

The original documents are located in Box 35, folder “12/23/75 S447 Relief of Jesus Cortez Pineda” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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APPROVED
DEC 23 1975

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: December 24

December 22, 1975

*Postal in
Colonels 12/23
To Archives
12/24*

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON

SUBJECT:

**S. 447 - For the Relief of
Jesus Cortez Pineda**

Attached for your consideration is S. 447, sponsored by Senator Cranston, which would classify the beneficiary, a 19-year-old native and citizen of Mexico, as a "child" under the Immigration and Nationality Act.

Approval of the enrolled bill would allow the beneficiary to remain in the United States for the adjustment of his status from that of a non-immigrant student to permanent resident alien.

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

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

RECOMMENDATION

That you sign S. 447 at Tab B.



A



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

DEC 18 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 447 - "For the relief of Jesus
Cortez Pineda"
Sponsor - Sen. Cranston (D) California

Last Day for Action

December 24, 1975 - Wednesday

Purpose

To grant preferential immigrant status to Jesus Cortez Pineda.

Agency Recommendations

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

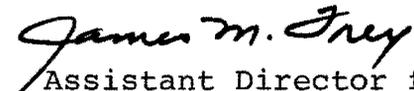
Discussion

The enrolled bill would classify Jesus Cortez Pineda as a "child" under the Immigration and Nationality Act upon approval of a petition filed in his behalf by Mr. and Mrs. David Pineda. This would allow him to remain in the United States for the adjustment of his status from that of non-immigrant student to permanent resident alien. The bill also provides that his natural parents, brothers or sisters would not be accorded any benefits under the Act because of their relationship to him.

The beneficiary is a 19 year old native and citizen of Mexico, who entered the United States in December 1973 as a non-immigrant student and is presently attending school in Fresno, California.

He was adopted in Mexico on August 9, 1972 by Mr. and Mrs. David M. Pineda of Fresno, California, who are his brother-in-law and sister, respectively, and, by decree of the Mexican court, given the surname of Pineda. The beneficiary's natural father is deceased, and his natural mother is ill and unable to care for him.

Because the beneficiary was over 14 years of age at adoption, he is not eligible under the Immigration and Nationality Act to adjust his status while in the United States and would be required to obtain an immigrant visa outside this country. Such a visa would be chargeable to the numerical limitation placed on immigrants from the Western Hemisphere.


Assistant Director for
Legislative Reference

Enclosures



DEPARTMENT OF STATE

Washington, D.C. 20520

18 DEC 1975

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

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of December 12, 1975, transmitting for comment enrolled bills S. 55, "For the relief of Dino Mendoza Pascua", and S. 447, "For the relief of Jesus Cortez Pineda".

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

Sincerely,

Robert J. McCloskey
Robert J. McCloskey
Assistant Secretary for
Congressional Relations

THE WHITE HOUSE

WASHINGTON

December 22, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M. L.*
SUBJECT: S. 447 For the relief of Jesus Cortez Pineda

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

DEC 15 1975

AND REFER TO THIS FILE NO.

A20 326 544

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 447; Office of Management
and Budget request dated December 12, 1975

Beneficiary or Beneficiaries Jesus Cortez Pineda

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

MEMORANDUM

NATIONAL SECURITY COUNCIL

December 22, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: LES JANKA 
SUBJECT: S. 447 - For the Relief of Jesus
Cortez Pineda

The NSC Staff has no objection to the enrolled bill S. 447.

To -
J. Conroy
12-18-75
H: 107.78



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

DEC 18 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 447 - "For the relief of Jesus
Cortez Pineda"
Sponsor - Sen. Cranston (D) California

Last Day for Action

December 24, 1975 - Wednesday

Purpose

To grant preferential immigrant status to Jesus Cortez Pineda.

Agency Recommendations

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

Discussion

The enrolled bill would classify Jesus Cortez Pineda as a "child" under the Immigration and Nationality Act upon approval of a petition filed in his behalf by Mr. and Mrs. David Pineda. This would allow him to remain in the United States for the adjustment of his status from that of non-immigrant student to permanent resident alien. The bill also provides that his natural parents, brothers or sisters would not be accorded any benefits under the Act because of their relationship to him.

The beneficiary is a 19 year old native and citizen of Mexico, who entered the United States in December 1973 as a non-immigrant student and is presently attending school in Fresno, California.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 1397

Date: December 20

Time: 600pm

FOR ACTION: NSC/S *af*
Max Friedersdorf *mf* cc (for information):
Ken Lazarus *kl*

Jack Marsh
Jim Cavanaugh
Warren Hendricks

FROM THE STAFF SECRETARY

DUE: Date: December 22

Time: 300pm

SUBJECT:

S. 447 - For the relief of Jesus Cortez Pineda

ACTION REQUESTED:

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

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.
For the President

Date: December 20

Time: 600pm

FOR ACTION: NSC/S
Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Cavanaugh
Warren Hendriks

FROM THE STAFF SECRETARY

DUE: Date: December 22

Time: 200pm

SUBJECT:

S. 447 - For the relief of Jesus Cortez Pineda

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

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.

John F. Kennedy
Executive Secretary

JESUS CORTEZ PINEDA

OCTOBER 28, 1975.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany S. 447]

The Committee on the Judiciary, to whom was referred the bill (S. 447), for the relief of Jesus Cortez Pineda, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

On page 1, line 7, strike out "citizens of the United States," and insert in lieu thereof the following:

a citizen of the United States and a lawfully resident alien, respectively,

On page 1, line 8, after the words "That the" insert the words "natural parents or".

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to facilitate the admission into the United States for permanent residence of the adopted son of a citizen of the United States and a lawfully resident alien. The bill has been amended to refer to the beneficiary's adopted mother as a lawfully resident alien rather than a citizen of the United States. The bill has been further amended in accordance with established precedents.

GENERAL INFORMATION

The beneficiary of the bill is an 18-year-old native and citizen of Mexico who entered the United States on December 16, 1973, as a student and is presently attending school in Fresno, Calif. He was adopted on August 9, 1972, by his sister, a permanent resident, and her U.S. citizen spouse. The beneficiary's natural mother is ill and unable to care for him and his natural father is deceased. Information is to the effect that the adoptive parents are financially able to care for him. The beneficiary's younger brother has also been adopted by Mr. and Mrs. Pineda.

A letter, with attached memorandum, dated August 12, 1974, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to S. 3279, a bill for the relief of the same beneficiary introduced in the 93d Congress, reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., August 12, 1974.

A-20326544.

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

DEAR SENATOR: In response to your request for a report relative to the bill (S. 3279) for the relief of Jesus Cortez Pineda, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the 17-year-old adopted son of Mr. and Mrs. David Pineda may be classified as a child and granted immediate relative status.

Absent enactment of a bill, the beneficiary, a native of Mexico, would be chargeable to the numerical limitation for immigrants from the Western Hemisphere. He would be statutorily ineligible to adjust his status while in the United States and be required to obtain a visa outside this country.

Sincerely,

L. F. CHAPMAN, Jr.,
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICES FILES RE S. 3279

The beneficiary, Jesus Cortez Pineda, who was formerly known as Jesus Cortez Lopez, a native and citizen of Mexico, was born on October 23, 1956. He lives with his adopted parents, Mr. and Mrs. David M. Pineda, in Fresno, Calif. He and a younger brother were adopted by Mr. and Mrs. Pineda in the Court of the First Instance of Yuriri, Guanajuato, Mexico, on August 9, 1972. The beneficiary is a brother of Mrs. Pineda. The court decreed that the adopted child should thereafter bear the surname of Pineda. The beneficiary's widowed mother lives in Mexico.

Mr. David M. Pineda was born in Fresno, Calif., on February 15, 1935. He has a Bachelor of Arts degree in Public Administration. He is employed as a shipping control clerk with a gross yearly salary of approximately \$7,500. He receives benefits from the GI bill amounting to \$224 monthly. His assets also include his residence in Fresno, valued at about \$20,000 and rental property in Fresno valued at about \$12,000. Mr. Pineda has three brothers and four sisters who reside in the United States.

Mrs. Pineda was born on July 28, 1941, in Cerano, Guanajuato, Mexico. She entered the United States on February 14,

1962, as a permanent resident. She is employed on a seasonal basis as a decoration manufacturer and earns approximately \$3,500 yearly. She has one brother and four sisters who live in Mexico. Another sister resides in the United States.

Mr. and Mrs. Pineda have one son who lives with them in Fresno. They stated that they adopted the beneficiary because his natural mother is ill and unable to care for him due to the death of his father and that it was the last request of the beneficiary's father. They stated that the beneficiary will live with them and they will rear and educate him as their own child.

Mr. and Mrs. Pineda visited Mexico when they adopted the beneficiary and his brother. Their visa petition to accord the beneficiary immediate relative status in the issuance of an immigrant visa was denied on June 5, 1973, as the beneficiary was over the age of 14 at the time of adoption and could not be considered a child as defined in the Immigration and Nationality Act.

A letter dated September 27, 1974, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to S. 3279 reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., September 27, 1974.

A-20326544.

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

DEAR SENATOR: This refers to S. 3279 in behalf of Jesus Cortez Pineda.

The beneficiary entered the United States on December 16, 1973, as a nonimmigrant student. He is presently attending school in Fresno, Calif.

Sincerely,

L. F. CHAPMAN, Jr.,
Commissioner.

Senator Alan Cranston, the author of the bill, submitted the following information in support of S. 3279 of the 93d Congress:

U.S. SENATE,
COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C., September 26, 1974.

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

DEAR SENATOR EASTLAND: On April 1, 1974, I introduced S. 3279 for the relief of Jesus Cortez Pineda, one of two adopted sons of David and Reyna Pineda.

David Pineda is an American citizen and Reyna Pineda, the natural sister of Jesus and Moises Cortez, is a permanent resident. Moises

Cortez is already in the United States. The natural mother of Mrs. Pineda is physically, financially, and emotionally unable to care for her two boys since the father died.

I am enclosing documentation in support of the bill; namely, translation of the adoption proceedings, a list of the assets and liabilities of the family showing their financial status, and a letter from Mr. and Mrs. Pineda expressing their desire to raise Jesus. They are most desirous of having Jesus join the family as soon as possible and continue his education in the United States.

I know that all members of the family will be most grateful for the committee's consideration so that the natural mother can be relieved of her responsibility and the boy, Jesus assured of adequate care.

Sincerely,

ALAN CRANSTON.

FRESNO, CALIF., July 15, 1974.

HON. ALAN CRANSTON,
U.S. Senator,
Senate Office Building, Washington, D.C.

DEAR SENATOR CRANSTON: We are deeply grateful for all the help you have rendered us so far in the matter of our adopted son, Jesus Cortez Pineda for whom you have introduced S. 3279 and we are anxiously waiting to hear of its passage in the Senate.

As you know, we have been unable to bring our adopted son from Mexico to the United States because he is now 17 years old and is on the waiting list and we have encountered nothing but redtape in our efforts to bring him into this country.

I, David Pineda, am a citizen of the United States and I was born here. My wife is Reyna Pineda and she is a permanent resident of the United States. We were married in this country and have our home here. We adopted Jesus and a younger brother on October 13, 1972. Both boys are Reyna Pineda's natural brothers. The reason we adopted them is because their father is deceased and their mother is physically and financially unable to care for them.

As we understand it, the immigration law regarding a child who is beyond the age of 14 years does not allow passage to the United States for such a child, the reason for that being that they come into the country and deprive people of work. We have no intention of bringing our adopted son into this country to work. In fact, the purpose of our bringing him in is to educate him. He is presently living with us in Fresno, Calif. and is here on a nonimmigrant student visa.

We realize that there are many cases such as this, but we believe this is a little different. We have gone through all the legal proceedings to adopt these boys and we take full responsibility for them. Most important is that our seventeen-year old has no parent who can take care of his needs at the moment, except us. He is legally our son and we will be well able to care for him both emotionally and financially.

We are requesting that you please continue in your efforts to assist us in our efforts to bring our son Jesus Cortez Pineda into this country so that we may continue to educate him and so that we may live together as a family. He will eventually become a citizen of the United States and will be productive to this country and to the State of Cali-

fornia if allowed to receive a good education and the love of us, his adoptive parents.

Again, thank you for all your kind help and assistance in this matter.

Respectfully yours,

DAVID PINEDA,
REYNA PINEDA.

AFFIDAVIT AS TO WHY MRS. FERMINA CORTÉS CANNOT TAKE CARE OF HER SONS JESÚS AND MOISÉS CORTÉS

I, Reyna Pineda, after being duly sworn declare and say, that I am the daughter of Mrs. Fermina Cortés. That my father is deceased. That my mother is 59 years old and unable to work, and that she resides in Mexico.

I further declare and say that my brothers and sisters have at times been required to provide assistance for my mother because of her inability to support herself. Because of her indigency and the family situation, she is not able to take care of my two brothers, and my husband who is a U.S. citizen, and I have adopted my two brothers, Jesús and Moisés Cortés. Because of the poverty and indigency of my mother, my 16-year-old brother is no longer attending school.

In addition, my mother has been ill in the past since my father was deceased, and she has been unable to provide the necessary food, clothing and other amenities that are needed to bring up a child. The boys are now adopted children and we are able to provide for them adequately. They will not come to the United States for the purpose of working but rather, so that they will be able to obtain the education that they should have to become productive citizens of the United States.

I declare that the above is true to the best of my knowledge and belief.

REYNA PINEDA.

BUDGETARY INFORMATION

This legislation does not provide new budgetary 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

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 447), as amended, should be enacted.

Calendar No. 221

94TH CONGRESS }
1st Session }

SENATE

{ REPORT
{ No. 94-226

JESUS CORTEZ PINEDA

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 S. 447]

The Committee on the Judiciary, to which was referred the bill (S. 447) for the relief of Jesus Cortez Pineda, 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 adjustment of status as an immediate relative of the adopted son of a U.S. citizen and his lawfully permanent resident spouse.

STATEMENT OF FACTS

The beneficiary of the bill is an 18-year-old native and citizen of Mexico who entered the United States on December 16, 1973, as a student and is presently attending school in Fresno, Calif. He was adopted on August 9, 1972, by his sister, a permanent resident, and her U.S. citizen spouse. The beneficiary's natural mother is ill and unable to care for him and his natural father is deceased. Information is to the effect that the adoptive parents are financially able to care for him. The beneficiary's younger brother has also been adopted by Mr. and Mrs. Pineda.

A letter, with attached memorandum, dated August 12, 1974, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to S. 3279, a bill for the relief of the same beneficiary introduced in the 93d Congress, reads as follows:

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IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., August 12, 1974.

A-20326544.

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

DEAR SENATOR: In response to your request for a report relative to the bill (S. 3279) for the relief of Jesus Cortez Pineda, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the 17-year-old adopted son of Mr. and Mrs. David Pineda may be classified as a child and granted immediate relative status.

Absent enactment of a bill, the beneficiary, a native of Mexico, would be chargeable to the numerical limitation for immigrants from the Western Hemisphere. He would be statutorily ineligible to adjust his status while in the United States and be required to obtain a visa outside this country.

Sincerely,

L. F. CHAPMAN, JR.,
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 3279

The beneficiary, Jesus Cortez Pineda, who was formerly known as Jesus Cortez Lopez, a native and citizen of Mexico, was born on October 23, 1956. He lives with his adopted parents, Mr. and Mrs. David M. Pineda, in Fresno, Calif. He and a younger brother were adopted by Mr. and Mrs. Pineda in the Court of the First Instance of Yuriri, Guanajuato, Mexico, on August 9, 1972. The beneficiary is a brother of Mrs. Pineda. The court decreed that the adopted child should thereafter bear the surname of Pineda. The beneficiary's widowed mother lives in Mexico.

Mr. David M. Pineda was born in Fresno, Calif., on February 15, 1935. He has a Bachelor of Arts degree in Public Administration. He is employed as a shipping control clerk with a gross yearly salary of approximately \$7,500. He receives benefits from the GI bill amounting to \$224 monthly. His assets also include his residence in Fresno, valued at about \$20,000 and rental property in Fresno valued at about \$12,000. Mr. Pineda has three brothers and four sisters who reside in the United States.

Mrs. Pineda was born on July 28, 1941, in Cerano, Guanajuato, Mexico. She entered the United States on February 14, 1962, as a permanent resident. She is employed on a seasonal

S.R. 226

basis as a decoration manufacturer and earns approximately \$3,500 yearly. She has one brother and four sisters who live in Mexico. Another sister resides in the United States.

Mr. and Mrs. Pineda have one son who lives with them in Fresno. They stated that they adopted the beneficiary because his natural mother is ill and unable to care for him due to the death of his father and that it was the last request of the beneficiary's father. They stated that the beneficiary will live with them and they will rear and educate him as their own child.

Mr. and Mrs. Pineda visited Mexico when they adopted the beneficiary and his brother. Their visa petition to accord the beneficiary immediate relative status in the issuance of an immigrant visa was denied on June 5, 1973, as the beneficiary was over the age of 14 at the time of adoption and could not be considered a child as defined in the Immigration and Nationality Act.

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IMMIGRATION AND NATURALIZATION SERVICE,
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HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate,
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COMMITTEE ON LABOR AND PUBLIC WELFARE,
Washington, D.C., September 26, 1974.

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

DEAR SENATOR EASTLAND: On April 1, 1974, I introduced S. 3279 for the relief of Jesus Cortez Pineda, one of two adopted sons of David and Reyna Pineda.

David Pineda is an American citizen and Reyna Pineda, the natural sister of Jesus and Moises Cortez, is a permanent resident. Moises Cortez is already in the United States. The natural mother of Mrs.

S.R. 226

Pineda is physically, financially, and emotionally unable to care for her two boys since the father died.

I am enclosing documentation in support of the bill; namely, translation of the adoption proceedings, a list of the assets and liabilities of the family showing their financial status, and a letter from Mr. and Mrs. Pineda expressing their desire to raise Jesus. They are most desirous of having Jesus join the family as soon as possible and continue his education in the United States.

I know that all members of the family will be most grateful for the committee's consideration so that the natural mother can be relieved of her responsibility and the boy, Jesus assured of adequate care.

Sincerely,

ALAN CRANSTON.

FRESNO, CALIF., July 15, 1974.

HON. ALAN CRANSTON,
U.S. Senator,
Senate Office Building, Washington, D.C.

DEAR SENATOR CRANSTON: We are deeply grateful for all the help you have rendered us so far in the matter of our adopted son, Jesus Cortez Pineda for whom you have introduced S. 3279 and we are anxiously waiting to hear of its passage in the Senate.

As you know, we have been unable to bring our adopted son from Mexico to the United States because he is now 17 years old and is on the waiting list and we have encountered nothing but redtape in our efforts to bring him into this country.

I, David Pineda, am a citizen of the United States and I was born here. My wife is Reyna Pineda and she is a permanent resident of the United States. We were married in this country and have our home here. We adopted Jesus and a younger brother on October 13, 1972. Both boys are Reyna Pineda's natural brothers. The reason we adopted them is because their father is deceased and their mother is physically and financially unable to care for them.

As we understand it, the immigration law regarding a child who is beyond the age of 14 years does not allow passage to the United States for such a child, the reason for that being that they come into the country and deprive people of work. We have no intention of bringing our adopted son into this country to work. In fact, the purpose of our bringing him in is to educate him. He is presently living with us in Fresno, Calif. and is here on a nonimmigrant student visa.

We realize that there are many cases such as this, but we believe this is a little different. We have gone through all the legal proceedings to adopt these boys and we take full responsibility for them. Most important is that our seventeen-year old has no parent who can take care of his needs at the moment, except us. He is legally our son and we will be well able to care for him both emotionally and financially.

We are requesting that you please continue in your efforts to assist us in our efforts to bring our son Jesus Cortez Pineda into this country so that we may continue to educate him and so that we may live together as a family. He will eventually become a citizen of the United

States and will be productive to this country and to the State of California if allowed to receive a good education and the love of us, his adoptive parents.

Again, thank you for all your kind help and assistance in this matter.

Respectfully yours,

DAVID PINEDA,
REYNA PINEDA.

AFFIDAVIT AS TO WHY MRS. FERMINA CORTÉS CANNOT TAKE
CARE OF HER SONS JESÚS AND MOISÉS CORTÉS

I, Reyna Pineda, after being duly sworn declare and say, that I am the daughter of Mrs. Fermina Cortés. That my father is deceased. That my mother is 59 years old and unable to work, and that she resides in Mexico.

I further declare and say that my brothers and sisters have at times been required to provide assistance for my mother because of her inability to support herself. Because of her indigency and the family situation, she is not able to take care of my two brothers, and my husband who is a U.S. citizen, and I have adopted my two brothers, Jesús and Moisés Cortés. Because of the poverty and indigency of my mother, my 16-year old brother is no longer attending school.

In addition, my mother has been ill in the past since my father was deceased, and she has been unable to provide the necessary food, clothing and other amenities that are needed to bring up a child. The boys are now our adopted children and we are able to provide for them adequately. They will not come to the United States for the purpose of working but rather, so that they will be able to obtain the education that they should have to become productive citizens of the United States.

I declare that the above is true to the best of my knowledge and belief.

REYNA PINEDA.

The committee files contain information relative to the adoption proceedings in behalf of the beneficiary of the bill and his younger brother.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 447) should be enacted.

○

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 Jesus Cortez Pineda.

*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, Jesus Cortez Pineda may be classified as a child within the meaning of section 101(b)(1)(F) of such Act upon approval of a petition filed in his behalf by Mr. and Mrs. David Pineda, a citizen of the United States and a lawfully resident alien, respectively, pursuant to section 204 of the said Act: *Provided*, That the natural parents or brothers or sisters of the said Jesus Cortez Pineda 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.*

December 12, 1975

Dear Mr. Director:

The following bills were received at the White House on December 12th:

✓ H.R. 2724	✓ S. 55 ✓
✓ H.R. 8773 ✓	✓ S. 447 ✓
✓ H.R. 9883 ✓	✓ S. 605 ✓
✓ H.R. 9924 ✓	✓ S. 1653 ✓
H.R. 11027 ✓	

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.