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APPROVED
OCT 1 - 1976

5/10/76

THE WHITE HOUSE

ACTION

WASHINGTON

September 30, 1976

Last Day: October 5

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *Jim Cannon*

SUBJECT:

- S. 1787 - Relief of Maria Lisa R. Manalo and Rogena R. Manalo
- S. 2668 - Relief of Arturo Moreno Hernandez
- S. 2770 - Relief of Anthony Augustus Daley and Beverly Evelyn Daley
- S. 2956 - Relief of Teresa Maria Salman

Posted
10/2/76

archives
10/4/76

Attached for your consideration are four enrolled bills which would classify or permit classification of the beneficiary alien children as immediate relatives of either U.S. citizens or permanent resident aliens, thereby authorizing preferential treatment under the immigration law and facilitating their admission to the United States.

Each of the bills is described in the OMB enrolled bill report at Tab A.

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

RECOMMENDATION

- That you sign S. 1787 at Tab B.
- That you sign S. 2668 at Tab C.
- That you sign S. 2770 at Tab D.
- That you sign S. 2956 at Tab E.





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

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) S. 1787 - Relief of Maria Lisa R. Manalo
and Rogena R. Manalo
Sponsor - Sen. Magnuson (D) Washington
- (2) S. 2668 - Relief of Arturo Moreno Hernandez
Sponsor - Sen. Moss (D) Utah
- (3) S. 2770 - Relief of Anthony Augustus Daley
and Beverly Evelyn Daley
Sponsor - Sen. Chiles (D) Florida
- (4) S. 2956 - Relief of Teresa Marie Salman
Sponsor - Sen. Bumpers (D) Arkansas

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To facilitate the admission of certain alien children into the United States.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization
Service

Approval

Department of State

No objection

Discussion

These enrolled bills would classify or permit classification of the beneficiary alien children as immediate relatives of either U.S. citizens or permanent resident aliens, thereby authorizing preferential treatment under immigration law, and facilitating their admission to the United States. Each of the enrolled bills would also make the children's natural parents and siblings ineligible for preferential treatment under immigration law by virtue of their relationship to the beneficiaries.

S. 1787 - Maria and Rogena Manalo

The beneficiaries are sisters, ages 15 and 14, respectively. They are natives and citizens of the Philippines and presently reside there with relatives.

At an early age, Maria and Rogena were left by their natural mother in the custody of Mr. and Mrs. Olympio Javidando, the prospective adopting parents, who are now permanent resident aliens of the United States and living in the Seattle, Washington area with their three natural daughters. Since the Javidandos left the Philippines in 1973, Maria and Rogena have lived apart from each other with relatives, but have received some support from Mr. and Mrs. Javidando.

Because of the unstable life the sisters have been subjected to, the Javidandos desire to adopt the sisters in the United States. The children's natural mother has since formally consented to their adoption; the natural father has consistently denied his paternity since their birth. However, under current law, a petition to classify an orphan as an immediate relative can be filed only by a U.S. citizen and can be filed only for a child under 14 years of age. Mr. and Mrs. Javidando are, thus, ineligible to file a petition in behalf of the sisters; likewise, Maria and Rogena exceed the age limitation.

S. 1787 would declare Maria and Rogena to be the natural born alien children of Mr. and Mrs. Javidando and permit them to petition for immediate relative immigrant visas for the sisters as their unmarried natural daughters under immigration law. This would enable the Javidandos to adopt the girls upon their admission to the United States.

S. 2668 - Arturo Moreno Hernandez

The beneficiary is a 12-year-old Mexican boy who currently resides with his indigent natural parents in Mexico. Arturo was adopted in Mexico on August 14, 1975 by Mr. and Mrs. Jose Palacio, both U.S. citizens residing in Utah. Mr. Palacio is a first cousin of one of Arturo's parents, and he and Mrs. Palacio have six children, three of whom are grown and living independently of their parents.

Because Arturo has not resided with his adopted parents for two continuous years, and instead still resides with his natural parents in Mexico, he is ineligible for preferential treatment under current law as an immediate relative of

Mr. and Mrs. Palacio. S. 2668 would waive this statutory impediment in his behalf and permit the Palacios to file a petition to grant him preferential immigrant status as their child.

S. 2770 - Anthony and Beverly Daley

The beneficiaries are brother and sister, ages 13 and 14, who are natives and citizens of Jamaica. They were adopted in Florida on August 4, 1975 by their natural father, Mr. Samuel U. Daley, a permanent resident alien, and his U.S. citizen wife. The children presently reside with their paternal grandparents in Jamaica. Because the children have not lived with their adopted parents for 2 years since their adoption, Mr. and Mrs. Daley are ineligible to file immediate relative petitions to obtain immigrant visas for them. S. 2770 would waive the physical presence requirement in their behalf and permit Mr. and Mrs. Daley to petition for immigrant visas for their adopted children.

S. 2956 - Teresa Marie Salman

The beneficiary is a 24-month-old native and resident of Taiwan. She has been living in Okinawa with her adopted parents, retired Air Force Sgt. and Mrs. Eugene A. Salman, both U.S. citizens. In addition to their adopted daughter, the Salmans have seven children of their own. Sgt. Salman has recently completed 20 years of military service. The family has remained in Okinawa with the beneficiary awaiting the disposition of this bill.

Under current law, Teresa will not be eligible for an immigrant visa as an immediate relative until she has been in the legal custody of and resided with her adoptive parents for 2 years. S. 2956 would waive the 2-year custody and physical presence requirement in Teresa's behalf and make her immediately eligible for an immigrant visa upon approval of an immediate relative petition to be filed in her behalf by Sgt. and Mrs. Salman.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures

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



SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

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and Rogena R. Manalo
Sponsor - Sen. Magnuson (D) Washington
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Service

Approval

Department of State

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These enrolled bills would classify or permit classification of the beneficiary alien children as immediate relatives of either U.S. citizens or permanent resident aliens, thereby authorizing preferential treatment under immigration law, and facilitating their admission to the United States. Each of the enrolled bills would also make the children's natural parents and siblings ineligible for preferential treatment under immigration law by virtue of their relationship to the beneficiaries.

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

24 SEP 1976

AND REFER TO THIS FILE NO.

A21 402 708

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 2956 ; Office of Management
and Budget request dated September 23, 1976

Beneficiary or Beneficiaries Teresa Marie Salman

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

SEP 28 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of September 22, 1976, transmitting for comment enrolled bills, S. 1787, "For the relief of Maria Lisa R. Manalo and Rogena R. Manalo", and S. 2956, "For the relief of Teresa Marie Salman".

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.

AND BUDGET
OFFICE OF MANAGEMENT

SEP 28 1976 1:32

RECEIVED

ACTION MEMORANDUM

THE WHITE HOUSE
WASHINGTON

Date: September 28

Time: 830pm

FOR ACTION: NSC/S
Dick Parsons
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 200pm

SUBJECT:

S.1787-Relief of Maria Lisa Manalo, et al
S.2668-Relief of Arturo Moreno Hernandez
S.2770-Relief of Anthony Augustus Daley, et al
→ S.2956-Relief of Teresa Marie Salman

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

WASHINGTON

September 29, 1976

MEMORANDUM FOR: JIM CAVANAUGH

FROM: MAX L. FRIEDERSDORF *M.L.F.*

SUBJECT: S.1787 - Relief of Maria Lisa Manalo ✓
S.2668 - Relief of Arturo Moreno Hernandez ✓
S.2770 - Relief of Anthony Augustus Daley ✓
→ S.2956 - Relief of Teresa Marie Salman ✓
S.2481 - Relief of Oscar Rene Hernandex Rustrian
S.1404 - Relief of Mrs. Kyong Chu Stout
S.1477 - Relief of Beatric Serrano Toledo
S.2830 - Relief of Gary Broyles ✓

The Office of Legislative Affairs concurs with the agencies

that the subject bill be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

Date: September 28

Time: 830pm

FOR ACTION: NSC/S
Dick Parsons
Max Friedersdorf
Bobbie Kilberg

cc (for information): Jack Marsh
Jim Connor
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 200pm

SUBJECT:

- S.1787-Relief of Maria Lisa Manalo, et al
- S.2668-Relief of Arturo Moreno Hernandez
- S.2770-Relief of Anthony Augustus Daley, et al
- S.2956-Relief of Teresa Marie Salman

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

approved
R. N. J. 9/30/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please

James M. Cannon

MEMORANDUM

NATIONAL SECURITY COUNCIL

5443

September 30, 1976

MEMORANDUM FOR: JAMES M. CANNON
FROM: Jeanne W. Davis *JWD*
SUBJECT: Enrolled Bills: S. 1787,
S. 2668, S. 2770 and S. 2956

The NSC Staff concurs in the following enrolled bills:

S. 1787 Relief of Maria Lisa Manalo, et al
S. 2668 Relief of Arturo Moreno Hernandez
S. 2770 Relief of Anthony Augustus Daley, et al
→ S. 2956 Relief of Teresa Marie Salman

Calendar No. 1011

94TH CONGRESS }
2d Session }

SENATE

REPORT
No. 94-1077

TERESA MARIE SALMAN

AUGUST 4, 1976.—Ordered to be printed

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

REPORT

[To accompany S. 2956]

The Committee on the Judiciary, to which was referred the bill (S. 2956), for the relief of Teresa Marie Salman, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

AMENDMENT

On line 5, delete the words "and (F)".

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States as an immediate relative of the adopted child of United States citizens. The bill has been amended to delete reference to section 101(b)(1)(F) of the Immigration and Nationality Act since it is inapplicable in this case.

STATEMENT OF FACTS

The beneficiary of the bill is a native and citizen of Taiwan. She was born on September 29, 1974, and was adopted by the interested parties on January 13, 1975. The beneficiary began residing with her

adoptive parents a short time after the adoption. The adoptive parents, Sergeant and Mrs. Eugene A. Salman, natives and citizens of the United States, are currently stationed on Okinawa. Sgt. Salman is scheduled to complete his tour of duty with the Air Force during the summer of 1976. He desires to have the beneficiary return with his family to the United States.

A letter, with attached memorandum, dated June 30, 1976 to the Chairman of the Senate Judiciary Committee from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., June 30, 1976.

A21-402-708.

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

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (S. 2956) for the relief of Teresa Maria Salman, there is attached a memorandum of information concerning the beneficiary.

The bill provides that for immigration purposes the beneficiary, who has been adopted by United States citizens, may be classified as a child and granted immediate relative status upon approval of a petition filed in her behalf by her adoptive parents. It also provides that the beneficiary's natural parents or siblings shall derive no immigration benefits by virtue of such relationships.

The beneficiary, a native of the Republic of China, is chargeable to the non-preference portion of the numerical limitation for immigrants and conditional entrants from countries in the Eastern Hemisphere.

Sincerely,

L. F. CHAPMAN, JR., *Commissioner.*

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 2956

Information concerning this case was obtained from Mr. and Mrs. Allen Salman, the adoptive parents and interested parties.

The beneficiary, Teresa Maria Salman, previously known as Hsiang-Chu Wei, was born September 29, 1974 in Taichung City, Taiwan. She was adopted by proxy on January 13, 1975 at Tainan, Taiwan District Court and soon after began residing with Mr. and Mrs. Salman in Okinawa. Her natural parents reside in Taiwan with four other children, and being unable to properly care for the beneficiary, consented to her adoption by the interested parties.

Mr. Eugene Allen Salman was born on April 30, 1936 at Columbus, Ohio. He graduated from high school in Erie, Pennsylvania in 1954 and the same year enlisted in the

S.R. 1077

United States Marines, serving until honorably discharged on May 26, 1959. The next day he joined the United States Air Force where he presently earns \$1,041 per month. He and his wife are stationed on Okinawa where he will complete his career and then return to the United States to retire in approximately summer of 1976. He lists assets of \$17,000 consisting of personal property and real estate.

Mrs. Maria Alfonzina Salman was born on June 1, 1937 in Erie, Pennsylvania where she completed high school. She and her spouse were married in Erie in 1956. They have three sons and four daughters from five to fifteen years of age, all United States citizens. Mrs. Salman has never been employed.

The beneficiary will not be eligible for an immigrant visa as an immediate relative until she has been in the legal custody of and resided with her adoptive parents for two years. Her adoptive parents expect to be returning to the United States prior to the completion of the beneficiary's necessary two years of residence with them.

Senator Dale Bumpers, the author of the bill, submitted the following supporting information:

U.S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C., February 26, 1976.

Re S. 2956.

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

DEAR JIM: I introduced S. 2956, a bill for the relief of Teresa Marie Salman, on February 16, and it was duly referred to your committee.

There are special circumstances that make this more than a routine private bill, and I would like to share them with you briefly.

Teresa Marie Salman is the adopted daughter of Technical Sergeant and Mrs. Eugene A. Salman. Sergeant and Mrs. Salman own land in Arkansas and hope to settle there when he has completed 20 years in the Air Force, a few months from now.

Sergeant Salman is now stationed in Okinawa, having arrived there in December, 1973. He and Mrs. Salman adopted Teresa Marie in January of 1975. She is a citizen of the Republic of China, having been born on Taiwan. She came to live with the Salmans on March 15, 1975.

As you know, the little girl would not be eligible for preference entry into the United States until after she has resided with the Salmans for at least two years, that is, on March 15, 1977.

The difficulty is that Sergeant Salman's 20 years will have been completed in May, 1976, and his tour of duty in Okinawa, which has already been extended once, is to expire at that time. If the little girl is not eligible to enter the United States by then, Mrs. Salman will probably have to stay in Okinawa with her, at great expense and inconvenience to the family, while Sergeant Salman returns to Arkansas to begin his new life.

S.R. 1077

This is a respectable and substantial American family with a real problem that can be solved by the private bill. The bill would simply declare that Teresa Marie is a "child" within the meaning of the relevant statutes, notwithstanding her not yet having resided with her adopted parents for two years. As is customary, the bill would also provide that Teresa Marie's natural relatives shall not enjoy any rights by reason of its passage.

At least four private laws were enacted just last year in closely similar circumstances: S. 55, private law 94-21; S. 605, private law 94-22; S. 1653, private law 94-23; and S. 447, private law 94-24.

I am writing to you now because time is of the essence in this situation. If at all possible, it would be highly desirable for this bill to be enacted on (assuming the appropriate departmental reports bear out the facts as they have been related to me) at an early date.

Your assistance and consideration would be greatly appreciated.

Sincerely,

DALE BUMPERS.

The committee, after consideration of all the facts in the case, is of the opinion that the bill S. 2956, as amended, should be enacted.

○

TERESA MARIE SALMAN

SEPTEMBER 13, 1976.—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. 2956]

The Committee on the Judiciary to whom was referred the bill (S. 2956) for the relief of Teresa Marie Salman, 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 entry into the United States of the adopted child of United States citizens.

GENERAL INFORMATION

The beneficiary of the bill is a native and citizen of Taiwan. She was born on September 29, 1974, and was adopted by the interested parties on January 13, 1975. The beneficiary began residing with her adoptive parents a short time after the adoption. The adoptive parents, Sergeant and Mrs. Eugene A. Salman, natives and citizens of the United States, are currently stationed on Okinawa. Sgt. Salman is scheduled to complete his tour of duty with the Air Force during the summer of 1976. He desires to have the beneficiary return with his family to the United States.

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COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C., February 26, 1976.

Re S. 2956.

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I am writing to you now because time is of the essence in this situation. If at all possible, it would be highly desirable for this bill to be enacted on (assuming the appropriate departmental reports bear out the facts as they have been related to me) at an early date.

Your assistance and consideration would be greatly appreciated.

Sincerely,

DALE BUMPERS.

BUDGETARY INFORMATION

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

OVERSIGHT STATEMENT

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

COMMITTEE RECOMMENDATION

Upon consideration of all the facts in this case, the Committee is of the opinion that S. 2956 should be enacted and accordingly recommends that the bill do pass.

S. 2956

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 Teresa Marie Salman.

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, Teresa Marie Salman may be classified as a child within the meaning of section 101(b)(1)(E) of such Act upon approval of a petition filed in her behalf by Technical Sergeant and Mrs. Eugene A. Salman, citizens of the United States, pursuant to section 204 of such Act. The natural parents and brothers and sisters of the said Teresa Marie Salman 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.*