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APPROVED
JUL 8 - 1975

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

JUL 2 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1387 - For the relief of Raul Alvarez Rodriguez
Sponsor - Rep. de la Garza (D) Texas
- (2) H.R. 1393 - For the relief of Jacinta Roque Armstrong-Perez
Sponsor - Rep. Eilberg (D) Pennsylvania
- (3) H.R. 1408 - For the relief of Joseph Hoffman
Sponsor - Rep. Lehman (D) Florida
- (4) H.R. 1510 - For the relief of Steve P. Reese
Sponsor - Rep. McCollister (R) Nebraska
- (5) H.R. 2119 - For the relief of Maria Gilda Haro
Sponsor - Rep. Talcott (R) California

Posted
7/9
To archive
7/9

Last Day for Action

July 9, 1975 - Wednesday

Purpose

To facilitate adjustment of status of the beneficiaries to permanent residence.

Agency Recommendations

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

Discussion

Each of the enrolled bills would facilitate adjustment of status of one of the beneficiaries to permanent residence. Each beneficiary is over 14 years of age and an adopted child of a United States citizen. Being over 14 at the time of adoption, they are not eligible for immediate relative status as children.



The specific background of the respective bills follows.

H.R. 1387 - Raul Alvarez Rodriguez, beneficiary, is a 21 year old son of a citizen of the U.S. He is a native and citizen of Mexico and first entered the U.S. when he was four years old. He was adopted in Mexico in 1969 by his aunt who became a U.S. citizen on November 1, 1974. She has been a lawful permanent resident of the U.S. since 1954.

Beneficiary's aunt owns her own home, is regularly employed, and has a modest savings.

If beneficiary is not granted permanent resident status, he must leave the U.S. Beneficiary has attended schools in Texas since 1965 and is presently a student in college in Texas. He is anxious to join the U.S. armed forces.

H.R. 1393 - Jacinta Roque Armstrong-Perez, beneficiary, is a 17 year old daughter of a U.S. citizen and an alien lawfully resident in the U.S. She is a native and citizen of Panama and resides in Panama with her adoptive mother who is also beneficiary's aunt. She was adopted in 1972 and is employed in Panama City.

Beneficiary's adoptive father is employed by the Navy in Pennsylvania having been employed by the Navy in Panama until 1972. His income is about \$7,500 a year and his assets total about \$15,000, much of it being a farm and buildings in Panama. Beneficiary's adoptive mother, a permanent U.S. resident, is temporarily living on the farm property in Panama.

Absent the enrolled bill, beneficiary would be chargeable to the numerical limitation and subject to an extended delay in adjustment of her status.

H.R. 1408 - Joseph Hoffman, beneficiary, is a 19 year old son of a citizen of the U.S. He is a native and citizen of Morocco who first entered the U.S. in 1971. He was legally adopted by U.S. citizens in 1974. He is a full-time student.

The adoptive parents live in Florida and list their assets as near \$200,000. They have been married since 1946 and have two grown children.

Beneficiary's student visa expired June 3, 1975 and unless he gets permanent residence status he will be ineligible to stay with his adoptive parents.

H.R. 1510 - Steve P. Reese, beneficiary, is a 20 year old son of a U.S. citizen. He is a native and citizen of Mexico and first entered the U.S. in 1968. He was adopted in 1973.

Beneficiary's adoptive parent lives in Omaha, Nebraska and owns his own business. His income is about \$25,000 a year and his assets approximately \$175,000. Mr. Reese is also helping beneficiary's family in Mexico.

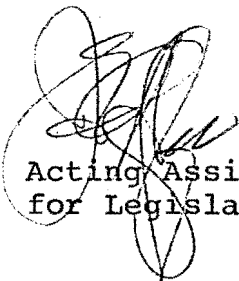
Beneficiary is a full-time student who works for his adoptive father in his photography business.

But for this enrolled bill, beneficiary would have to apply for an approved labor certification and apply for a Special Immigrant Visa resulting in several years delay.

H.R. 2119 - Maria Gilda Haro, beneficiary, is a 22 year old adopted daughter of a U.S. citizen and an alien lawfully resident in the U.S. She is a native and citizen of Mexico. She entered the U.S. in 1970 as a temporary visitor and, after extensions of her stay, is subject to deportation. She was adopted in Mexico in 1970.

Beneficiary's adoptive father and mother are an agricultural worker and a retired agricultural worker respectively who adopted beneficiary because they wanted a child. Their income is \$1,100 a month in season and their assets include a trailer home, a pickup truck, a car and about \$4,000 in savings.

But for this enrolled bill, beneficiary would have to return to Mexico after five years in the U.S. with her adoptive parents.



Acting Assistant Director
for Legislative Reference

Enclosures

THE WHITE HOUSE

WASHINGTON

2 7/8-5
ACTION

Last Day: July 9

July 3, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON 

SUBJECT: Enrolled Bills

- (1) H.R. 1387 - For the Relief of Raul Alvarez Rodriguez
- (2) H.R. 1393 - For the Relief of Jacinta Roque Armstrong-Perez
- (3) H.R. 1408 - For the Relief of Joseph Hoffman
- (4) H.R. 1510 - For the Relief of Steve P. Reese
- (5) H.R. 2119 - For the Relief of Marie Gilda Haro

Attached for your consideration are enrolled bills to facilitate adjustment of status of the beneficiaries to permanent residence. Each beneficiary is over 14 years of age and an adopted child of a U.S. citizen. Since they were over 14 at the time of adoption, they are not eligible for immediate relative status as citizens.

Background information on each of the enrolled bills is provided at Tab A.

OMB, Max Friedersdorf, Phil Buchen (Lazarus), NSC and I recommend approval of the enrolled bills.

RECOMMENDATION

That you sign the enrolled bills at Tab B.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 2,

Time: 500pm

FOR ACTION: Dick Parsons *PH*
 NSC/S *or Davis*
 Max Friedersdorff *PH*
 Ken Lazarus *PH*

cc (for information):

Jim Cavanaugh
 Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 3

Time: 300pm

SUBJECT:

Relief Bills

H.R. 1387

H.R. 2119

H.R. 1393

H.R. 1408

H.R. 1510

ACTION REQUESTED:

H.R. 211

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
 For the President

THE WHITE HOUSE

5 6

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 2,

Time: 500pm

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

cc (for information):

Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

July 3

Time:

300pm

SUBJECT:

Relief Bills

H.R. 1387

H.R. 2119

H.R. 1393

H.R. 1408

H.R. 1510

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. -- Ken Lazarus 7/3/75

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 56

Date: July 2,

Time: 500pm

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

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 3

Time: 300pm

SUBJECT:

Relief Bills

H.R. 1387

H.R. 2119

H.R. 1393

H.R. 1408

H.R. 1510

ACTION REQUESTED:

- | | |
|---|--|
| <input type="checkbox"/> For Necessary Action | <input checked="" 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

THE WHITE HOUSE

5 6

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 2,

Time: 500pm

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

cc (for information):
Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 3

Time: 300pm

SUBJECT:

Relief Bills

H.R. 1387

H.R. 2119

H.R. 1393

H.R. 1408

H.R. 1510

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

No objection. RA

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

MEMORANDUM

NATIONAL SECURITY COUNCIL

4584

July 3, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: Jeanne W. Dav 
SUBJECT: Relief Bills

The NSC Staff concurs in the proposed relief bills H. R. 1387, H. R. 1393, H. R. 1408, H. R. 1510 and H. R. 2119.

To: J. Casanovi
7-2-75
5:00 P.M.

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

JUL 2 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1387 - For the relief of Raul Alvarez Rodriguez
Sponsor - Rep. de la Garza (D) Texas
- (2) H.R. 1393 - For the relief of Jacinta Roque Armstrong-Perez
Sponsor - Rep. Eilberg (D) Pennsylvania
- (3) H.R. 1408 - For the relief of Joseph Hoffman
Sponsor - Rep. Lehman (D) Florida
- (4) H.R. 1510 - For the relief of Steve P. Reese
Sponsor - Rep. McCollister (R) Nebraska
- (5) H.R. 2119 - For the relief of Maria Gilda Haro
Sponsor - Rep. Talcott (R) California

Last Day for Action

July 9, 1975 - Wednesday

Purpose

To facilitate adjustment of status of the beneficiaries to permanent residence.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization Service
Department of State

Approval
No objection

Discussion

Each of the enrolled bills would facilitate adjustment of status of one of the beneficiaries to permanent residence. Each beneficiary is over 14 years of age and an adopted child of a United States citizen. Being over 14 at the time of adoption, they are not eligible for immediate relative status as children.

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
Washington 25, D.C.

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

JUL 1 1975

AND REFER TO THIS FILE NO.

A20 836 748

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H. R. 1393; Office of Management
and Budget request dated June 27, 1975

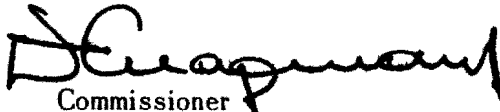
Beneficiary or Beneficiaries Jacinta Roque Armstrong-Perez

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

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

JUL 1 1975

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of June 30, 1975, transmitting for comment enrolled bill H.R. 1393, "For the relief of Jacinta Roque Gonzalez Lopez".

This Department's files contain no derogatory information identifiable with the above cited alien, although a complete report has not been received in this matter, apparently because of difficulties in communicating with the beneficiary. On the basis of the information which is presently available, the Department has no objection to the enactment of this bill.

Sincerely yours,

A handwritten signature in cursive script, reading "L. F. Walentynowicz".

Leonard F. Walentynowicz
Administrator
Bureau of Security and
Consular Affairs

JACINTA ROQUE ARMSTRONG-PEREZ

JUNE 24 (legislative day, JUNE 6), 1975.—Ordered to be printed

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

REPORT

[To accompany H.R. 1393]

The Committee on the Judiciary, to which was referred the bill (H.R. 1393) for the relief of Jacinta Roque Armstrong-Perez, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States as an immediate relative of the adopted child of a U.S. citizen and a lawful permanent resident.

STATEMENT OF FACTS

The beneficiary of the bill is a 17-year-old native and citizen of Panama who resides there with her adoptive mother, Hermina Armstrong-Perez, a lawful permanent resident of the United States. The beneficiary was adopted in Panama on June 2, 1972. Her adoptive father, Joseph Armstrong, is a U.S. citizen. The beneficiary's natural mother is deceased; her natural father is incapable of providing for her support.

A letter, with attached memorandum, dated February 20, 1975, to the Chairman of the Committee on the Judiciary of the 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., February 20, 1975.

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. 1393 for the relief of Jacinta Roque Gonzalez-Lopez, there is attached a memorandum of information concerning the beneficiary. The correct name of the beneficiary is Jacinta Roque Armstrong-Perez.

The bill would provide that the seventeen-year-old beneficiary, who has been adopted by a United States citizen, may be classified as a child and granted immediate relative status upon approval of a petition by Mr. Joseph J. Armstrong. It further provides that the natural parents or siblings of the beneficiary shall not, by virtue of such relationship, be accorded any immigration benefits. The Committee may wish to delete the reference to adjustment of status since the beneficiary is outside the United States.

Absent enactment of the bill, the beneficiary, a native and citizen of Panama, would be chargeable to the numerical limitation for immigrants from the Western Hemisphere.

Sincerely,

D. F. CHAPMAN, JR., Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 1393

Information concerning the case was obtained from Joseph John Armstrong, the adoptive father of the beneficiary, Jacinta Roque Armstrong-Perez.

The beneficiary, previously known as Jacinta Roque Gonzalez-Lopez, was born on August 16, 1957 in Panama. Her mother is deceased and her father is incapable of providing for her proper care and upbringing. Since 1967 she has been the ward of the interested party, Mr. Joseph Armstrong and his wife Hermina Armstrong-Perez, and was formally adopted by them at Panama City, Panama on June 2, 1972. The beneficiary has completed seven years of elementary education in her native land and since July 1974 has been employed as a part-time domestic in Panama City. Her assets are limited to personal property of nominal value. The beneficiary does not fall within the meaning of "child" as defined by section 101(b)(1)(F) of the Immigration and Nationality Act in that she is over fourteen years of age.

The interested party, Joseph John Armstrong, a United States citizen and the beneficiary's adoptive father, was born on October 31, 1945 in Pennsylvania. Upon graduation from high school in 1963, he served three years in the United States Navy. He was thereafter employed as a civilian by the United

States Navy in Canal Zone until 1972. After two years in private industry, he resumed his career with the Navy and is presently employed at the Navy Air Development Center in Warminster, Pennsylvania as an electronics technician earning \$654 per month. His assets consist of farm land and building in Panama valued at \$11,000, a savings account containing \$150, and other personal property valued at \$3,250.

The interested party married Hermina Maria Perez, a native and citizen of Panama, on July 12, 1967 in Panama. Mrs. Armstrong, who was not previously married, is a permanent resident of the United States, but is presently residing temporarily near Calobre, Panama on her husband's farm. Residing with her is a natural daughter, Marta Armstrong-Perez, who was legally adopted by the interested party in Panama, and who subsequently became a permanent resident of the United States at the same time as her mother. Also presently residing with the spouse of the interested party is Elida Eugenia Armstrong-Lopez, a twelve-year-old half-sister of the beneficiary, who was adopted by the interested party and his spouse on June 2, 1972 in Panama. An immediate relative visa petition by the interested party in her behalf has been approved, and she will apply for an immigrant visa at the American Consulate in Panama. The spouse of the interested party and the two children residing with her are wholly dependent on the interested party.

Private Bill, H.R. 16989, 93d Congress, introduced in the beneficiary's behalf, was not enacted.

A letter dated October 29, 1974 to the Chairman of the Committee on the Judiciary of the House of Representatives from the then Assistant Secretary for Congressional Relations, U.S. Department of State, with reference to H.R. 16989, a similar bill introduced in the 93d Congress, reads as follows:

DEPARTMENT OF STATE,
Washington, D.C., October 29, 1974.

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

DEAR MR. CHAIRMAN: Reference is made to your request for a report concerning the case of Jacinta Roque Gonzalez Lopez, beneficiary of H.R. 16989, 93d Congress.

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

The American Embassy at Panama has reported that the beneficiary, who is also known as Jacinta Roque Armstrong Perez, was born on August 16, 1957 in Panama. She applied for a student visa in September 1974, at which time she had completed five years of grammar school. The student acceptance form she presented with her application

indicated that English language proficiency was required by the school to which she was destined. Since the beneficiary does not speak English and as she had previously indicated that she wished to live in the United States with her aunt, the consular officer found that she did not qualify for nonimmigrant status and her student visa application was denied on September 10, 1974.

The beneficiary's mother, Mrs. Herminia Armstrong, and her sister, Marta Armstrong, were issued immigrant visas at the Embassy on February 15, 1974. There is no record of an immigrant visa application of the beneficiary at that time. Mrs. Armstrong's application listed her daughter Marta as her only minor child and did not mention the beneficiary. The Armstrong family had previously applied for visitor visas 1972, at which time it was indicated that the beneficiary was the child of Mrs. Armstrong.

The beneficiary has been invited to come to the Embassy to provide additional information for the private bill report on her case and to undergo a medical examination. The Embassy anticipates a delay in contacting the beneficiary, however, since she lives in an area of Panama with poor postal and telegraphic services. A further report will be furnished when the Embassy is able to interview the beneficiary.

Cordially,

LINWOOD HOLTON,
*Assistant Secretary for
Congressional Relations.*

Congressman Joshua Eilberg, the author of the bill, submitted the following statement in support of H.R. 1393:

STATEMENT OF HON. JOSHUA EILBERG

I am pleased to submit this statement in support of my bill for the relief of Jacinta Roque Gonzalez Lopez, whose name after adoption is Jacinta Roque Armstrong-Perez, the adopted daughter of Mr. and Mrs. Joseph J. Armstrong. She is the niece of Mrs. Armstrong and has resided with her adoptive parents since 1967 and was legally adopted by them in Panama on June 2, 1972. The beneficiary's younger sister was also adopted on the same date and that child is eligible for admission to the United States under the provisions of section 101(b)(1)(F) of the Immigration and Nationality Act. Jacinta was over 14 years of age at the time her adoption was formalized and consequently this legislation is necessary to facilitate her admission to the United States. Mr. Armstrong has also adopted his wife's natural child and Mrs. Armstrong and that child, natives of Panama, are legal residents of the United States but have returned to Panama temporarily to care for the beneficiary and her sister.

Mr. Armstrong and his parents have been my friends for many years and I am pleased to recommend them very highly. Mr. Armstrong served honorably in the United States Navy for three years and was thereafter employed as a civilian by

that Department. He is presently employed by the Navy Air Development Center in Warminster, Pennsylvania as an electronics technician.

I recommend early and favorable consideration of this legislation so that this family may be reunited.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 1393) should be enacted.

○

JACINTA ROQUE GONZALEZ LOPEZ

APRIL 8, 1975.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany H.R. 1393]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1393), for the relief of Jacinta Roque Gonzalez Lopez, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That, in the administration of the Immigration and Nationality Act, Jacinta Roque Armstrong-Perez may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Joseph J. Armstrong, a citizen of the United States and a lawfully resident alien, respectively, pursuant to section 204 of the Act: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Amend the title so as to read:

For the relief of Jacinta Roque Armstrong-Perez.

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to facilitate the admission into the United States of the adopted child of a citizen of the United States and a lawfully resident alien. The bill has been amended to refer to the beneficiary by her name after adoption, and to delete unnecessary language in the bill.

GENERAL INFORMATION

The beneficiary is a 17-year-old single female who is a native and citizen of Panama and resides there with her adoptive mother, a lawfully resident alien of the United States who is also the beneficiary's

aunt. Her adoptive father is a citizen of the United States. He and his wife have also adopted the beneficiary's younger natural sister who is eligible for admission to the United States, and he has also adopted his wife's natural child who was admitted to the United States for permanent residence with her mother.

The pertinent facts in this case are contained in a letter dated February 20, 1975 from the Commissioner of Immigration and Naturalization to the Chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., February 20, 1975.

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. 1393 for the relief of Jacinta Roque Gonzalez-Lopez, there is attached a memorandum of information concerning the beneficiary. The correct name of the beneficiary is Jacinta Roque Armstrong-Perez.

The bill would provide that the seventeen-year-old beneficiary, who has been adopted by a United States citizen, may be classified as a child and granted immediate relative status upon approval of a petition by Mr. Joseph J. Armstrong. It further provides that the natural parents or siblings of the beneficiary shall not, by virtue of such relationship, be accorded any immigration benefits. The Committee may wish to delete the reference to adjustment of status since the beneficiary is outside the United States.

Absent enactment of the bill, the beneficiary, a native and citizen of Panama, would be chargeable to the numerical limitation for immigrants from the Western Hemisphere.

Sincerely,

D. F. CHAPMAN, Jr., *Commissioner.*

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 1393

Information concerning the case was obtained from Joseph John Armstrong, the adoptive father of the beneficiary, Jacinta Roque Armstrong-Perez.

The beneficiary, previously known as Jacinta Roque Gonzalez-Lopez, was born on August 16, 1957 in Panama. Her mother is deceased and her father is incapable of providing for her proper care and upbringing. Since 1967 she has been the ward of the interested party, Mr. Joseph Armstrong and his wife Hermina Armstrong-Perez, and was formally adopted by them at Panama City, Panama on June 2, 1972. The beneficiary has completed seven years of elementary education in her native land and since July 1974 has been employed as a part-time domestic in Panama City. Her assets

H.R. 128

are limited to personal property of nominal value. The beneficiary does not fall within the meaning of "child" as defined by section 101(b)(1)(F) of the Immigration and Nationality Act in that she is over fourteen years of age.

The interested party, Joseph John Armstrong, a United States citizen and the beneficiary's adoptive father, was born on October 31, 1945 in Pennsylvania. Upon graduation from high school in 1963, he served three years in the United States Navy. He was thereafter employed as a civilian by the United States Navy in the Canal Zone until 1972. After two years in private industry, he resumed his career with the Navy and is presently employed at the Navy Air Development Center in Warminster, Pennsylvania as an electronics technician earning \$654 per month. His assets consist of farm land and building in Panama valued at \$11,000, a savings account containing \$150, and other personal property valued at \$3,250.

The interested party married Hermina Maria Perez, a native and citizen of Panama, on July 12, 1967 in Panama. Mrs. Armstrong, who was not previously married, is a permanent resident of the United States, but is presently residing temporarily near Calobre, Panama on her husband's farm. Residing with her is a natural daughter, Marta Armstrong-Perez, who was legally adopted by the interested party in Panama, and who subsequently became a permanent resident of the United States at the same time as her mother. Also presently residing with the spouse of the interested party is Elida Eugenia Armstrong-Lopez, a twelve-year-old half-sister of the beneficiary, who was adopted by the interested party and his spouse on June 2, 1972 in Panama. An immediate relative visa petition by the interested party in her behalf has been approved, and she will apply for an immigrant visa at the American Consulate in Panama. The spouse of the interested party and the two children residing with her are wholly dependent on the interested party.

Private Bill, H.R. 16989, 93rd Congress, introduced in the beneficiary's behalf, was not enacted.

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

DEPARTMENT OF STATE,
Washington, D.C., October 29, 1974.

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

DEAR MR. CHAIRMAN: Reference is made to your request for a report concerning the case of Jacinta Roque Gonzalez Lopez, beneficiary of H.R. 16989, 93rd Congress.

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

H.R. 128

The American Embassy at Panama has reported that the beneficiary, who is also known as Jacinta Roque Armstrong Perez, was born on August 16, 1957 in Panama. She applied for a student visa in September 1974, at which time she had completed five years of grammar school. The student acceptance form she presented with her application indicated that English language proficiency was required by the school to which she was destined. Since the beneficiary does not speak English and as she had previously indicated that she wished to live in the United States with her aunt, the consular officer found that she did not qualify for nonimmigrant status and her student visa application was denied on September 10, 1974.

The beneficiary's mother, Mrs. Herminia Armstrong, and her sister, Marta Armstrong, were issued immigrant visas at the Embassy on February 15, 1974. There is no record of an immigrant visa application of the beneficiary at that time. Mrs. Armstrong's application listed her daughter Marta as her only minor child and did not mention the beneficiary. The Armstrong family had previously applied for visitor visas 1972, at which time it was indicated that the beneficiary was the child of Mrs. Armstrong.

The beneficiary has been invited to come to the Embassy to provide additional information for the private bill report on her case and to undergo a medical examination. The Embassy anticipates a delay in contacting the beneficiary, however, since she lives in an area of Panama with poor postal and telegraphic services. A further report will be furnished when the Embassy is able to interview the beneficiary.

Cordially,

LINWOOD HOLTON,
*Assistant Secretary for
Congressional Relations.*

STATEMENT OF HON. JOSHUA EILBERG, M.C., IN
SUPPORT OF H.R. 1393

I am pleased to submit this statement in support of my bill for the relief of Jacinta Roque Gonzalez Lopez, whose name after adoption is Jacinta Roque Armstrong-Perez, the adopted daughter of Mr. and Mrs. Joseph J. Armstrong. She is the niece of Mrs. Armstrong and has resided with her adoptive parents since 1967 and was legally adopted by them in Panama on June 2, 1972. The beneficiary's younger sister was also adopted on the same date and that child is eligible for admission to the United States under the provisions of section 101(b)(1)(F) of the Immigration and Nationality Act. Jacinta was over 14 years of age at the time her adoption was formalized and consequently this legislation is necessary to facilitate her admission to the United States. Mr. Armstrong has also adopted his wife's natural child and Mrs. Armstrong and that child, natives of Panama, are legal residents of the United States but have returned to Panama temporarily to care for the beneficiary and her sister.

Mr. Armstrong and his parents have been my friends for many years and I am pleased to recommend them very highly. Mr. Armstrong served honorably in the United States Navy for three years and was thereafter employed as a civilian by that Department. He is presently employed by the Navy Air Development Center in Warminster, Pennsylvania as an electronics technician.

I recommend early and favorable consideration of this legislation so that this family may be reunited.

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 of the facts in this case, the Committee is of the opinion that H.R. 1393, as amended, should be enacted and accordingly recommends that the bill do pass.

(5)

○

Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,
one thousand nine hundred and seventy-five*

An Act

For the relief of Jacinta Roque Armstrong-Perez.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jacinta Roque Armstrong-Perez may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Joseph J. Armstrong, a citizen of the United States and a lawfully resident alien, respectively, pursuant to section 204 of the Act: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.*

Speaker of the House of Representatives.

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

19
June 27, 1975

Dear Mr. Director:

The following bills were received at the White House on June 27th:

S.J. Res. 98 ✓	H.R. 1421 ✓	H.R. 3382 ✓
S. 2003 ✓	H.R. 1510 ✓	H.R. 3526 ✓
H.R. 1387 ✓	H.R. 1556 ✓	H.R. 5217 ✓
H.R. 1388 ✓	H.R. 1649 ✓	H.R. 6900 ✓
H.R. 1393 ✓	H.R. 2109 ✓	H.R. 7709 ✓
H.R. 1408 ✓	H.R. 2119 ✓	H.R. 8030 ✓
H.R. 1410 ✓	H.R. 2946 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

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

