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APPROVED
JAN 2-1974

ACTION

THE WHITE HOUSE
WASHINGTON

Last Day: January 4

December 31, 1974

*Posted
1/3
To Archives
1/3*

MEMORANDUM FOR THE PRESIDENT
FROM: KEN COLE
SUBJECT: Enrolled Bill H.R. 3339
Relief of Delmira DeBow

Attached for your consideration is H.R. 3339, sponsored by Representative Rousselot, which grants permanent residence to the beneficiary, Delmira DeBow. Miss DeBow is a native and citizen of El Salvador who was adopted by U.S. citizens.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf (Loen) and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign H.R. 3339 (Tab B).





DEPARTMENT OF STATE

Washington, D.C. 20520

DEC 24 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Ash:

Reference is made to Mr. Rommel's communication of December 23, 1974, transmitting for comment enrolled bills H.R. 9182 "For the relief of Fernando Labrador del Rosario", H.R. 14461 "For the relief of Judith E. Sterling" and H.R. 3339 "For the relief of Delmira Martinez Sandoval".

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

Sincerely yours,

Linwood Holton
Assistant Secretary for
Congressional Relations

ENCLOSURE

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AND REFER TO THIS FILE NO.

DEC 26 1974

A19 882 473

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H. R. 3339 ; Office of Management
and Budget request dated December 23, 1974

Beneficiary or Beneficiaries Delmira DeBow

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



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

DEC 26 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 3203 - Relief of Nepty Masauo Jones
Sponsor - Rep. Mink (D) Hawaii
- (2) H.R. 3339 - Relief of Delmira DeBow
Sponsor - Rep. Rousselot (R) California
- (3) H.R. 7767 - Relief of Samuel Cabildo Jose
Sponsor - Rep. Burton (D) California
- (4) H.R. 9182 - Relief of Fernando Labrador del Rosario
Sponsor - Rep. Burgener (R) California

Last Day for Action

January 4, 1975

Purpose

Grants permanent residence to adopted children of U.S. citizens.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization Service

Approval

Department of State

No objection

Discussion

H.R. 3203 - Mr. Nepty Masauo Jones, the beneficiary of this bill, is 23 years old, single, and a native and citizen of the Trust Territory of the Pacific. He was adopted in 1966 by a U.S. citizen and resides with his adoptive mother in Hawaii, where he is attending college. His adoptive mother is a single school teacher earning \$12,000 per year.

The beneficiary first entered the U.S. as a visitor in June 1966, and has been in school in Hawaii since 1968. However, he is ineligible to obtain U.S. citizenship as an immediate relative

because he was already 14 when adopted. (Section 101 of the Immigration and Nationality Act defines a "child" as one under the age of 14 at the time of adoption, for purposes of qualifying for permanent residence as an immediate relative of a citizen.) Also, by the time his mother attempted to naturalize him as an adopted child, this was prohibited because such a child must be under 18 whereas the beneficiary is now 23. Deportation proceedings have not yet been instituted against him.

H.R. 3339 - Miss Delmira DeBow, the beneficiary of this bill, is a 24 year-old native and citizen of El Salvador. She entered the U.S. as a nonimmigrant visitor in November 1970; was adopted in March 1971 by U.S. citizens who met her while they were missionaries in El Salvador; has lived with her adoptive parents in El Salvador and this country since February 1970; and has been reclassified to nonimmigrant student status from May 1971 to the present. She is a student at Pasadena College and is supported by her parents. Her adoptive father is now a real estate salesman earning about \$20,000 per year. Deportation proceedings have not been instituted against her.

H.R. 7767 - Mr. Jose, the beneficiary of this bill, is 19 years old, single, and a native and citizen of the Philippines. He and his 14 year-old sister were admitted to the U.S. as visitors in September 1968; were adopted by a U.S. citizen couple in November 1969; and have resided with their adoptive parents in San Francisco, California since that time. The beneficiary is attending college, employed part-time in a restaurant, and is supported by his adoptive parents. The adoptive father is retired and has moderate assets.

The beneficiary cannot qualify for an immediate relative visa because he was over 14 years old when adopted. His sister was under 14 and such a visa is pending for her. The beneficiary eventually changed his status from temporary visitor to student, but he never requested an extension of stay beyond the authorized limit of August 1970. Deportation proceedings will accordingly be instituted against him in the absence of private relief legislation.

H.R. 9182 - Mr. Fernando Labrador del Rosario, is 21 years old, single, and a native and citizen of the Philippines. He entered the U.S. as a temporary visitor in December 1968. He resides in San Diego, California, with his aunt and uncle (both U.S. citizens), who adopted him and his younger half sister in 1968. He is currently attending college and working part-time as a cook.

The beneficiary apparently never applied for reclassification to student status.

He maintained valid status as a visitor until November 1973, and deportation proceedings will be instituted against him in the absence of private relief legislation. As in the case immediately above (re H.R. 7767), Mr. Rosario could not meet the statutory definition of "child" at the time of adoption, due to his age; but the visa petition of his younger half sister was approved.

All four of the bills would provide that the beneficiaries be classified as "children" under section 101 of the Immigration and Nationality Act; and that they be granted permanent residence in the U.S. as of the date of enactment.

(signed) Wilfred H. Rosmel

Assistant Director for
Legislative Reference

Enclosures

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

DEC 26 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 3203 - Relief of Nepty Masauo Jones
Sponsor - Rep. Mink (D) Hawaii
- ✓ (2) H.R. 3339 - Relief of Delmira DeBow
Sponsor - Rep. Rousselot (R) California
- (3) H.R. 7767 - Relief of Samuel Cabildo Jose
Sponsor - Rep. Burton (D) California
- (4) H.R. 9182 - Relief of Fernando Labrador del Rosario
Sponsor - Rep. Burgener (R) California

Last Day for Action

January 4, 1975

Purpose

Grants permanent residence to adopted children of U.S. citizens.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization Service
Department of State

Approval
No objection

Discussion

H.R. 3203 - Mr. Nepty Masauo Jones, the beneficiary of this bill, is 23 years old, single, and a native and citizen of the Trust Territory of the Pacific. He was adopted in 1966 by a U.S. citizen and resides with his adoptive mother in Hawaii, where he is attending college. His adoptive mother is a single school teacher earning \$12,000 per year.

The beneficiary first entered the U.S. as a visitor in June 1966, and has been in school in Hawaii since 1968. However, he is ineligible to obtain U.S. citizenship as an immediate relative

because he was already 14 when adopted. (Section 101 of the Immigration and Nationality Act defines a "child" as one under the age of 14 at the time of adoption, for purposes of qualifying for permanent residence as an immediate relative of a citizen.) Also, by the time his mother attempted to naturalize him as an adopted child, this was prohibited because such a child must be under 18 whereas the beneficiary is now 23. Deportation proceedings have not yet been instituted against him.

H.R. 3339 - Miss Delmira DeBow, the beneficiary of this bill, is a 24 year-old native and citizen of El Salvador. She entered the U.S. as a nonimmigrant visitor in November 1970; was adopted in March 1971 by U.S. citizens who met her while they were missionaries in El Salvador; has lived with her adoptive parents in El Salvador and this country since February 1970; and has been reclassified to nonimmigrant student status from May 1971 to the present. She is a student at Pasadena College and is supported by her parents. Her adoptive father is now a real estate salesman earning about \$20,000 per year. Deportation proceedings have not been instituted against her.

H.R. 7767 - Mr. Jose, the beneficiary of this bill, is 19 years old, single, and a native and citizen of the Philippines. He and his 14 year-old sister were admitted to the U.S. as visitors in September 1968; were adopted by a U.S. citizen couple in November 1969; and have resided with their adoptive parents in San Francisco, California since that time. The beneficiary is attending college, employed part-time in a restaurant, and is supported by his adoptive parents. The adoptive father is retired and has moderate assets.

The beneficiary cannot qualify for an immediate relative visa because he was over 14 years old when adopted. His sister was under 14 and such a visa is pending for her. The beneficiary eventually changed his status from temporary visitor to student, but he never requested an extension of stay beyond the authorized limit of August 1970. Deportation proceedings will accordingly be instituted against him in the absence of private relief legislation.

H.R. 9182 - Mr. Fernando Labrador del Rosario, is 21 years old, single, and a native and citizen of the Philippines. He entered the U.S. as a temporary visitor in December 1968. He resides in San Diego, California, with his aunt and uncle (both U.S. citizens), who adopted him and his younger half sister in 1968. He is currently attending college and working part-time as a cook.

The beneficiary apparently never applied for reclassification to student status.

He maintained valid status as a visitor until November 1973, and deportation proceedings will be instituted against him in the absence of private relief legislation. As in the case immediately above (re H.R. 7767), Mr. Rosario could not meet the statutory definition of "child" at the time of adoption, due to his age; but the visa petition of his younger half sister was approved.

All four of the bills would provide that the beneficiaries be classified as "children" under section 101 of the Immigration and Nationality Act; and that they be granted permanent residence in the U.S. as of the date of enactment.

(signed) Wilfred H. Rosenthal
Assistant Director for
Legislative Reference

Enclosures



Date: December 28, 1974

Th

FOR ACTION: Geoff Shepard *ok*
 Max Friedersdorf *ok*
 Phil Areeda *no obj*

cc (for)

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Bills:

H.R. 3202 - Relief of Nepty Masau Jones
 H.R. 3339 - Relief of Delmira DeBew
 H.R. 7767 - Relief of Samuel Cabillo Jose
 H.R. 9182 - Relief of Fernando Labrador del Rosario
 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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 894

Date: December 28, 1974

Time: 7:30 p.m.

FOR ACTION: Geoff Shepard
Max Friedersdorf
Phil Areeda

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Bills:

- H.R. 3202 - Relief of Nepty Masauo Jones
- H.R. 3339 - Relief of Delmira DeBow
- H.R. 7767 - Relief of Samuel Cabildo Jose
- H.R. 9182 - Relief of Fernando Labrador del Rosario

ACTION REQUESTED:

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

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Approval
JCS

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
WASHINGTON

MEMORANDUM FOR: WARREN HENDRIKS
FROM: *Max L. Friedersdorf* MAX L. FRIEDERSDORF
SUBJECT: Action Memorandum - Log No. 894
Enrolled Bills: H.R. 3202
H.R. 3339
H.R. 7767
H.R. 9182

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 894

Date: December 28, 1974

Time: 7:30 p.m.

FOR ACTION: Geoff Shepard
Max Friedersdorf
Phil Areeda ✓

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Monday, December 30

Time: 1:00 p.m.

SUBJECT:

Enrolled Bills:

- H.R. 3202 - Relief of Nepty Masauo Jones
 - H.R. 3339 - Relief of Delmira DeBow
 - H.R. 7767 - Relief of Samuel Cabildo Jose
 - H.R. 9182 - Relief of Fernando Labrador del Rosario
- ACTION REQUESTED:

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

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*No Objections
P. Areeda*

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

Calendar No. 1310

93^d CONGRESS }
2d Session }

SENATE

REPORT
No. 93-1389

DELMIRA DeBOW

DECEMBER 17, 1974.—Ordered to be printed

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

REPORT

[To accompany H.R. 3339]

The Committee on the Judiciary, to which was referred the bill (H.R. 3339), for the relief of Delmira DeBow, 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 provide for the adjustment of status as an immediate relative of the adopted child of U.S. citizens.

STATEMENT OF FACTS

The beneficiary of the bill is a 24-year-old native and citizen of El Salvador who entered the U.S. as a visitor in 1970. Her status was changed to that of nonimmigrant student in 1971. On March 25, 1971, she was adopted in California by U.S. citizens. The beneficiary is presently attending college in Pasadena, California.

A letter, with attached memorandum, dated June 26, 1973, to the chairman of the Committee on the Judiciary of the House of Repre-

sentatives 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., June 26, 1973.

A-19 882 473.

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. 3339) for the relief of Delmira Martinez Sandoval there is attached a memorandum of information concerning the beneficiary.

The bill would provide that the beneficiary be classified as a child upon approval of a petition filed in his behalf by Mr. and Mrs. Klein N. M. DeBow, United States citizens. It further provides that the natural brothers and sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege or status under the Immigration and Nationality Act.

As the beneficiary is a female, the Committee may wish to amend the bill to provide the correct pronoun.

Absent enactment of the bill, the beneficiary, a native of El Salvador, would be chargeable to the numerical limitation for immigrants from the Western Hemisphere. However, she would be statutorily ineligible to adjust her status while in the United States and would be required to apply for a visa outside of this country.

Sincerely,

JAMES F. GREENE,
Acting Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICES FILES RE H.R. 3339

The beneficiary, Delmira Martinez Sandoval, a native and citizen of El Salvador, was born on August 15, 1950 and is single. She attended elementary and high school in her native country. Her father deserted the family and her mother was unable to support her when she met her adoptive parents, Mr. and Mrs. DeBow, who were missionaries. She has lived with them in her native country and the United States since February, 1970. On March 25, 1971 they adopted her at Los Angeles, California. Adoption petition and decree attached. She is presently a sophomore at Pasadena College and has negligible assets. Her mother and two sisters reside in El Salvador. Her adoptive father is now a real estate salesman earning about \$20,000 a year. His net worth is about \$70,000 and he is paying \$250 a month to the Knight Foundation on a contract that assures the beneficiary's completion of a college education even though he becomes deceased prior thereto.

The beneficiary entered the United States as a nonimmigrant visitor on November 5, 1970 and was authorized to remain until May 5, 1971. On that date her status was changed to that of nonimmigrant student, authorized to remain until May 2, 1974. As she is currently maintaining her nonimmigrant status, deportation proceedings will not be instituted against her at this time.

A copy of the adoption decree, referred to in the above report, is contained in the files of the Committee on the Judiciary of the House of Representatives.

Congressman John H. Roussetot, the author of the bill, submitted the following letters in support of his bill :

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 7, 1974.

HON. PETER W. RODINO, Jr.,
Chairman, House Judiciary Committee,
Washington, D.C.

DEAR MR. CHAIRMAN: This letter is submitted in support of H.R. 3339, a bill I have introduced for the relief of Delmira Martinez Sandoval.

Alien entered the United States on November 7, 1970, at Los Angeles, California under a Nonimmigrant Visa (No. 003975, issued by the Embassy of the United States in San Jose, Costa Rica, October 26, 1970). Alien is 23 years of age; born August 15, 1950, in San Salvador; address in the United States is 443 West Lime Avenue, Monrovia, California, 91016.

The beneficiary of my bill entered the United States with Mr. and Mrs. Klein DeBow and resides with them. She became acquainted with the DeBows while they were serving as lay missionaries for the Nazarene Church in Latin America. The beneficiary was a child from a broken home and came to this country with the DeBows, with her mother's consent.

The father of the beneficiary deserted the mother and his three daughters when the beneficiary was three years of age. Since then the father has had several common law wives and the mother has a common law husband some twenty years her senior, according to the DeBows.

The beneficiary's B-2 classification was changed to an F-1 status (Student Visa) on May 4, 1971 and is now updated until 1975. She graduated from Monrovia, California, High School and has, since September of 1973, been enrolled in a pre-medical course at Point Loma College, Point Loma, California. Tuition is being paid by the DeBows.

On February 2, 1972, petition for adoption by Mr. and Mrs. Klein DeBow was approved in the Superior Court of the State of California, for the County of Los Angeles. Certified copies of the Petition and the Decree of Adoption, together with affidavits from individuals certifying to the relationship of the beneficiary to the DeBows are already on file at your Committee.

It is felt that it would be an extreme hardship for the beneficiary to return to El Salvador, to an uncertain life of insecurity and to deprive her of an education and a potential life of real service to this country. For these reasons, I urge favorable consideration of this bill by your Committee.

Kind regards.

JOHN H. ROUSSELOT,
Member of Congress.

MONROVIA, CALIF.,
December 6, 1972.

HON. JOHN H. ROUSSELOT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROUSSELOT: While serving as lay-missionaries (7 years) for the Nazarene Church in Latin America, my wife and I became acquainted with Delmira Martinez Sandoval, a "natural" child from a broken home. Upon our return to the United States we brought Delmira with us with her mother's consent. Delmira entered the United States under a Nonimmigrant Visa No. 003975, issued by the Embassy of the United States in San José, Costa Rica, on October 26, 1970.

On November 1st, 1970, Delmira, my wife (Ruth) and I arrived in San Salvador, El Salvador to make arrangements for our trip to Los Angeles, California. We left San Salvador on November 5, 1970 and arrived (via Pan-Am-flight #516) in Los Angeles, California on the same date. Later, on May 4, 1971, the B-2 Classification was changed to an F-1 Status (Student Visa) at "LOS on 05-04-71" and is now updated until May 2, 1973.

Subsequently we adopted Delmira, the Court Order being dated February 18, 1972, and her name was legally changed to Delmira DeBow. Since arriving in the United States, Delmira has graduated from Monrovia High School; completed a summer school course at Pasadena College and is presently enrolled in a premedical course at Mid-America Nazarene College, Olathe, Kansas. We are paying her full expense through the Richard C. Knight/Insured Tuition Payment Plan—Boston, Massachusetts.

We have two other children: Lois-Ruth, married and living with her husband, John Wayne Bowser, and their two sons. And Bethany DeBow, single and serving as a school administrator and teacher for the Nazarene Church in La Paz, Bolivia, South America—she is now in her tenth year of service on this field. (My wife and I spent better than five years on this same field—Ruth is a Registered Nurse and I am a General Building Contractor).

We know that Delmira did not automatically become a citizen of the United States because of her age at the time of our adopting her. Why was Delmira adopted?—one day as she was thinking about her "pillar to post" uncertain past she said to us, "this is the first time in my life that I have felt any sense of security". Her father deserted the mother and the three girls when Delmira was three years of age. Since then the father has had several "common law wives" and a number of other children.

The mother also had a "common law husband" (some twenty years her senior) with several more children—two younger boys are still living.

To send Delmira back to El Salvador would be to return her to an uncertain life of insecurity; to deprive her of an education and a potential life of real service to mankind.

In the New Testament we read: "But if someone who is supposed to be a christian has money enough to live well, and sees a brother in need, and won't help him—how can God's love be within him?"

My wife and I would be most grateful if you would secure the passage of a private bill for Delmira's naturalization. We will be happy to furnish you with any additional information which you may need for this purpose.

In addition to this request, through the House of Representatives, we are seeking the assistance of the two California Senators—the Honorable Alan Cranston and the Honorable John Tunney, through the United States Senate.

I am enclosing copies of several documents that may give a better perspective of the situation in which we seek help.

Yours very truly,

KLEIN N. M. DeBow.

MONROVIA, CALIF.,
August 7, 1972.

HON. JOHN H. ROUSSELOT,

Arcadia, Calif.

DEAR CONGRESSMAN ROUSSELOT: While serving as missionaries for the Nazarene Church in San Salvador, my wife and I became acquainted with Delmira Martinez Sandoval, a child of a broken home. Upon our return to the United States we brought Delmira with us with her mother's consent. Delmira entered the United States under a Visitor's Visa on November 5, 1970, such visa being good for one year. She is presently here on a Student Visa good until May, 1973.

Subsequently we adopted Delmira, the Court Order being dated February 18, 1972, and her name was legally changed to Delmira DeBow. Since arriving in the United States Delmira has completed high school and is presently enrolled in a premedical course at Pasadena College.

I understand that your office has previously researched this matter and that you determined that since Delmira was over the age of 18 years she did not automatically become a citizen of the United States by our adopting her.

My wife and I would be most grateful if you would secure the passage of a private bill for Delmira's naturalization. We will be happy to furnish you with any additional information which you may need for this purpose.

Yours very truly,

KLEIN N. M. DeBow.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 3339) should be enacted.

DELMIRA MARTINEZ SANDOVAL

AUGUST 22, 1974.—Committed to the Committee of the Whole House and
ordered to be printed

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

REPORT

[To accompany H.R. 3339]

The Committee on the Judiciary, to whom was referred the bill (H.R. 3339) for the relief of Delmira Martinez Sandoval, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

On page 1, line 4, strike out the name "Delmira Martinez Sandoval" and insert in lieu thereof the name "Delmira DeBow".

On page 1, line 6, after the words "petition filed in" strike out "his" and substitute "her".

Amend the title so as to read: "For the relief of Delmira DeBow."

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to facilitate the adjustment of status of the adopted daughter of citizens of the United States. The bill has been amended to correct an error in drafting, and to refer to the beneficiary by her name after adoption.

GENERAL INFORMATION

The beneficiary of this bill is a 24-year-old native and citizen of El Salvador who was admitted to the United States as a visitor in 1970. Her status was changed to that of a nonimmigrant student in 1971. She was adopted in California on March 25, 1971 by citizens of the United States who met the beneficiary while they were missionaries in El Salvador.

The pertinent facts in this case are contained in a letter dated June 26, 1973 from the then Acting Commissioner of Immigration and Naturalization to the Chairman of the Committee on the Judiciary. That letter, with enclosures, reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., June 26, 1973.

A-19 882 473.

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. 3339) for the relief of Delmira Martinez Sandoval there is attached a memorandum of information concerning the beneficiary.

The bill would provide that the beneficiary be classified as a child upon approval of a petition filed in his behalf by Mr. and Mrs. Klein N. M. DeBow, United States citizens. It further provides that the natural brothers and sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege or status under the Immigration and Nationality Act.

As the beneficiary is a female, the Committee may wish to amend the bill to provide the correct pronoun.

Absent enactment of the bill, the beneficiary, a native of El Salvador, would be chargeable to the numerical limitation for immigrants from the Western Hemisphere. However, she would be statutorily ineligible to adjust her status while in the United States and would be required to apply for a visa outside of this country.

Sincerely,

JAMES F. GREENE,
Acting Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICES FILES RE H.R. 3339

The beneficiary, Delmira Martinez Sandoval, a native and citizen of El Salvador, was born on August 15, 1950 and is single. She attended elementary and high school in her native country. Her father deserted the family and her mother was unable to support her when she met her adoptive parents, Mr. and Mrs. DeBow, who were missionaries. She has lived with them in her native country and the United States since February, 1970. On March 25, 1971 they adopted her at Los Angeles, California. Adoption petition and decree attached. She is presently a sophomore at Pasadena College and has negligible assets. Her mother and two sisters reside in El Salvador. Her adoptive father is now a real estate salesman earning about \$20,000 a year. His net worth is about \$70,000 and he is paying \$250 a month to the Knight Foundation on a contract that assures the beneficiary's completion of a college education even though he becomes deceased prior thereto.

The beneficiary entered the United States as a nonimmigrant visitor on November 5, 1970 and was authorized to remain until May 5, 1971. On that date her status was changed to that of nonimmigrant student, authorized to re-

main until May 2, 1974. As she is currently maintaining her nonimmigrant status, deportation proceedings will not be instituted against her at this time.

Superior Court of the State of California for the County
of Los Angeles

No. NE AD 2970

ADOPTION OF DELMIRA MARTINEZ SANDOVAL, A MINOR

PETITION FOR ADOPTION

1. The Petitioners, KLEIN NEWTON MARR DEBOW and RUTH NAYLOR DEBOW are husband and wife, residing in the County of Los Angeles, State of California, and desire to adopt DELMIRA MARTINEZ SANDOVAL, who was born in the City of San Salvador, County of El Salvador, on August 15, 1950. The petitioners are adult persons, more than 10 years older than the above named minor person.

2. The parent entitled to sole custody of the child has placed the child directly with the petitioners and is prepared to consent to the child's adoption by the petitioners.

3. The child is a proper subject for adoption. The petitioners' home is suitable for the child, and they are able to support and care for the child properly. The interests of the child will be promoted by this adoption. The petitioners agree to treat the child in all respects as their own lawful child.

4. Each petitioner hereby consents to the adoption of the child by the other.

5. The petitioners will file promptly with the Los Angeles County Bureau of Adoptions, information required by the department in the investigation of this adoption.

WHEREFORE, Petitioners pray that the Court Adjudge the adoption of the child by petitioners, declaring that each petitioner and the child shall henceforth sustain towards each other the legal relation of parent and child, and have all the rights and be subject to all the duties of that relation; and that the child shall be known as DELMIRA DEBOW.

Dated: March 25, 1971.

KLEIN NEWTON MARR DEBOW.
RUTH NAYLOR DEBOW.

RAYMOND W. HUDSON,
Attorney for Petitioners.

VERIFICATION

STATE OF CALIFORNIA,
County of Los Angeles:

I CERTIFY AND DECLARE: I am a party to the within cause; I have read or heard read the foregoing and attached instrument and know the contents thereof, and the same are true

main until May 2, 1974. As she is currently maintaining her nonimmigrant status, deportation proceedings will not be instituted against her at this time.

Superior Court of the State of California for the County
of Los Angeles

No. NE AD 2970

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Dated: March 25, 1971.

KLEIN NEWTON MARR DEBOW.
RUTH NAYLOR DEBOW.

RAYMOND W. HUDSON,
Attorney for Petitioners.

VERIFICATION

STATE OF CALIFORNIA,
County of Los Angeles:

I CERTIFY AND DECLARE: I am a party to the within cause; I have read or heard read the foregoing and attached instrument and know the contents thereof, and the same are true

of my own knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 25, 1971 at Monrovia, California.

RUTH NAYLOR DEBOW.

VERIFICATION

STATE OF CALIFORNIA,
County of Los Angeles:

I CERTIFY AND DECLARE: I am a party to the within cause; I have read or heard read the foregoing and attached instrument and know the contents thereof, and the same are true of my own knowledge, except as to the matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 25, 1971 at Monrovia, California.

KLEIN NEWTON MARR DEBOW.

Superior Court of the State of California, for the County of
Los Angeles

No. NE AD 2970

ADOPTION PETITION OF KLEIN NEWTON MARR DEBOW AND
RUTH NAYLOR DEBOW, ADOPTING PARENTS

DECREE OF ADOPTION (INDEPENDENT)

The petition of KLEIN NEWTON MARR DEBOW and RUTH NAYLOR DEBOW, husband and wife, for the adoption of the minor child named in the petition herein, came on regularly on February 18, 1972 for hearing, RAYMOND W. HUDSON appearing as attorney for the petitioner and the petitioners and the said child appearing in person, and said persons having been examined separately by the Court; and it appearing that the Los Angeles County Department of Adoptions has heretofore filed its written report recommending the granting of said petition, and evidence to the satisfaction of the Court having been introduced, the Court finds that:

All of the allegations in said petition are true, that petitioners were married on June 27, 1935, and ever since have been and now are husband and wife; each of them is an adult person and more than ten years older than said child: the child who is subject to this petition is a female child born on August 15, 1950, in the City of San Salvador, Country of El Salvador. Said child was a minor at the time of the filing of the Adoption Petition but now an adult.

That the consents required by law under the facts of this case have been given and filed in the manner required by law.

The petitioners have executed the requisite consent and agreement that the said child shall be adopted and treated in all respects as their own lawful child and the Court, being satisfied that the interests and welfare of the minor will be promoted by the adoption proposed, and that the petition be granted; now therefore,

IT IS ORDERED that the petition is granted and said child is now the adopted child of petitioners KLEIN NEWTON MARR DEBOW and RUTH NAYLOR DEBOW, and shall be regarded and treated in all respects as their own lawful child; that they shall sustain toward the child and the child toward them the legal relation of parents and child, and each respectively shall have all of the rights and be subject to all of the duties of natural parent and child; and that the name of said child shall henceforth be DELMIRA DEBOW.

Dated *February 18, 1972.*

KENNETH A. WHITE,
Judge of the Superior Court.

Mr. Rousselot submitted the following letters in support of his bill.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 7, 1974.

HON. PETER W. RODINO, JR.,
Chairman, House Judiciary Committee,
Washington, D.C.

DEAR MR. CHAIRMAN: This letter is submitted in support of H.R. 3339, a bill I have introduced for the relief of Delmira Martinez Sandoval.

Alien entered the United States on November 7, 1970, at Los Angeles, California under a Nonimmigrant Visa (No. 003975, issued by the Embassy of the United States in San Jose, Costa Rica, October 26, 1970). Alien is 23 years of age; born August 15, 1950, in San Salvador; address in the United States is 443 West Lime Avenue, Monrovia, California, 91016.

The beneficiary of my bill entered the United States with Mr. and Mrs. Klein DeBow and resides with them. She became acquainted with the DeBows while they were serving as lay missionaries for the Nazarene Church in Latin America. The beneficiary was a child from a broken home and came to this country with the DeBows, with her mother's consent.

The father of the beneficiary deserted the mother and his three daughters when the beneficiary was three years of age. Since then the father has had several common law wives and the mother has a common law husband some twenty years her senior, according to the DeBows.

The beneficiary's B-2 classification was changed to an F-1 status (Student Visa) on May 4, 1971 and is now updated until 1975. She graduated from Monrovia, California, High School and has, since

September of 1973, been enrolled in a pre-medical course at Point Loma College, Point Loma, California. Tuition is being paid by the DeBows.

On February 2, 1972, petition for adoption by Mr. and Mrs. Klein DeBow was approved in the Superior Court of the State of California, for the County of Los Angeles. Certified copies of the Petition and the Decree of Adoption, together with affidavits from individuals certifying to the relationship of the beneficiary to the DeBows are already on file at your Committee.

It is felt that it would be an extreme hardship for the beneficiary to return to El Salvador, to an uncertain life of insecurity and to deprive her of an education and a potential life of real service to this country. For these reasons, I urge favorable consideration of this bill by your Committee.

Kind regards,

JOHN H. ROUSSELOT,
Member of Congress.

MONROVIA, CALIF.,
December 6, 1972.

HON. JOHN H. ROUSSELOT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROUSSELOT: While serving as lay-missionaries (7 years) for the Nazarene Church in Latin America, my wife and I became acquainted with Delmira Martinez Sandoval, a "natural" child from a broken home. Upon our return to the United States we brought Delmira with us with her mother's consent. Delmira entered the United States under a Nonimmigrant Visa No. 003975, issued by the Embassy of the United States in San José, Costa Rica, on October 26, 1970.

On November 1st, 1970, Delmira, my wife (Ruth) and I arrived in San Salvador, El Salvador to make arrangements for our trip to Los Angeles, California. We left San Salvador on November 5, 1970 and arrived (via Pan-Am-flight #516) in Los Angeles, California on the same date. Later, on May 4, 1971, the B-2 Classification was changed to an F-1 Status (Student Visa) at "LOS on 05-04-71" and is now updated until May 2, 1973.

Subsequently we adopted Delmira, the Court Order being dated February 18, 1972, and her name was legally changed to Delmira DeBow. Since arriving in the United States, Delmira has graduated from Monrovia High School; completed a summer school course at Pasadena College and is presently enrolled in a premedical course at Mid-America Nazarene College, Olathe, Kansas. We are paying her full expense through the Richard C. Knight/Insured Tuition Payment Plan—Boston, Massachusetts.

We have two other children: Lois-Ruth, married and living with her husband, John Wayne Bowser, and their two sons. And Bethany DeBow, single and serving as a school administrator and teacher for the Nazarene Church in La Paz, Bolivia, South America—she is now in her tenth year of service on this field. (My wife and I spent better

than five years on this same field—Ruth is a Registered Nurse and I am a General Building Contractor).

We know that Delmira did not automatically become a citizen of the United States because of her age at the time of our adopting her. Why was Delmira adopted?—one day as she was thinking about her “pillar to post” uncertain past she said to us, “this is the first time in my life that I have felt any sense of security”. Her father deserted the mother and the three girls when Delmira was three years of age. Since then the father has had several “common law wives” and a number of other children.

The mother also had a “common law husband” (some twenty years her senior) with several more children—two younger boys are still living.

To send Delmira back to El Salvador would be to return her to an uncertain life of insecurity; to deprive her of an education and a potential life of real service to mankind.

In the New Testament we read: “But if someone who is supposed to be a christian has money enough to live well, and sees a brother in need, and won’t help him—how can God’s love be within him?”

My wife and I would be most grateful if you would secure the passage of a private bill for Delmira’s naturalization. We will be happy to furnish you with any additional information which you may need for this purpose.

In addition to this request, through the House of Representatives, we are seeking the assistance of the two California Senators—the Honorable Alan Cranston and the Honorable John Tunney, through the United States Senate.

I am enclosing copies of several documents that may give a better perspective of the situation in which we seek help.

Yours very truly,

KLEIN N. M. DeBOW.

MONROVIA, CALIF.,
August 7, 1972.

HON. JOHN H. ROUSSELOT,
Arcadia, Calif.

DEAR CONGRESSMAN ROUSSELOT: While serving as missionaries for the Nazarene Church in San Salvador, my wife and I became acquainted with Delmira Martinez Sandoval, a child of a broken home. Upon our return to the United States we brought Delmira with us with her mother’s consent. Delmira entered the United States under a Visitor’s Visa on November 5, 1970, such visa being good for one year. She is presently here on a Student Visa good until May, 1973.

Subsequently we adopted Delmira, the Court Order being dated February 18, 1972, and her name was legally changed to Delmira DeBow. Since arriving in the United States Delmira has completed high school and is presently enrolled in a premedical course at Pasadena College.

I understand that your office has previously researched this matter and that you determined that since Delmira was over the age of 18

years she did not automatically become a citizen of the United States by our adopting her.

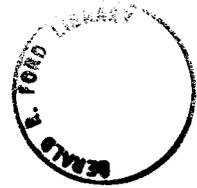
My wife and I would be most grateful if you would secure the passage of a private bill for Delmira's naturalization. We will be happy to furnish you with any additional information which you may need for this purpose.

Yours very truly,

KLEIN N. M. DEBOW.

Upon consideration of all the facts in this case, the Committee is of the opinion that H.R. 3339, as amended, should be enacted and accordingly recommends that the bill do pass.

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Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

For the relief of Delmira DeBow.

*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, Delmira DeBow 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. Klein N. M. DeBow, citizens of the United States pursuant to section 204 of the Act, and the provisions of section 245(c) of the Act shall be inapplicable in this case: *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.*