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APPROVED
AUG 14 1976

82/14/76

THE WHITE HOUSE
WASHINGTON
August 13, 1976

ACTION
Last Day: August 21

Posted
8/16/76
Archives
8/16/76

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *JC*

SUBJECT: H.R. 1507 - Relief of Marisa Marzano
H.R. 2411 - Relief of Alinor Anvari Adams
H.R. 2502 - Relief of Peter Olav Mesikepp
H.R. 6392 - Relief of Koviljka C. Clendenen
H.R. 7908 - Relief of Edward Drag
→ H.R. 5500 - Relief of Rafael Strochlitz Wurzel
H.R. 5648 - Relief of Violetta Cebberos
H.R. 3372 - Relief of Tze Tsun Li
H.R. 2940 - Relief of Maria Sylvia Macias Elliott
H.R. 2495 - Relief of Malgorzata Kuzniarek Czapowski
H.R. 2118 - Relief of Cheryl V. Camacho
H.R. 7882 - Relief of Miss Leonor Young

Attached for your consideration are twelve enrolled bills all with the common purpose of granting immediate relative status to aliens who have been or are in the process of being adopted by United States citizens. All of the beneficiaries are over the age of 14, and do not qualify for exception to the immigration waiting list.

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

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

RECOMMENDATION

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



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

AUG 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1507 - Relief of Marisa Marzano
Sponsor - Rep. Danielson (D) California
- (2) H.R. 2411 - Relief of Alinor Anvari Adams
Sponsor - Rep. Sisk (D) California
- (3) H.R. 2502 - Relief of Peter Olav Mesikepp
Sponsor - Rep. Sisk (D) California
- (4) H.R. 6392 - Relief of Koviljka C. Clendenen
Sponsor - Rep. Blouin (D) Iowa
- (5) H.R. 7908 - Relief of Edward Drag
Sponsor - Rep. Conable (R) New York
- (6) H.R. 5500 - Relief of Rafael Strochlitz Wurzel
Sponsor - Rep. Dodd (D) Connecticut
- (7) H.R. 5648 - Relief of Violetta Cebreros
Sponsor - Rep. Burgener (R) California
- (8) H.R. 3372 - Relief of Tze Tsun Li
Sponsor - Rep. Burke (D) California
- (9) H.R. 2940 - Relief of Maria Sylvia Macias Elliott
Sponsor - Rep. Burgener (R) California
- (10) H.R. 2495 - Relief of Miss Malgorzata Kuzniarek
Czapowski
Sponsor - Rep. Burke (D) Massachusetts
- (11) H.R. 2118 - Relief of Cheryl V. Camacho
Sponsor - Rep. Talcott (R) California
- (12) H.R. 7882 - Relief of Miss Leonor Young
Sponsor - Rep. Meyner (D) New Jersey

Last Day for Action

August 21, 1976 - Saturday

Purpose

To grant immediate relative status to aliens who have been or are in the process of being adopted by United States citizens.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization Service
Department of State

Approval
No objection

Discussion

These 12 enrolled bills would define their beneficiaries as "children" under the Immigration and Nationality Act (INA) and grant them immediate relative status upon approval of a petition filed by their adopted or prospective adopting parents, all of whom are U.S. citizens. The bills also provide that the natural parents or siblings shall not be accorded any right, privilege or status under the INA by virtue of their relationship to the beneficiaries.

The INA provides an exception to the immigration waiting list for children adopted by U.S. citizens who are 14 years of age or younger. Because the beneficiaries of these bills are over 14, they do not qualify for this exemption. Accordingly, absent enactment of these bills, those beneficiaries now living outside the U.S. would have to remain on the regular immigration waiting list (with consequent uncertainty as to when they would be admitted); those beneficiaries now in the U.S. would have to leave and begin the process of returning to the U.S. under the regular immigration procedures.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

11 AUG 1976

AND REFER TO THIS FILE NO.

A20 744 426

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 5500; Office of Management
and Budget request dated August 9, 1976.

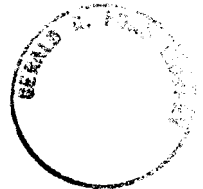
Beneficiary or Beneficiaries Rafael Strochlitz Wurzel.

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,



Chapman
Commissioner



DEPARTMENT OF STATE

Washington, D.C. 20520

AUG 11 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of August 9, 1976, transmitting for comment enrolled bills, H.R. 5500, "For the relief of Rafael Strochlitz Wurzel", H.R. 5648, "For the relief of Violetta Cebreros", and H.R. 6093, "For the relief of Maria D'Arpino".

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

AUG 12 1976

To
J. Conover
8-12-76
noon

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1507 - Relief of Marisa Marzano
Sponsor - Rep. Danielson (D) California
- (2) H.R. 2411 - Relief of Alinor Anvari Adams
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- (5) H.R. 7908 - Relief of Edward Drag
Sponsor - Rep. Conable (R) New York
- ✓(6) H.R. 5500 - Relief of Rafael Strochlitz Wurzel
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- (12) H.R. 7882 - Relief of Miss Leonor Young
Sponsor - Rep. Meyner (D) New Jersey

Last Day for Action

August 21, 1976 - Saturday

Purpose

To grant immediate relative status to aliens who have been or are in the process of being adopted by United States citizens.



Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization Service
Department of State

Approval
No objection

Discussion

These 12 enrolled bills would define their beneficiaries as "children" under the Immigration and Nationality Act (INA) and grant them immediate relative status upon approval of a petition filed by their adopted or prospective adopting parents, all of whom are U.S. citizens. The bills also provide that the natural parents or siblings shall not be accorded any right, privilege or status under the INA by virtue of their relationship to the beneficiaries.

The INA provides an exception to the immigration waiting list for children adopted by U.S. citizens who are 14 years of age or younger. Because the beneficiaries of these bills are over 14, they do not qualify for this exemption. Accordingly, absent enactment of these bills, those beneficiaries now living outside the U.S. would have to remain on the regular immigration waiting list (with consequent uncertainty as to when they would be admitted); those beneficiaries now in the U.S. would have to leave and begin the process of returning to the U.S. under the regular immigration procedures.

(Signed) James M. Frey
Assistant Director for
Legislative Reference

Enclosures

Calendar No. 1036

94TH CONGRESS }
2d Session }

SENATE

{ REPORT
94-1102

RAFAEL STROCHLITZ WURZEL

AUGUST 4, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 5500]

The Committee on the Judiciary, to which was referred the bill (H.R. 5500) for the relief of Rafael Strochlitz Wurzel, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the admission into the United States of the adopted son of citizens of the United States.

STATEMENT OF FACTS

The beneficiary is a 24-year-old native of Bolivia who entered the United States as a student in 1967. In 1966 his natural parents were killed in an accident and the beneficiary and his brother were brought to the United States to reside with their aunt and uncle, citizens of the United States. The brother has since married a U.S. citizen and is a permanent resident of this country. The beneficiary was adopted in Connecticut on March 12, 1973. He presently is residing in Spain temporarily where he is attending medical school. Adoptive parents have stated that the adoption was not formalized until the beneficiary was 21 years of age because such action would have interfered with his inheritance rights in Argentina.

A letter, with attached memoranrum, dated September 10, 1974, to the chairman of the Committee on the Judiciary, House of Representa-



tives, from the Commissioner of Immigration and Naturalization with reference to H.R. 12272, a similar bill for the relief of the same alien introduced in the 93d Congress, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., September 10, 1974.

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. 12272) for the relief of Rafael Strochlitz Wurzel, 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 Bolivia, is chargeable to the numerical limitation for immigrants from the Western Hemisphere. He is statutorily ineligible to adjust his status in the United States and would be required to apply for a visa outside of this country.

Sincerely,

L. F. CHAPMAN, JR.,
Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
SERVICE FILES RE H.R. 12272

The beneficiary, Rafael Strochlitz Wurzel, is a native and citizen of Bolivia, who was born on June 4, 1951. His parents, who were natives and citizens of Poland, were residents of Bolivia when they were killed in an automobile accident in 1966. His uncle and aunt, Mr. and Mrs. Sigmund Strochlitz, who are citizens of the United States, assisted the beneficiary and his brother in coming to this country as students in 1967. Jaime Wurzel, brother of the beneficiary, is married to a citizen of the United States and has been a lawful permanent resident since June 18, 1974. The beneficiary was adopted by Mr. and Mrs. Strochlitz in 1973 when he was 21 years of age. He graduated from Brandeis University, Waltham, Mass., in May 1974 with the degree of Bachelor of Arts in History. He was employed between February and May 1974 as a part-time teacher receiving a salary of \$10 per hour. He has \$5,000 in savings and is single.

The beneficiary has had 10 prior admissions to the United States. He entered for a brief period between 1966 and 1967 and, afterwards, on nine occasions until 1973 as a student. He was last admitted to the United States on August 13, 1974, as a visitor for a temporary period until September 3, 1974.

The beneficiary has indicated his intention to leave the United States in September 1974 to enter a medical school in Madrid, Spain. Should the beneficiary fail to depart as planned, deportation proceedings will be instituted.

A letter dated October 9, 1974 to the chairman of the Committee on the Judiciary, House of Representatives, from the Commissioner of Immigration and Naturalization with reference to the case reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., October 9, 1974.

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

DEAR MR. CHAIRMAN: This refers to H.R. 12272 in behalf of Rafael Strochlitz Wurzel.

The beneficiary's aunt, Mrs. Sigmund Strochlitz, has advised this office that the beneficiary departed from the United States on September 2, 1974, and is presently attending the University of Madrid in Spain.

Sincerely,

L. F. CHAPMAN, JR.,
Commissioner.

Congressman Christopher J. Dodd, the author of the bill has submitted the following information in connection with the case:

An affidavit submitted by the beneficiary's adoptive parents reads as follows:

AFFIDAVIT

We, Sigmund Strochlitz and Rose Strochlitz, being duly sworn depose and say as follows:

1. The parents of Rafael Strochlitz Wurzel were killed suddenly in a tragic accident in Argentina in 1966. We had an extremely close relationship for many years with Rafael's parents, and Mr. Strochlitz immediately went to Argentina at the time of this tragic occurrence. Mr. Strochlitz stayed in Argentina for a period of five (5) weeks to adjust the affairs of the family and brought Rafael and his brother, Jaime, back to the United States to reside with our family in our household.

2. Since 1966, Rafael and his brother, Jaime, have been raised as an integral part of our family. A real and genuine family relationship of parents and child has developed and exists, and we consider both Rafael and Jaime as our own sons.

3. Both Rafael and his brother, Jaime, attended and graduated from schools in New London, Conn. After graduation from local schools, Jaime attended Brandeis University where he graduated with honors. He subsequently married a native born American girl and is now studying for his Ph. D. degree at Columbia University. Rafael graduated from New London schools and enrolled in Springfield College. He transferred from Springfield College to Brandeis University where he will graduate in December. He has applied for admission to

medical school and intends to attend the medical school in the United States.

4. In January of 1973, shortly after Rafael attained the age of 21, we sought legal advice concerning the procedure for adoption. Legal action was instituted for adoption at that time, and the adoption of Rafael was approved by decree of the New London Probate Court dated March 12, 1973.

5. No action was taken for us for adoption in Connecticut earlier than 1973, because such action would have prejudiced Rafael's rights to his inheritance in Argentina. He was the beneficiary of an estate from his deceased parents, and his rights to receive complete vesting of this inheritance would have been placed in jeopardy if an adoption were to have occurred prior to his reaching the age of 21 years.

6. Because of our close relationship with the boys' deceased parents and the very close relationship which we have developed with the boys, it is only natural that we want Rafael to remain in the United States and to continue as a member of our family circle. Rafael has no ties whatsoever at this time with Argentina or Bolivia. His only family relationship is with our family, and he has no other home other than ours. It is essential that he be granted permanent residence in the United States at this time.

Dated at New London, Conn., this 29th day of November, 1973

SIGMUND STROCHLITZ,
ROSE STROCHLITZ,

Subscribed and sworn to before me this 29th day of November, 1973.

CASPER F. SAGRISTANO,
Notary Public.

STATEMENT ON BEHALF OF RAFAEL STROCHLITZ WURTZEL

Rafael Shrochlitz Wurtzel, 24 years of age is a native and citizen of Bolivia, whose own parents were killed in an accident in 1966 in Bolivia. Rafael was adopted by Mr. and Mrs. Sigmund Strochlitz, his uncle and aunt who are citizens of the United States. His brother, Jaime Wurtzel is married to a citizen of the United States. Aside from his adoptive parents and his brother, he has no other relatives in the world. Rafael has entered the United States for temporary periods in the past, as well as attending college in the United States at Brandeis University. He is presently in his second year of medical school in Spain.

Under the present immigration law, the chances of Rafael Strochlitz Wurtzel's securing permanent resident status are slight given the backlog of Western Hemisphere immigrants awaiting entrance to the United States, and the lack of a preference system for Western Hemisphere immigration. Under the preference system which exists for the Eastern Hemisphere, Rafael would probably fit within the first preference for unmarried sons and daughters of natural-born citizens of the United States.

The reasons behind granting permanent resident status to Rafael are four in number: 1. The possibility that his native country will revoke his citizenship, since he has no intention of returning there; 2. In the past, Rafael has encountered difficulty in obtaining entrance to the United States when he was unable to secure a visa from our embassy in Spain. To secure his visa, it was necessary for personal congressional intervention on his behalf with the State Department; 3. His stay in the United States when he does enter is always tentative, and there is always the problem of how long he will be able to remain; 4. It is consistent with the intent of the Immigration subcommittee's work on the Western Hemisphere preference bill that the Strochlitz private bill be passed, since under a preference system, he would probably be eligible in the first preference.

The general policy behind our immigration legislation is to reunite families. In the instant case, Rafael is an orphan who has been adopted by his relatives in the United States; they are his closest family ties, and in the interest of justice, he should be allowed to enter as a permanent resident, to join his family.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 24, 1976.

HON. JAMES O. EASTLAND,
Chairman, Subcommittee on Immigration and Naturalization, of the Senate Committee on the Judiciary, Dirksen Building, Washington, D.C.

DEAR MR. CHAIRMAN: On February 3 the House passed H.R. 5500, a private immigration bill which I introduced to grant Rafael Strochlitz Wurtzel permanent resident status. I am writing in the hope that your subcommittee will give its careful consideration to this bill in the near future and to tell you a little about the background of this case.

Rafael Strochlitz Wurtzel is a 24 year old native of Bolivia who, following the death of both his parents in a 1966 auto crash, came to live in the U.S. with his aunt and uncle, Mr. and Mrs. Sigmund Strochlitz of New London, Connecticut, whom I have known for a number of years.

The Strochlitzes later adopted Rafael, who aside from a married brother, has no other relatives in the entire world. He considers his home to be with his adoptive family in New London where he has resided since 1967, except for the time he has been in school.

Mr. and Mrs. Strochlitz have paid for Rafael's undergraduate education at Brandeis University from which he graduated in 1974, and his current education at a medical school in Madrid, Spain. Coming home from Spain, Rafael has encountered difficulty on several occasions obtaining admission to the U.S., requiring personal intervention on his behalf with the State Department by former Congressman Robert Steele of Connecticut.

Unfortunately, Rafael's chances of receiving permanent resident status are slight under existing immigration laws given the backlog of Western Hemisphere immigrants awaiting admission to the U.S. He also faces the possibility that his native country of Bolivia may for-

mally revoke his citizenship, since he has no intention of returning there to live.

Rafael, his adoptive parents and I remain hopeful that H.R. 5500 can be acted on favorably in the near future in order that he no longer be restrained from joining his family here in the U.S. whenever he desires. If you have any questions about this case, please don't hesitate to phone or write me.

Sincerely,

CHRISTOPHER J. DODD,
Member of Congress.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 5500) should be enacted.

○

Rafael Stochitz Wurtzel is a 24 year old native of Bolivia who following the death of both his parents in a 1968 auto crash, came to live in the U.S. with his aunt and uncle, Mr. and Mrs. Seymour Stochitz of New London, Connecticut, whom I have known for a number of years. Mr. and Mrs. Stochitz later adopted Rafael, who aside from a married brother, has no other relatives in the entire world. He considers his home to be with his adoptive family in New London where he has resided since 1967, except for the time he has been in school now and then. Mr. and Mrs. Stochitz have paid for Rafael's undergraduate education at Brandeis University from which he graduated in 1974, and his current education at a medical school in Madrid, Spain. Coming home from Spain, Rafael has encountered difficulty on several occasions obtaining admission to the U.S. requiring personal intervention on his behalf with the State Department by former Congressman Robert Stroh of Connecticut, and a local attorney, Robert Stroh. Unfortunately, Rafael's chance of receiving permanent resident status are slight under existing immigration laws given the fact that of Western Hemisphere countries, only Bolivia and the U.S. have also faces the possibility that his native country of Bolivia may for-

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 Rafael Strochlitz Wurzel.

*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, Rafael Strochlitz Wurzel may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Sigmund Strochlitz, citizens of the United States, 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.*