

Filipino immigration issue

8/26/45 Nationality Act of 1940 as amended allowing Filipino veterans to apply for US citizenship - withdrew 9/26/45

Oct 1946 Naturalization resumed and continued until expiration 12/31/46 was limited to the Old Philippine Scouts

11/70 Renfrew Doctrine provided the basis for all who served with the US Armed Forces the right to naturalization

6/17/88 US SUPREME COURT (Pangilinan et al v INS) reversed Renfrew Doctrine - courts have no jurisdiction concerning naturalization - authority lies w/congress

11/29/90 Bush signs 1990 immigration Act providing a 3 year window to apply for US citizenship

ADDITIONAL ISSUE

AMERASIANS

Ramos in 11/1993 W.H. press conference raised issue as close to his heart. Pearl S Buck Foundation working

S111 Amerasian Immigration Act introduced by Inouye (?)

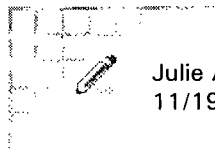
WANTS

Naturalization of Filipinos fathered by US citizens Born in the Philippines after 1950 and before 11/24/92 or born in Japan after 1950 and before date of enactment.

Waiver of the English language requirement INA s312a) (1)

Strike the limitation on number of aliens who may be granted suspension of deportation or cancellation of removal in any FY (4000) INAs240A & s309 9c) PL104-208

Repeal Section 343 of the Illegal Reform & Immigration Responsibility Act of 1996



Julie A. Fernandes
11/19/97 02:04:17 PM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Laura Emmett/WHO/EOP
Subject: Japanese from Latin America

According to Scott Busby at NSC, the President has received a letter from a group of Congressman asking him to take steps to provide redress for people of Japanese ancestry from Latin America who were interned in the U.S. during WWII. These people were taken from Latin America, interned, sometimes traded to Japan for American prisoners of war, and often later deported.

Unclear whether they are the only group of Japanese who were interned who are not eligible for some compensation. Under the 1988 Act, only those who were citizens or legal permanent residents at the time of internment (+ those who became legal permanent residents or citizens by a special retroactive suspension of deportation procedure that ended in approximately 1952) are eligible for compensation. The total number of people who would be covered by this extension is 2000 to 3000, though it is unclear who is alive and who would file. Advocates have identified several hundred who would likely apply. In addition, there is adequate money in the fund to cover at least these several hundred.

NSC has been working the DOJ to determine whether there is some Executive action that could provide relief for these individuals. Apparently there is none. Thus, NSC wants the President to send a letter to these members stating his "commitment to work with them to reform the statute to encompass these deserving cases."

Scott did not know whether the President is actually committed to doing this. Do we know?

Is he committed to reform this?
Ask Elana.
Burger says yes.
will forward to
Potus
covered by a memo
from Burger.

Dear Howard:

Thank you for your recent letter regarding redress for individuals of Japanese ancestry from Latin America who were interned in the United States during World War II.

I agree with you that the injustice suffered by these individuals is no different from that suffered by others of Japanese ancestry who were interned during that period of time. I have had my staff and the Department of Justice explore thoroughly the possibilities of redress for these people under the Civil Liberties Act of 1988. However, the Act provides that redress is available only to those persons of Japanese ancestry who were citizens or permanent resident aliens at the time of their internment. Unfortunately, many Japanese individuals from Latin America did not have such status at that time.

Even if, as you suggest, we were to conclude that these individuals were residing in the United States under color of law during their internment, such status is insufficient to meet the requirements of the statute. Nor is it within my authority to confer the requisite status retroactively.

Nevertheless, I am committed to working with you to reform the statute to encompass these deserving cases. Thank you for bringing them to my attention.

Sincerely,

[Name/Title in Initial Caps]
[Title/Senate/House in Initial Caps]
[Organization/Position - Initial Caps]
[Address - Initial Caps]

NATIONAL SECURITY COUNCIL

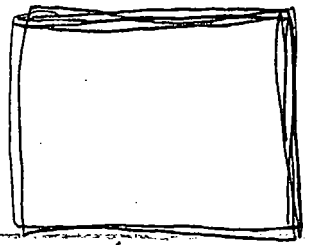
FAX COVER SHEET

***Office of Democracy, Human Rights
and Humanitarian Affairs*****NATIONAL
SECURITY
COUNCIL**17th & Penn, N.W.
Washington, D.C.
20504Did you get a complete,
clear transmission? If
not, please call:

(202) 456-9141

From: SCOTT BUSBY
To: JULIE FERNANDES
Agency:
Fax Number: 65581
Date/Time:
No. of pages to follow: 1
Message:

As discussed.



We uprooted Japanese Amer from Latin America

Traded some w/ Jap for our prisoners

We kept some

Sought to deport

Civil Lib Act of 1988 (\$ for interned)

to be eligible have to have been a citizen or permanent resident

Some under 1952 law,

retro green card to date of entry
They got compensat.

Others got green cards in other ways or never became citizens

Pushing for compensat.

Letter to Congress people

Lawsuit in federal claims court.

→ Letter from Congress for an Admin. solution
(Office of Redress Admin.)

Isn't one

Pres. ~~say~~ says he sympathizes w/ this group

Not that he can do ~~legislation~~

Support leg. to address deserving cases.

09/29/98 11:04

United States Senate

WASHINGTON, DC 20510

September 21, 1998

Dear Colleague:

We encourage you to join us in co-sponsoring the Wei Jengsheng Freedom of Conscience Act. This bill will grant lawful permanent residence to Wei Jengsheng, a writer and political philosopher, and one of the most heroic individuals the international human rights community has known.

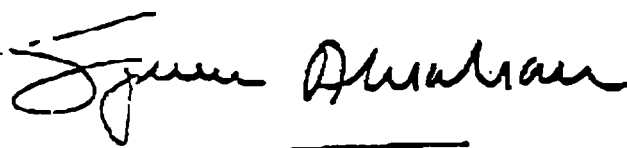
For years, Wei stood up to an oppressive Chinese government, resulting in his torture and imprisonment. In 1979 he wrote of democracy as a necessary "fifth modernization" for China. He was arrested that year for his writings and participation in the Democracy Wall movement. Chinese authorities kept him in prison until 1993. All the time, Wei advocated nonviolence and a peaceful transition to democracy. For this he was charged with "spreading counterrevolutionary propaganda."

After his release in 1994, he helped victims and the families of victims of the Tiananmen Square massacre. Yet his freedom lasted only 3 months. He was arrested again by Chinese authorities and held incommunicado for many months before finally he was charged with "attempting to overthrow the government." His ill treatment led to a deterioration of his health. In response to great international pressure, the Chinese government released Wei Jengsheng and, in effect, exiled him. He is living on a temporary visa in the U.S. and cannot return to China without facing further imprisonment.

Granting Wei permanent residence will show that America stands by those who are willing to stand up for the principles we cherish most. It will also help allow him to continue his advocacy for human rights in China.

We can send a strong signal about America's commitment to human rights, human freedom, and the dignity of the individual by passing this bill to grant Wei Jengsheng lawful permanent residence in the United States. To co-sponsor please contact Stuart Anderson at 4-6466.

Sincerely,



09/30/98 17:00 2

Mike DeWine

Chris Hatch

T. Hutchinson