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APPROVED
FEB 13 1976

*Signed
2/13/76*

THE WHITE HOUSE
WASHINGTON
February 10, 1976

ACTION
Last Day: February 14

*Posted
4/13
J. Archives
2/13*

MEMORANDUM FOR
FROM:
SUBJECT:

THE PRESIDENT
JIM CANNON *(initials)*

Enrolled Bills
H.R. 1399 - Relief of Maria Del
Carmen Alvarado Martinez
H.R. 1758 - Relief of Terrence
Jarome Caguiat
H.R. 4939 - Relief of Manuel Bonotan
H.R. 5750 - Relief of Chu Wol Kim
H.R. 8451 - Relief of Jung Shik Yang
H.R. 8907 - Relief of Yong Won Lee

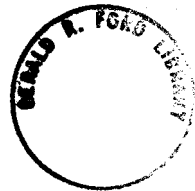
Attached for your consideration are the above referenced enrolled bills, all which would authorize preferential treatment under the Immigration and Nationality Act for the admission of alien children into the United States for adoption purposes.

An explanation of each of the enrolled bills is provided in OMB's enrolled bill report at Tab A.

OMB, NSC, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bills.

RECOMMENDATION

That you sign the enrolled bills at Tabs B through G.





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
Sponsor - Rep. Hastings (R) New York
- (2) H.R. 1758 - Relief of Terrence Jarome Caguiat
Sponsor - Rep. Mink (D) Hawaii
- (3) H.R. 4939 - Relief of Manuel Bonotan
Sponsor - Rep. Leggett (D) California
- (4) H.R. 5750 - Relief of Chu Wol Kim
Sponsor - Rep. Bergland (D) Minnesota
- (5) H.R. 8451 - Relief of Jung Shik Yang
Sponsor - Rep. McHugh (D) New York
- (6) H.R. 8907 - Relief of Yong Won Lee
Sponsor - Rep. Cleveland (R) New Hampshire

Last Day for Action

February 14, 1976 - Saturday

Purpose

To authorize preferential treatment under the Immigration and Nationality Act for the admission of certain alien children into the United States for adoption purposes.

Agency Recommendations

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

Discussion

Summary of Legislation

These bills facilitate the immigration of children to the U.S.

for adoption purposes. In each case, the beneficiary children are barred from being accorded preferential treatment under various provisions of the Immigration and Nationality Act dealing with eligibility for classification as immediate relative children of petitioning adopting parents. If certain conditions of that Act are not waived, these children would be chargeable to the nonpreference foreign State limitation of Eastern Hemisphere countries, and, consequently, their admission into the United States for permanent residence could be delayed for years.

Each of the enrolled bills would authorize the classification of each alien child, respectively, as an immediate relative child and permit the approval of immigration visa petitions filed by the adopted or prospective adopting parents. Upon approval of such petitions, the children would be admitted to the United States for permanent residence. In addition, the natural parents and siblings of the beneficiaries are declared ineligible for similar preferential treatment for immigration to the United States

H.R. 1399 - Maria Del Carmen Alvarado Martinez

The beneficiary is a 1 1/2 year old Mexican girl, who was paroled into the United States in October 1975 and now resides in Elmira, New York with her prospective adopting parents, Mr. and Mrs. John Stein, a U.S. citizen and permanent resident alien, respectively. Her natural parents and siblings live in Mexico. Mrs. Stein is the sister of the child's mother, and she and Mr. Stein wish to adopt their niece because they are unable to have any children of their own. Because her parents are living, the beneficiary does not qualify for immediate relative status as a child under the Immigration and Nationality Act.

H.R. 1758 - Terrence Jarome Caguiat

The beneficiary is a 3-year old Filipino boy, who is the adopted son of Mr. and Mrs. Romeo Caguiat of Honolulu, Hawaii, a naturalized U.S. citizen and a permanent resident alien, respectively -- Mr. Caguiat is the boy's natural uncle. Although his natural parents are living, Terrence currently lives with his maternal grandmother in the Philippines, and is supported by the Caguiats, who adopted him in the Philippines on July 11, 1973. The beneficiary does not qualify for immediate relative child status under the Immigration and Nationality Act because his natural parents are living.

H.R. 4939 - Manuel Bonotan

The beneficiary is a 12 year old Filipino boy, who is living in the Philippines with his natural parents and two sisters. He was adopted in the Philippines on June 5, 1970, by Mr. and Mrs. Paulino Bonotan of Vallejo, California, a U.S. citizen and permanent resident alien, respectively. Manuel is the nephew of Mrs. Bonotan. Mr. and Mrs. Bonotan adopted Manuel because they are unable to have children and because the child's natural parents are poor. Because Manuel was not in the legal custody of Mr. and Mrs. Bonotan for two years after the adoption, he is ineligible for preferential treatment as an immediate relative under the Immigration and Nationality Act, notwithstanding the validity of his adopted status.

H.R. 5750 - Chu Wol Kim

The beneficiary is a two year old Korean orphan girl currently living with a foster family in that country. Her natural parents are unknown. She will be adopted upon her admission into the United States by Mr. and Mrs. Ralph Solem, both U.S. citizens, residing in Oslo, Minnesota. Mr. and Mrs. Solem already have four children, two of their own and two adopted Canadian-born children. The Immigration and Nationality Act normally limits approval of visa petitions for the prospective adoption of alien children to two per petitioner. Because the Solem's have had two such petitions approved for the Canadian-born orphans, they are ineligible to similarly petition in behalf of Chu Wol Kim.

H.R. 8451 - Jung Shik Yang

The beneficiary is a one year old Korean girl currently living in an orphanage in Seoul. Her natural parents are unknown and she is coming to the United States for adoption by Mr. and Mrs. Herbert Barth Ray of Binghamton, New York. Mr. and Mrs. Ray already have four young children, two of whom are adopted Korean orphans. The Immigration and Nationality Act normally limits the number of immediate relative immigration visa petitions for the adoption of alien children to two per petitioner. Because the Rays have had two such petitions approved for their adopted Korean children, they are ineligible to similarly petition on behalf of Jung Shik Yang.

H.R. 8907 - Yong Won Lee

The beneficiary is a 4-year old Korean boy living in an orphanage in Seoul. His natural parents abandoned him at birth. Upon admission into the United States, he will be adopted by Mr. and Mrs. Melvin Haas, both U.S. citizens, residing in Cabin John, Maryland. Mr. and Mrs. Haas have no natural children and

have already adopted three alien children, two of whom are siblings. The Immigration and Nationality Act normally limits approval of immediate relative immigration visa petitions for the adoption of alien children to two per petitioner. Inasmuch as Mr. and Mrs. Haas have already had at least two such petitions approved, they are ineligible to file an immediate relative visa petition in behalf of Yong Won Lee.

James M. Frey
Assistant Director
for Legislative Reference

Enclosures



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

FEB 9 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
Sponsor - Rep. Hastings (R) New York
- (2) H.R. 1758 - Relief of Terrence Jarome Caguiat
Sponsor - Rep. Mink (D) Hawaii
- (3) H.R. 4939 - Relief of Manuel Bonotan
Sponsor - Rep. Leggett (D) California
- (4) H.R. 5750 - Relief of Chu Wol Kim
Sponsor - Rep. Bergland (D) Minnesota
- (5) H.R. 8451 - Relief of Jung Shik Yang
Sponsor - Rep. McHugh (D) New York
- (6) H.R. 8907 - Relief of Yong Won Lee
Sponsor - Rep. Cleveland (R) New Hampshire

Last Day for Action

February 14, 1976 - Saturday

Purpose

To authorize preferential treatment under the Immigration and Nationality Act for the admission of certain alien children into the United States for adoption purposes.

Agency Recommendations

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

Discussion

Summary of Legislation

These bills facilitate the immigration of children to the U.S.

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

PLEASE ADDRESS REPLY TO

Washington 25, D.C.

OFFICE OF THE COMMISSIONER

5 FEB 1976

AND REFER TO THIS FILE NO.

A20 028 972

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H. R. 4939 ; Office of Management
and Budget request dated February 3, 1976

Beneficiary or Beneficiaries Manuel Bonotan

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



DEPARTMENT OF STATE

Washington, D.C. 20520

4 = FEB 1976

Honorable James T. Lynn
Director, Office of
Management and Budget
Washington, D.C. 20503

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of February 3, 1976, transmitting for comment enrolled bills H.R. 1399, "For the relief of Maria Del Carmen Alvarado Martinez", and H.R. 4939, "For the relief of Manuel Bonton".

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

Sincerely,

Robert J. McCloskey
Assistant Secretary for
Congressional Relations



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

FEB 9 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- ✓(1) H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
Sponsor - Rep. Hastings (R) New York
- ✓(2) H.R. 1758 - Relief of Terrence Jarome Caguiat
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- ✓(3) H.R. 4939 - Relief of Manuel Bonotan
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Sponsor - Rep. Bergland (D) Minnesota
- ✓(5) H.R. 8451 - Relief of Jung Shik Yang
Sponsor - Rep. McHugh (D) New York
- ✓(6) H.R. 8907 - Relief of Yong Won Lee
Sponsor - Rep. Cleveland (R) New Hampshire

Last Day for Action

February 14, 1976 - Saturday

Purpose

To authorize preferential treatment under the Immigration and Nationality Act for the admission of certain alien children into the United States for adoption purposes.

Agency Recommendations

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

Discussion

Summary of Legislation

These bills facilitate the immigration of children to the U.S.



To -
J. Casanova
2-9-76

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: February 9

Time: 745pm

FOR ACTION: Dick Parsons *sk*
 NSC/S *sk*
 Max Friedersdorf
 Ken Lazarus *sk*

cc (for information): Jack Marsh
 Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: February 11

Time: 200pm

SUBJECT:

Enrolled Bill:

- H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
- H.R. 1758 - Relief of Terrence Jarome Caquiat
- H.R. 4939 - Relief of Manuel Bonotan
- H.R. 5750 - Relief of Chu Wol Kim
- H.R. 8451 - Relief of Jung Shik Yang
- H.R. 8907 - Relief of Yong Won Lee

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.:

Date: February 9

Time: 745pm

FOR ACTION: Dick Parsons
NSC/S
Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: February 11

Time: 200pm

SUBJECT:

Enrolled Bill:

H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez

H.R. 1758 - Relief of Terrence Jarome Caquiat

H.R. 4939 - Relief of Manuel Bonotan

H.R. 5750 - Relief of Chu Wol Kim

ACTION REQUESTED: H.R. 8451 - Relief of Jung Shik Yang

H.R. 8907 - Relief of Yong Won Lee

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Approval of all. [Signature]

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.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

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Date: February 9

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Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: February 11

Time: 200pm

SUBJECT:

Enrolled Bill:

H.R. 1399 - Relief of Maria Del Carmen
Alvarado MartinezH.R. 1758 - Relief of Terrence Jarome
Caquiat

H.R. 4939 - Relief of Manuel Bonotan

H.R. 5750 - Relief of Chu Wol Kim

ACTION REQUESTED: H.R. 8451 - Relief of Jung Shik Yang

H.R. 8907 - Relief of Yong Won Lee

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply

x

 For Your Comments Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 2/10/76

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.

THE WHITE HOUSE

WASHINGTON

February 11, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M. L.*
SUBJECT: Enrolled Bills H. R. 1399, H. R. 1758, H. R. 4939
H. R. 5750, H. R. 8451 and H. R. 8907

The Office of Legislative Affairs concurs with the agencies
that the subject bills be signed.

Attachments



NATIONAL SECURITY COUNCIL

February 10, 1976

MEMORANDUM FOR: JAMES CAVANAUGH

FROM: *for* Jeanne W. Davis *AKH*

SUBJECT: Enrolled Bills: H. R. 1399
H. R. 1758, H. R. 4939, H. R. 5750
H. R. 8451 and H. R. 8907

The NSC Staff concurs in Enrolled Bills, H. R. 1399 - Relief of Maria Del Carmen Alvarado Martinez; H. R. 1758 - Relief of Terrence Jarome Caquiat; H. R. 4939 - Relief of Manuel Bonotan; H. R. 5750 - Relief of Chu Wol Kim; H. R. 8451 - Relief of Jung Shik Yang; and H. R. 8907 - Relief of Yong Won Lee.

MANUEL BONOTAN

JANUARY 30, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 4939]

The Committee on the Judiciary, to which was referred the bill (H.R. 4939), for the relief of Manuel Bonotan, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States as an immediate relative of the child adopted by a citizen of the United States and a lawfully resident alien.

STATEMENT OF FACTS

The beneficiary of the bill is an eleven-year-old native and citizen of the Philippines, who currently resides there with his natural parents. The beneficiary was adopted on June 5, 1970 in the Philippines by Paulino and Querina Bonotan, a citizen of the United States, and a lawfully resident alien, respectively. Mrs. Bonotan is the beneficiary's aunt.

A letter, with attached memorandum, dated April 18, 1974 to the Chairman of the Committee on the Judiciary of the House of Representatives from the Commissioner of Immigration and Naturalization refers to H.R. 11934, a similar bill which was favorably reported to the House in the ninety-third Congress. The information reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D.C., April 18, 1974.

A20 028 972.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 11934) for the relief of Manuel Bonotan, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the 10-year-old adopted son of Palino and Querina Bonotan, citizens of the United States, may be classified as a child and granted immediate relative status. The bill further provides that the natural parents or 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.

Absent enactment of the bill, the beneficiary, a native of the Philippines, would be chargeable to the nonpreference portion of the numerical limitation for immigrants and conditional entrants from countries in the Eastern Hemisphere.

Sincerely,

L. F. CHAPMAN, Jr.,
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICES FILES RE H.R. 11934

Information concerning this case was obtained from the interested parties, whose names are correctly spelled Paulino and Querina Bonotan.

The beneficiary, whose name is correctly spelled Manuel Bonotan, who was formerly known as Manuel Bernil, a native and citizen of the Philippines, was born on February 1, 1964. He lives with his natural parents and two sisters in Madua Norte, Duero, Bohol, Philippines. He was adopted by Paulino and Querina Bonotan in the Municipal Court of Duero, Bohol, Republic of the Philippines, on June 5, 1970. The beneficiary is the nephew of Mrs. Bonotan. The beneficiary's cousin, Porfiria Olario, was adopted by the interested parties at the same adoption hearing.

Mr. Paulino Bonotan was born in Pintuyan, Leyte, Philippines on August 25, 1910. He was admitted to the United States as a national in February 1930 and never returned to the Philippines. He acquired United States citizenship by naturalization on March 17, 1947, at San Francisco, California. He married Querina Olario on December 27, 1967 at Benicia, California. Neither was previously married. Mr. Bonotan served in the United States Navy from July 1942 to December 1945. He worked as a civilian employee at the United States Naval Shipyard in Vallejo, California from 1945 to February 1974 when he retired. He receives \$476 a month in retirement pay. He and his wife own two auto-

S.R. 611

mobiles, household furnishings valued at \$31,000 in savings. Mr. Bonotan's parents are deceased and he has one sister who resides in the Philippines.

Mrs. Querina Bonotan was born in Duero, Bohol, Philippines on March 30, 1937. She was admitted to the United States as a permanent resident on October 16, 1967, at San Francisco, California. She returned to the Philippines for one month vacations in the summers of 1970, 1972 and 1973. She is employed as a registered nurse at a Vallejo, California hospital at a salary of \$11,000 a year. In addition to the assets she shares with her husband, she owns family real estate property in the Philippines which is valued at \$10,000 and for which she receives an income of approximately \$1,000 a year. Her parents are deceased and her one brother and one sister reside in the Philippines.

The interested parties stated that they adopted the beneficiary because they are childless and because his parents were in poor financial condition. Their plans are to raise and educate the beneficiary as their own child and make him their heir.

Querina Bonotan stated that while she was visiting her relatives in the Philippines in the summer of 1970 she filed a petition to adopt a niece, Porfiria Olario, and a nephew, who is the beneficiary. Her vacation terminated and she was required to return to the United States before the adoption procedures were finalized but she was represented at the adoption hearing by her brother. After the adoption was completed, Mrs. Bonotan filed visa petitions on behalf of the beneficiary and their other adopted child to grant them immediate relative status. The niece's visa petition was denied because she was over 14 years of age when she was adopted and the beneficiary's visa petition was denied because he had not been in the legal custody of the interested parties for two years after the adoption. Mrs. Bonotan did not refile a visa petition for the niece. A second visa petition filed on behalf of the beneficiary was erroneously approved on November 9, 1972 and forwarded to the American Consul in Manila. The consul declined to issue a visa because the two year residence requirement had not yet been met. The visa petition was retrieved from the American Consul and on March 14, 1974 was revoked.

A report dated August 21, 1974 to the Chairman of the Committee on the Judiciary of the House of Representatives from the then Assistant Secretary for Congressional Relations, Department of State, with reference to H.R. 11934 reads as follows:

DEPARTMENT OF STATE,
Washington, D.C., August 21, 1974.

Hon. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In reference to your request for a report concerning the case of Manuel Bonton beneficiary of H.R. 11934, 93rd

S.R. 611

Congress, there is enclosed a memorandum of information concerning the beneficiary. This memorandum has been submitted by the American Consulate at Cebu, Philippines, in whose consular jurisdiction the beneficiary resides.

The bill would provide for the beneficiary's classification as a child and for granting of immediate relative status upon approval of a petition filed by Palino and Querina Boroton, American citizens. It also provides that the natural parents, brothers, or sisters of the beneficiary shall not be accorded any right, privilege or status under the Immigration and Nationality Act by virtue of such relationship.

Cordially,

LINWOOD HOLTON,
Assistant Secretary for Congressional Relations.

MEMORANDUM OF INFORMATION CONCERNING H.R. 11934, 93RD
CONGRESS, FOR THE RELIEF OF MANUEL BONTON

Manuel Bonton, also known as Manuel Bonotan and Manuel O. Bernil, was born February 1, 1964 at Madua Norte, Duero, Bohol, Republic of the Philippines. He is single and presently residing at Madua Norte, Duero, Bohol with his uncle, Mr. Benedicto Olario and his uncle's wife and his natural parents, Mr. and Mrs. Buenaventura Bernil. The adopting parent, Mrs. Querina Bonotan, is a sister of the beneficiary's natural mother. Another sister of Mrs. Bonotan and sister of natural mother of beneficiary, Mrs. Agapita Olario Galia, is a resident of Vallejo, California.

The beneficiary finished Grade Three and has lived in Bohol all his life. He is chargeable to the foreign state limitation for the Philippines but is not registered as an intending immigrant.

The beneficiary underwent a medical examination on May 17, 1974 by the Consulate's panel of physicians and was found to have no defect, disease or disability.

There are attached two certified copies of the adoption decree issued by the Municipal Court of Duero, Bohol concerning the adoption of beneficiary.

Attachment: Adoption decree.

Republic of the Philippines in the Municipal Court of
Duero, Bohol

SPECIAL PROCEEDING NO. 5 FOR: ADOPTION OF MINORS

IN THE MATTER OF THE PETITION FOR ADOPTION OF THE MINORS
PORFIRA A. OLARIO AND MANUAL O. BORNIL, QUIRINA
OLARIO BONOTAN, PETITIONER

DECISION

The petitioner is of legal age, Filipino Citizen, married to Paulino M. Bonotan, and a resident of Madua Norte, Duero, Bohol, Philippines.

The hearing of this petition was held on May 21, 1970, and there was no written as well as oral or open court opposition to said petition.

The petitioner, Mrs. Quirina Olario Bonotan, in her deposition conducted by this Court testified that she is married to Mr. Paulino Bonotan who is presently residing in Vallejo, California, U.S.A., but their marriage is not blessed with any children. The petitioner neither has any natural children nor any other adopted children. Her petition for adoption is with the consent of her husband as evidenced by a letter of consent by her husband submitted to this Court and marked as Exhibit "F". The petitioner further testified to the following facts:

(a) That she has not been convicted of a crime involving moral turpitude or other similar crimes wherein the penalty imposed by law is more than six months imprisonment;

(b) That she has asked for the consent of minor Porfiria A. Olario, who is already 17 years old and the parents of the same, and likewise, the consent of the parents of minor Manuel O. Bernil;

(c) That she has not been appointed guardian of the person and property of the above named minors before she filed this petition.

The petitioner testified that she is a registered nurse by profession earning no less than ₱200.00 a month and her real as well as personal properties has an income of ₱100.00 a month. Her husband who is supporting her and who has given his consent to this adoption has an income of no less than ₱10,000.00 a year.

Pursuant to the order of this Court dated April 28, 1970, the petitioner caused to be published said order in a newspaper of general circulation (Morning Times) for three consecutive weeks.

Exhibits A, A-1, A-3, shows that the order of this Court has been complied with by the herein petitioner. Exhibit A is the affidavit of the publisher of the newspaper as to its publication and Exhibits A-1, A-2, and A-3, are precisely the issues of said paper on April 30, 1970, May 7, 1970 and May 14, 1970, which carried the publication of said order.

Exhibit B—"Consent to Adoption" executed by minor Porfiria A. Olario giving her consent to adoption; Exhibit C—"Parents Consent to Adoption" executed by the spouses Benedicto Olario and Soledad Arac Olario, natural parents of Porfiria A. Olario; and Exhibit D—"Parents Consent to Adoption" executed by the spouses Buenaventura Bernil and Eudisia O. Bernil, natural parents of minor Manuel O. Bernil.

Exhibits E and E-1 are the birth certificates of minors. Manuel Bernil and Porfiria A. Olario respectively issued by the Local Civil Register of Duero, Bohol, Philippines.

Exhibit F is the letter of consent of Mr. Paulino Bonotan, husband of the herein petitioner, giving his consent to said Petition for Adoption of the above named minors.

All evidence show that Mrs. Quirina Olario Bonotan has all the qualifications and none of the disqualifications to make the present adoption of minors Porfiria A. Olario and Manuel O. Bernil.

Premises considered, the Court renders judgment pronouncing the said minors Porfiria A. Olario and Manuel O. Bernil, the adopted children of the herein petitioner, investing and giving to said minors and until their adulthood the same rights and duties as if they were her legitimate children; divesting and dissolving from the minors' respective parents by nature, that parental authority over the said minors respectively, and making the adopted minors the legal heirs of the herein petitioner.

The Court further pronounces that the minors Porfiria A. Olario and Manuel O. Bernil shall be entitled to use the surname of their adopting parent, Quirina O. Bonotan.

Let copies of this order be furnished the Local Civil Registrar of the municipality of Duero, Province of Bohol, Philippines, and after payment of the necessary fees, to have this order registered in the civil registry.

So Ordered.

Duero, Bohol, Philippines.

[SEAL]

(Signed) ADELAIDO O. SINGCO,
Municipal Judge.

JUNE 5, 1970.

I hereby certify that the foregoing is a full, true and correct copy of the original decision in the above-entitled case, Special Proceeding No. 5, for Adoption of Minors now on file in this Office.

ADELAIDO O. SINGCO,
*Municipal Judge, Office of the Municipal Judge,
Municipal Court of Duero, Duero, Bohol, Philip-
pines.*

Congressman Robert L. Leggett, the author of the bill, submitted the following statement in support of H.R. 4939:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 25, 1975.

Hon. JOSHUA EILBERG,
*Chairman, Subcommittee on Immigration, House Judiciary Commit-
tee, Washington, D.C.*

DEAR JOSH: Thank you for your letter of April 17, regarding H.R. 4939, a bill for the relief of Manuel Bonotan.

I strongly urge the Committee to approve this bill. Mr. Bonotan's case for U.S. citizenship is, I believe, clear and unequivocal.

This bill provides that the 10-year-old adopted son of Palino and Querina Bonotan, who are U.S. citizens, may be classified as a child and granted immediate relative status. This status shall not extend in any way to Manuel Bonotan's natural relatives. Certainly an adopted

son should be entitled to the same treatment as a natural son. Your favorable action will be deeply appreciated.

Very sincerely,

ROBERT L. LEGGETT,
Member of Congress.

Senator John Tunney has also submitted information in support of this bill which reads as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, D.C., November 25, 1975.

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

DEAR MR. CHAIRMAN: I am writing to you in regard to H.R. 4939, a private immigration bill for the relief of Manuel B. Bonotan.

Manuel, a Philippine national, was adopted on Philippine territory in 1970 by his aunt, an American citizen, who vacations there but resides in the United States. Manuel was denied an immigrant visa because the Immigration and Nationality Act requires that an adopted child reside for at least two years with the adoptive parents to qualify for a visa. However, the only manner in which he could have satisfied this residency requirement would be to have his adoptive parents move to the Philippines to live with him for two years, or, alternatively, to have lived in the United States, in which case he wouldn't need a visa.

H.R. 4939 would waive this residency requirement and thereby facilitate Manuel's admission into the United States.

I would be most appreciative if you would favorably recommend H.R. 4939.

Sincerely,

JOHN V. TUNNEY,
U.S. Senator.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 4939) should be enacted.

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MANUEL BONOTAN

JULY 25, 1975.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany H.R. 4939]

The Committee on the Judiciary, to whom was referred the bill (H.R. 4939) for the relief of Manuel Bonotan, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to facilitate the admission into the United States of Manuel Bonotan.

GENERAL INFORMATION

The beneficiary is an 11-year-old native and citizen of the Philippines who resides there with his natural parents and two sisters. He was adopted by his aunt and uncle, a lawfully resident alien and a citizen of the United States, respectively, who have no natural children.

A bill for the relief of the same person was favorably reported to the House in the Ninety-third Congress and the following information is reprinted from House Report No. 93-1538:

The pertinent facts in this case are contained in a letter dated April 18, 1974 from the Commissioner of Immigration and Naturalization to the Chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D.C., April 18, 1974.

A20 028 972

Hon. PETER W. RODINO, JR.,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H.R. 11934) for the relief of Manuel Bonotan, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the 10-year-old adopted son of Palino and Querina Bonotan, citizens of the United States, may be classified as a child and granted immediate relative status. The bill further provides that the natural parents or 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.

Absent enactment of the bill, the beneficiary, a native of the Philippines, would be chargeable to the nonpreference portion of the numerical limitation for immigrants and conditional entrants from countries in the Eastern Hemisphere.

Sincerely,

D. F. CHAPMAN, JR., *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICES FILES RE H.R. 11934

Information concerning this case was obtained from the interested parties, whose names are correctly spelled Paulino and Querina Bonotan.

The beneficiary, whose name is correctly spelled Manuel Bonotan, who was formerly known as Manuel Bernil, a native and citizen of the Philippines, was born on February 1, 1964. He lives with his natural parents and two sisters in Madua Norte, Duero, Bohol, Philippines. He was adopted by Paulino and Querina Bonotan in the Municipal Court of Duero, Bohol, Republic of the Philippines, on June 5, 1970. The beneficiary is the nephew of Mrs. Bonotan. The beneficiary's cousin, Porfiria Olario, was adopted by the interested parties at the same adoption hearing.

Mr. Paulino Bonotan was born in Pintuyan, Leyte, Philippines on August 25, 1910. He was admitted to the United States as a national in February 1930 and never returned to the Philippines. He acquired United States citizenship by naturalization on March 17, 1947, at San Francisco, Cali-

fornia. He married Querina Olario on December 27, 1967 at Benicia, California. Neither was previously married. Mr. Bonotan served in the United States Navy from July 1942 to December 1945. He worked as a civilian employee at the United States Naval Shipyard in Vallejo, California from 1945 to February 1974 when he retired. He receives \$476 a month in retirement pay. He and his wife own two automobiles, household furnishings valued at \$1,500, a \$16,000 equity in a home valued at \$28,000 and \$31,000 in savings. Mr. Bonotan's parents are deceased and he has one sister who resides in the Philippines.

Mrs. Querina Bonotan was born in Duero, Bohol, Philippines on March 30, 1937. She was admitted to the United States as a permanent resident on October 16, 1967, at San Francisco, California. She returned to the Philippines for one month vacations in the summers of 1970, 1972 and 1973. She is employed as a registered nurse at a Vallejo, California hospital at a salary of \$11,000 a year. In addition to the assets she shares with her husband, she owns family real estate property in the Philippines which is valued at \$10,000 and for which she receives an income of approximately \$1,000 a year. Her parents are deceased and her one brother and one sister reside in the Philippines.

The interested parties stated that they adopted the beneficiary because they are childless and because his parents were in poor financial condition. Their plans are to raise and educate the beneficiary as their own child and make him their heir.

Querina Bonotan stated that while she was visiting her relatives in the Philippines in the summer of 1970 she filed a petition to adopt a niece, Porfiria Olario, and a nephew, who is the beneficiary. Her vacation terminated and she was required to return to the United States before the adoption procedures were finalized but she was represented at the adoption hearing by her brother. After the adoption was completed, Mrs. Bonotan filed visa petitions on behalf of the beneficiary and their other adopted child to grant them immediate relative status. The niece's visa petition was denied because she was over 14 years of age when she was adopted and the beneficiary's visa petition was denied because he had not been in the legal custody of the interested parties for two years after the adoption. Mrs. Bonotan did not refile a visa petition for the niece. A second visa petition filed on behalf of the beneficiary was erroneously approved on November 9, 1972 and forwarded to the American Consul in Manila. The consul declined to issue a visa because the two year residence requirement had not yet been met. The visa petition was retrieved from the American Consul and on March 14, 1974 was revoked.

A report from the Department of State on this legislation reads as follows:

DEPARTMENT OF STATE,
Washington, D.C., August 21, 1974.

HON. PETER W. RODINO, JR.,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In reference to your request for a report concerning the case of Manuel Bonton beneficiary of H.R. 11934, 93rd Congress, there is enclosed a memorandum of information concerning the beneficiary. This memorandum has been submitted by the American Consulate at Cebu, Philippines, in whose consular jurisdiction the beneficiary resides.

The bill would provide for the beneficiary's classification as a child and for granting of immediate relative status upon approval of a petition filed by Palino and Querina Bonotan, American citizens. It also provides that the natural parents, brothers, or sisters of the beneficiary shall not be accorded any right, privilege or status under the Immigration and Nationality Act by virtue of such relationship.

Cordially,

LINWOOD HOLTON,
Assistant Secretary for Congressional Relations.

MEMORANDUM OF INFORMATION CONCERNING H.R. 11934, 93D
CONGRESS, FOR THE RELIEF OF MANUEL BONTON

Manuel Bonton, also known as Manuel Bonotan and Manuel O. Bernil, was born February 1, 1964 at Madua Norte, Duero, Bohol, Republic of the Philippines. He is single and presently residing at Madua Norte, Duero, Bohol with his uncle, Mr. Benedicto Olario and his uncle's wife and his natural parents, Mr. and Mrs. Buenaventura Bernil. The adopting parent, Mrs. Querina Bonotan, is a sister of the beneficiary's natural mother. Another sister of Mrs. Bonotan and sister of natural mother of beneficiary, Mrs. Agapita Olario Galia, is a resident of Vallejo, California.

The beneficiary finished Grade Three and has lived in Bohol all his life. He is chargeable to the foreign state limitation for the Philippines but is not registered as an intending immigrant.

The beneficiary underwent a medical examination on May 17, 1974 by the Consulate's panel of physicians and was found to have no defect, disease or disability.

There are attached two certified copies of the adoption decree issued by the Municipal Court of Duero, Bohol concerning the adoption of beneficiary

Attachment: Adoption decree.

Republic of the Philippines in the Municipal Court of
Duero, Bohol

SPECIAL PROCEEDING NO. 5 FOR: ADOPTION OF MINORS

IN THE MATTER OF THE PETITION FOR ADOPTION OF THE MINORS
PORFIRIA A. OLARIO AND MANUEL O. BERNIL, QUIRINA
OLARIO BONOTAN, PETITIONER

DECISION

The petitioner is of legal age, Filipino Citizen, married to Paulino M. Bonotan, and a resident of Madua Norte, Duero, Bohol, Philippines.

The hearing of this petition was held on May 21, 1970, and there was no written as well as oral or open court opposition to said petition.

The petitioner, Mrs. Quirina Olario Bonotan, in her deposition conducted by this Court testified that she is married to Mr. Paulino Bonotan who is presently residing in Vallejo, California, U.S.A., but their marriage is not blessed with any children. The petitioner neither has any natural children nor any other adopted children. Her petition for adoption is with the consent of her husband as evidenced by a letter of consent by her husband submitted to this Court and marked as Exhibit "F". The petitioner further testified to the following facts:

(a) That she has not been convicted of a crime involving moral turpitude or other similar crimes wherein the penalty imposed by law is more than six months imprisonment;

(b) That she has asked for the consent of minor Porfiria A. Olario, who is already 17 years old and the parents of the same, and likewise, the consent of the parents of minor Manuel O. Bernil;

(c) That she has not been appointed guardian of the person and property of the above named minors before she filed this petition.

The petitioner testified that she is a registered nurse by profession earning no less than ₱200.00 a month and her real as well as personal properties has an income of ₱100.00 a month. Her husband who is supporting her and who has given his consent to this adoption has an income of no less than ₱10,000.00 a year.

Pursuant to the order of this Court dated April 28, 1970, the petitioner caused to be published said order in a newspaper of general circulation (Morning Times) for three consecutive weeks.

Exhibits A, A-1, A-3, shows that the order of this Court has been complied with by the herein petitioner. Exhibit A is the affidavit of the publisher of the newspaper as to its publication and Exhibits A-1, A-2, and A-3, are precisely the issues of said paper on April 30, 1970, May 7, 1970 and May 14, 1970, which carried the publication of said order.

Exhibit B—"Consent to Adoption" executed by minor Porfiria A. Olario giving her consent to adoption; Exhibit C—"Parents Consent to Adoption" executed by the spouses Benedicto Olario and Soledad Arac Olario, natural parents of Porfiria A. Olario; and Exhibit D—"Parents Consent to Adoption" executed by the spouses Buenaventura Bernil and Eudisia O. Bernil, natural parents of minor Manuel O. Bernil.

Exhibits E and E-1 are the birth certificates of minors Manuel Bernil and Porfiria A. Olario respectively issued by the Local Civil Registrar of Duero, Bohol, Philippines.

Exhibit F is the letter of consent of Mr. Paulino Bonotan, husband of the herein petitioner, giving his consent to said Petition for Adoption of the above named minors.

All evidence show that Mrs. Quirina Olario Bonotan has all the qualifications and none of the disqualification to make the present adoption of minors Porfiria A. Olario and Manuel O. Bernil.

Premises considered, the Court renders judgment pronouncing the said minors Porfiria A. Olario and Manuel O. Bernil, the adopted children of the herein petitioner, investing and giving to said minors and until their adulthood the same rights and duties as if they were her legitimate children; divesting and dissolving from the minors' respective parents by nature, that parental authority over the said minors respectively, and making the adopted minors the legal heirs of the herein petitioner.

The Court further pronounces that the minors Porfiria A. Olario and Manuel O. Bernil shall be entitled to use the surname of their adopting parent, Quirina O. Bonotan.

Let copies of this order be furnished the Local Civil Registrar of the municipality of Duero, Province of Bohol, Philippines, and after payment of the necessary fees, to have this order registered in the civil registry.

So Ordered.

Duero, Bohol, Philippines.

[SEAL] (Signed) ADELAIDO O. SINGCO,
Municipal Judge.

JUNE 5, 1970.

I hereby certify that the foregoing is a full, true and correct copy of the original decision in the above-entitled case, Special Proceeding No. 5, for Adoption of Minors now on file in this Office.

ADELAIDO O. SINGCO, *Municipal Judge,*
Office of the Municipal Judge,
Municipal Court of Duero,
Duero, Bohol, Philippines.

Mr. Leggett submitted the following letter in support of this legislation:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 25, 1975.

HON. JOSHUA EILBERG
Chairman, Subcommittee on Immigration, House Judiciary Committee, Washington, D.C.

DEAR JOSH: Thank you for your letter of April 17, regarding H.R. 4939, a bill for the relief of Manuel Bonotan.

I strongly urge the Committee to approve this bill. Mr. Bonotan's case for U.S. citizenship is, I believe, clear and unequivocal.

This bill provides that the 10-year-old adopted son of Palino and Querina Bonotan, who are U.S. citizens, may be classified as a child and granted immediate relative status. This status shall not extend in any way to Manuel Bonotan's natural relatives. Certainly an adopted son should be entitled to the same treatment as a natural son. Your favorable action will be deeply appreciated.

Very sincerely,

ROBERT L. LEGGETT,
Member of Congress.

BUDGETARY INFORMATION

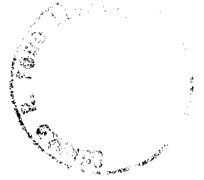
This legislation does not provide new budget authority and no estimate or comparison has been received from the Director of the Congressional Budget Office.

OVERSIGHT STATEMENT

The Committee exercises general oversight jurisdiction with respect to all immigration and nationality matters but no specific oversight is contemplated in this instance.

Upon consideration of all the facts in this case, the Committee is of the opinion that H.R. 4939 should be enacted and accordingly recommends that the bill do pass.

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Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

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

An Act

For the relief of Manuel Bonotan.

*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, Manuel Bonotan may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Paulino and Querina Bonotan, a citizen of the United States and a lawfully resident alien, respectively, pursuant to section 204 of the Act: *Provided*, That the natural parents or 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.*

February 3, 1976

Dear Mr. Director:

The following bills were received at the White House on February 3rd:

✓ H.R. 1399	✓ H.R. 5750
✓ H.R. 1758	✓ H.R. 8451
✓ H.R. 4046	✓ H.R. 8555
✓ H.R. 4113	✓ H.R. 8907
✓ H.R. 4939	

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 James T. Lynn
Director
Office of Management and Budget
Washington, D. C.