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8/10/5/46
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10/5/1976

THE WHITE HOUSE
WASHINGTON
October 4, 1976

ACTION

Last Day: October 9

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *J.C. Cannon*
SUBJECT: H.R. 4583 - Relief of Rosina C. Beltran

*Pasted
10/5/76*

*archived
10/12/76*

Attached for your consideration is H.R. 4583, sponsored by Representative Adams.

The enrolled bill would grant permanent resident immigrant status to the beneficiary, an alien guardian of three U.S. citizen children.

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

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

RECOMMENDATION

That you sign H.R. 4583 at Tab B.





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

OCT 1 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4583 - Relief of
Rosina C. Beltran
Sponsor - Rep. Adams (D) Washington

Last Day for Action

October 9, 1976 - Saturday

Purpose

To grant permanent resident immigrant status to the alien guardian of U.S. citizen children.

Agency Recommendations

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

Discussion

The beneficiary is a 47-year-old citizen of the Phillipines who entered the United States on a temporary visa on April 5, 1972 to care for the three children of her sister, a victim of terminal cancer who died on June 28, 1972. Mrs. Beltran was appointed guardian of her sister's U.S. citizen children on June 28, 1972. In addition, two of Mrs. Beltran's natural children accompanied her to the United States; her husband and their four other children were paroled into the United States in March 1973 for humanitarian reasons.

Mrs. Beltran's temporary visa expired on October 31, 1972 and deportation proceedings have been instituted against her; however, her deportation has been postponed because of private relief legislation introduced on her behalf in the 93d and 94th Congresses.

H.R. 4583 would grant Mrs. Beltran permanent residence in the United States upon enactment and would direct that her immigrant visa be charged against visas available to Philippines. The two children who accompanied her to the U.S. would also be derivatively eligible for immigrant visas, because of their relationship to her.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 2

Time: 600pm

FOR ACTION:

NSC/S *ru*
Max Friedersdorf *ru*
Bobbie Kilberg *ru*

cc (for information):

Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 4

Time: 1100am

SUBJECT:

H.R. 4583-Relief of Rosina Beltran

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

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

Washington 25, D.C.

28 SEP 1976

PLEASE ADDRESS REPLY TO

AND REFER TO THIS FILE NO.

OFFICE OF THE COMMISSIONER

A19 262 683

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H. R. 4583 ; Office of Management
and Budget request dated September 27, 1976

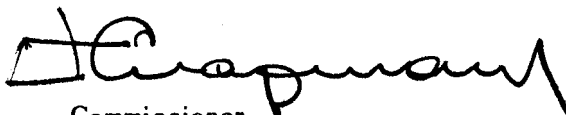
Beneficiary or Beneficiaries Rosina C. Beltran

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

SEP 29 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of September 27, 1976, transmitting for comment enrolled bills, H.R. 4583, "For the relief of Rosina C. Beltran", and H.R. 12831, "For the relief of Mo Chong-Pu".

This Department's files contain no information identifiable with the above cited bills, and in the absence of any derogatory information, this Department has no objection to the enactment of these bills.

Sincerely yours,

A handwritten signature in cursive script, reading "Kempton B. Jenkins".

Kempton B. Jenkins
Acting Assistant Secretary
for Congressional Relations

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

Date: October 2

Time: 600pm

FOR ACTION: NSC/S
Max Friedersdorf
Bobbie Kilbergcc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 4

Time: 1100am

SUBJECT:

H.R. 4583-Relief of Rosina Beltran

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

No objection.

Barry Roth

10/4

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 President

Date: October 2

Time: 600pm

FOR ACTION: NSC/S
Max Friedersdorf
Bobbie Kilberg

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

M.C.

FROM THE STAFF SECRETARY

DUE: Date: October 4

Time: 1100am

SUBJECT:

H.R. 4583-Relief of Rosina Beltran

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

Recommend approval. [Signature]

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 President

MEMORANDUM

NATIONAL SECURITY COUNCIL

5539

October 4, 1976

MEMORANDUM FOR: JAMES M. CANNON

FROM: Jeanne W. Davis *JWD*

SUBJECT: *J* Enrolled Bills 4583 and 5503

The NSC Staff concurs in the proposed enrolled bills H. R. 4583-
Relief of Rosina Beltran and H. R. 5503-Relief of Divina Mamuad.

ROSINA C. BELTRAN

SEPTEMBER 20, 1976.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT

[To accompany H.R. 4583]

The Committee on the Judiciary, to whom was referred the bill (H.R. 4583) for the relief of Rosina C. Beltran, 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 grant the status of permanent residence in the United States to Rosina C. Beltran. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction.

GENERAL INFORMATION

The beneficiary of this bill is a 47-year-old native and citizen of the Philippines who entered the United States as a visitor on April 5, 1972 to care for the three children of her sister who was suffering from terminal cancer and died June 18, 1972. The beneficiary was appointed guardian of her sister's United States citizen children. Two of the beneficiary's natural children accompanied her to the United States and her husband and their other four children were paroled into the United States in March 1973 for humanitarian reasons.

A bill for the relief of the same person passed the Senate during the Ninety-third Congress and the following information is reprinted from Senate Report No. 93-805:

A letter, with attached memorandum, dated November 28, 1972, to the chairman of the Senate Committee on the Judiciary from the then Commissioner of Immigration and Naturalization with reference to S. 4105, a similar bill for the relief of the same alien introduced in the 92d Congress, reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C. November 28, 1972.

A-19262683.

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

DEAR SENATOR: In response to your request for a report relative to the bill (S. 4105) for the relief of Rosina C. Beltran, there is attached a memorandum of information concerning the beneficiary.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment upon payment of the required visa fee. It would also direct that a visa number deduction be made.

The beneficiary, a native of the Philippines, is chargeable to the nonpreference portion of the numerical limitation for immigrants and conditional entrants from countries in the Eastern Hemisphere.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 4105

The beneficiary, Rosina C. Beltran, a native and citizen of the Philippines, was born on May 20, 1929. She and two of her children, ages 10 and 7, also natives and citizens of the Philippines, reside in Seattle. The beneficiary attended the Far Eastern University in the Philippines from 1948 to 1953, but left before acquiring the necessary credits for a bachelor of science degree in education. She is on leave from her employment as a bookkeeper with the Armed Forces of the Philippines. The beneficiary's husband is the Director for Regional Development in northern Luzon. He is also the Administrative and Personnel Officer for the Armed Forces of the Philippines as well as a technical assistant to President Marcos of the Philippines. The beneficiary and her husband own their home in the Philippines as well as other properties. They also derive income from a uniform tailoring business.

The beneficiary married Ricardo Q. Beltran, a native and citizen of the Philippines, in Quezon City on February 6, 1955. Her husband and their four other children, ages 14, 13, 12, and 9, reside in the Philippines. The beneficiary's half-brother, a naturalized citizen of the United States, resides in Newark, N.J. She also has a brother and a sister

who are residents of the Philippines. The beneficiary's father is deceased. Her mother, age 67, was admitted to the United States for lawful permanent residence on November 4, 1971.

The beneficiary and two of her children entered the United States as visitors for pleasure on April 5, 1972, and were authorized to remain until December 5, 1972. The purpose of the beneficiary's visit was to care for the three children of her sister, Mrs. Aurora Foronda, a divorcee, who was suffering from terminal cancer. The sister died on June 18, 1972. The beneficiary was appointed by court order as the guardian of her sister's children and also administratrix of the estate. The order specifies that the children cannot be removed from the State of Washington without court order.

The beneficiary's status as a visitor for pleasure was deemed terminated on October 31, 1972, after she had evinced the intention to seek permanent residence status in the United States. Deportation proceedings were instituted against her on November 2, 1972, on the ground that she had remained longer than permitted. She was accorded a hearing before a special inquiry officer on November 17, 1972, and granted the privilege of voluntary departure with the alternative of deportation if she fails to depart when required.

A letter dated April 9, 1973, to the chairman of the Senate Committee on the Judiciary from the then Acting 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., April 9, 1973.

A-19262683.

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

DEAR SENATOR: This refers to S. 506 in behalf of Rosina C. Beltran. The beneficiary's husband and their four other children were paroled into the United States on March 17, 1973, for a period of 1 year.

Sincerely,

JAMES F. GREENE,
Acting Commissioner.

Senator Henry M. Jackson, the author of the bill, has submitted numerous letters and documents in connection with the case, among which are the following:

SEATTLE, WASH., June 6, 1972.

HON. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: Thank you very much for acknowledging my letter some time ago. Since it seems impossible for you to help

me out while I am still alive, because of the rules, laws, and regulations, I would like further to request you to take good care of my three children, who are American born citizens, by asking the Bureau of Immigration and Naturalization to grant my sister, Rosina C. Beltran, who is already here as a visitor helping me while I am incapacitated and bedridden. She and my mother are the reasons why I can afford to stay in the hospital and my children outside of foster homes.

My sister, Marina C. Velasco, the first one I already approached you for an immigrant visa, which I filed since 1967, because she does not have children of her own but it has not been approved. I also have a brother, Carlos R. Campos, whom I filed a petition for an immigrant visa at the same time with my sister.

I assure you, your honor, that none of my family would be a public charge. I have managed to save a little money for them to start life here in the United States.

Hoping for your very kind regard and consideration on this matter, I sincerely remain

Very respectfully yours,

AURORA C. FORONDA.

SEATTLE, WASH., August 5, 1972.

HON. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: I am indeed very sorry to inform your honor that my sister Aurora C. Foronda, who have been seeking your assistance for the last few months of her life regarding her three children who are all American born citizens, died last June 18, 1972.

The undersigned is now appointed by the court as the guardian of her three minor children ages 11, 7 and 2½ years old. The court's order is that I cannot remove them from Washington. My biggest problem now is that I am only a visitor here and this makes me and my husband suffer mental anguish.

I went already to the Immigration with our Vice Consul with the hope that they can do something for me but it seems my case is hopeless. They told me it is a very humane and deserving case and they hope that someday the authorities concern should pass a private bill regarding this matter. They suggested me to write your honor that is why I am here now seeking your assistance or advise me what to do in order that I may be relieved of my worries. I know you are our only hope and inspiration regarding this matter.

Since the time I know that I have a very little chance, I am now undergoing medical treatment of my blood pressure and I am afraid I may not be able to fulfill my sister's last wish. Besides I am also worried with my family back home especially now a days that the Philippines is in the state of calamity caused by floods and typhoons.

I assure your honor that we will not be of public charge. Aurora has managed to save a little money for us to start life here in the United States. Enclosed are the death certificate of Aurora, my letter of guardianship, and the decision of the court for your reference.

With hopes and prayers for your continued success in all your undertakings and also in fulfilling the last wish of my sister, I remain
Very respectfully yours,

ROSINA C. BELTRAN.

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Seattle, Wash., June 15, 1972.

HON. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: Receipt is respectfully acknowledged of your letter of June 12, 1972, concerning your constituent, Mrs. Aurora C. Foronda, of Seattle, Wash.

Visa petitions filed by Mrs. Foronda on February 3, 1967, on behalf of her sister, Marina C. Velasco, and her brother, Carlos R. Campos, were approved by this office on February 13, 1967, according them fifth preference immigrant classification as the sister and brother of a U.S. citizen.

The current Department of State Visa Office Bulletin (No. 52) indicates that fifth-preference visas for persons born in the Philippines are presently unavailable, and none are expected to be available in the foreseeable future. Therefore, Mrs. Velasco and Mr. Campos will encounter an indeterminate period of waiting before visas will be available for their use in immigrating to the United States.

Mrs. Foronda's mother, Victorina Reyes Campos, was admitted to the United States as a permanent resident on November 4, 1971. She is presently residing at Mrs. Foronda's residence in Seattle. However, she is 67 years of age and is of little or no assistance in the case of Mrs. Foronda's minor children.

Rosina C. Beltran, Mrs. Foronda's sister, is presently in the United States as a temporary visitor with permission to remain until December 5, 1972, and is presently caring for the minor children of Mrs. Foronda. Rosina is married and the mother of six children in the Philippines, and is, therefore, not eligible for any preference classification, which would enable her to adjust her status to permanent residence at this time.

Consequently, I regret to inform you that no administrative remedy is presently available to Mrs. Beltran, which would allow her to remain permanently or indefinitely in the United States.

As requested, the enclosures to your letter are returned. Please be assured of our continued interest and cooperation in all matters in which we may be of service to your office.

Sincerely yours

JOHN P. BOYD,
District Director.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR THE
COUNTY OF KING

IN PROBATE

In the matter of the estate of Aurora C. Foronda, Deceased.
No. E211641 Letters of administration with will annexed.

STATE OF WASHINGTON
County of King, ss:

THE LAST WILL of the above named deceased having been proven and recorded in the said Superior Court, Now therefore, know all men by these presents: That ROSINA C. BELTRAN is hereby appointed Administratrix with the Will annexed, of the estate of said above named deceased, and whereas said Administratrix with Will annexed has qualified, and hereby is authorized to administer the same according to law

Witness my hand and seal of said Court this 16th day of August, A.D. 1972

W. B. STEEN,
Superior Court Clerk.
By DOROTHY LATHROP, Deputy.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING
COUNTY

NO. 62901 ORDER APPOINTING GUARDIAN

In the matter of the guardianships of the persons and estates of Vincent G. Baga, Gregory J. Foronda, and Michael A. Foronda, Minors.

The Petition of Rosina C. Beltran, praying that she be appointed guardian of the persons and estates of Vincent G. Baga, Gregory J. Foronda, and Michael A. Foronda, minors, coming on regularly for hearing this day, and proof having been made that proper notice of the time and place of hearing has been given according to law, and testimony having been heard, the Court finds that:

The matters set forth in the petition are true and the petition sets forth facts essential to give this court jurisdiction over the persons and estates of Vincent G. Baga, Gregory J. Foronda, and Michael A. Foronda, minors; and finds that Rosina C. Beltran is a suitable and competent person to act as guardian of the persons and estates of Vincent G. Baga, Gregory J. Foronda, and Michael A. Foronda, minors.

It is, therefore, Ordered that Rosina C. Beltran be and she is hereby appointed guardian of the persons and estates of Vincent G. Baga, Gregory J. Foronda, and Michael A. Foronda, minors, and that Letters of Guardianship be issued to her upon her filing an oath and bond according to law in the sum of \$10,000 and said minors are not to be removed from Washington State without court order.

Done in Open Court this 28th day of June, 1972.

HORTON SMITH,
Judge.

The estate of Michael A. Foronda

Proportionate share Telco Credit Union Account No. 7140 (\$4,641.94)	\$1,547.31
Telco Credit Union account No. 14076	1,759.03
Proportionate share Group Health Credit Union account No. 9962 (\$1,406.98)	468.99
John Hancock insurance policy No. M 7463877 (\$2,400)	800.00
John Hancock insurance policy No. 60-682-273 (\$6,000)	2,000.00
Olympic National Life insurance policy No. 32132 (\$10,000)	3,333.33
Olympic National Life insurance policy No. 33453 (\$10,000)	3,333.33
Cal Western Life Insurance Co. policy No. 40311	5,333.33
Washington Mutual Savings Bank account No. 7532	268.16
Pioneer Mutual Savings Bank account No. 15270-1	307.16
Proportionate share Pacific N.W. Bell Telephone employee death benefits (\$7,255.80)	2,418.60
Subtotal	21,569.24
U.S. savings bonds	625.00
Total	22,194.24

The estate of Vincent G. Baga, Jr.

Proportionate share Telco Credit Union account No. 7140 (\$4,641.94)	\$1,547.31
Telco Credit Union account No. 14078	1,756.64
Proportionate share Group Health Credit Union account No. 9962 (\$1,406.98)	468.99
John Hancock insurance policy No. M 7 463877 (\$2,400)	800.00
John Hancock insurance policy No. 60-682-273 (\$6,000)	2,000.00
Olympic National Life insurance policy No. 32132 (\$10,000)	3,333.33
Olympic National Life insurance policy No. 33453 (\$10,000)	3,333.33
Cal Western Life Insurance Co. policy No. 40311 (\$16,000)	5,333.33
Washington Mutual Savings Bank account No. 1506	250.96
National Bank of Commerce-Stadium Br. account No. 043-005915-4 (savings account)	38.72
Pacific N.W. Bell Telephone Co. employee death benefits—proportionate share (\$7,255.80)	2,418.60
Subtotal	21,281.21
U.S. savings bonds	525.00
Total	21,806.21

The estate of Gregory J. Foronda

Proportionate share Telco Credit Union account No. 7140 (\$4,641.94)	\$1,547.31
Telco Credit Union account No. 14077	1,754.16
Proportionate share Group Health Credit Union account No. 9962 (\$1,406.98)	468.99
John Hancock insurance policy No. M 7 463877 (\$2,400)	800.00
John Hancock insurance policy No. 60-682-273 (\$6,000)	2,000.00
Olympic National Life insurance policy No. 32132 (\$10,000)	3,333.33
Olympic National Life insurance policy No. 33453 (\$10,000)	3,333.33
Cal Western Life Insurance Co. policy No. 40311 (\$16,000)	5,333.33
Washington Mutual Savings Bank account No. 2244	230.17
Proportionate share Pacific N.W. Bell Telephone Co. employee death benefits (\$7,255.80)	2,418.60
Subtotal	21,219.22
U.S. savings bonds	550.00
Total	21,769.22

Through your assistance and invaluable services, we are now making necessary travel arrangements with the Philippine government and the United States Embassy. It is a pleasure to note that the Counselor of Embassy for Consular Affairs took the initiative of requesting the Philippine Department of Foreign Affairs to give due course to our passport applications. Not a long time from now, God permitting, we will be together again and share the usual joys and happiness of the family.

My family and I are eternally grateful to you for your magnanimity. We pledge to you to be worthy of your intercession. We shall be law-abiding, maintain irreproachable character, uphold and obey the principles underlying the American Constitution, and assimilate the noble traditions and customs of the American people.

May the Lord give you the strength, health and wisdom to render more and more service to the nation and to distressed people.

Very sincerely yours,

RICARDO Q. BELTRAN.

HEAVEY & PICTON,
ATTORNEYS AT LAW,
Seattle, Wash., March 5, 1973.

MEMBERS, SENATE JUDICIARY COMMITTEE,
U.S. Senate, Washington, D.C.

HONORABLE MEMBERS OF THE COMMITTEE: Please be advised that our firm acts as counsel in the probate of the estate of Aurora C. Foronda and in the guardianship of said deceased's minor children in which Rosina C. Beltran has been appointed, by Order of the King County Superior Court of the State of Washington, guardian.

The minor children in this matter are: Vincent G. Baga, Jr., age 11; Gregory J. Foronda, age 7; and Michael A. Foronda, age 4.

The father of the eldest son, Vincent G. Baga, Jr. is deceased. The father of the second son, Gregory J. Foronda, was divorced from Aurora C. Foronda at the time of her death. The father of the youngest child, said child being illegitimate, is Frank S. Hino of Seattle, Washington. At the time of the divorce between Mrs. Aurora Foronda and Mr. Frank Foronda, custody of the children with visitation in Mr. Foronda was awarded to the mother—both the divorce the custody question being clearly resolved in favor of Mrs. Foronda due to a severe alcohol problem suffered by Mr. Foronda. As you will note from the attached Court Order in following the death of Aurora Foronda, Mr. Frank Foronda attempted to regain custody of Gregory J. Foronda as well as to apply for custody of Vincent G. Baga, Jr. and Michael A. Foronda, in a contested guardianship hearing during which the Court denied his request and found Mrs. Beltran to be the only suitable and available Guardian for the children. The Court's reasoning at the time was based not only upon Mr. Foronda's continued involvement with alcohol, but additionally, upon his employment which takes him from Seattle to Alaskan waters for fishing each summer. The Court felt quite strongly at the time of the hearing of Mrs. Beltran's application as Guardian that there were no other relatives available in the United States nor in the Philippines other than

Mrs. Beltran suitable to be named Guardian. At the same time, the Court realized that despite his severe alcohol problem, Mr. Foronda had developed a loving relationship with all three boys and that all three, including his own son, Gregory, would benefit with a relationship with him, and for this reason, specifically, prohibited the children from being removed from the United States.

Frankly, I am convinced that although Mr. Foronda is quite unacceptable as a guardian, the court would never agree to his son being moved from the United States. Should Mrs. Beltran be forced to leave the United States with the two boys—Vincent G. Baga, Jr. and Michael A. Foronda—over whom Mr. Foronda has no legal claim, the result would clearly be disruption and dissolution of family ties between the three boys with the placement of Gregory in some foster home so that his father could continue to exercise visitation.

During the probate of the above named Estate and the Guardianship proceedings, I have become very familiar with this family and with the affairs of the deceased who obviously had such love for her children and this country that she made every provision for them and expressed every possible desire that they be kept together and kept in the United States. I am hoping that the Members of the Senate Judiciary Committee will act favorably on the Legislation introduced by Senator Jackson.

Very truly yours,

JAMES D. PICTON.

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C., March 27, 1974.

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

MY DEAR MR. CHAIRMAN: I am enclosing a copy of a letter I have received from my constituent, Mrs. Rosina C. Beltran of Seattle, Wash. Mrs. Beltran is the beneficiary of a private bill I introduced. This bill, S. 506, is presently before your committee.

I shall appreciate your seeing that the bill receives consideration by the committee as soon as possible. If additional information is required by the committee, please let me know.

Sincerely yours,

HENRY M. JACKSON,
U.S. Senator.

SEATTLE, WASH.
March 20, 1974.

HON. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SIR: Please allow me once more to disturb you of your most valuable time and bring to you again the problem now facing my family. This is an SOS call and hope you will spare us a little of your time.

Cognizant of your solicitous interest in working for the plight of the helpless, may I again appeal and seek your assistance by pushing through favorably your bill making me permanent resident of the United States. If the bill will fail to get the approval of Congress this current session, I am afraid the Immigration and Naturalization Service might deport me and my family, whom you have worked hard for their entry in Seattle. We are eternally grateful for your efforts in bringing my husband and four children from the Philippines and joined me here in Seattle. We are now happily reunited but this happy reunion, I hope God forbids, will be cut short if your bill making me permanent resident will not be approved by Congress. Our future will depend largely on the fate of the bill. As you know, we have a mission here in the United States to attend. This mission is humanitarian and that is to rear our three orphan-nephews, all American citizens, and who were left behind in this world due to the untimely death of their parents. These children are very young, the eldest being only twelve and the youngest in only four years old. So, kindly do everything you can for the approval of the bill so that my status will be solved once and for all.

Sir, I am very thankful for your concern to my case by sponsoring the bill making me a permanent resident of the United States. Considering your soft heart to the helpless, I am hopeful and confident for the approval of the bill and thereby succeed in our dreams to stay in this country forever to fulfill our mission.

Thank you and may the Good Lord give you strength, health, and wisdom to render more and more service to the nation and the distressed people. Regards to Mrs. Jackson and the children, I am

Respectfully yours,

ROSINA C. BELTRAN.

Mr. Adams, the author of this bill, submitted the following letters and statements in support of his bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 16, 1976.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship and
International Law, Committee on the Judiciary, U.S. House of
Representatives.

DEAR JOSH: I am very pleased to know that your Subcommittee has decided to report favorably to the full Judiciary Committee on the bill HR 4583 for the relief of Rosina C. Beltran.

I believe the Subcommittee's action is most appropriate, especially because Rosina Beltran has proved to be the only suitable and capable guardian for the children of her deceased sister. At considerable personal sacrifice, Mrs. Beltran and her family left their home in the Philippines to care for these young U.S. citizens. Mr. Beltran has given up a senior position in the Philippine Government, coordinator of all community development offices.

In reviewing the materials associated with this case, I believe that Father James Picton's letter to you dated February 16, 1976 and attorney Terrence A. Carroll's memorandum to my office dated November 10, 1975 most clearly detail the reasons that have convinced me

that Mrs. Beltran and her family should be allowed to remain in the United States. I am enclosing copies of these documents for your convenience.

I thank you for your favorable action on this worthy proposal and sincerely hope that the full Judiciary Committee will find it possible to consider and act favorably on HR 4583 before the end of this Congress.

Yours very truly,

BROCK ADAMS.

Enclosures.

ST. PATRICK'S CHURCH,
Seattle, Wash., February 16, 1976.

Congressman JOSHUA EILBERG,
Chairman, Immigration Subcommittee, House Judiciary Committee,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN EILBERG: I am writing with regard to Mrs. Rosina Beltran, the beneficiary of Senate Bill 204 and a Companion House Bill, her husband and children, and the minor children for whom she is Guardian. Senate Bill 204 was introduced in this session by Senator Henry M. Jackson and has passed the Senate; the Companion House Bill—introduced by Congressman Brock Adams—was unfavorably acted upon by the House Immigration Subcommittee. While both Bills obviously benefit Rosina Beltran and her immediate family who have been paroled into this country, the primary concern of all involved has been for the Foronda minors—U.S. citizens for whom Mrs. Beltran serves as Court-appointed Guardian.

It is my belief that through a series of unfortunate circumstances your Subcommittee did not have before it the clearest record possible regarding the merits of this legislation. And it is for this reason that I am taking the liberty of writing directly to you in hopes that you might be willing to facilitate the Subcommittee's reconsideration of the matter. I personally have agonized over the potential plight of the Foronda children for several years and am hopeful that your reputation for fairness and concern for those in great difficulty will mean "another chance" for Mrs. Beltran's Bill. I must say that I am writing not only as the attorney first involved on this family's behalf but also as their priest concerned for the physical and spiritual welfare of all the parties upon whom this legislation has impact.

I first became involved with the Foronda children in 1971 when I was asked by my parish priest to draft a Will for Aurora Foronda—a fellow parishoner who at that time was dying of cancer and who was the mother of three small children. A special concern was the welfare upon her death of her children: Vincent Baga whose father was deceased, Gregory Foronda whose father—seasonally employed in Alaskan fishing—was a chronic alcoholic and from whom Mrs. Foronda was divorced, and Michael Foronda, an illegitimate whose natural father was being pursued without success by the Prosecutors Office for non-support. We could see no suitable Guardian for the children in this country. To answer the need for a Guardian as well as to care for the dying Mrs. Foronda and her aged mother, who has

subsequently returned to the Philippines, a sister, Mrs. Rosina Beltran and her youngest children left their home and family in the Philippines and came to Seattle.

After Mrs. Foronda's death in June, 1972, the King County Superior Court of the State of Washington appointed Mrs. Beltran as permanent Guardian of the children at a hearing in which I appeared as the attorney of record; there was no other suitable Guardian. *I am informed that there is some confusion with respect to this hearing and the order entered which affected your Subcommittee's understanding of the private Bill's merits.* I would like to clarify any confusion which may exist.

During the hearing, Mr. Frank Foronda, father of Gregory Foronda only, appeared in Court in response to the Notice of Hearing served on him as natural father of Gregory. At that time, he appeared to be unstable and not in contact with reality despite the Judge's many attempts to communicate with him. After causing a considerable "scene" in the Courtroom during which he claimed Mrs. Beltran was attempting to "kidnap" the children to the Philippines; raising his voice to the Judge; and substantially delaying the Court's calendar, Mr. Foronda was quieted by the Judge asking me if it would hurt to include in the Order Appointing Guardian a proviso that none of the children (Mr. Foronda having claimed affection for all three) be removed from the State without a Court Order. The Judge's suggestion was made in order to resolve in an innocuous way the "scene" in the Courtroom—since it was obvious that Mr. Foronda could not be communicated with. I agreed and the Order was entered containing this proviso.

I am now given to understand that the Sub-committee's staff had reached the conclusion that the Guardianship Order's proviso in this regard reflected a finding of fitness on the part of Frank Foronda to serve as Guardian for the Deceased's children (thus, making unnecessary the private Bill benefiting the Beltrons). Nothing could be farther from the truth! Mr. Foronda lives alone in a one-bedroom apartment in downtown Seattle, is rarely not intoxicated, is absent from the City each summer while fishing on an irregular basis, and in no way is capable of serving as the Guardian for any of these minors—the youngest of whom is in the second grade.

My second concern is an understanding that there is an entry in the Immigration Service's Report indicating a lack of co-operation and interest (the entry being made in February 1975) on Mrs. Beltran's part with respect to the Bill. I believe that this entry was sincerely made yet at the same time the result of a communication "gap" involving myself. In February 1975, an Immigration Service investigator contacted Mrs. Beltran to ask her to be interviewed to update the information available on the Bill; his impression of her response to his inquiry seems to have been one of disinterest. He then called me at my Rectory and told me that he wished to update information at the request of his superiors. No doubt my reply was more clearly articulated than Mrs. Beltran's—to the effect that we had forwarded substantial material at the request of Sen. Jackson for forwarding to the appropriate offices concerned with the Bill's consideration and that anything more by way of similar data would be redundant. My

recollection of this conversation was that the investigator was satisfied with my reply and my further statement that I would speak with Mrs. Beltran indicating that I would tell her that the investigator had thought she was dis-interested and un-cooperative when she had given the same reply as myself to his inquiry yet in an articulate manner. Apparently the investigator's impression was that I would call Mrs. Beltran and tell her to call him; which—since I have no recollection of telling her to do—she did not do, causing him to make an entry in his report—perhaps unfavourable—to the Bill's chances for passage.

I distinctly remember speaking with Mrs. Beltran subsequent to the call I received from the investigator. She in no way wished to seem dis-interested or uncooperative but was simply quite confused by an inquiry for material which she thought I had just forwarded to Sen. Jackson. It is also my recollection that she was frightened by the investigator's call; I have no reason to disbelieve this statement by Mrs. Beltran as I have found her to be an extremely shy person—especially when confronted by any person in a position of authority. Many examples of this "shyness" come quickly to mind.

In retrospect it appears that a communications "gap" must have existed between myself and the investigator and between the investigator and Mrs. Beltran—resulting in the unfortunate entry. For whatever part I may have played in this difficulty and for any disadvantage it may have caused in the Bill's consideration, I am extremely sorry.

I have described the above concerns in some detail because I am overwhelmingly convinced of the merits of this legislation and would not want to have the Sub-committee unclear about these matters—affecting as they do the lives of three children who will be without care if Mrs. Beltran is not allowed to remain in this country. It is my hope that this information—together with additional new supportive evidence made available by Mrs. Beltran's present attorney—will be sufficient to re-open consideration of this matter.

In conclusion I would also like to make several observations regarding the Beltran family. I have known this family for several years and rarely have I seen such dedicated, honest, and hard-working people. Mr. and Mrs. Beltran left a life of some comfort in the Philippines to undertake the care of Mrs. Foronda's children—to the extent that they have stayed in this country beyond the date which would have presented their civil service jobs upon a return to their homeland. Their constant willingness to give of themselves for the benefit of the Foronda children whom they have in every respect treated as their own is a model of responsible "parenting". In my two years of pastoral activity at Seattle's St. Edward's Parish I have had the opportunity to encounter many people from the Philippines who have attempted to manipulate facts and circumstances so as to take advantage of the Immigration law of this country for their own advantage. I am totally confident that this is not the case with Mrs. Beltran.

Hoping for your assistance in facilitating re-opening of this matter, I am

Sincerely and respectfully yours,

Father JAMES D. PICTON.

GERAGHTY, GERAGHTY, VAN DERHOEF & SAWYER,
Seattle, Wash., May 10, 1976.

Re Rosina Beltran—S. 204.

Hon. BROCK ADAMS,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSMAN ADAMS: On March 10, 1975, you introduced a companion bill to the above legislation which had passed the Senate. The purpose of this private legislation was to allow an adjustment in the immigration status of Mrs. Beltran to allow her to remain in this country to care for her deceased sister's three minor children. On April 21, 1975, the House Judiciary Committee indicated that the facts do not warrant favorable consideration of your bill. This was due primarily to some unfavorable and incorrect information which became a part of the Committee file.

The purpose of this letter is to request that you take steps to request the Subcommittee on Immigration to again consider your legislation. This is based primarily on two matters: First, the Subcommittee had mistakenly received information that Frank Foronda, father of one of the minor children, could take care of one or more of the children in the event that Mrs. Beltran and her family is forced to return to the Philippines. This information is not true. As the attached court order indicates, Mr. Foronda for reasons of age and health is not fit to care for anyone. Secondly, an earlier court order which had appointed Mrs. Beltran as guardian of the children limited her authority to remove the children from the State. For some reason, the Subcommittee interpreted this as an indication of the court's hesitation about Mrs. Beltran's appropriateness as guardian. Again, as the attached order shows, there is no longer any travel restriction imposed on the children.

We believe that with this new information, the Subcommittee may be inclined to give more favorable consideration to your bill. In any event, however, it will require *your* actions to enable the Subcommittee to reconsider.

As your staff knows, Mrs. Beltran has cared for these children for several years now. In addition, her husband (who left a position of prominence with the Philippine government) and children have come to this country and are now respected members of the community. However, unless favorable action is taken by this session of Congress, deportation of the Beltrons is likely. Also, there is no administrative remedy for them within the Immigration and Naturalization Service. The impact on the lives of the three youngsters, for whom Mrs. Beltran now cares and for whom no other relative can care, would be obvious.

Therefore, we are asking that you take the necessary steps to obtain reconsideration of your bill by the House Subcommittee. We will give any assistance that you think necessary in addition to what has already been provided your staff. Recognizing your important responsibilities and the demands on your schedule, your prompt attention to this matter is requested. Thank you.

Very truly yours,

TERRENCE A. CARROLL,
JAMES D. PICTON.

Enclosure.

Superior Court of Washington for King County

In the Matter of the Guardianship of

VINCENT BAGA, GREGORY FORONDA, AND MICHAEL FORONDA, MINORS

No. G2901

ORDER MODIFYING GUARDIANSHIP

THIS MATTER having come on for hearing before the undersigned judge of the above-entitled court, upon motion of the guardian, Rosina Beltran, by and through her counsel, Terrence A. Carroll, for an order modifying the above guardianship established on June 28, 1972; and the court finding that proper notice having been given to all parties entitled thereto and that the court has proper jurisdiction over the matter; and the court having considered testimony, statements of counsel, and the report of the Guardian ad Litem, now, therefore:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Rosina Beltran is the only relative of the above minor children who is a suitable and capable person to care for said children, and that it is in the best interests of the above minor children to have the guardianship continued with Rosina Beltran as Guardian;

IT IS FURTHER ORDERED that Frank Foronda, father of Gregory Foronda, is not capable or competent, for reasons of age and ill-health, to care for any of the above minor children.

IT IS FURTHER ORDERED that any restrictions on the travel of the above minor children as contained in the court order of June 28, 1972, are hereby removed.

DONE IN OPEN COURT this 23 day of March, 1976.

(s) DONALD NILES,
Court Commissioner.

(s) JAMES D. PICTON,
Attorney for Guardian.

Presented by:

(s) TERRENCE A. CARROLL,
Attorney for Guardian.

Order modifying guardianship.

NOVEMBER 10, 1975.

Re Rosina Beltran and family.

To: Margo de Puy, Office of Congressman Brock Adams, Washington, D.C.

From: Terrence A. Carroll, Attorney.

As a follow-up to your conversation with Jim Picton, this is to provide additional information regarding Mrs. Beltran who is seeking permanent residence in this country through enactment of a private bill.

In deciding to come to this country with their six children and care for her deceased sister's children, Mr. and Mrs. Beltran left their stable home and jobs in the Philippines. For Mr. Beltran this meant

taking a leave of absence from his position (civil service) with the Philippine government. He had been coordinating all offices of the Philippine government involved in community development—a high position of responsibility. He lost all chance of returning to the Philippines and employment in civil service in May, 1975. Were he to return at this time, he would have to again take a civil service exam (if offered) and hope for the best. However, our information is that the economic and political situation in the Philippines is not good. His hopes of any type of employment, much less civil service, would not be good.

The above situation is further complicated in that Mr. and Mrs. Beltran are the only relatives who are in a position to care for her deceased sister's children. Therefore, a failure to obtain permanent residency would require either the uprooting of the children from this country to the Philippines or the placement in foster care.

These are decent people who are trying very hard to meet a family commitment and take care of their own children as well. They are now respected, contributing members of the Seattle community who only ask that they be given the opportunity to follow through with the responsibility of raising the American citizens entrusted to their care. I will be happy to provide additional information regarding this case at your request. Thank you.

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 H.R. 4583 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 Rosina C. Beltran.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Rosina C. Beltran shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by one number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*