM FOR BRENT SCOWCROFT

FROM: DOUGLAS PAAL 

SUBJECT: The Pelosi Bill, H.R. 2712: Immigration Relief
for Chinese Students

At Tab I is the memorandum on the Pelosi Bill for the President
that you requested.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments:

Tab I Scowcroft/President memo
Tab A Pelosi Bill

~~CONFIDENTIAL~~

DECL: OADR

~~CONFIDENTIAL~~

DECLASSIFIED
White House Guidelines
E.O. 13526, SEC 3.4 (b), September 11, 2006
By 21 NARA, Date 4/20/11