

APPROVED
FEB 13 1976

*Signed
2/13/76*

THE WHITE HOUSE
WASHINGTON
February 11, 1976

ACTION
Last Day: February 14

*Patel
2/13
To archive
2/13*

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON
SUBJECT: H.R. 8555 - Relief of Angel Pader Cabal

Attached for your consideration is H.R. 8555, sponsored by Representative Bennett, which would restore an immediate relative classification to the beneficiary, an alien widower and father of U.S. citizens, and permit him to apply for permanent residence.

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 H.R. 8555 at Tab B.





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

FEB 9 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8555 - Relief of Angel Pader Cabal
Sponsor - Rep. Bennett (D) Florida

Last Day for Action

February 14, 1976 - Saturday

Purpose

To permit an alien widower and father of U.S. citizens to remain in the United States.

Agency Recommendations

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

Discussion

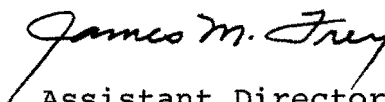
The enrolled bill would restore an immediate relative classification to the beneficiary, an alien widower and father of U.S. citizens, and permit him to apply for permanent residence.

Mr. Cabal is a 28 year old native and citizen of the Philippines, who entered the United States under military orders as an enlisted man in the U.S. Navy. He was honorably discharged from the Navy on March 2, 1973, after completing over four years of service.

While serving in the Navy, Mr. Cabal had married a U. S. citizen on July 27, 1970, who bore him two sons. Prior to her death in an automobile accident on November 25, 1974, Mrs. Cabal had submitted an immediate relative immigration visa petition in his behalf which was approved January 6, 1971, and

forwarded to the American Consul in Nassau, where he was to complete his application for the visa. (Because Mr. Cabal's entry into the U.S. was by military assignment and, therefore, not under the provisions of the Immigration and Nationality Act pertaining to inspection and admission of aliens, he is ineligible for adjustment of status.) However, Mrs. Cabal's death resulted in an automatic revocation of the approved visa petition, upon which Mr. Cabal had not completed his application for permanent residence, and rendered him ineligible under immigration law for preferential treatment on the basis of his marriage.

Mr. Cabal resides in Jacksonville with his two sons and is employed by the Weyerhaeuser Company. However, he has been ordered to leave the United States by February 1, 1977 and his return to the United States would be delayed several years because he would be chargeable to the nonpreference portion of the numerical limitation for immigrants and conditional entrants from the Eastern Hemisphere. Approval of the enrolled bill would simply restore immediate relative status to Mr. Cabal and permit him to resume his application through the U.S. Consul in Nassau for admission into the U.S. for permanent residence.



Assistant Director
for Legislative Reference

Enclosures

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

FEB 9 1976

MEMORANDUM FOR THE PRESIDENT

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Sponsor - Rep. Bennett (D) Florida

Last Day for Action

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Purpose

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Agency Recommendations

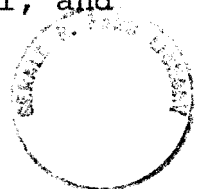
Office of Management and Budget	Approval
Immigration and Naturalization Service	Approval
Department of State	No objection

Discussion

The enrolled bill would restore an immediate relative classification to the beneficiary, an alien widower and father of U.S. citizens, and permit him to apply for permanent residence.

Mr. Cabal is a 28 year old native and citizen of the Philippines, who entered the United States under military orders as an enlisted man in the U.S. Navy. He was honorably discharged from the Navy on March 2, 1973, after completing over four years of service.

While serving in the Navy, Mr. Cabal had married a U. S. citizen on July 27, 1970, who bore him two sons. Prior to her death in an automobile accident on November 25, 1974, Mrs. Cabal had submitted an immediate relative immigration visa petition in his behalf which was approved January 6, 1971, and



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: February 10

Time: 800pm

FOR ACTION: NSC/S
Bick Parsons
Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: February 11

Time: 600pm

SUBJECT:

H.R. 8555 For the Relief of Angel Pader Cabal

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

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

PLEASE ADDRESS REPLY TO

Washington 25, D.C.

5 FEB 1976

AND REFER TO THIS FILE NO.

A20 206 347

OFFICE OF THE COMMISSIONER

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H. R. 8555 ; Office of Management
and Budget request dated February 3, 1976

Beneficiary or Beneficiaries Angel Pader Cabal

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

4 - FEB 1976

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 February 3, 1976, transmitting for comment enrolled bill H.R. 8555, "For the relief of Angel Pader Cabal".

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

Sincerely,

A handwritten signature in cursive script that reads "Robert J. McCloskey".

Robert J. McCloskey
Assistant Secretary for
Congressional Relations

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: February 10

Time: 800pm

FOR ACTION: NSC/S
Dick Parsons
Max Friedersdorf
Ken Lazarus

cc (for information): Jack Marsh
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FROM THE STAFF SECRETARY

DUE: Date: February 11

Time: 600pm

SUBJECT:

H.R. 8555 For the Relief of Angel Pader Cabal

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Approval. RR

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.

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THE WHITE HOUSE

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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 2/11/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

[Faint stamp]
FEB 11 1976
STAFF SECRETARY

THE WHITE HOUSE

WASHINGTON


February 12, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M-6.*
SUBJECT: H. R. 8555 - Relief of Angel Pader Cabal

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

Attachments

February 11, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: Jeanne W. Davis 
SUBJECT: Enrolled Bills - H. R. 4046,
H. R. 8555, H. R. 4113

The NSC Staff has no objection to Enrolled Bills H. R. 4046, H. R. 4113, H. R. 8555 for the relief of Valerie Ann Phillips, nee Chambers, Angel Pader Cabal, and Mitsue Karimata Stone respectively.

ANGEL PADER CABAL

JANUARY 30, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 8555]

The Committee on the Judiciary, to which was referred the bill (H.R. 8555), for the relief of Angel Pader Cabal, 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 preserve immediate relative status in behalf of the widower of a United States citizen. The bill further provides that the beneficiary may apply for permanent residence in the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 28-year-old native and citizen of the Philippines. He served in the United States Navy from March 14, 1967 to March 2, 1973, and is currently a member of the Naval Reserve. As a member of the Armed Forces, he was exempt from immigration inspection when he entered the United States on active duty. The beneficiary married a United States citizen on July 27, 1970. An immediate relative visa petition filed in his behalf was approved on January 6, 1971 and forwarded to the American Consulate at Nassau, where the beneficiary intended to apply for an immigrant visa. He is precluded from adjusting his status in the United States since he was never inspected and admitted.

The beneficiary's wife was killed in an auto accident on November 25, 1974. This revoked the visa petition. The couple had two United States citizen children, both of whom currently reside with and are supported by their father.

A letter with attached memorandum dated October 2, 1975 to the Chairman of the Committee on the Judiciary of the House of Representatives 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., October 2, 1975.

A20 206 347

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. 8555) for the relief of Angel Pader Cabal, there is attached a memorandum of information concerning the beneficiary.

The bill would grant immediate relative status to the beneficiary, the widower of a United States citizen, without a visa petition and allow him to apply for permanent residence.

Absent enactment of the bill, the beneficiary, a native of the Philippines, would be chargeable to the nonpreference 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 H.R. 8555

The beneficiary, Angel Pader Cabal, a native and citizen of the Philippines, was born November 17, 1947. He enlisted in the United States Navy on March 14, 1967 in the Philippines. As a member of the Armed Forces, he was exempt immigration inspection when he later entered the United States on active duty. He was honorably discharged from the Navy on March 2, 1973 at Jacksonville, Florida and is a member of the Naval Reserve.

On July 27, 1970 the beneficiary married Bonnie Faye Pettigrew, a United States citizen born February 24, 1952 in Jacksonville, Florida. She submitted an immediate relative visa petition in his behalf which was approved January 6, 1971 and forwarded to the American Consulate at Nassau, where it was indicated he would apply for an immigrant visa. Mr. Cabal is precluded by law from adjusting his status to that of permanent resident in the United States since he was never inspected and admitted.

Two children were born to this marriage, both United States citizens. However, on November 25, 1974 the beneficiary's spouse was killed in an auto accident. This auto-

atically revoked the approved visa petition and renders the beneficiary ineligible for any benefits under the immigration laws based on his marriage.

The beneficiary has a two-year college education and is employed by Weyerhaeuser Company at an annual salary of \$8,000. He has real estate valued at \$16,000 and approximately \$15,000 in savings. Deportation proceedings have not been instituted.

Congressman Charles E. Bennett, the author of the bill, submitted the following supporting information:

Mr. Chairman, I appreciate your allowing me the opportunity to submit a statement in support of H.R. 8555, a private bill I have introduced for the relief of my constituent, Angel Pader Cabal. This bill would grant immediate relative status to Mr. Cabal without a visa petition and would allow him to apply for permanent United States residence.

Mr. Cabal is a native and citizen of the Philippines who entered this country as a member of the American Armed Forces. He served in the Navy for four years and four months and was discharged honorably.

Mr. Cabal married an American citizen, Bonnie Faye Pettigrew, and they had two sons, Edwin now age 2 and Rinaldo now age 4. On November 25, 1974 Mrs. Cabal was tragically killed in an automobile accident in Jacksonville, Florida. The driver of the car that hit Mrs. Cabal has since been found guilty of manslaughter and has been ordered by the court to pay \$40 a week to the small children until they reach age 18.

Prior to her death, Mrs. Cabal had filed a relative visa petition in her husband's behalf which was approved and forwarded to the American consulate in Nassau in 1972. However family pressures prevented Mr. Cabal from going to Nassau to finalize the petition and when Mrs. Cabal was killed, the visa petition was automatically revoked and Angel Cabal was given until July 28, 1975 to leave the country. This order was later rescinded and his departure date has been delayed until February 1, 1977.

Mr. Chairman, Angel Cabal is a most productive member of the Jacksonville, Florida community. He has been employed at the Weyerhaeuser Company for the last four years and is a trusted, respected employee. He is an active member of the U.S. Naval Reserves VA 203 in Jacksonville and is the sole support of his two young sons who are American citizens.

Mr. Chairman, very severe hardship would be inflicted on Angel Cabal and his young family if this bill does not pass and he is forced to leave the United States. He is a good, law abiding citizen. I believe his case is an extraordinarily tragic one. Because of this I do not feel we can deny him the opportunity to remain in the United States with his children and to continue his life here. I urge that this bill which grants him immediate relative status without a visa petition and allows him to apply for permanent United States residence, be favorably reported by the committee.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 8555) should be enacted.

○

ANGEL PADER CABAL

NOVEMBER 7, 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. 8555]

The Committee on the Judiciary, to whom was referred the bill (H.R. 8555), for the relief of Angel Pader Cabal, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to restore immediate relative status to the beneficiary and to permit him to apply for permanent residence in the United States.

GENERAL INFORMATION

The beneficiary of this bill is a 27-year-old native and citizen of the Philippines who entered the United States under military orders as a member of the United States Navy. On July 27, 1970 he married a citizen of the United States and her visa petition conferring immediate relative status on him was approved. His application for an immigrant visa was being processed by the American Consulate in Nassau at the time of his wife's death on November 25, 1974 as a result of an automobile accident. The beneficiary resides in Florida with his two United States citizen children.

The pertinent facts in this case are contained in a letter dated October 2, 1975 from the Commissioner of Immigration and Naturalization

to the Chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., October 2, 1975.

A20 206 347

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. 8555) for the relief of Angel Pader Cabal, there is attached a memorandum of information concerning the beneficiary.

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Sincerely,

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

Enclosure.

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SERVICE FILES RE H.R. 8555

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The beneficiary has a two-year college education and is employed by Weyerhaeuser Company at an annual salary of \$8,000. He has real estate valued at \$16,000 and approximately \$15,000 in savings. Deportation proceedings have not been instituted.

STATEMENT OF THE HONORABLE CHARLES E. BENNETT IN SUPPORT OF H.R. 8555, FOR THE RELIEF OF ANGEL PADER CABAL, COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE ON IMMIGRATION

Mr. Chairman, I appreciate your allowing me the opportunity to submit a statement in support of H.R. 8555, a private bill I have introduced for the relief of my constituent, Angel Pader Cabal. This bill would grant immediate relative status to Mr. Cabal without a visa petition and would allow him to apply for permanent United States residence.

Mr. Cabal is a native and citizen of the Philippines who entered this country as a member of the American Armed Forces. He served in the Navy for four years and four months and was discharged honorably.

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Mr. Chairman, very severe hardship would be inflicted on Angel Cabal and his young family if this bill does not pass and he is forced to leave the United States. He is a good, law abiding citizen. I believe his case is an extraordinarily tragic one. Because of this I do not feel we can deny him the opportunity to remain in the United States with his children and to continue his life here. I urge that this bill which grants him immediate relative status without a visa petition and allows him to apply for permanent United States residence, be favorably reported by the committee.

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.

4

OVERSIGHT STATEMENT

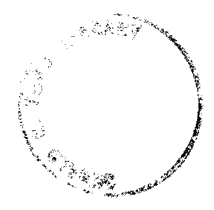
The Committee exercises general oversight jurisdiction with respect to all immigration and nationality matters but no specific oversight is contemplated in this instance.

COMMITTEE RECOMMENDATIONS

Upon consideration of all the facts in this case, the Committee is of the opinion that H.R. 8555 should be enacted and accordingly recommends that the bill do pass.

○

H. R. 8555



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 Angel Pader Cabal.

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, Angel Pader Cabal, the widower of a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provision of section 204 of such Act shall not be applicable in this case. Upon enactment of this Act the said Angel Pader Cabal shall be eligible to apply for permanent residence under section 245 of the Immigration and Nationality Act.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

February 3, 1976

Dear Mr. Director:

The following bills were received at the White House on February 3rd:

✓ H.R. 1399	✓ H.R. 5750
✓ H.R. 1758	✓ H.R. 8451
✓ H.R. 4046	✓ H.R. 8555
✓ H.R. 4113	✓ H.R. 8907
✓ H.R. 4939	

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.

Dear Mr. Director:

The following bills were received at the White House on February 3rd:

H.R. 1399	H.R.
H.R. 1758	H.R.
H.R. 4046	H.R.
H.R. 4113	H.R.
H.R. 4939	H.R.

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Director
Office of Management and Budget
Washington, D. C.