

Case Number: 2015-0530-S

SYSTEMATIC MARKER

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

Original OA/ID Number: 1116				
Document ID: 9605450				
Row: 45	Section: 1	Shelf: 8	Position: 1	Stack: V

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9605450
RECEIVED: 06 AUG 96 17

TO: LOFGREN, ZOE

FROM: DANVERS

DOC DATE: 13 AUG 96
SOURCE REF:

KEYWORDS: LEGAL ISSUES
VIETNAM

IMMIGRATION
CO

PERSONS:

SUBJECT: DANVERS INTERIM RESPONSE TO REP LOFGREN ON IMMIGRATION BILLS

ACTION: DANVERS SGD LTR

DUE DATE: 09 AUG 96 STATUS: C

STAFF OFFICER: MALLEY

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

DANVERS
MALLEY
NSC CHRON
SCHWARTZ

COMMENTS:

DISPATCHED BY

JmH

DATE

8.13.96

BY HAND

W/ATTCH

OPENED BY: NSTMH

CLOSED BY: NSTMH

DOC 3 OF 3

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9605450

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 KRECZKO	Z 96080617 PREPARE MEMO FOR LAKE
001	Z 96080714 ACTION TRANSFERRED
001 MALLEY	Z 96080714 PREPARE MEMO FOR LAKE
002 BERGER	Z 96081315 FOR DECISION
002	X 96081315 BERGER APPROVED RECOM
003	X 96081315 DANVERS SGD LTR

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003 960813 LOFGREN, ZOE

UNCLASSIFIED

National Security Council
The White House

Rec'd 8/12
4:15pm

PROOFED BY: _____ LOG # 5450
URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT
BYPASSED WW DESK: _____ DOCLOG de A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
Harmon	_____	_____	_____
Dohse	<u>1</u>	<u>D</u>	_____
Sens	_____	_____	_____
Soderberg	_____	_____	_____
Berger	<u>2</u>	<u>W</u>	_____
Lake	_____	_____	_____
Situation Room	_____	_____	_____
West Wing Desk	<u>3</u>	<u>JMH 8.12</u>	<u>D</u>
Records Mgt.	<u>5</u>	<u>JMH 8.13</u>	<u>D N</u>
<u>Danvers</u>	<u>4</u>	_____	<u>For Sig.</u>
_____	_____	_____	_____

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

CC:

COMMENTS:

*Interim Response
to Rep Loggren*

Exec Sec Office has diskette

Yes

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9605450
RECEIVED: 06 AUG 96 17

TO: PRESIDENT

FROM: LOFGREN, ZOE
MORAN, JAMES P
BAKER, BILL

DOC DATE: 01 AUG 96
SOURCE REF:

KEYWORDS: LEGAL ISSUES
VIETNAM

IMMIGRATION
CO

PERSONS:

SUBJECT: URGING PRES NOT SUPPORT LEGISLATION DEALING W/ IMMIGRATION & VISAS
RE VIETNAM

ACTION: PREPARE MEMO FOR LAKE

DUE DATE: 09 AUG 96 STATUS: S

STAFF OFFICER: KRECZKO

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
KRECZKO

Malley

FOR CONCURRENCE

DANVERS
KRISTOFF

~~MALLEY~~

Kreczko

FOR INFO

BRAINARD, L
CLARKE
HARMON
LORIN
SCHWARTZ
SENS
SESTAK

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTMH

CLOSED BY:

DOC 1 OF 1

UNCLASSIFIED

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

August 13, 1996

Dear Representative Lofgren:

The President has received your letter regarding the visa-related provision of the House and Senate immigration bills. He will be responding shortly.

Thank you for your interest in this matter.

Sincerely,



William C. Danvers
Special Assistant to the President
and Senior Director for
Legislative Affairs

The Honorable Zoe Lofgren
House of Representatives
Washington, D.C. 20515

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

5450

August 9, 1996

ACTION

MEMORANDUM FOR **SANDY BERGER**
~~BILL DANVERS~~
THROUGH: ERIC SCHWARTZ *ES*
FROM: ROB MALLEY *RM*
SUBJECT: Interim Response to Representative Lofgren Letter
on Immigration Bills

Representative Lofgren and other members of congress wrote to the President concerning the visa related provision of the House and Senate immigration bills. The Administration's policy on this matter currently is under inter-agency review. We are anticipating a resolution shortly.

Attached is an interim response from you to Representative Lofgren. It would be followed by a letter from the President once a decision has been reached.

RECOMMENDATION

authorize Bill Danvers to
That you [^]sign the attached letter to Representative Lofgren at Tab A.

Approved *RM* Disapproved _____

Attachments

Tab A Proposed Response
Tab B Incoming Correspondence

THE WHITE HOUSE
WASHINGTON

5450

August 5, 1996

MEMORANDUM FOR ANDREW SENS

FROM: SUSAN BROPHY

SUBJECT: PRESIDENTIAL CORRESPONDENCE

Attached are copies of correspondence sent to the White House from members of Congress. Since these letters relate to national security issues, I would appreciate your assistance in drafting responses.

Thank you very much for your assistance. If you have any questions, please feel free to call Chris Walker at x67500.

The following is a brief description of each letter:

- 1) Senator Jesse Helms (R-NC), concerning Russian arms control policy, BDA and CWC;
- 2) Rep. Patricia Schroeder (D-CO), concerning the extradition of Jimmy Smyth;
- 3) Rep. Sherwood Boehlert (R-NY), concerning Canadian softwood lumber imports;
- 4) Speaker Newt Gingrich (R-GA), Senate Majority Leader Trent Lott (R-MS) and House Majority Leader Dick Armey (R-TX), concerning anti-terrorism funding;
- 5) Speaker Newt Gingrich (R-GA) and Senate Majority Leader Trent Lott (R-MS), concerning the Iran and Libya Sanctions Act of 1996;
- 6) Rep. Zoe Lofgren (D-CA), Rep. James P. Moran, Jr. (D-VA), et al., concerning visa processing procedures in the immigration bill;
- 7) Rep. Dan Burton (R-IN), Rep. Andy Jacobs (D-IN), and Rep. Bob Ney (R-OH), concerning the "Aviation Security Improvement Act of 1996;"
- 8) Rep. Robert K. Dornan (R-CA), Rep. Bill Baker (R-CA), et al., concerning nominating Lady Margaret Thatcher for U.N. Secretary General.

Enclosures

Congress of the United States**House of Representatives**

Washington, DC 20515

96 AUG 5 10:19

August 1, 1996

The Honorable William J. Clinton
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

We have recently become aware of provisions in the House and Senate immigration bills that are of great concern to us and many of our Colleagues. Section 803(a) of the House-passed bill and section 172 of the Senate bill have the innocuous title of "Authority to Determine Visa Processing Procedures," but their primary purpose and effect would be to overturn a Federal court decision, Legal Assistance to Vietnamese Asylum Seekers (LAVAS) v. Department of State, 45 F.3d 469 (D.C. Cir. 1995), which protects legal immigrants from discrimination in the visa application process based on their race, gender, or nationality. Specifically, these provisions would force many visa applicants to return to their native countries, which they have often fled to escape oppression and persecution, in order to process their applications. These visas are already approved by the INS and are immediately available to them, and could easily be processed in the safe third country in which they are already present.

The Immigration and Nationality Act (INA §202(a)(1)) currently prohibits discrimination in visa processing on the basis of race, sex, nationality, place of residence, or birth. However, as currently drafted, House section 803(a) and Senate section 172 would amend the INA to permit such discrimination with respect to the procedures and location for processing visa applications. Therefore, if either of these provisions were enacted, consular officials would be empowered to require certain applicants to return to their country of origin for processing of their visas, while permitting others to be processed where they are physically present. Furthermore, these determinations could be based on the race, gender, or nationality of the applicant.

These provisions are not necessary for efficient processing of visa

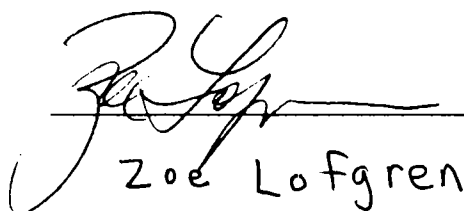
The Honorable William J. Clinton
August 1, 1996
Page 2

applications and would have an extraordinarily harsh effect on many legal immigrants who await only the formality of processing visas which have already been approved by the INS. Apparently these provisions were included in the House and Senate bills at the behest of the State Department in order to overturn the adverse result of the LAVAS decision and legalize its discriminatory policy concerning certain Vietnamese immigrants.

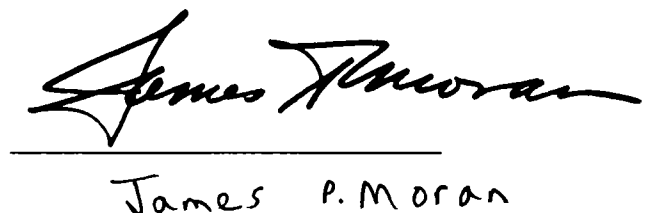
This State Department policy has had a particularly harsh impact on the Vietnamese persons with approved visa petitions outside of Vietnam. For example, monks and nuns of the An Quang sect of the Buddhist faith who should be admitted to the United States as religious workers for temples here are required to return to Vietnam from camps in Thailand in order to receive their visas. The An Quang Buddhists have been particularly singled out for persecution in Vietnam and thus the current policy has the effect of denying them any hope of entry into the United States, because they dare not venture back to Vietnam. This also has the effect of denying American Buddhists of the vital services of these immigrants in furtherance of their religious mission.

Mr. President we bring this relatively more obscure provision to your attention because of its overwhelming importance to Vietnamese Americans, Buddhists in America, and to us. Since the State Department's policy is so clearly unwise and unfair, we strongly urge you to advise the immigration conference committee that the Administration does not support section 803(a) of the House bill and section 172 of the Senate bill, and would support a compromise that addresses the above concerns. We would be happy to provide your staff with further information or suggested compromise language upon their request.

Sincerely,



Zoe Lofgren



James P. Moran

Alvin Felt

Bert Mott

Ronald K. Johnson

Bill A. Matris

Bill Baker

Baker

Howard I. Bunn

Howard ?

Bob Henrich

Neil Abercrombie

Neil Abercrombie

Pete Stark

Stark

Vic Fazio

Vic Fazio

Paul

Henry Hyde

Henry Hyde

R. R. Dornan

Robert Dornan

Sam Farr

Sam Farr

Alcee Hastings

Alcee Hastings

George Will

Alvin R. Johnson

George S. Brown

Pat Schroeder
Pat Schroeder

Lamar Smith
Lamar Smith

Tom Luust

James Sun

Jan Campbell

Lucille Roybal-Allard
Lucille Roybal-Allard

Patsy T. Mink
Patsy T. Mink

Maxine Waters
Maxine Waters

Sheila Jackson Lee
Sheila Jackson Lee

Charles Schumer
Charles Schumer

J. Solomay

Chris Smith
Chris Smith

Melvin Watt
Melvin Watt

Barney Frank
Barney Frank

Al Rangel

Tom Lantos

Tom Lantos

Tom Lantos

Patrick Kennedy

Patrick Kennedy

Terrold Nadler

Terrold Nadler

Ed Pastor

Ed Pastor

Ed Pastor

Ed Pastor