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APPROVED

AUG 14 1976

82/14/76

THE WHITE HOUSE
WASHINGTON
August 13, 1976

ACTION

Last Day: August 21

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *Jm*

- 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 Cebreros
 - 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

Posted 8/16/76
archives 8/16/76

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.



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

AND REFER TO THIS FILE NO.

OFFICE OF THE COMMISSIONER

11 AUG 1976

A18 478 493

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H.R. 2502 ; Office of Management
and Budget request dated August 9, 1976.

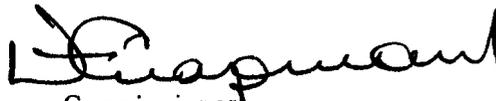
Beneficiary or Beneficiaries Peter Olav Mesikepp.

Pursuant to your request for the views of the Department of Justice on the subject bill, a review has been made of the facsimile of the bill, the relating Congressional Committee report or reports, and all pertinent information in the files of the Immigration and Naturalization Service

On the basis of this review the Immigration and Naturalization Service, on behalf of the Department of Justice:

- Recommends approval of the bill
- Interposes no objection to approval of the bill

Sincerely,


Commissioner



DEPARTMENT OF STATE

Washington, D.C. 20520

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. 2411, "For the relief of Alinor Anvari Adams", H.R. 2495, "For the relief of Malgorzata Kuzniarek Czapowski", and H.R. 2502, "For the relief of Peter Olav Mesikepp".

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

Sincerely yours,

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

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 (Informally)
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

PETER OLAV MESIKEPP

JULY 25, 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 H. R. 2502]

The Committee on the Judiciary, to whom was referred the bill (H.R. 2502) for the relief of Peter Olav Mesikepp, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to facilitate the adjustment of status to permanent residence of the adopted son of citizens of the United States.

GENERAL INFORMATION

The beneficiary is a 24-year-old native and citizen of Argentina who was adopted in California on November 29, 1971 by citizens of the United States. He entered this country as a student under the sponsorship of the Pan-American Mission and has resided with his adopted parents since shortly after his admission.

The pertinent facts in this case are contained in a letter dated May 23, 1975 from the Commissioner of Immigration and Naturalization to the Chairman of the Committee on the Judiciary. That letter and enclosures read as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., May 23, 1975.

A18-478-453.

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. 2502) for the relief of Peter Olav Mesikepp, there is attached a memorandum of information concerning the beneficiary.

The bill provides that the 23-year-old adopted son of Harry Mesikepp and Aino Mesikepp, citizens of the United States, may be classified as a child and granted immediate relative status. The bill further provides 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.

The beneficiary, a native of Argentina, 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 will be required to apply for a visa outside of this country.

Sincerely,

LEONARD F. CHAPMAN, JR.,
Commissioner.

Enclosure,

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 2502

The beneficiary, Peter Olav Mesikepp, who was formerly known as Carlos Pedro Konaszczuk, a native and citizen of Argentina, was born May 30, 1951. He is single and resides with his adoptive parents, Harry and Aino Mesikepp, the interested parties, in Fresno, California. He entered the United States at Los Angeles, California, on March 3, 1968, as a nonimmigrant student for a temporary period and was thereafter authorized to remain until June 30, 1974. His widowed natural mother resides in Argentina. The beneficiary was adopted by Harry and Aino Mesikepp on November 29, 1971, in the Superior Court of the State of California, for the County of Fresno. Attached is a copy of the adoption decree. He is a college student, majoring in microbiology. He is employed part-time with a dairy in Fresno and earns approximately \$120 per month.

Harry Mesikepp was born on December 29, 1917, in Estonia. He was admitted to the United States on December 23, 1951, at New York, New York, as a permanent resident. He became a citizen of the United States by naturalization on August 27, 1957. He is employed as a male nurse in Fresno and earns about \$700 monthly.

Aino Mesikepp was born in Estonia on October 15, 1918. She entered the United States as a permanent resident at New York, New York, on May 4, 1949. She became a United States citizen by naturalization in 1954. Her parents reside with her and her husband in Fresno. She is employed part-time as a language instructor in Fresno, earning about \$200 per month.

Mr. and Mrs. Mesikepp were married on October 4, 1958, in Fresno. Their assets consist of their residence in Fresno, valued at \$30,000, rental property in Fresno from which they receive \$90 monthly, and approximately \$1,000 in savings.

Deportation proceedings have been initiated against the beneficiary for having remained in the United States for a longer period than authorized.

Private Bill H.R. 17361, 93rd Congress, introduced in the beneficiary's behalf, was not enacted.

Superior Court of the State of California for the County of Fresno

NO. 1703—JUDGMENT OF ADOPTION

In the Matter of the Adoption Petition of

HARRY MESIKEPP AND AINO MESIKEPP, ADOPTING PARENTS

Shepard, Olson, DeVaney, Turner & Dietrich, Attorneys for Petitioners.

The petition of Harry Mesikepp and Aino Mesikepp, husband and wife, for the adoption of Carlos Pedro Konaszczuk, a minor came on regularly for hearing before the Honorable Harold V. Thompson, in Department No. 5, on November 29, 1971, Kenneth W. DeVaney, appearing as attorney for the petitioners, with petitioners and the said minor appearing in person at the hearing; and it appearing that the written consent of the sole surviving parent of the said minor has been duly executed in accordance with the laws of the Nation of Argentina, and filed with the California State Department of Social Welfare and with the Clerk of this Court; that the California State Department of Social Welfare heretofore filed its written report recommending the granting of said petition, and the petitioners and each of them having been examined separately and evidence both oral and documentary having been introduced, the court now finds that:

All of the allegations in said petition are true; that petitioners were married on October 4, 1958, and ever since have been and now are husband and wife, and are residents of the County of Fresno, State of California; and that each of them is over the age of Twenty-One (21) years and more than Ten (10) years older than said minor; that the above-named Carlos Pedro Konaszczuk is a male child, born on May 30, 1951, in Buenos Aires, Argentina.

That only the consent of the surviving parent, the minor child's mother, is required by law under the facts of this case, and that such consent has been fully and freely given, and filed in the manner required by law.

That the said petitioners have executed in the presence of the Court the requisite consent and agreement that the said child shall be adopted and treated in all respects as their own lawful child should be treated, and the court, being satisfied that the interests and welfare of the minor herein will be promoted by the adoption proposed, and that the petition should be granted.

It is therefore ordered, adjudged and decreed, that said petition is granted and that said minor Carlos Pedro Konaszczuk is now the adopted child of petitioners, Harry Mesikepp and Aino Mesikepp and shall be in the custody of the said petitioners and 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 Peter Olav Mesikepp.

HAROLD V. THOMPSON,
Judge of the Superior Court.

Dated: November 29, 1971.

Mr Sisk submitted the following letters in support of his bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 30, 1975.

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

DEAR MR. CHAIRMAN: I am writing to urge the Subcommittee to favorably consider, H.R. 2502, a bill I introduced on January 30, 1975 for the relief of Peter Olav Mesikepp. The measure is identical to H.R. 17361 of the 93rd Congress.

Peter was born in Buenos Aires, Argentina on May 30, 1951. His natural father died when he was a small child and his mother placed him in an orphanage in City Bell, Argentina when he was nine years of age. The Pan American Mission, which supports the orphanage, financed Peter's trip to the United States when he was 16 to further his education after he had shown outstanding scholastic promise. He entered the United States on March 3, 1968 and met his adoptive parents, my constituents, Harry Mesikepp and Aino Soe-Poll Mesikepp, six months later. He began living with them shortly thereafter and they adopted him on November 29, 1971 in the Superior Court of the State of California, for the County of Fresno.

I am enclosing a copy of the letter I received from Peter's adoptive mother, Mrs. Aino Mesikepp, in September 1974 just prior to introduction of H.R. 17361, which I feel presents a deeply moving picture of the relationship which has developed between Peter and his new family and explains why enactment of this legislation at the earliest possible date is essential.

Peter completed the requirements for his baccalaureate degree this month, graduating with honors, Summa Cum Laude, from California State University, Fresno.

Mr. Chairman, the Subcommittee's early, favorable action on H.R. 2502 will be most sincerely appreciated.

With kind personal regards,

Sincerely,

B. F. SISK,
Member of Congress.

Enclosure.

FRESNO, CALIF., September 18, 1974.

Congressman B. F. SISK,
Rayburn Building
Washington, D.C.

MY DEAR CONGRESSMAN SISK: Your letter of September 9 has given us new hopes of establishing Peter's residence in this country permanently. We are most grateful for your concern and appreciate deeply the further steps you plan to take in helping our son to become a United States citizen.

It is ours and Peter's wish, Mr. Sisk, that you introduce the private bill in Peter's behalf because we know that such petition will relieve the hardship we have been bearing so long. For the information you

requested for this procedure I will start with our background as adoptive parents.

Harry Mesikepp and I were married on October 4, 1958 in San Francisco, California. We are both natives of Estonia which today is behind the iron-curtain. Harry Mesikepp, born December 29, 1917, entered the United States in December, 1951, and was naturalized on August 27, 1957, in Passaic County, Patterson, New Jersey.

I, Aino Mesikepp, (formerly Soe-Poll) was born on October 15, 1918, and entered the United States in May of 1949. I was naturalized November 15, 1954, in the County of Cumberland, Bridgeton, New Jersey.

Since our marriage we have been living in Fresno, California, where Harry has worked in the Community Hospital for over 16 years. You may be interested to know that Harry has an eye injury from World War II, which left him almost legally blind. In spite of this, he, as a Registered Male Nurse, has been employed as a physical therapy technician until last year when he suffered a heart attack. After open-heart surgery, he is working again but in surgical service.

I had the privilege of studying in Fresno State University and received my B.A. in Social Work in 1966. I also received my Master's Degree in German and Literature from the same university in 1973. I was a social worker for a few years in Fresno and Madera Counties. At present I work as a volunteer with the Link-Care Foundation in Fresno.

Our son, Peter, was born in Buenos Aires, Argentina, on May 30, 1951. His natural father passed away when Peter was a child. His mother placed him in an orphanage in City Bell, Argentina. The American missionary in charge of the orphanage applied for Peter's visa to the United States. The U.S. Consulate in Buenos Aires granted him a foreign student visa, F 1, on February 29, 1968. He entered the United States on March 3, 1968, at Los Angeles International Airport. He was 16 years of age at that time.

We met Peter 6 months later and our relationship developed to be a special one. Due to the slow process with Argentine officials in obtaining required documents, his adoption was not realized until November, 1970.

Our son is still a foreign student and his college fees are almost ten times as high as the regular student's fees. Our economic situation is not easy. We are glad that Peter has the opportunity to work along with his studies. But much more depressing is the insecurity in connection with his stay here. This affects Peter and each of us emotionally and physically. We love each other very much and any thought of being separated seems unbearable. Peter is a sensitive human being who knows how to appreciate real love and a home with all the old-fashioned privileges. And we, who have lost our native home and country, wish to share with our beloved Peter.

Because of this hardship, Peter has not been actively participating in social life. However, he is an excellent student and community member. Our fear is that he will be required to return to Argentina to apply for an immigrant visa. We do not have such monies for his travel nor his stay there. The emotional and economic strain of such requirement could be dangerous to my husband who had already suffered one heart attack.

Therefore, Mr. Sisk, your efforts to introduce a private bill to alleviate these fears is greatly appreciated. You have given us new courage and we are anticipating the day when Peter can apply for a permanent visa and subsequent citizenship.

Sincerely,

Mrs. AINO MESIKEPP.

Enclosures.

BUDGETARY INFORMATION

This legislation does not provide new budget authority and no estimate or comparison has been received from the Director of the Congressional Budget Office.

OVERSIGHT STATEMENT

The Committee exercises general oversight jurisdiction with respect to all immigration and nationality matters but no specific oversight is contemplated in this instance.

Upon consideration of all the facts in this case, the Committee is of the opinion that H.R. 2502 should be enacted and accordingly recommends that the bill do pass.

○

Our son Peter was born in Buenos Aires, Argentina, on May 30, 1921. His natural father passed away when Peter was a child. The mother of Peter is in an orphanage in Cay Hill, Argentina. The American representative in charge of the orphanage applied for Peter's visa to the United States. The U.S. Consulate in Buenos Aires granted him a foreign student visa, F-1, on February 22, 1958. He entered the United States on March 2, 1958, at Los Angeles International Airport. He was 36 years of age at that time. We met Peter 6 months later and our relationship developed to be a special one. Peter is the slow process with Argentine officials in obtaining required documents. His admission was not realized until November, 1957. Our son is still a foreign student and his college fees are almost nonexistent as high as the regular student's fees. Our economic situation is not easy. We are glad that Peter has the opportunity to work along with his studies. But much more depressing is the insecurity, tension and pessimism. We love each other very much and any thought of being separated seems unbearable. Peter is a sensitive human being who knows how to appreciate real love and a home with all the old-fashioned comforts. And we, who have lost our native home and country, want to share with our beloved Peter. Because of this hardship, Peter has not been actively participating in social life. However, he is an excellent student and community member. Our fear is that he will be required to return to Argentina to apply for an immigrant visa. We do not have such money for his travel and his stay here. The emotional and economic strain of such requirements will be disastrous to my husband who had already suffered one heart attack.

Calendar No. 1029

94TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 94-1095

PETER OLAV MESIKEPP

AUGUST 4, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 2502]

The Committee on the Judiciary, to which was referred the bill (H.R. 2502) for the relief of Peter Olav Mesikepp, 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 to permanent residence of the adopted son of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 25-year-old native and citizen of Argentina who entered the United States as a student March 3, 1968, under the sponsorship of the Pan-American Mission. He was adopted in California on November 29, 1971, by citizens of the United States with whom he has resided since shortly after his admission.

The pertinent facts are contained in a letter, with attached memorandum, dated May 23, 1975, to the chairman of the Committee on the Judiciary, House of Representatives, from the Commissioner of Immigration and Naturalization with reference to the bill. The letter and memorandum read as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., May 23, 1975.

A-18478453.

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. 2502) for the relief of Peter Olav Mesikepp,

there is attached a memorandum of information concerning the beneficiary.

The bill provides that the 23-year-old adopted son of Harry Mesikepp and Aino Mesikepp, citizens of the United States, may be classified as a child and granted immediate relative status. The bill further provides 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.

The beneficiary, a native of Argentina, 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 will be required to apply for a visa outside of this country.

Sincerely,

LEONARD F. CHAPMAN, Jr.,
Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 2502

The beneficiary, Peter Olay Mesikepp, who was formerly known as Carlos Pedro Konaszczuk, a native and citizen of Argentina, was born May 30, 1951. He is single and resides with his adoptive parents, Harry and Aino Mesikepp, the interested parties, in Fresno, California. He entered the United States at Los Angeles, California, on March 3, 1968, as a nonimmigrant student for a temporary period and was thereafter authorized to remain until June 30, 1974. His widowed natural mother resides in Argentina. The beneficiary was adopted by Harry and Aino Mesikepp on November 29, 1971, in the Superior Court of the State of California, for the County of Fresno. Attached is a copy of the adoption decree. He is a college student, majoring in microbiology. He is employed part-time with a dairy in Fresno and earns approximately \$120 per month.

Harry Mesikepp was born on December 29, 1917, in Estonia. He was admitted to the United States on December 23, 1951, at New York, New York, as a permanent resident. He became a citizen of the United States by naturalization on August 27, 1957. He is employed as a male nurse in Fresno and earns about \$700 monthly.

Aino Mesikepp was born in Estonia on October 15, 1918. She entered the United States as a permanent resident at New York, New York, on May 4, 1949. She became a United States citizen by naturalization in 1954. Her parents reside with her and her husband in Fresno. She is employed part-time as a language instructor in Fresno, earning about \$200 per month.

Mr. and Mrs. Mesikepp were married on October 4, 1958, in Fresno. Their assets consist of their residence in Fresno, valued at \$30,000, rental property in Fresno from which they receive \$90 monthly, and approximately \$1,000 in savings.

Deportation proceedings have been initiated against the beneficiary for having remained in the United States for a longer period than authorized.

Private Bill H.R. 17361, 93d Congress, introduced in the beneficiary's behalf, was not enacted.

Superior Court of the State of California for the County of
Fresno

NO. 1703—JUDGMENT OF ADOPTION

In the Matter of the Adoption Petition of

HARRY MESIKEPP AND AINO MESIKEPP, ADOPTING PARENTS

Shepard, Olson, DeVaney, Turner & Dietrich, Attorneys
for Petitioners.

The petition of Harry Mesikepp and Aino Mesikepp, husband and wife, for the adoption of Carlos Pedro Konaszczuk, a minor came on regularly for hearing before the Honorable Harold V. Thompson, in Department No. 5, on November 29, 1971, Kenneth W. De Vaney, appearing as attorney for the petitioners, with petitioners and the said minor appearing in person at the hearing; and it appearing that the written consent of the sole surviving parent of the said minor has been duly executed in accordance with the laws of the Nation of Argentina, and filed with the California State Department of Social Welfare and with the Clerk of this Court; that the California State Department of Social Welfare heretofore filed its written report recommending the granting of said petition, and the petitioners and each of them having been examined separately and evidence both oral and documentary having been introduced, the court now finds that:

All of the allegations in said petition are true; that petitioners were married on October 4, 1958, and ever since have been and now are husband and wife, and are residents of the County of Fresno, State of California; and that each of them is over the age of Twenty-One (21) years and more than Ten (10) years older than said minor; that the above-named Carlos Pedro Konaszczuk is a male child, born on May 30, 1951, in Buenos Aires, Argentina.

That only the consent of the surviving parent, the minor child's mother, is required by law under the facts of this case, and that such consent has been fully and freely given, and filed in the manner required by law.

That the said petitioners have executed in the presence of the Court the requisite consent and agreement that the said child shall be adopted and treated in all respects as their own lawful child should be treated, and the court, being satisfied that the interests and welfare of the minor herein will be promoted by the adoption proposed, and that the petition should be granted.

It is therefore ordered, adjudged and decreed, that said petition is granted and that said minor Carlos Pedro Konaszczuk is now the adopted child of petitioners, Harry Mesikepp

and Aino Mesikepp and shall be in the custody of the said petitioners and 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 Peter Olav Mesikepp.

HAROLD V. THOMPSON,
Judge of the Superior Court.

Dated: November 29, 1971.

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 30, 1975.

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

DEAR MR. CHAIRMAN: I am writing to urge the Subcommittee to favorably consider, H.R. 2502, a bill I introduced on January 30, 1975 for the relief of Peter Olav Mesikepp. The measure is identical to H.R. 17361 of the 93rd Congress.

Peter was born in Buenos Aires, Argentina on May 30, 1951. His natural father died when he was a small child and his mother placed him in an orphanage in City Bell, Argentina when he was nine years of age. The Pan American Mission, which supports the orphanage, financed Peter's trip to the United States when he was 16 to further his education after he had shown outstanding scholastic promise. He entered the United States on March 3, 1968 and met his adoptive parents, my constituents, Harry Mesikepp and Aino Soe-Poll Mesikepp, six months later. He began living with them shortly thereafter and they adopted him on November 29, 1971 in the Superior Court of the State of California, for the County of Fresno.

I am enclosing a copy of the letter I received from Peter's adoptive mother, Mrs. Aino Mesikepp, in September 1974 just prior to introduction of H.R. 17361, which I feel presents a deeply moving picture of the relationship which has developed between Peter and his new family and explains why enactment of this legislation at the earliest possible date is essential.

Peter completed the requirements for his baccalaureate degree this month, graduating with honors, Summa Cum Laude, from California State University, Fresno.

Mr. Chairman, the Subcommittee's early, favorable action on H.R. 2502 will be most sincerely appreciated.

With kind personal regards,
Sincerely,

B. F. SISK,
Member of Congress.

Enclosure.

FRESNO, CALIF., September 18, 1974.

Congressman B. F. SISK,
Rayburn Building
Washington, D.C.

My DEAR CONGRESSMAN SISK: Your letter of September 9 has given us new hopes of establishing Peter's residence in this country permanently. We are most grateful for your concern and appreciate deeply the further steps you plan to take in helping our son to become a United States citizen.

It is ours and Peter's wish, Mr. Sisk, that you introduce the private bill in Peter's behalf because we know that such petition will relieve the hardship we have been bearing so long. For the information you requested for this procedure I will start with our background as adoptive parents.

Harry Mesikepp and I were married on October 4, 1958 in San Francisco, Calif. We are both natives of Estonia which today is behind the iron-curtain. Harry Mesikepp, born December 29, 1917, entered the United States in December, 1951, and was naturalized on August 27, 1957, in Passaic County, Patterson, N.J.

I, Aino Mesikepp, (formerly Soe-Poll) was born on October 15, 1918, and entered the United States in May of 1949. I was naturalized November 15, 1954, in the County of Cumberland, Bridgeton, N.J.

Since our marriage we have been living in Fresno, California, where Harry has worked in the Community Hospital for over 16 years. You may be interested to know that Harry has an eye injury from World War II, which left him almost legally blind. In spite of this, he, as a Registered Male Nurse, has been employed as a physical therapy technician until last year when he suffered a heart attack. After open-heart surgery, he is working again but in surgical service.

I had the privilege of studying in Fresno State University and received my B.A. in Social Work in 1966. I also received my Master's Degree in German and Literature from the same university in 1973. I was a social worker for a few years in Fresno and Madera Counties. At present I work as a volunteer with the Link-Care Foundation in Fresno.

Our son, Peter, was born in Buenos Aires, Argentina, on May 30, 1951. His natural father passed away when Peter was a child. His mother placed him in an orphanage in City Bell, Argentina. The American missionary in charge of the orphanage applied for Peter's visa to the United States. The U.S. Consulate in Buenos Aires granted him a foreign student visa, F 1, on February 29, 1968. He entered the United States on March 3, 1968, at Los Angeles International Airport. He was 16 years of age at that time.

We met Peter 6 months later and our relationship developed to be a special one. Due to the slow process with Argentine officials in obtaining required documents, his adoption was not realized until November, 1970.

Our son is still a foreign student and his college fees are almost ten times as high as the regular student's fees. Our economic situation is not easy. We are glad Peter has the opportunity to work along with his studies. But much more depressing is the insecurity in con-

Library

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 Peter Olav Mesikepp.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in administration of the Immigration and Nationality Act, Peter Olav Mesikepp 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 Harry Mesikepp and Aino Mesikepp, 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.*