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8/10/1/76

APPROVED
OCT 1 - 1976

THE WHITE HOUSE

ACTION

WASHINGTON

September 30, 1976

Last Day: October 5

Posted
10/2/76
archives
10/4/76

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *JDC*

SUBJECT:

- S. 1787 - Relief of Maria Lisa R. Manalo and Rogena R. Manalo
- S. 2668 - Relief of Arturo Moreno Hernandez
- S. 2770 - Relief of Anthony Augustus Daley and Beverly Evelyn Daley
- S. 2956 - Relief of Teresa Maria Salman

Attached for your consideration are four enrolled bills which would classify or permit classification of the beneficiary alien children as immediate relatives of either U.S. citizens or permanent resident aliens, thereby authorizing preferential treatment under the immigration law and facilitating their admission to the United States.

Each of the bills is described in the OMB enrolled bill report at Tab A.

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

RECOMMENDATION

That you sign S. 1787 at Tab B.

That you sign S. 2668 at Tab C.

That you sign S. 2770 at Tab D.

That you sign S. 2956 at Tab E.





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

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) S. 1787 - Relief of Maria Lisa R. Manalo
and Rogena R. Manalo
Sponsor - Sen. Magnuson (D) Washington
- (2) S. 2668 - Relief of Arturo Moreno Hernandez
Sponsor - Sen. Moss (D) Utah
- (3) S. 2770 - Relief of Anthony Augustus Daley
and Beverly Evelyn Daley
Sponsor - Sen. Chiles (D) Florida
- (4) S. 2956 - Relief of Teresa Marie Salman
Sponsor - Sen. Bumpers (D) Arkansas

Last Day for Action

October 5, 1976 - Tuesday

Purpose

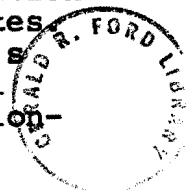
To facilitate the admission of certain alien children into the United States.

Agency Recommendations

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

Discussion

These enrolled bills would classify or permit classification of the beneficiary alien children as immediate relatives of either U.S. citizens or permanent resident aliens, thereby authorizing preferential treatment under immigration law, and facilitating their admission to the United States. Each of the enrolled bills would also make the children's natural parents and siblings ineligible for preferential treatment under immigration law by virtue of their relationship to the beneficiaries.



S. 1787 - Maria and Rogena Manalo

The beneficiaries are sisters, ages 15 and 14, respectively. They are natives and citizens of the Philippines and presently reside there with relatives.

At an early age, Maria and Rogena were left by their natural mother in the custody of Mr. and Mrs. Olympio Javidando, the prospective adopting parents, who are now permanent resident aliens of the United States and living in the Seattle, Washington area with their three natural daughters. Since the Javidandos left the Philippines in 1973, Maria and Rogena have lived apart from each other with relatives, but have received some support from Mr. and Mrs. Javidando.

Because of the unstable life the sisters have been subjected to, the Javidandos desire to adopt the sisters in the United States. The children's natural mother has since formally consented to their adoption; the natural father has consistently denied his paternity since their birth. However, under current law, a petition to classify an orphan as an immediate relative can be filed only by a U.S. citizen and can be filed only for a child under 14 years of age. Mr. and Mrs. Javidando are, thus, ineligible to file a petition in behalf of the sisters; likewise, Maria and Rogena exceed the age limitation.

S. 1787 would declare Maria and Rogena to be the natural born alien children of Mr. and Mrs. Javidando and permit them to petition for immediate relative immigrant visas for the sisters as their unmarried natural daughters under immigration law. This would enable the Javidandos to adopt the girls upon their admission to the United States.

S. 2668 - Arturo Moreno Hernandez

The beneficiary is a 12-year-old Mexican boy who currently resides with his indigent natural parents in Mexico. Arturo was adopted in Mexico on August 14, 1975 by Mr. and Mrs. Jose Palacio, both U.S. citizens residing in Utah. Mr. Palacio is a first cousin of one of Arturo's parents, and he and Mrs. Palacio have six children, three of whom are grown and living independently of their parents.

Because Arturo has not resided with his adopted parents for two continuous years, and instead still resides with his natural parents in Mexico, he is ineligible for preferential treatment under current law as an immediate relative of

Mr. and Mrs. Palacio. S. 2668 would waive this statutory impediment in his behalf and permit the Palacios to file a petition to grant him preferential immigrant status as their child.

S. 2770 - Anthony and Beverly Daley

The beneficiaries are brother and sister, ages 13 and 14, who are natives and citizens of Jamaica. They were adopted in Florida on August 4, 1975 by their natural father, Mr. Samuel U. Daley, a permanent resident alien, and his U.S. citizen wife. The children presently reside with their paternal grandparents in Jamaica. Because the children have not lived with their adopted parents for 2 years since their adoption, Mr. and Mrs. Daley are ineligible to file immediate relative petitions to obtain immigrant visas for them. S. 2770 would waive the physical presence requirement in their behalf and permit Mr. and Mrs. Daley to petition for immigrant visas for their adopted children.

S. 2956 - Teresa Marie Salman

The beneficiary is a 24-month-old native and resident of Taiwan. She has been living in Okinawa with her adopted parents, retired Air Force Sgt. and Mrs. Eugene A. Salman, both U.S. citizens. In addition to their adopted daughter, the Salmans have seven children of their own. Sgt. Salman has recently completed 20 years of military service. The family has remained in Okinawa with the beneficiary awaiting the disposition of this bill.

Under current law, Teresa will not be eligible for an immigrant visa as an immediate relative until she has been in the legal custody of and resided with her adoptive parents for 2 years. S. 2956 would waive the 2-year custody and physical presence requirement in Teresa's behalf and make her immediately eligible for an immigrant visa upon approval of an immediate relative petition to be filed in her behalf by Sgt. and Mrs. Salman.

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

AND REFER TO THIS FILE NO.

24 SEP 1976

A20 949 782
A20 949 783

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 1787 ; Office of Management
and Budget request dated September 23, 1976

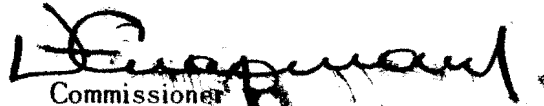
Beneficiary or Beneficiaries Maria Lisa R. Manalo and Rogena R.
Manalo

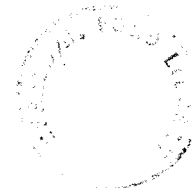
Pursuant to your request for the views of the Department of Justice on
the subject bill, a review has been made of the facsimile of the bill, the re-
lating Congressional Committee report or reports, and all pertinent information
in the files of the Immigration and Naturalization Service

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



ACTION MEMORANDUM

Date: September 28

Time: 830am

FOR ACTION: NSC/S
Dick Parsons
Max Friedersdorf
Bobbie Kilberg

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

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 200pm

SUBJECT:

- S.1787-Relief of Maria Lisa Manalo, et al
- S.2668-Relief of Arturo Moreno Hernandez
- S.2770-Relief of Anthony Augustus Daley, et al
- S.2956-Relief of Teresa Marie Salman

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



MEMORANDUM

NATIONAL SECURITY COUNCIL

5443

September 30, 1976

MEMORANDUM FOR: JAMES M. CANNON
FROM: Jeanne W. Davis *JWD*
SUBJECT: Enrolled Bills: S. 1787,
S. 2668, S. 2770 and S. 2956

The NSC Staff concurs in the following enrolled bills:

→ S. 1787 Relief of Maria Lisa Manalo, et al
S. 2668 Relief of Arturo Moreno Hernandez
S. 2770 Relief of Anthony Augustus Daley, et al
S. 2956 Relief of Teresa Marie Salman

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

Date: September 28

Time: 830pm

FOR ACTION: NSC/S
Dick Parsons
Max Friedersdorf
Bobbie Kilberg

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

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 200pm

SUBJECT:

- S.1787-Relief of Maria Lisa Manalo, et al
- S.2668-Relief of Arturo Moreno Hernandez
- S.2770-Relief of Anthony Augustus Daley, et al
- S.2956-Relief of Teresa Marie Salman

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

approved
R. Meyer 9/30/76

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.

James M. Cannon
For the Secretary

THE WHITE HOUSE

WASHINGTON

September 29, 1976

MEMORANDUM FOR: JIM CAVANAUGH

FROM: MAX L. FRIEDERSDORF *M.L.F.*

SUBJECT: → S.1787 - Relief of Maria Lisa Manalo ✓
S.2668 - Relief of Arturo Moreno Hernandez ✓
S.2770 - Relief of Anthony Augustus Daley ✓
S.2956 - Relief of Teresa Marie Salman ✓
S.2481 - Relief of Oscar Rene Hernandex Rustrian
S.1404 - Relief of Mrs. Kyong Chu Stout
S.1477 - Relief of Beatric Serrano Toledo
S.2830 - Relief of Gary Broyles ✓

The Office of Legislative Affairs concurs with the agencies

that the subject bill be signed.

Attachments



DEPARTMENT OF STATE

Washington, D.C. 20520

SEP 28 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of September 22, 1976, transmitting for comment enrolled bills, S. 1787, "For the relief of Maria Lisa R. Manalo and Rogena R. Manalo", and S. 2956, "For the relief of Teresa Marie Salman".

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

Sincerely yours,

A handwritten signature in cursive script that reads "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

To: J. Johnston
9-28-76
6:00 p.m.

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) S. 1787 - Relief of Maria Lisa R. Manalo
and Rogena R. Manalo
Sponsor - Sen. Magnuson (D) Washington
- (2) S. 2668 - Relief of Arturo Moreno Hernandez
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- (3) S. 2770 - Relief of Anthony Augustus Daley
and Beverly Evelyn Daley
Sponsor - Sen. Chiles (D) Florida
- (4) S. 2956 - Relief of Teresa Marie Salman
Sponsor - Sen. Bumpers (D) Arkansas

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To facilitate the admission of certain alien children into the United States.

Agency Recommendations

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

Discussion

These enrolled bills would classify or permit classification of the beneficiary alien children as immediate relatives of either U.S. citizens or permanent resident aliens, thereby authorizing preferential treatment under immigration law, and facilitating their admission to the United States. Each of the enrolled bills would also make the children's natural parents and siblings ineligible for preferential treatment under immigration law by virtue of their relationship to the beneficiaries.

MARIA LISA R. MANALO AND ROGENA R. MANALO

SEPTEMBER 13, 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 S. 1787]

The Committee on the Judiciary, to whom was referred the bill (S. 1787) for the relief of Maria Lisa R. Manalo and Rogena R. Manalo, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiaries to qualify for second preference status as the unmarried children of lawful permanent residents of the United States.

GENERAL INFORMATION

The beneficiaries of the bill are sisters, aged fourteen and thirteen, respectively, who are natives and citizens of the Philippines presently residing there with relatives. Subsequent to their birth, the natural mother left the children with the prospective adoptive parents who are now lawful permanent residents of the U.S. residing in Seattle, Washington with their three natural daughters.

A letter, with attached memorandum, dated July 18, 1975 to the chairman of the Senate Committee on the Judiciary 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., July 18, 1975.

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

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (S. 1787) for the relief of Maria Lisa R. Manola and

Rogena R. Manola, there is attached a memorandum of information concerning the beneficiaries. The correct spelling of the beneficiaries' surname is Manalo.

The bill would confer preference status upon the thirteen and fourteen-year-old beneficiaries, who are to be adopted by a lawful permanent resident alien and spouse. The bill further provides that the natural parents or brothers or sisters of the beneficiaries 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 beneficiaries, natives of the Philippines, would be chargeable to the numerical limitations for immigrants from the Philippines.

Sincerely,

L. F. CHAPMAN, JR.,
Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 1787

Information concerning the case was obtained from Mr. and Mrs. Olympio Javidando, the interested parties and the prospective adoptive parents of the beneficiaries.

The beneficiaries, Maria Lisa R. Manalo and Rogena R. Manalo, natives and citizens of the Philippines, were born on April 29, 1961, and June 28, 1962, respectively. Subsequent to their birth, the natural mother left the children with Mr. and Mrs. Javidando. When Mr. and Mrs. Javidando moved to the United States, the beneficiaries were left in the Philippines. Maria Lisa lives with one of Mrs. Javidando's brothers and Rogena lives with the natural mother's brother.

Mr. and Mrs. Olympio Javidando, who are natives and citizens of the Philippines, were born on June 12, 1933, and April 12, 1934, respectively. They were married on January 7, 1961. Three daughters were born of this marriage. Mr. Javidando was lawfully admitted to the United States for permanent residence on May 8, 1972. Mrs. Javidando was lawfully admitted to the United States for permanent residence on March 24, 1973, with their three daughters, ages 13, 12 and 8.

A petition to classify an orphan as an immediate relative can be filed only by a United States citizen and can be filed only for a child under the age of fourteen. Neither Mr. nor Mrs. Javidando is a citizen of the United States.

Mr. and Mrs. Javidando and their daughters reside in Seattle, Washington. Mr. Javidando is employed as an assistant accountant and his wife is employed as a lock-box clerk in a savings bank. They have a combined income of \$14,400 a year. They have an equity of \$1,600 in their home valued at \$15,100 and an automobile valued at \$2,000.

Private bill H.R. 8452, introduced in the beneficiaries' behalf this Congress, is also pending.

Senator Warren G. Magnuson, the author of the bill, has submitted the following information in connection with the case:

U.S. SENATE,
COMMITTEE ON COMMERCE,
Washington, D.C., August 11, 1975.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
Washington, D.C.

DEAR SENATOR EASTLAND: In response to your letter to me requesting written information in support of my private immigration bill, S. 1787, for the relief of Maria Lisa R. Manalo and Rogena R. Manalo, please find attached my Statement of Support.

Warm personal regards.

Sincerely,

WARREN G. MAGNUSON,
U.S. Senator.

Enclosure.

AUGUST 11, 1975.

STATEMENT OF SUPPORT FOR S. 1787 SUBMITTED BY WARREN G.
MAGNUSON

I am writing in support of S. 1787, for the relief of Maria Lisa R. Manalo and Rogena R. Manalo, the children of Mr. and Mrs. Amelia M. Javidando, who have resided in the United States as permanent resident aliens since 1972.

Prior to 1972, while living in the Philippines, the two little girls, illegitimate children, were entrusted to the Javidandos by their natural mother due to her extreme poverty. There, they lived as the Javidandos children for four years. The natural mother who has now married and has children has submitted an affidavit (enclosed) giving freely and voluntarily her consent to the Javidandos' adopting them. Their natural father has never recognized the children as his.

As you know, Filipino law prohibits adoption when a couple has natural born children and the Javidandos have three children of their own. Consequently, Mr. and Mrs. Javidandos were unable to adopt Maria Lisa and Rogena and bring them to the United States when they came here in 1972.

At the present time, the children are being shuttled back and forth between relatives in the Philippines. None have the means to feed and clothe them although the Javidandos are sending money each month for their care.

It appears to me this case deserves the utmost consideration by the Committee so that this family may be reunited and the children again grow secure in a normal family environment.

TO WHOM IT MAY CONCERN:

I, Flordeliza G. Romero, of legal age, married and a resident of 115 Cabal District, San Carlos City, Pangasiman, Philippines, in full pos-

session of my mental powers and being temperate at all times, hereby declare:

That I am the legitimate mother of minors Maria Lisa R. Manalo and Rogena R. Manalo, ages 14 and 11;

That these children were born out of wedlock with the father of these children, who is now himself married and has his own family;

That I am now also married to a man other than the father of the above-mentioned children;

That said Rogena and Maria Lisa Manalo were in the care of the sister of the father of these children, Mrs. Amelia Javidando, until her immigration to the United States in 1973;

That Mrs. Javidando and her husband brought up Rogena and Maria Lisa like their own children with the same love they showered upon their own children;

That in view of my remarriage and the subsequent departure of Mrs. Javidando for the U.S., these children have been living with relatives and friends;

That due to my inability to support these children and believing that it would be for their own good and benefit to live with their aunt who has given the love, family life and security which I cannot give them, I hereby give my written consent freely and voluntarily, that said children be adopted by spouses Olympio and Amelia Javidaldo in accordance with law.

Done in the City of Manila this 14th day of March, 1975.

FLORDELIZA G. ROMERO.

Subscribed and sworn to before me this 14th day of March, 1975 by Flordeliza G. Romero who exhibited to me her Residence Cert. No. A9570039 issued in Manila on March 13, 1975.

Doc. No. 2, page No. 52, Book No. III, Series of 1975.

VICTORIANA L. BURGOS,
Notary Public.

Mr. Pritchard, the author of a companion bill (H.R. 8452) submitted the following statement to support this legislation:

SEPTEMBER 8, 1976.

STATEMENT OF SUPPORT FOR H.R. 8452 AND S. 1787 SUBMITTED BY
JOEL PRITCHARD, MEMBER OF CONGRESS

I am writing to express my wholehearted support for H.R. 8452 and the companion bill, S. 1787, for the relief of Maria Lisa R. Manalo and Rogena R. Manalo.

Maria Lisa and Rogena are illegitimate Filipino children who were entrusted to Mr. and Mrs. Olympio Javidando, Filipino citizens, by their mother because of her extreme poverty. At the time, the Javidandos were living in the Philippines and gladly welcomed the children. Strong family ties developed quickly, but the Javidandos were unable to adopt the two girls because Filipino law does not permit child adoption by couples with natural born children. In 1972 the

Javidandos came to this country where they are now living as permanent residents, but they have been unable to bring Maria Lisa and Rogena here without special legislation.

The past four years have been extremely hard for both the Javidandos and the Manalo girls. The girls have had no stable family life since the Javidandos left the Philippines but have been moved from one relative to another. During this period of time the children have often been separated and the Javidandos have had to provide money for the girls' support.

The Javidandos are very eager to adopt Maria Lisa and Rogena and I urge the Committee to give this legislation favorable consideration so that these children can once again have the love and stability of a happy home life.

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 RECOMMENDATIONS

Upon consideration of all the facts in this case, the Committee is of the opinion that S. 1787 should be enacted and accordingly recommends that the bill do pass.

○

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 Maria Lisa R. Manalo and Rogena R. Manalo.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of sections 203(a)(2) and 204 of the Immigration and Nationality Act, Maria Lisa R. Manalo and Rogena R. Manalo shall be held and considered to be the natural-born alien children of Mr. and Mrs. Olimpio Javidando, lawful resident aliens of the United States: *Provided*, That the natural parents or brothers or sisters of the beneficiaries 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.*