



CONSULATE GENERAL
OF THE
UNITED STATES OF AMERICA
Monterrey, N. L.
Mexico

February 26, 1974

Honorable John Young
House of Representatives
Washington, D. C. 20515

Dear Congressman Young:

I am replying to your letter of February 19 concerning your interest, on behalf of Dr. Hector P. Garcia, in the immigrant visa application of David L. Salinas.

On February 19 Mr. and Mrs. Salinas, accompanied by young David and a friend from Corpus Christi, visited the Consulate General to inquire about an immigrant visa for David. They explained that David is the son of Mrs. Salinas' sister in Monterrey, but due to economic and other circumstances, they took him in their home in Corpus Christi and adopted him in December, 1972. David has been living illegally in the United States and Mr. and Mrs. Salinas wish to obtain legal residence status for him.

A consular officer explained to Mr. and Mrs. Salinas that they could not yet file an immediate relative petition for David as their son on the basis of the adoption because our immigration law requires that an adopted child be adopted for at least two years before such a petition can be filed. He also pointed out that this two year wait after an adoption does not apply if the child is an orphan. The consular officer suggested to Mr. and Mrs. Salinas that they visit the Immigration and Naturalization Service office at Corpus Christi and inquire whether they could file a petition for David as an orphan.

Since David has been in the United States without a visa, a problem remained of getting him back to Corpus Christi legally to wait for his immigrant visa. The consular officer spoke with the Nuevo Leon passport office here in Monterrey regarding a Mexican passport for David. This was necessary because none of the papers pertaining to the adoption had been filed with the Mexican authorities. The consular officer also spoke with a U. S. Immigration and Naturalization officer at Laredo to ascertain if David would be admitted

as a tourist if the Consulate General issued him a tourist visa. This subject had to be raised because David, in fact, is an intending immigrant and not a tourist.

Mr. and Mrs. Salinas obtained a Mexican provisional passport in David's name at birth rather than his adopted name and David was issued a tourist visa in that name. They returned with him last week to Corpus Christi.

Mr. and Mrs. Salinas should file with the Mexican consul at Corpus Christi the required papers to obtain a regular Mexican passport in David's adopted name. This will take some time. They also should ascertain from the U. S. Immigration and Naturalization Service at Corpus Christi whether it is possible to file a petition for David as an orphan. If he cannot be so classified, Mr. and Mrs. Salinas will have to wait until December, 1974 to file a petition for him as their adopted son.

As soon as the Consulate General receives an approved petition for David, he will be sent all the necessary forms and information for his immigrant visa application. Your interest in David has been noted and you will be informed of the final action taken.

All best wishes.

Sincerely yours,

Edward P. Dobyne
Consul General