

**The original documents are located in Box 53, folder “8/14/76 HR8695 Relief of Eugene Homsy Phillips” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

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**APPROVED**  
AUG 14 1976

88/14/116

THE WHITE HOUSE

ACTION

WASHINGTON

August 13, 1976

Last Day: August 21

Posted  
8/16/76

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *J.C.*

SUBJECT:

H.R. 8695 - Relief of Eugene  
Homsy Phillips

Archives  
8/16/76

Attached for your consideration is H.R. 8695, sponsored by Representative Fascell.

The enrolled bill would provide that the beneficiary be considered to be the natural-born son of his adoptive parents who are U.S. citizens.

Eugene Phillips is a 29-year old native of Lebanon who was admitted into the U.S. in 1968 as a student. He was adopted in 1972 but since he was over the age of 14 he was compelled to return to Beirut when his student visa expired.

Additional information is provided in OMB's enrolled bill at Tab A.

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

RECOMMENDATION

That you sign H.R. 8695 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

AUG 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8695 - Relief of Eugene Homsy Phillips  
Sponsor - Rep. Fascell (D) Florida

Last Day for Action

August 21, 1976 - Saturday

Purpose

To facilitate the admission into the United States of the alien adopted son of American citizens.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization Service  
Department of State

Approval  
No objection

Discussion

The beneficiary is a 29-year-old native and citizen of Lebanon. He was admitted into the United States as a student in August 1968, and was legally adopted by Mr. and Mrs. J.W. Phillips on November 21, 1972.

After completing graduate studies in the United States in 1974, the beneficiary's student visa expired and he was compelled to leave the country and now resides with his natural father in Beirut. He pursued all available administrative remedies which would have allowed him to remain in the United States without success. Because he was over the age of 14 when he was adopted, he derived no preferential status under the immigration laws by virtue of his adoption.

The enrolled bill would provide that the beneficiary be held and considered to be the natural-born son of his adoptive parents. This would permit him to enter the United States for permanent residence and rejoin his adoptive parents. In addition, the bill provides that the natural parents and siblings of the beneficiary are not accorded any special rights or status under the Immigration and Nationality Act by virtue of their relationship to the beneficiary.

*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosures

UNITED STATES DEPARTMENT OF JUSTICE  
IMMIGRATION AND NATURALIZATION SERVICE

Washington 25, D.C.

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

11 AUG 1976

AND REFER TO THIS FILE NO.

A17 692 349

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 8695 ; Office of Management  
and Budget request dated August 9, 1976.

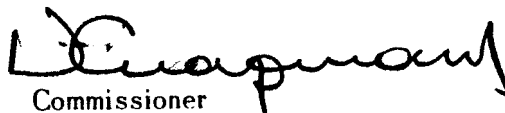
Beneficiary or Beneficiaries Eugene Homsy Phillips.

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

**AUG 11 1976**

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of August 9, 1976, transmitting for comment enrolled bills, H.R. 8557, "For the relief of Carmen Thomas", H.R. 10076, "For the relief of Mrs. Kazuko Scillion", and H.R. 8695, "For the relief of Eugene Homsy Phillips".

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kempton B. Jenkins".

Kempton B. Jenkins  
Acting Assistant Secretary  
for Congressional Relations

The Honorable  
James T. Lynn, Director,  
Office of Management  
and Budget.

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

AUG 12 1976

To -  
J. Cooney  
8-12-76  
6:00 p.m.



MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8695 - Relief of Eugene Homsy Phillips  
Sponsor - Rep. Fascell (D) Florida

Last Day for Action

August 21, 1976 - Saturday

Purpose

To facilitate the admission into the United States of the alien adopted son of American citizens.

Agency Recommendations

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

Discussion

The beneficiary is a 29-year-old native and citizen of Lebanon. He was admitted into the United States as a student in August 1968, and was legally adopted by Mr. and Mrs. J.W. Phillips on November 21, 1972.

After completing graduate studies in the United States in 1974, the beneficiary's student visa expired and he was compelled to leave the country and now resides with his natural father in Beirut. He pursued all available administrative remedies which would have allowed him to remain in the United States without success. Because he was over the age of 14 when he was adopted, he derived no preferential status under the immigration laws by virtue of his adoption.

The enrolled bill would provide that the beneficiary be held and considered to be the natural-born son of his adoptive parents. This would permit him to enter the United States for permanent residence and rejoin his adoptive parents. In addition, the bill provides that the natural parents and siblings of the beneficiary are not accorded any special rights or status under the Immigration and Nationality Act by virtue of their relationship to the beneficiary.

*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosures





THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: August 12

Time: 700pm

FOR ACTION:

Dick Parsons *oh*  
Max Friedersdorf *oh*  
Ken Lazarus *oh*

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

*NSC oh*

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 8695-relief of Eugene Homsy Phillips

ACTION REQUESTED:

- |   |   |
|---|---|
| <input type="checkbox"/> For Necessary Action         | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief     | <input type="checkbox"/> Draft Reply              |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> 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: August 12

Time: 700pm

FOR ACTION:

Dick Parsons  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 8695-relief of Eugene Homsy Phillips

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.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

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FOR ACTION:

Dick Parsons  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
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DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 8695-relief of Eugene Homsy Phillips

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Approve. RR

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

ACTION MEMORANDUM

THE WHITE HOUSE  
WASHINGTON

LOG NO.:

Date: August 12

Time: 700pm

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FOR ACTION: Dick Parsons  
Max Friedersdorf  
Ken Lazarus

FROM THE STAFF SECRETARY

DUE: Date: August 13

Time: 200pm

SUBJECT:

H.R. 8695-relief of Eugene Homsy Phillips

ACTION REQUESTED:

- For Necessary Action
- Prepare Agenda and Brief
- For Your Comments

- For Your Recommendations
- Draft Reply
- Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

No objection


Ken Lazarus

MEMORANDUM

NATIONAL SECURITY COUNCIL

4624

August 13, 1976

MEMORANDUM FOR: JAMES M. CANNON  
FROM: Jeanne W. Davis   
SUBJECT: H. R. 8695

The NSC staff concurs with the proposed enrolled bill- H. R. 8695-  
relief of Eugene Homsy Phillips.

EUGENE HOMSY PHILLIPS

---

MARCH 17, 1976.—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. 8695]

The Committee on the Judiciary to whom was referred the bill (H.R. 8695), for the relief of Eugene Homsy Phillips, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

On page 1, line 7, after the words "natural parents" insert "or brothers or sisters".

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to facilitate the admission into the United States of the adopted son on citizens of the United States. The bill has been amended in accordance with established precedents.

GENERAL INFORMATION

The beneficiary of this bill is a 28-year-old native and citizen of Lebanon who was adopted in Florida in 1972 by citizens of the United States while he was in the United States as a student. The adoptive parents have no other children. The beneficiary returned to Lebanon after completing his studies in the United States and presently resides in France.

The pertinent facts in this case are contained in a letter dated October 2, 1975, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter, with enclosures, reads as follows:

U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D.C., October 2, 1975.

A17-692-349.

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. 8695) for relief of Eugene Homsy Phillips, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the twenty-eight year old beneficiary, who is the adopted son of United States citizens, be held and considered to be their natural-born son. The bill further provides that the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege or status under the Immigration and Nationality Act. The Committee may also wish to include the beneficiary's brother in this proviso.

Absent enactment of the bill, the beneficiary, a native of Lebanon, is 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.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE H.R. 8695

The beneficiary, Eugene Homsy Phillips, was born Eugene Joseph Homsy on July 17, 1947, in Beirut, Lebanon. His father, Joseph Homsy was born in Lebanon and resides there. His mother, Claire Chahine, was born in Lebanon and is deceased. He has one brother residing in Lebanon.

The beneficiary was admitted to the United States August 17, 1968 as a nonimmigrant student. He resided with Mr. and Mrs. J. W. Phillips in Miami, Florida; Mrs. Phillips is his father's cousin. On November 21, 1972 in the Circuit Court of the Eleventh Judicial Circuit, at Miami, Florida he was legally adopted by Mr. and Mrs. Phillips and given the name of Eugene Homsy Phillips. A copy of the adoption decree is attached.

The beneficiary received his bachelor's degree from the University of Miami in 1972 and a master's degree from the University of Georgia in 1974. He is presently residing with his natural father in Beirut, Lebanon.

The interested parties, John W. and Olga Cowart Phillips, are citizens of the United States, born here on August 24, 1919 and November 22, 1916, respectively. They were married May 27, 1944 and no children were born to this union. Mr. Phillips has been employed as an engineer for the Florida Power and Light Company since 1952. His income is approximately \$25,000 per year and he has assets of approximately \$150,000 in real estate and personal property. Mrs. Phillips is not employed.

In the Circuit Court of the Eleventh Judicial Circuit, in and for  
Dade County, Florida

Case No. 72-20504

In re the petition of:

JOHN W. PHILLIPS, JR.

AND

OLGA COWART PHILLIPS, HIS WIFE

FINAL DECREE OF ADOPTION

THIS CAUSE coming on to be heard upon the verified petition for Adoption filed herein and the Consent for Adoption, and it appear to the Court that the Petitioners are fit and proper persons to adopt the adoptee herein, and that the best interest of said adoptee will be promoted by this adoption, and that the adoptee is suitable for adoption by the Petitioners, John W. Phillips, Jr., and Olga Cowart Phillips, his wife, and the Court being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED as follows:

1. That Eugene Joseph Homsy be and he is hereby declared to be the legal heir of the Petitioners, John W. Phillips, Jr., and Olga Cowart Phillips, his wife, and he is hereby given the name of Eugene Homsy Phillips, by which name he shall hereafter be known:

2. That Eugene Homsy Phillips shall be the legal heir of the Petitioners, John W. Phillips, Jr., and Olga Cowart Phillips, his wife, entitled to all rights and privileges, and subject to all obligations as if born to the Petitioners in lawful wedlock.

DONE and ORDERED in Chambers at Miami, Dade County, Florida, this 21st day of November, 1972.

GENE WILLIAMS,  
Circuit Court Judge.

On September 24, 1975, the Department of State submitted a report on this legislation which reads as follows:

DEPARTMENT OF STATE,  
Washington, D.C., September 24, 1975.

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 Eugene Homsy Phillips, beneficiary of H.R. 8695, 94th Congress, there is enclosed a memorandum of information concerning the beneficiary. This memorandum has been submitted by the American Embassy at Beirut, Lebanon.

The bill would provide for the beneficiary's classification as a natural born son of John W. Phillips, Junior, and Olga Cowart Phillips, American citizens. It also provides that the natural parents



of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Sincerely,

ROBERT J. McCLOSKEY,  
Assistant Secretary for  
Congressional Relations.

Enclosure: Memorandum of information.

[Submitted by the American Embassy at Beirut, Lebanon]

MEMORANDUM OF INFORMATION CONCERNING H.R. 8695 FOR THE  
RELIEF OF EUGENE HOMSY PHILLIPS

The beneficiary was born on July 17, 1947, in Beirut, Lebanon. He is single and presently residing in Beirut where he teaches English in a secondary school. He attended a French-language primary and secondary school, College du Sacre Coeur, in Beirut. He attended the University of Miami from 1968 to 1972 when he received his B.A. in history and French literature. He then studied at the University of Georgia, receiving his M.A. in colonial North African history in 1974. His natural father and brother reside in Beirut, Lebanon.

The beneficiary was legally adopted by John and Olga Phillips in Florida on November 21, 1972. He had lived with the Phillips for 4 years and they financed his education.

The beneficiary is ineligible for preference status under the provisions of section 203(a)(1) of the Immigration and Nationality Act because he was over the age of 14 when he was adopted. He is chargeable to the foreign state limitation for Lebanon.

The Embassy's check of local records and clearance sources has provided no grounds for ineligibility and he has no police record. The beneficiary underwent a complete medical examination on September 9, 1975, and was found to be in good health.

Mr. Fascell submitted the following statement and letters in support of his bill:

STATEMENT OF CONGRESSMAN DANTE B. FASCELL OF FLORIDA

Mr. Chairman and members of the subcommittee, I appreciate having this opportunity to submit this statement in support of H.R. 8695, a bill which I introduced for the relief of Eugene Homsy Phillips.

Eugene Homsy Phillips was born on July 17, 1948, in Beirut, Lebanon, and completed his primary and secondary education there. His wish was to come to the United States to continue his education, and he was encouraged to pursue this objective by his American relatives, Mr. and Mrs. John W. Phillips, Jr., of Miami, Fla. Mrs. Phillips was the cousin of Eugene's mother who died when Eugene was 16 years old. Mr. and Mrs. Phillips, having no children of their own, welcomed Eugene to this country, gave him a home and financed his education.

Eugene arrived in the United States in August of 1968, on a student visa. In 1972, he was graduated cum-laude from the University of Miami with a major in history and French literature. Eugene pursued his education further, and, in 1974, he received his M.A. from the University of Georgia with a major in colonial North African history.

During his stay in the United States, the Phillips, in essence, became Eugene's family. Because of the deep feelings the Phillips had for Eugene, and he for them, Mr. and Mrs. Phillips adopted Eugene on November 21, 1972.

Being proficient in English, French, and Arabic, Eugene used his linguistic abilities by working as a student assistant in language translation and research and in teaching French grammar at Miami-Dade Community College. At the University of Miami, he worked in the periodical library and was responsible for the Russian collection.

Eugene, understandably, had hoped that he would be able to remain in the United States with his adopted mother and father. He wanted to find a job, using the education he had worked so diligently to achieve, and participate fully in American life. However, since Eugene was over the age of 14 when he was adopted, he derived no advantage under the immigration law by virtue of his adoption. Mr. and Mrs. Phillips and Eugene pursued all available administrative remedies that would allow Eugene to remain in the United States without success. Therefore, when his student visa expired, Eugene had to leave both his adopted parents and his adopted country.

Throughout the short time Eugene spent in the United States, he demonstrated not only his scholastic intelligence but also his willingness to work hard for his achievements. Eugene Homsy Phillips greatly desires to return to the United States to be near his adopted parents and to become a U.S. citizen. The Phillips, of course, love Eugene, and want him to be with them. I am hopeful that this measure to allow Eugene to reenter the United States will be given favorable consideration at an early date.

Thank you.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., February 23, 1976.

HON. JOSHUA ELLBERG,  
Rayburn House Office Building,  
Washington, D.C.

DEAR JOSH: I understand that the above-referenced bill is on the Immigration Subcommittee's agenda for February 25. I am writing to ask your assistance in expediting consideration of this measure.

Eugene Homsy Phillips was born in Beirut, Lebanon, and completed his primary and secondary education there. His wish was to come to the United States to continue his education, and he was encouraged to pursue this objective by his American relatives, Mr. and Mrs. John W. Phillips of Miami. Mrs. Phillips was the cousin of Eugene's mother who died when Eugene was 16 years old. Mr. and Mrs. Phillips, having no children of their own, welcomed Eugene to this country, gave him a home, and financed his education. Because of the deep feelings the Phillips had for Eugene, and he for them, Mr. and Mrs. Phillips adopted Eugene in 1972.



Since Eugene was over the age of 14 when he was adopted, he derived no advantage under the Immigration law by virtue of his adoption. Therefore, when his student visa expired, Eugene had to leave both his adopted parents and his adopted country.

Eugene Homsy Phillips greatly desires to return to the United States to be near his adopted parents and to become a citizen of the United States. The Phillips, of course, love Eugene, and want him to be with them.

I am hopeful that you will favorably consider this measure so that Eugene may reenter the United States. Thank you for your consideration.

Cordially,

DANTE B. FASCELL,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., January 19, 1976.*

HON. JOSHUA EILBERG,  
*Chairman, Immigration Subcommittee, Judiciary Committee, House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: In response to your letter requesting further information about Eugene Homsy Phillips, the beneficiary of my bill, H.R. 8695, I am enclosing a letter from Mr. John W. Phillips, Jr., Eugene's adoptive father.

In addition, Mr. Phillips contacted my office last week to advise that Eugene was able to leave Lebanon and is presently located in Aix-en-Provence, France.

If there is any other information that would be helpful to you and the other members of the subcommittee, please do not hesitate to contact me.

Thank you for your consideration.

Sincerely,

DANTE B. FASCELL,  
*Member of Congress.*

MIAMI, FLA., *January 5, 1976.*

HON. DANTE FASCELL,  
*House of Representatives,  
Washington, D.C.*

DEAR CONGRESSMAN FASCELL: In receipt of your letter, along with a copy of the letter from the chairman of the Immigration Subcommittee, I am forwarding the following information.

After meeting with the immigration authorities, to acquire permanent resident status in the United States for our son, I was told that a clearance order from the Manpower Commission, Department of Labor, establishing that he has an offer of employment in a position for which there was insufficient workers available in the United States was necessary, or to get married to an American citizen, which needless to say did not come about.

Our son was obliged to return to his homeland after completing his studies since he was here on a student visa, although he opted to have the United States as his home and be near his adopted parents whom he loves very much.

During our son's stay in the United States he was supported by his adopted parents, Mr. and Mrs. John W. Phillips, which was stated in the memorandum from the American Embassy at Beirut, Lebanon.

I hope my response to the questions asked by the chairman are satisfactory.

As stated previously we have exhausted every avenue without success in getting our son back.

Thanking you for your concern and cooperation in attempting to resolve this matter, I remain,

Very truly yours,

JOHN W. PHILLIPS, JR.

#### 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.

#### COMMITTEE RECOMMENDATION

Upon consideration of all the facts in this case, the committee is of the opinion that H.R. 8695, as amended, should be enacted and accordingly recommends that the bill do pass.

○

# Calendar No. 1046

94TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
No. 94-1112

## EUGENE HOMSY PHILLIPS

August 4, 1976.—Ordered to be printed

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

## REPORT

[To accompany H.R. 8695]

The Committee on the Judiciary, to which was referred the bill (H.R. 8695) for the relief of Eugene Homsy Phillips, 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 admission into the United States of the adopted son of citizens of the United States.

### STATEMENT OF FACTS

The beneficiary of this bill is a 28-year-old native and citizen of Lebanon who was adopted in Florida in 1972 by citizens of the United States while he was in the United States as a student. The adoptive parents have no other children. The beneficiary returned to Lebanon after completing his studies in the United States and presently resides in France.

A letter, with attached memorandum, dated October 2, 1975 to the chairman of the Committee on the Judiciary, House of Representatives, from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
Washington, D.C., October 2, 1975.

A17-692-349.

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. 8695) for relief of Eugene Homsy Phillips, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the twenty-eight year old beneficiary, who is the adopted son of United States citizens, be held and considered to be their natural-born son. The bill further provides that the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege or status under the Immigration and Nationality Act. The Committee may also wish to include the beneficiary's brother in this proviso.

Absent enactment of the bill, the beneficiary, a native of Lebanon, is 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.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE H.R. 8695

The beneficiary, Eugene Homsy Phillips, was born Eugene Joseph Homsy on July 17, 1947, in Beirut, Lebanon. His father, Joseph Homsy was born in Lebanon and resides there. His mother, Claire Chahine, was born in Lebanon and is deceased. He has one brother residing in Lebanon.

The beneficiary was admitted to the United States August 17, 1968 as a nonimmigrant student. He resided with Mr. and Mrs. J. W. Phillips in Miami, Florida; Mrs. Phillips is his father's cousin. On November 21, 1972 in the Circuit Court of the Eleventh Judicial Circuit, at Miami, Florida he was legally adopted by Mr. and Mrs. Phillips and given the name of Eugene Homsy Phillips. A copy of the adoption decree is attached.

The beneficiary received his bachelor's degree from the University of Miami in 1972 and a master's degree from the University of Georgia, in 1974. He is presently residing with his natural father in Beirut, Lebanon.

The interested parties, John W. and Olga Cowart Phillips, are citizens of the United States, born here on August 24, 1919 and November 22, 1916, respectively. They were married May 27, 1944 and no children were born to this union. Mr. Phillips has been employed as an engineer for the Florida Power and Light Company since 1952. His income is approximately \$25,000 per year and he has assets of approximately \$150,000 in real estate and personal property. Mrs. Phillips is not employed.

In the Circuit Court of the Eleventh Judicial Circuit, in and for  
Dade County, Florida

Case No. 72-20504

In re the petition of:

JOHN W. PHILLIPS, JR.

AND

OLGA COWART PHILLIPS, HIS WIFE

FINAL DECREE OF ADOPTION

THIS CAUSE coming on to be heard upon the verified petition for Adoption filed herein and the Consent for Adoption, and it appear to the Court that the Petitioners are fit and proper persons to adopt the adoptee herein, and that the best interest of said adoptee will be promoted by this adoption, and that the adoptee is suitable for adoption by the Petitioners, John W. Phillips, Jr., and Olga Cowart Phillips, his wife, and the Court being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED as follows:

1. That Eugene Joseph Homsy be and he is hereby declared to be the legal heir of the Petitioners, John W. Phillips, Jr., and Olga Cowart Phillips, his wife, and he is hereby given the name of Eugene Homsy Phillips, by which name he shall hereafter be known.

2. That Eugene Homsy Phillips shall be the legal heir of the Petitioners, John W. Phillips, Jr., and Olga Cowart Phillips, his wife, entitled to all rights and privileges, and subject to all obligations as if born to the Petitioners in lawful wedlock.

DONE and ORDERED in Chambers at Miami, Dade County, Florida, this 21st day of November, 1972.

GENE WILLIAMS,  
Circuit Court Judge.

On September 24, 1975, the Department of State submitted a report on this legislation, which reads as follows:

DEPARTMENT OF STATE,  
Washington, D.C., September 24, 1975.

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 Eugene Homsy Phillips, beneficiary of H.R. 8695, 94th Congress, there is enclosed a memorandum of information concerning the beneficiary. This memorandum has been submitted by the American Embassy at Beirut, Lebanon.

The bill would provide for the beneficiary's classification as a natural born son of John W. Phillips, Junior, and Olga Cowart Phillips, American citizens. It also provides that the natural parents



of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Sincerely,

ROBERT J. McCLOSKEY,  
*Assistant Secretary for  
Congressional Relations.*

Enclosure: Memorandum of information.

[Submitted by the American Embassy at Beirut, Lebanon]

MEMORANDUM OF INFORMATION CONCERNING H.R. 8695 FOR THE  
RELIEF OF EUGENE HOMSY PHILLIPS

The beneficiary was born on July 17, 1947, in Beirut, Lebanon. He is single and presently residing in Beirut where he teaches English in a secondary school. He attended a French-language primary and secondary school, Collège du Sacre Coeur, in Beirut. He attended the University of Miami from 1968 to 1972 when he received his B.A. in history and French literature. He then studied at the University of Georgia, receiving his M.A. in colonial North African history in 1974. His natural father and brother reside in Beirut, Lebanon.

The beneficiary was legally adopted by John and Olga Phillips in Florida on November 21, 1972. He had lived with the Phillips for 4 years and they financed his education.

The beneficiary is ineligible for preference status under the provisions of section 203(a)(1) of the Immigration and Nationality Act because he was over the age of 14 when he was adopted. He is chargeable to the foreign state limitation for Lebanon.

The Embassy's check of local records and clearance sources has provided no grounds for ineligibility and he has no police record. The beneficiary underwent a complete medical examination on September 9, 1975, and was found to be in good health.

Congressman Dante B. Fascell, the author of the bill, has submitted the following information in connection with the case:

STATEMENT OF CONGRESSMAN DANTEE B. FASCELL OF FLORIDA

Mr. Chairman and members of the subcommittee, I appreciate having this opportunity to submit this statement in support of H.R. 8695, a bill which I introduced for the relief of Eugene Homsy Phillips.

Eugene Homsy Phillips was born on July 17, 1948, in Beirut, Lebanon, and completed his primary and secondary education there. His wish was to come to the United States to continue his education, and he was encouraged to pursue this objective by his American relatives, Mr. and Mrs. John W. Phillips, Jr., of Miami, Fla. Mrs. Phillips was the cousin of Eugene's mother who died when Eugene was 16 years old. Mr. and Mrs. Phillips, having no children of their own,

welcomed Eugene to this country, gave him a home and financed his education.

Eugene arrived in the United States in August of 1968, on a student visa. In 1972, he was graduated cum-laude from the University of Miami with a major in history and French literature. Eugene pursued his education further, and, in 1974, he received his M.A. from the University of Georgia with a major in colonial North African history.

During his stay in the United States, the Phillips, in essence, became Eugene's family. Because of the deep feelings the Phillips had for Eugene, and he for them, Mr. and Mrs. Phillips adopted Eugene on November 21, 1972.

Being proficient in English, French, and Arabic, Eugene used his linguistic abilities by working as a student assistant in language translation and research and in teaching French grammar at Miami-Dade Community College. At the University of Miami, he worked in the periodical library and was responsible for the Russian collection.

Eugene, understandably, had hoped that he would be able to remain in the United States with his adopted mother and father. He wanted to find a job, using the education he had worked so diligently to achieve, and participate fully in American life. However, since Eugene was over the age of 14 when he was adopted, he derived no advantage under the immigration law by virtue of his adoption, Mr. and Mrs. Phillips and Eugene pursued all available administrative remedies that would allow Eugene to remain in the United States without success. Therefore, when his student visa expired, Eugene had to leave both his adopted parents and his adopted country.

Throughout the short time Eugene spent in the United States, he demonstrated not only his scholastic intelligence but also his willingness to work hard for his achievements. Eugene Homsy Phillips greatly desires to return to the United States to be near his adopted parents and to become a U.S. citizen. The Phillips, of course, love Eugene, and want him to be with them. I am hopeful that this measure to allow Eugene to reenter the United States will be given favorable consideration at an early date.

Thank you.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., February 23, 1976.

Hon. JOSHUA EILBERG,  
Rayburn House Office Building,  
Washington, D.C.

DEAR JOSH: I understand that the above-referenced bill is on the Immigration Subcommittee's agenda for February 25. I am writing to ask your assistance in expediting consideration of this measure.

Eugene Homsy Phillips was born in Beirut, Lebanon, and completed his primary and secondary education there. His wish was to come to the United States to continue his education, and he was encouraged to pursue this objective by his American relatives, Mr. and Mrs. John W. Phillips of Miami. Mrs. Phillips was the cousin of Eugene's mother who died when Eugene was 16 years old. Mr. and Mrs. Phillips, having no children of their own, welcomed Eugene to

this country, gave him a home, and financed his education. Because of the deep feelings the Phillips had for Eugene, and he for them, Mr. and Mrs. Phillips adopted Eugene in 1972.

Since Eugene was over the age of 14 when he was adopted, he derived no advantage under the Immigration law by virtue of his adoption. Therefore, when his student visa expired, Eugene had to leave both his adopted parents and his adopted country.

Eugene Homsy Phillips greatly desires to return to the United States to be near his adopted parents and to become a citizen of the United States, The Phillips, of course, love Eugene, and want him to be with them.

I am hopeful that you will favorably consider this measure so that Eugene may reenter the United States. Thank you for your consideration.

Cordially,

DANTE B. FASCELL,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., January 19, 1976.*

HON. JOSHUA EILBERG,  
*Chairman, Immigration Subcommittee, Judiciary Committee, House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: In response to your letter requesting further information about Eugene Homsy Phillips, the beneficiary of my bill, H.R. 8695, I am enclosing a letter from Mr. John W. Phillips, Jr., Eugene's adoptive father.

In addition, Mr. Phillips contacted my office last week to advise that Eugene was able to leave Lebanon and is presently located in Aix-en-Provence, France.

If there is any other information that would be helpful to you and the other members of the subcommittee, please do not hesitate to contact me.

Thank you for your consideration.

Sincerely,

DANTE B. FASCELL,  
*Member of Congress.*

MIAMI, FLA., *January 5, 1976.*

HON. DANTE FASCELL,  
*House of Representatives,*  
*Washington, D.C.*

DEAR CONGRESSMAN FASCELL: In receipt of your letter, along with a copy of the letter from the chairman of the Immigration Subcommittee, I am forwarding the following information.

After meeting with the immigration authorities, to acquire permanent resident status in the United States for our son, I was told that a clearance order from the Manpower Commission, Department of Labor, establishing that he has an offer of employment in a position for which there was insufficient workers available in the United States

was necessary, or to get married to an American citizen, which needless to say did not come about.

Our son was obliged to return to his homeland after completing his studies since he was here on a student visa, although he opted to have the United States as his home and be near his adopted parents whom he loves very much.

During our son's stay in the United States he was supported by his adopted parents, Mr. and Mrs. John W. Phillips, which was stated in the memorandum from the American Embassy at Beirut, Lebanon.

I hope my response to the questions asked by the chairman are satisfactory.

As stated previously we have exhausted every avenue without success in getting our son back.

Thanking you for your concern and cooperation in attempting to resolve this matter, I remain,

Very truly yours,

JOHN W. PHILLIPS, Jr.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 8695) should be enacted.

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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 Eugene Homsy Phillips.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of section 203(a)(1) and 204 of the Immigration and Nationality Act, Eugene Homsy Phillips shall be held and considered to be the natural-born son of John W. Phillips, Junior, and Olga Cowart Phillips, citizens of the United States: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such parentage, 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.*