

The original documents are located in Box 39, folder “2/13/76 HR1758 Relief of Terrence Jarome Caguiat” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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APPROVED
FEB 13 1976

*Signed
2/13/76*

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: February 14

February 10, 1976

Post

2/13

J. Archibald

2/13

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *(initials)*

SUBJECT:

Enrolled Bills

H.R. 1399 - Relief of Maria Del
Carmen Alvarado Martinez

H.R. 1758 - Relief of Terrence
Jarome Caguiat

H.R. 4939 - Relief of Manuel Bonotan

H.R. 5750 - Relief of Chu Wol Kim

H.R. 8451 - Relief of Jung Shik Yang

H.R. 8907 - Relief of Yong Won Lee

Attached for your consideration are the above referenced enrolled bills, all which would authorize preferential treatment under the Immigration and Nationality Act for the admission of alien children into the United States for adoption purposes.

An explanation of each of the enrolled bills 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 bills.

RECOMMENDATION

That you sign the enrolled bills at Tabs B through G.





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
Sponsor - Rep. Hastings (R) New York
- (2) H.R. 1758 - Relief of Terrence Jarome Caguiat
Sponsor - Rep. Mink (D) Hawaii
- (3) H.R. 4939 - Relief of Manuel Bonotan
Sponsor - Rep. Leggett (D) California
- (4) H.R. 5750 - Relief of Chu Wol Kim
Sponsor - Rep. Bergland (D) Minnesota
- (5) H.R. 8451 - Relief of Jung Shik Yang
Sponsor - Rep. McHugh (D) New York
- (6) H.R. 8907 - Relief of Yong Won Lee
Sponsor - Rep. Cleveland (R) New Hampshire

Last Day for Action

February 14, 1976 - Saturday

Purpose

To authorize preferential treatment under the Immigration and Nationality Act for the admission of certain alien children into the United States for adoption purposes.

Agency Recommendations

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

Discussion

Summary of Legislation

These bills facilitate the immigration of children to the U.S.

for adoption purposes. In each case, the beneficiary children are barred from being accorded preferential treatment under various provisions of the Immigration and Nationality Act dealing with eligibility for classification as immediate relative children of petitioning adopting parents. If certain conditions of that Act are not waived, these children would be chargeable to the nonpreference foreign State limitation of Eastern Hemisphere countries, and, consequently, their admission into the United States for permanent residence could be delayed for years.

Each of the enrolled bills would authorize the classification of each alien child, respectively, as an immediate relative child and permit the approval of immigration visa petitions filed by the adopted or prospective adopting parents. Upon approval of such petitions, the children would be admitted to the United States for permanent residence. In addition, the natural parents and siblings of the beneficiaries are declared ineligible for similar preferential treatment for immigration to the United States

H.R. 1399 - Maria Del Carmen Alvarado Martinez

The beneficiary is a 1 1/2 year old Mexican girl, who was paroled into the United States in October 1975 and now resides in Elmira, New York with her prospective adopting parents, Mr. and Mrs. John Stein, a U.S. citizen and permanent resident alien, respectively. Her natural parents and siblings live in Mexico. Mrs. Stein is the sister of the child's mother, and she and Mr. Stein wish to adopt their niece because they are unable to have any children of their own. Because her parents are living, the beneficiary does not qualify for immediate relative status as a child under the Immigration and Nationality Act.

H.R. 1758 - Terrence Jarome Caguiat

The beneficiary is a 3-year old Filipino boy, who is the adopted son of Mr. and Mrs. Romeo Caguiat of Honolulu, Hawaii, a naturalized U.S. citizen and a permanent resident alien, respectively -- Mr. Caguiat is the boy's natural uncle. Although his natural parents are living, Terrence currently lives with his maternal grandmother in the Philippines, and is supported by the Caguiats, who adopted him in the Philippines on July 11, 1973. The beneficiary does not qualify for immediate relative child status under the Immigration and Nationality Act because his natural parents are living.

H.R. 4939 - Manuel Bonotan

The beneficiary is a 12 year old Filipino boy, who is living in the Philippines with his natural parents and two sisters. He was adopted in the Philippines on June 5, 1970, by Mr. and Mrs. Paulino Bonotan of Vallejo, California, a U.S. citizen and permanent resident alien, respectively. Manuel is the nephew of Mrs. Bonotan. Mr. and Mrs. Bonotan adopted Manuel because they are unable to have children and because the child's natural parents are poor. Because Manuel was not in the legal custody of Mr. and Mrs. Bonotan for two years after the adoption, he is ineligible for preferential treatment as an immediate relative under the Immigration and Nationality Act, notwithstanding the validity of his adopted status.

H.R. 5750 - Chu Wol Kim

The beneficiary is a two year old Korean orphan girl currently living with a foster family in that country. Her natural parents are unknown. She will be adopted upon her admission into the United States by Mr. and Mrs. Ralph Solem, both U.S. citizens, residing in Oslo, Minnesota. Mr. and Mrs. Solem already have four children, two of their own and two adopted Canadian-born children. The Immigration and Nationality Act normally limits approval of visa petitions for the prospective adoption of alien children to two per petitioner. Because the Solem's have had two such petitions approved for the Canadian-born orphans, they are ineligible to similarly petition in behalf of Chu Wol Kim.

H.R. 8451 - Jung Shik Yang

The beneficiary is a one year old Korean girl currently living in an orphanage in Seoul. Her natural parents are unknown and she is coming to the United States for adoption by Mr. and Mrs. Herbert Barth Ray of Binghamton, New York. Mr. and Mrs. Ray already have four young children, two of whom are adopted Korean orphans. The Immigration and Nationality Act normally limits the number of immediate relative immigration visa petitions for the adoption of alien children to two per petitioner. Because the Rays have had two such petitions approved for their adopted Korean children, they are ineligible to similarly petition on behalf of Jung Shik Yang.

H.R. 8907 - Yong Won Lee

The beneficiary is a 4-year old Korean boy living in an orphanage in Seoul. His natural parents abandoned him at birth. Upon admission into the United States, he will be adopted by Mr. and Mrs. Melvin Haas, both U.S. citizens, residing in Cabin John, Maryland. Mr. and Mrs. Haas have no natural children and

have already adopted three alien children, two of whom are siblings. The Immigration and Nationality Act normally limits approval of immediate relative immigration visa petitions for the adoption of alien children to two per petitioner. Inasmuch as Mr. and Mrs. Haas have already had at least two such petitions approved, they are ineligible to file an immediate relative visa petition in behalf of Yong Won Lee.

James M. Frey
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

Subject: Enrolled Bills

- (1) H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
Sponsor - Rep. Hastings (R) New York
- (2) H.R. 1758 - Relief of Terrence Jarome Caguiat
Sponsor - Rep. Mink (D) Hawaii
- (3) H.R. 4939 - Relief of Manuel Bonotan
Sponsor - Rep. Leggett (D) California
- (4) H.R. 5750 - Relief of Chu Wol Kim
Sponsor - Rep. Bergland (D) Minnesota
- (5) H.R. 8451 - Relief of Jung Shik Yang
Sponsor - Rep. McHugh (D) New York
- (6) H.R. 8907 - Relief of Yong Won Lee
Sponsor - Rep. Cleveland (R) New Hampshire

Last Day for Action

February 14, 1976 - Saturday

Purpose

To authorize preferential treatment under the Immigration and Nationality Act for the admission of certain alien children into the United States for adoption purposes.

Agency Recommendations

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

Discussion

Summary of Legislation

These bills facilitate the immigration of children to the U.S.

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

5 FEB 1976

AND REFER TO THIS FILE NO.

A20 984 003

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H. R. 1758 ; Office of Management
and Budget request dated February 3, 1976

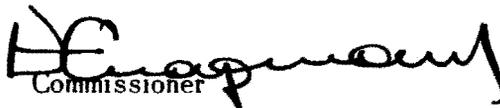
Beneficiary or Beneficiaries Terrence Jarome Caguiat

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 bills H.R. 1758, "For the relief of Terrence Jarome Caguiat", H.R. 8907, "For the relief of Yong Won Lee", and H.R. 8451, "For the relief of Jung Shik Yang".

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

Sincerely,

Robert J. McCloskey

Robert J. McCloskey
Assistant Secretary for
Congressional Relations

To-
2-9-76

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

FEB 9 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- ✓(1) H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
Sponsor - Rep. Hastings (R) New York
- ✓(2) H.R. 1753 - Relief of Terrence Jarome Caguiat
Sponsor - Rep. Mink (D) Hawaii
- ✓(3) H.R. 4939 - Relief of Manuel Bonotan
Sponsor - Rep. Leggett (D) California
- ✓(4) H.R. 5750 - Relief of Chu Wol Kim
Sponsor - Rep. Bergland (D) Minnesota
- ✓(5) H.R. 8451 - Relief of Jung Shik Yang
Sponsor - Rep. McHugh (D) New York
- ✓(6) H.R. 8907 - Relief of Yong Won Lee
Sponsor - Rep. Cleveland (R) New Hampshire

Last Day for Action

February 14, 1976 - Saturday

Purpose

To authorize preferential treatment under the Immigration and Nationality Act for the admission of certain alien children into the United States for adoption purposes.

Agency Recommendations

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

Discussion

Summary of Legislation

These bills facilitate the immigration of children to the U.S.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: February 9

Time: 745pm

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

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE Date: February 11

Time: 200pm

SUBJECT:

Enrolled Bill:

- H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
- H.R. 1758 - Relief of Terrence Jarome Caquiat
- H.R. 4939 - Relief of Manuel Bonotan
- H.R. 5750 - Relief of Chu Wol Kim
- H.R. 8451 - Relief of Jung Shik Yang
- H.R. 8907 - Relief of Yong Won Lee

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: February 9

Time: 745pm

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

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: February 11

Time: 200pm

SUBJECT:

Enrolled Bill:

H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez

H.R. 1758 - Relief of Terrence Jarome Caquiat

H.R. 4939 - Relief of Manuel Bonotan

H.R. 5750 - Relief of Chu Wol Kim

ACTION REQUESTED: H.R. 8451 - Relief of Jung Shik Yang

H.R. 8907 - Relief of Yong Won Lee

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Approval of all. [Signature]

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.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

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NSC/S
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cc (for information): Jack Marsh
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DUE: Date: February 11

Time: 200pm

SUBJECT:

Enrolled Bill:

- H.R. 1399 - Relief of Maria Del Carmen Alvarado Martinez
- H.R. 1758 - Relief of Terrence Jarome Caquiat
- H.R. 4939 - Relief of Manuel Bonotan
- H.R. 5750 - Relief of Chu Wol Kim
- ACTION REQUESTED: H.R. 8451 - Relief of Jung Shik Yang
- H.R. 8907 - Relief of Yong Won Lee

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 2/10/76

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.

THE WHITE HOUSE
WASHINGTON

February 11, 1976

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M. L.*
SUBJECT: Enrolled Bills H. R. 1399, H. R. 1758, H. R. 4939
H. R. 5750, H. R. 8451 and H. R. 8907

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

Attachments

NATIONAL SECURITY COUNCIL

February 10, 1976

MEMORANDUM FOR: JAMES CAVANAUGH

FROM: *for* Jeanne W. Davis *AWH*

SUBJECT: Enrolled Bills: H. R. 1399
H. R. 1758, H. R. 4939, H. R. 5750
H. R. 8451 and H. R. 8907

The NSC Staff concurs in Enrolled Bills, H. R. 1399 - Relief of Maria Del Carmen Alvarado Martinez; H. R. 1758 - Relief of Terrence Jarome Caquiat; H. R. 4939 - Relief of Manuel Bonotan; H. R. 5750 - Relief of Chu Wol Kim; H. R. 8451 - Relief of Jung Shik Yang; and H. R. 8907 - Relief of Yong Won Lee.

TERRENCE JAROME CAGUIAT

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

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

REPORT

[To accompany H.R. 1758]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1758) for the relief of Terrence Jarome Caguiat, having considered the same, report favorably thereon with amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That, in the administration of the Immigration and Nationality Act, Terrence Jarome Caguiat 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 Mr. and Mrs. Romeo Caguiat, a citizen of the United States and a lawfully resident alien, respectively, pursuant to section 204 of the Act: *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.

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to facilitate the admission into the United States of the adopted child of a citizen of the United States and his wife, a lawfully resident alien. The bill has been amended in accordance with established precedents.

GENERAL INFORMATION

The beneficiary of this bill is a 2-year-old native and citizen of the Philippines who resides in that country with his maternal grandmother. His natural parents and two siblings also reside there. He was adopted in the Philippines on July 11, 1973, by his uncle and aunt who have no natural children.

The pertinent facts in this case are contained in a letter dated August 14, 1975, from the Commissioner of Immigration and Naturaliza-

tion 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., August 14, 1975.

A20 984 003.

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. 1758) for the relief of Terrence Jarome Caguiat, there is attached a memorandum of information concerning the beneficiary.

The bill provides that Terrence Jarome Caguiat shall be granted immediate relative status, issued a visa and admitted to the United States for permanent residence, if he is found to be otherwise admissible under the Immigration and Nationality Act. The bill does not provide for payment of a visa fee. The Committee may wish to amend the bill accordingly.

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. 1758

Information concerning the case was obtained from Mr. and Mrs. Romeo Caguiat, the adoptive parents of the beneficiary.

The beneficiary, Terrence Jarome Caguiat, a native and citizen of the Philippines, was born on January 19, 1973. He lives with his maternal grandmother at Cavite, Philippines. He was adopted there on July 11, 1973. His parents are Sesinando and Belen G. Poblete. He has a brother Welfredo Poblete, age 6 years and a sister Henry Poblete, age 1 year. He is supported by Mr. and Mrs. Romeo Caguiat. The latter is his maternal uncle and he requested the adoption because he is biologically incapable of begetting a child.

The beneficiary does not qualify for immediate relative status under Section 201(b) of the Immigration and Na-

tionality Act because he is not a child as defined under Section 101(b)(1)(F) of that Act which excludes those children with two living parents.

Mr. and Mrs. Romeo Caguiat, who are natives of the Philippines, were born on January 22, 1943 and August 4, 1940 respectively. Mr. Caguiat is a naturalized citizen of the United States while his spouse is a permanent resident alien. They were married on January 20, 1969. They are childless and live in Honolulu, Hawaii.

Mr. Caguiat receives \$694 a month as a United States Navy enlisted man. The assets of Mr. and Mrs. Caguiat consist of savings in the amount of \$3,700, and personal property valued at \$5,000.

Private Bill H.R. 13571, 93rd Congress, introduced in the beneficiary's behalf, was not enacted.

A report from the Department of State on this legislation reads as follows:

DEPARTMENT OF STATE,
Washington, D.C., May 22, 1975.

HON. PETER W. RODINO, JR.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for a report concerning the case of Terrence Jarome Caguiat, beneficiary of H.R. 1758, 94th Congress. He was also the beneficiary of H.R. 13571, 93rd Congress.

The bill would grant immediate relative status within the meaning of Section 201(b) and would provide for visa issuance and for the beneficiary's admission for permanent residence if he is otherwise admissible under the provisions of the Immigration and Nationality Act.

The beneficiary, born Terrence Jarome Poblete on January 19, 1973, was legally adopted by Mr. and Mrs. Caguiat on July 11, 1973 at Naic, Cavite, Philippines.

Terrence resides with his natural parents and an older brother. Because he has not been in the custody of and has not resided with his adoptive parents for at least two years, he does not qualify as the child of Mr. and Mrs. Caguiat within the meaning of Section 101(b)(1)(E) of the Act. Although he is chargeable to the foreign state limitation for the Philippines, he is not registered as an intending immigrant.

A medical examination revealed no grounds for ineligibility.

Cordially,

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional Relations.

Mrs. Mink submitted the following letter and decree of adoption in support of her bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 23, 1975.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship, and International Law, Rayburn House Office Building,

DEAR MR. CHAIRMAN: I respectfully request your favorable consideration of my bill, H.R. 1758, private legislation for the relief of Terrence Jarome Caguiat, the legally adopted son of Mr. and Mrs. Romeo Caguiat.

Terrence Caguiat was born Terrence Jarome G. Poblete on January 19, 1973 in Naic, Cavite, Philippines, and was legally adopted by Mr. and Mrs. Caguiat in accordance with Philippine law on July 11, 1973.

Since Terrence does not meet the definition of "child" under either Section 101(b)(1)(E) or Section 101(b)(1)(F) of the Immigration and Nationality Act, he may not be considered as an immediate relative exempt from the limitations prescribed by that Act on the number of immigrant visas that may be issued each year to natives of the Philippines.

Romeo Caguiat is an American citizen with more than nine years of military service; his wife, Teresita, is a permanent resident of the U.S. They were married on January 20, 1969 in the Philippines.

As documented in reports from the Immigration and Naturalization Service, Mr. Caguiat receives \$694 per month as a member of the United States Navy. The Caguiat's assets consist of savings in the amount of \$3,700 and personal property valued at \$5,000.00.

Passage of this legislation would grant immediate relative status to Terrence Jarome Caguiat within the meaning of Section 201(b) of the Immigration and Nationality Act, and would provide for issuance of a visa and admission to the United States as a permanent resident.

Based on the above information, I would respectfully urge the Committee's favorable consideration of this bill. Mr. and Mrs. Romeo Caguiat anxiously look forward to the day when they might be reunited with their son to enable them to continue their lives as a typical American family. For them, it has been an agonizing period of more than two years of waiting and hoping for a time when some avenue would be afforded them to bring their adopted son into the United States.

With warm personal regards,
Very truly yours,

PATSY T. MINK,
Member of Congress.

Enclosures.

Republic of the Philippines
Municipality of Naic
CAVITE

OFFICE OF THE LOCAL CIVIL REGISTRAR

CERTIFICATE OF BIRTH.

This is to certify that in Book I, Page 76 and Register No. 76 of the Register of Birth filed in this Office, the following data appear:

Name of Child TERRENCE JAROME CAGUIAT
Place of Birth Ibaye Estacion, Naic, Cavite
Date of Birth January 19, 1973
Sex Male
Nationality Filipino
Name of Father Romeo Caguiat
Nationality American Citizen
Name of Mother Teresita N. Sano
Nationality Filipino

x x x x x x x x x x x x x x x x x x


BENJAMIN L. HERNANDEZ
Municipal Registrar

This certificate is issued upon request of the interested party this 26th day of December, 1973.

Republic of the Philippines in the Municipal Court of Naic, Cavite

SP. PROC. No. 313

IN THE MATTER OF ADOPTION OF MINOR, TERRENCE JAROME G. POBLETE,
SPOUSES ROMEO CAGUIAT AND TERESITA GANAC CAGUIAT, PETITIONER

ORDER

This is a petition filed by the spouses petitioners for the adoption of a minor, Terrence Jarome G. Poblete.

Upon filing of the said petition, the court issued an order on June 7, 1973 for the publication of the hearing set for this date, July 2, 1973 at 9:00 in the morning, as shown in Exhibit "A"; and that the said order has been published as required by the Rules of Court, as per Affidavit of Publication (Exhibit "C") in the Daily Express, a newspaper of general circulation in the City of Manila and in the Municipality of Naic, Cavite and even throughout the Province of Cavito. It also appears that a copy of the said order of the court has been sent to the Solicitor General, Manila, as required by the Rules of Court. At the hearing of this petition, nobody appeared to oppose the said petition; and that upon petition of counsel for petitioners, petitioners have been allowed to present their evidences.

From the evidence adduced by the petitioners, the court finds that petitioners are husband and wife, that petitioner Romeo Caguiat is an American citizen and petitioner Teresita Ganac Caguiat is a Filipino citizen, and residents of Naic, Cavito, Philippines; that the minor, Torrence Jarome G. Poblete was born on January 19, 1973, his parents Socinando Pobloto and Bolon Ganac, have given without any condition or reservation, the said child to petitioners, for the latter to rear and take care of him and consider as their own child; that petitioners accepted the said minor and took care of him as their own child, as they have not been given by nature a child of their own; that the natural and legal parents of the said minor have given their conformity to this adoption as shown by a Joint Affidavit (Exhibit "E"): that the mother of the said minor is the sister of the petitioner Teresita Ganac Caguiat; that the said petitioners have no child, legitimate nor illegitimate; that from the date of the giving of the said minor to them and up to the present, petitioners have been taking care and custody of the said minor in their residence, as their very own; that petitioner Romeo Caguiat is employed with the United States Government and that he is receiving an income of about Forty Thousand Nine Hundred Ninety Two (\$40,992.00) pesos annually; that aside from said salary, they have properties and sufficient means to rear and educate the said minor to his best advantage and his fortune; that none of petitioners have even been charged nor convicted of any crime involving moral turpitude; that petitioners have been advised about the legal consequence of this adoption and after realizing its significance expressed their desire to adopt the said child because of the love they have showered on him and their desire to make the said child of their own; and by the noble gesture of the petitioners, the natural parents of the said child have expressed their thanks to the petitioners, for their noble gesture in this adoption.

The court finds that the allegations in the petition have been fully substantiated and that the requirements of the Rules of Court concerning this case have been fully complied with. The court also finds that this is a proper case for adoption, as the minor would fill the void

in the lives of the petitioners and that on the part of the minor, he would have a well to do parents, who have assured the court of their love for him and their desire to rear and educate him according to their means and for the best they could afford for him.

Wherefore, judgement is hereby rendered approving said adoption and henceforth, the minor, Terrence Jarome G. Poblete, is freed from all legal obligation of obedience and maintenance with respect to his natural parents, shall be, to all legal intents and purposes, the legally adopted child of petitioners, Romeo Caguiat and Teresita Ganac Caguiat; that the name of the child Terrence Jarome G. Poblete be changed to Terrence Jarome C. Caguiat.

Let therefore, copy of this order be registered in the proper registry upon its finality in accordance with law.

So ordered. Naic, Cavito, July 11, 1973.

MANUEL C. DIOSOMITO,
Municipal Judge.

Certified true copy :

FELICISIMA P. BINSOL,
Clerk of Court, Naic, Cavito.

August 9, 1973.

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 H.R. 1758, amended, should be enacted and accordingly recommends that the bill do pass.

○

TERRENCE JAROME CAGUIAT

JANUARY 30, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 1758]

The Committee on the Judiciary, to which was referred the bill (H.R. 1758), for the relief of Terrence Jarome Caguiat, 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 entry into the United States as an immediate relative of a child adopted by a United States citizen and a lawfully resident alien.

STATEMENT OF FACTS

The beneficiary of the bill is a three-year-old native and citizen of the Philippines who resides in that country with his grandmother. He is supported by Mr. and Mrs. Romeo Caguiat, a United States citizen and a lawfully resident alien, respectively, by whom he was adopted on July 11, 1973. Mr. Caguiat is the beneficiary's uncle.

A letter, with attached memorandum, dated August 14, 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., August 14, 1975.

A20 984 003.

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. 1758) for the relief of Terrence Jarome Caguiat, there is attached a memorandum of information concerning the beneficiary.

The bill provides that Terrence Jarome Caguiat shall be granted immediate relative status, issued a visa and admitted to the United States for permanent residence, if he is found to be otherwise admissible under the Immigration and Nationality Act. The bill does not provide for payment of a visa fee. The Committee may wish to amend the bill accordingly.

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. 1758

Information concerning the case was obtained from Mr. and Mrs. Romeo Caguiat, the adoptive parents of the beneficiary.

The beneficiary, Terrence Jarome Caguiat, a native and citizen of the Philippines, was born on January 19, 1973. He lives with his maternal grandmother at Cavite, Philippines. He was adopted there on July 11, 1973. His parents are Sesinando and Belen G. Poblete. He has a brother Welfredo Poblete, age 6 years and a sister Henry Poblete, age 1 year. He is supported by Mr. and Mrs. Romeo Caguiat. The latter is his maternal uncle and he requested the adoption because he is biologically incapable of begetting a child.

The beneficiary does not qualify for immediate relative status under Section 201(b) of the Immigration and Nationality Act because he is not a child as defined under Section 101(b)(1)(F) of that Act which excludes those children with two living parents.

Mr. and Mrs. Romeo Caguiat, who are natives of the Philippines, were born on January 22, 1943 and August 4, 1940 respectively. Mr. Caguiat is a naturalized citizen of the United States while his spouse is a permanent resident alien.

They were married on January 20, 1969. They are childless and live in Honolulu, Hawaii.

Mr. Caguiat receives \$694 a month as a United States Navy enlisted man. The assets of Mr. and Mrs. Caguiat consist of savings in the amount of \$3,700, and personal property valued at \$5,000.

Private Bill H.R. 13571, 93rd Congress, introduced in the beneficiary's behalf, was not enacted.

A letter dated May 22, 1975 to the Chairman of the House Judiciary Committee from the Assistant Secretary for Congressional Relations, U.S. Department of State, reads as follows:

DEPARTMENT OF STATE,
Washington, D.C., May 22, 1975.

HON. PETER W. RODINO, Jr.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for a report concerning the case of Terrence Jarome Caguiat, beneficiary of H.R. 1758, 94th Congress. He was also the beneficiary of H.R. 13571, 93rd Congress.

The bill would grant immediate relative status within the meaning of Section 201(b) and would provide for visa issuance and for the beneficiary's admission for permanent residence if he is otherwise admissible under the provisions of the Immigration and Nationality Act.

The beneficiary, born Terrence Jarome Poblete on January 19, 1973, was legally adopted by Mr. and Mrs. Caguiat on July 11, 1973 at Naic, Cavite, Philippines.

Terrence resides with his natural parents and an older brother. Because he has not been in the custody of and has not resided with his adoptive parents for at least two years, he does not qualify as the child of Mr. and Mrs. Caguiat within the meaning of Section 101(b)(1)(E) of the Act. Although he is chargeable to the foreign state limitation for the Philippines, he is not registered as an intending immigrant.

A medical examination revealed no grounds for ineligibility.

Cordially,

ROBERT J. McCLOSKEY,
Assistant Secretary for Congressional Relations.

Congresswoman Patsy T. Mink, the author of the bill, submitted the following supporting information:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 23, 1975.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship, and International Law, Rayburn House Office Building.

DEAR MR. CHAIRMAN: I respectfully request your favorable consideration of my bill, H.R. 1758, private legislation for the relief of Terrence Jarome Caguiat, the legally adopted son of Mr. and Mrs. Romeo Caguiat.

Terrence Caguiat was born Terrence Jarome G. Poblete on January 18, 1973 in Naic, Cavite, Philippines, and was legally adopted by Mr. and Mrs. Caguiat in accordance with Philippine law on July 11, 1973.

Since Terrence does not meet the definition of "child" under either Section 101(b)(1)(E) or Section 101(b)(1)(F) of the Immigration and Nationality Act, he may not be considered as an immediate relative exempt from the limitations prescribed by that Act on the number of immigrant visas that may be issued each year to natives of the Philippines.

Romeo Caguiat is an American citizen with more than nine years of military service; his wife, Teresita, is a permanent resident of the U.S. They were married on January 20, 1969 in the Philippines.

As documented in reports from the Immigration and Naturalization Service, Mr. Caguiat receives \$694 per month as a member of the United States Navy. The Caguiat's assets consist of savings in the amount of \$3,700 and personal property valued at \$5,000.00.

Passage of this legislation would grant immediate relative status to Terrence Jarome Caguiat within the meaning of Section 201(b) of the Immigration and Nationality Act, and would provide for issuance of a visa and admission to the United States as a permanent resident.

Based on the above information, I would respectfully urge the Committee's favorable consideration of this bill. Mr. and Mrs. Romeo Caguiat anxiously look forward to the day when they might be reunited with their son to enable them to continue their lives as a typical American family. For them, it has been an agonizing period of more than two years of waiting and hoping for a time when some avenue would be afforded them to bring their adopted son into the United States.

With warm personal regards,
Very truly yours,

PATSY T. MINK,
Member of Congress.

Enclosures.

REPUBLIC OF THE PHILIPPINES, MUNICIPALITY OF NAIC, CAVITE

OFFICE OF THE LOCAL CIVIL REGISTRAR

Certificate of Birth

This is to certify that in Book X, Page 76 and Register No. 70 of the Register of Birth filed in this Office, the following data appear:

Name of Child: Terrence Jarome Caguiat.
Place of Birth: Ibaye Estacion, Naic, Cavite.
Date of Birth: January 19, 1973.
Sex: Male.
Nationality: Filipino.
Name of Father: Romeo Caguiat.
Nationality: American Citizen.
Name of Mother: Teresita N. Ganac.
Nationality: Filipino.

BENJAMIN L. HERNANDEZ,
Municipal Treasurer.

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This certificate is issued upon request of the interested party this 26th day of December, 1973.

Republic of the Philippines in the Municipal Court of Naic, Cavite
SP. Proc. No. 313

IN THE MATTER OF ADOPTION OF MINOR, TERRENCE JAROME G. POBLETE,
SPOUSES ROMEO CAGUIAT AND TERESITA GANAC CAGUIAT, PETITIONER

ORDER

This is a petition filed by the spouses petitioners for the adoption of a minor, Terrence Jarome G. Poblete.

Upon filing of the said petition, the court issued an order on June 7, 1973 for the publication of the hearing set for this date, July 2, 1973 at 9:00 in the morning, as shown in Exhibit "A"; and that the said order has been published as required by the Rules of Court, as per Affidavit of Publication (Exhibit "C") in the Daily Express, a newspaper of general circulation in the City of Manila and in the Municipality of Naic, Cavite and even throughout the Province of Cavite. It also appears that a copy of the said order of the court has been sent to the Solicitor General, Manila, as required by the Rules of Court. At the hearing of this petition, nobody appeared to oppose the said petition; and that upon petition of counsel for petitioners, petitioners have been allowed to present their evidences.

From the evidence adduced by the petitioners, the court finds that petitioners are husband and wife, that petitioner Romeo Caguiat is an American citizen and petitioner Teresita Ganac Caguiat is a Filipino citizen, and residents of Naic, Cavite, Philippines; that the minor, Terrence Jarome G. Poblete was born on January 19, 1973, his parents Socinando Pobloto and Bolon Ganac, have given without any condition or reservation, the said child to petitioners, for the latter to rear and take care of him and consider as their own child; that petitioners accepted the said minor and took care of him as their own child, as they have not been given by nature a child of their own; that the natural and legal parents of the said minor have given their conformity to this adoption as shown by a Joint Affidavit (Exhibit "E"); that the mother of the said minor is the sister of the petitioner Teresita Ganac Caguiat; that the said petitioners have no child, legitimate nor illegitimate; that from the date of the giving of the said minor to them and up to the present, petitioners have been taking care and custody of the said minor in their residence, as they very own; that petitioner Romeo Caguiat is employed with the United States Government and that he is receiving an income of about Forty Thousand Nine Hundred Ninety Two (P40,992.00) pesos annually; that aside from said salary, they have properties and sufficient means to rear and educate the said minor to his best advantage and his fortune; that none of petitioners have even been charged nor convicted of any crime involving moral turpitude; that petitioners have been advised about the legal consequence of this adoption and after realizing its significance expressed their desire to adopt the said child because of the love they have showered on him and their desire to make the said child of their own; and by the noble gesture of the petitioners, the natural

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parents of the said child have expressed their thanks to the petitioners, for their noble gesture in this adoption.

The court finds that the allegations in the petition have been fully substantiated and that the requirements of the Rules of Court concerning this case have been fully complied with. The court also finds that this is a proper case for adoption, as the minor would fill the void in the lives of the petitioners and that on the part of the minor, he would have a well to do parents, who have assured the court of their love for him and their desire to rear and educate him according to their means and for the best they could afford for him.

Wherefore, judgment is hereby rendered approving said adoption and henceforth, the minor, Terrence Jarome G. Poblete, is freed from all legal obligation of obedience and maintenance with respect to his natural parents, shall be, to all legal intents and purposes, the legally adopted child of petitioners, Romeo Caguiat and Teresita Ganac Caguiat; that the name of the child Terrence Jarome G. Poblete be changed to Terrence Jarome G. Caguiat.

Let therefore, copy of this order be registered in the proper registry upon its finality in accordance with law.

So ordered. Naic, Cavite, July 11, 1973.

MANUEL C. DIOSOMITO,
Municipal Judge.

Certified true copy :

FELICISIMA P. BINSOL,
Clerk of Court, Naic, Cavite.

August 9, 1973.

Senator Daniel K. Inouye has also submitted a statement in support of H.R. 1758:

U.S. SENATE,
COMMITTEE ON COMMERCE,
Washington D.C., October 7, 1975.

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

DEAR MR. CHAIRMAN: I am advised that H.R. 1758, a private bill for the relief of Terrence Jarome Caguiat, has been referred to your committee for consideration.

Terrence Caguiat is the legally adopted son of Mr. and Mrs. Romeo Caguiat who are residents of Hawaii. He was born in the Philippines on January 19, 1973 and legally adopted in accordance with Philippine law on July 11, 1973. Mr. Caguiat is an American citizen who has served in the military service for nine years and Mrs. Caguiat is a permanent resident.

Mr. and Mrs. Caguiat were married in January 1969. They are unable to have children and are therefore particularly anxious that Terrence be reunited with them soon so that they may continue their family life in the United States.

May I express my earnest support of H.R. 1758 and urge the committee to favorably consider this bill at the earliest possible date. Thank you very much for your kind attention to my letter.

Aloha,

DANIEL K. INOUE,
U.S. Senator.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 1758) should be enacted.

○

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 Terrence Jarome Caguiat.

*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, Terrence Jarome Caguiat 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 Mr. and Mrs. Romeo Caguiat, a citizen of the United States and a lawfully resident alien, respectively, pursuant to section 204 of the Act: *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.*

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.

