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APPROVED
AUG 20 1974

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

AUG 13 1974

MEMORANDUM FOR THE PRESIDENT

**Subject: Enrolled Bill H.R. 7682 - Conferring posthumous
U.S. citizenship upon Lance Corporal Federico
Silva
Sponsor - Rep. Brown (D) California**

*Posted
8/20
To archive
8/20*

Last Day for Action

August 21, 1974 - Wednesday



Purpose

Confers United States citizenship posthumously upon a native of Mexico and lawful permanent resident of the U.S. who was killed while serving with the U.S. Marine Corps in Vietnam.

Agency Recommendations

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

Discussion

Federico Silva was born in Mexico in 1946 and admitted to the United States for permanent residence in April 1956. His mother is a U.S. citizen and his father a lawful permanent resident living in San Bernardino, California. He has fifteen brothers and sisters, five of whom are permanent residents of the U.S. and ten of whom are citizens.

The beneficiary attended public school in this country from 1956 until 1964, when he enlisted in the U.S. Marine Corps. He was killed in action in December 1965, while serving in Vietnam.

During his service he received six decorations and awards, including the Purple Heart. He had applied for naturalization as a U.S. citizen in January 1965, but subsequently withdrew the application. A second application was pending at the time of his death.

The enrolled bill would provide that Mr. Silva be held and considered to have been a U.S. citizen at the time of his death.

Welfred H. Rounel

Assistant Director for
Legislative Reference



Enclosures

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

AND REFER TO THIS FILE NO.

AUG 8 1974

A10 632 428

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. H. R. 7682; Office of Management
and Budget request dated August 7, 1974

Beneficiary or Beneficiaries Lance Corporal Frederico Silva.

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,

Thapman

Commissioner



DEPARTMENT OF STATE

Washington, D.C. 20520

August 9, 1974

Honorable Roy L. Ash
Director, Office of
Management and Budget
Washington, D. D. 20503

Dear Mr. Ash:

This is in reply to Mr. Rommel's communication of August 7, 1974, enclosing for comment a copy of enrolled bill H. R. 7682, to confer United States citizenship posthumously upon Lance Corporal Frederico Silva.

The Department perceives no objection to the approval of this enactment.

Cordially,

A handwritten signature in black ink that reads "Linwood Holton". The signature is written in a cursive style with a long horizontal stroke at the end.

Linwood Holton
Assistant Secretary for
Congressional Relations



THE WHITE HOUSE
WASHINGTON

8/13/74

TO: WARREN HENDRIKS



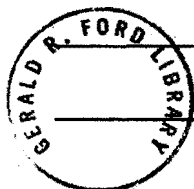
RDL
Robert D. Linder

THE WHITE HOUSE
WASHINGTON

ENROLLED BILL

SUBJECT: Enrolled Bill H. R. 7682 - Conferring
Posthumous U. S. Citizenship upon Lance
Corporal Federico Silva

<u>Name</u>	<u>Approval</u>	<u>Date</u>
<u>Geoff Shepard</u>	<u>Yes</u>	
<u>NSC/S</u>	<u>Yes</u>	
<u>Fred Buzhardt</u>	<u>Yes</u>	
<u>Bill Timmons</u>	<u>Yes</u>	
<u>Ken Cole</u>		
<u> </u>		
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<u> </u>		



[Handwritten signature]

Comments:

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 509

Date: August 13, 1974

Time: 5:30 p. m.

FOR ACTION: Geoff Shepard
 Fred Buzhardt
 Bill Timmons
 NSC/S

cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, August 16, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 7682 - Conferring Posthumous U. S. Citizenship upon Lance Corporal Federice Silva



ACTION REQUESTED:

- | | |
|---|--|
| <input type="checkbox"/> For Necessary Action | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Kathy Tindle - 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

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

AUG 13 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 7682 - Conferring posthumous
U.S. citizenship upon Lance Corporal Federico
Silva
Sponsor - Rep. Brown (D) California

Last Day for Action

August 21, 1974 - Wednesday



Purpose

Confers United States citizenship posthumously upon a native of Mexico and lawful permanent resident of the U.S. who was killed while serving with the U.S. Marine Corps in Vietnam.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization
Service

Approval

Department of State

No objection

Discussion

Federico Silva was born in Mexico in 1946 and admitted to the United States for permanent residence in April 1956. His mother is a U.S. citizen and his father a lawful permanent resident living in San Bernardino, California. He has fifteen brothers and sisters, five of whom are permanent residents of the U.S. and ten of whom are citizens.

The beneficiary attended public school in this country from 1956 until 1964, when he enlisted in the U.S. Marine Corps. He was killed in action in December 1965, while serving in Vietnam.

Date: August 13, 1974

Time: 5:30 p. m.

FOR ACTION: Geoff Shepard
 Fred Buzhardt
 ✓ Bill Timmons
 NSC/S

cc (for information): Warren K. Hendriks
 Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, August 16, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 7682 - Conferring Posthumous U. S.
Citizenship upon Lance Corporal Federico Silva



ACTION REQUESTED:

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

REMARKS:

Please return to Kathy Tindle - 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.

Warren K. Hendriks
 For the President

Date: August 13, 1974

Time: 5:30 p. m.

FOR ACTION: Geoff Shepard
 ✓ Fred Buzhardt
 Bill Timmons
 NSC/S

cc (for information): Warren K. Hendriks
 Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, August 16, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 7682 - Conferring Posthumous U. S.
 Citizenship upon Lance Corporal Federico Silva



ACTION REQUESTED:

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

REMARKS:

No objection
llc.

Please return to Kathy Tindle - 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.

Warren K. Hendriks
 For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 509

Date: August 13, 1974

Time: 5:30 p. m.

FOR ACTION: ✓ Geoff Shepard
Fred Buzhardt
Bill Timmons
NSC/S

cc (for information): Warren K. Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Friday, August 16, 1974

Time: 2:00 p. m.

SUBJECT: Enrolled Bill H. R. 7682 - Conferring Posthumous U. S. Citizenship upon Lance Corporal Federico Silva



ACTION REQUESTED:

_____ For Necessary Action

XX For Your Recommendations

_____ Prepare Agenda and Brief

_____ Draft Reply

_____ For Your Comments

_____ Draft Remarks

REMARKS:

Please return to Kathy Tindle - 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.

Warren K. Hendriks
For the President

THE WHITE HOUSE
WASHINGTON

August 14, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS
FROM: WILLIAM E. TIMMONS
SUBJECT: Action Memorandum - Log No. 509
Enrolled Bill H. R. 7682 - Conferring
Posthumous U. S. Citizenship upon
Lance Corporal Federico Silva



The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

(Timmons requests a private ceremony for signing of this bill - Rep. George Brown (D-Cal) and parents of Silva to be invited.)

Attachment

Calendar No. 893

93D CONGRESS }
2d Session }

SENATE

REPORT }
No. 93-921 }

CONFERRING U.S. CITIZENSHIP POSTHUMOUSLY UPON LANCE CPL. FREDERICO SILVA

JUNE 12, 1974.—Ordered to be printed

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

REPORT

[To accompany H.R. 7682]



The Committee on the Judiciary, to which was referred the bill (H.R. 7682) to confer citizenship posthumously upon Lance Cpl. Frederico Silva, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

AMENDMENTS

1. In line 3, change the word "national" to read: "native".
2. Beginning in line 4, following the word "Corps", delete the language "in the vicinity of Que Son, Republic of Vietnam,".
3. Amend the title so as to read:

An Act to confer United States citizenship posthumously upon Lance Corporal Frederico Silva.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to confer U.S. citizenship posthumously upon Lance Cpl. Frederico Silva. The amendments are technical in nature.

STATEMENT OF FACTS

Lance Corporal Frederico Silva was born in Mexico on March 2, 1946, and was admitted to the United States for permanent residence on April 12, 1956. His mother and father, U.S. citizen and lawful permanent resident, respectively, reside in San Bernardino, California. Other survivors include 15 brothers and sisters, five of them permanent residents and ten of them citizens. The beneficiary served honorably in the U.S. Marine Corps from the time of his enlistment February 20, 1964, until he was killed in action on December 18, 1965.

A letter, with attached memorandum, dated December 20, 1973 to the chairman of the Committee on the Judiciary of the House of Representatives from the Immigration and Naturalization Service with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D.C., December 20, 1973.

A-10632428.

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. 7682) for the relief of Lance Corporal Frederico Silva, there is attached a memorandum of information concerning the beneficiary.

The bill would provide that the beneficiary, a national of Mexico, who was killed in Vietnam while serving with the United States Marine Corps, be held and considered to have been a citizen of the United States at the time of his death.

Sincerely,

Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 7682

Information concerning this case was obtained from Francisca T. Silva, the interested party and mother of the deceased beneficiary.

The beneficiary, Lance Corporal Frederico Silva, a native and citizen of Mexico, was born March 2, 1946, and was single. His mother and father, United States citizen and lawful permanent resident, respectively, reside in San Bernardino, California. He is survived by fifteen brothers and sisters, five of whom are lawful permanent residents, and the others citizens of this country. The beneficiary attended public school in the United States from 1956 until February 20, 1964, when he enlisted in the United States Marine Corps. He was killed in action on December 18, 1965, while serving in Vietnam.

The beneficiary was admitted to the United States as a lawful permanent resident on April 12, 1956. He applied for naturalization as a United States citizen during January 1965, but subsequently withdrew the application. A second application was pending at his death.

The interested party, a native of Mexico, was born August 18, 1913. She attended public school in this country for four years. Her parents are deceased. Her six brothers and sisters are citizens of the United States. She and her husband receive approximately \$400 monthly from social security, veteran's benefits, and public assistance. Neither is employed. Their assets consist of \$15,000 equity in a home, an automobile worth \$500, plus furniture and other personal property valued at \$7,000.

The interested party was admitted to the United States as a lawful permanent resident on April 12, 1956. She became a naturalized citizen of this country on February 19, 1970.

Congressman George E. Brown, Jr., the author of the bill, submitted the following letter in support of his bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 8, 1974.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship, and International Law, Washington, D.C.

DEAR MR. CHAIRMAN: It was most gratifying to learn of your Subcommittee's support for H.R. 7682. The written statement which you suggested that I submit for inclusion in the House report on the bill is as follows:

Mr. Chairman, any war is going to have its share of innumerable personal tragedies, and the war in Vietnam is no exception. What I wish to do is to make known to this Committee and to the Members of the House of Representatives the circumstances of one such tragedy involving a young man from my district, Federico Silva, known to his family and friends as Lico.

Lico Silva was born in Juarez, Mexico, in 1946. He came to the United States with his family when he was 10 years old and attended junior and senior high school in San Bernardino, California.

While still a young man, he decided to become a pastor in the Church of the Nazarene and he was well on his way to gathering a flock. Among his other activities, he would bake cookies for prisoners in the county jail and read to them from the Bible. In 1964, as the violence grew in Vietnam, his missionary spirit caused him to enlist because he wanted to help the children in that horribly devastated country. From his small paycheck he would send money home to his parents, apologizing for how little it was because he was spending so much on food and clothing for the Vietnamese children.

He was proud of his uniform and he was proud of his adopted country. He wrote his parents that he was trying to get permission to go to Hawaii to apply for American citizenship. But he never reached Hawaii. On December 18, 1965, 7 months before he was due

to return to the States permanently, he and his company were returning to camp near Que Son when a Vietcong machinegun opened up on them. Lico, standing in front of his company, was cut down, dying instantly.

A friend of Lico's wrote Lico's parents about how many of the men in the company wept when they learned of his death.

Lico Silva's service to his adopted country was recognized by the following decorations and awards: the Purple Heart, Presidential Unit Citation, National Defense Service Medal, Republic of Vietnam Campaign Medal with Device, Vietnam Service Medal with one bronze star, and the Republic of Vietnam Meritorious Unit Citation Gallantry Cross Color.

Lico Silva still lives in the hearts of his parents, Mr. and Mrs. Francisco Silva, and his brothers, sisters, and many friends. In the years since then, his mother, two brothers, and 13 sisters have become American citizens. Lico Silva never had that opportunity. For that reason, Mr. Chairman, and in memory of Lico Silva and others like him, I introduced two bills. One of them, H.R. 7682, the bill being considered here, would grant Lico Silva posthumous citizenship. The other one, H.R. 7622, which is pending before this Committee but which is not the subject of this report, would be known as the Lico Silva Memorial Act of 1973 and would grant posthumous citizenship to any person not a citizen of the United States who was killed in action while serving in the U.S. Armed Forces in Indochina.

Sincerely,

GEORGE E. BROWN, Jr.,
Member of Congress.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H.R. 7682), as amended, should be enacted.



CONFERRING CITIZENSHIP POSTHUMOUSLY UPON
LANCE CPL. FEDERICO SILVA

MARCH 13, 1974.—Committed to the Committee of the Whole House and
order to be printed

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

REPORT

[To accompany H.R. 7682]



The Committee on the Judiciary, to whom was referred the bill (H.R. 7682) to confer citizenship posthumously upon Lance Corporal Federico Silva, 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 confer United States citizenship posthumously upon Lance Corporal Federico Silva.

GENERAL INFORMATION

Lance Corporal Federico Silva was a native of Mexico who was a lawful permanent resident of the United States. His application for citizenship was pending at the time of his death while serving in the United States Marine Corps in Vietnam.

The Committee received the following report on this legislation from the Immigration and Naturalization Service:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
OFFICE OF THE COMMISSIONER,
Washington, D.C., December 20, 1973.

A 10 632 428.

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. 7682) for the relief of Lance Corporal Federico Silva, there is attached a memorandum of information concerning the beneficiary.

The bill would provide that the beneficiary, a national of Mexico, who was killed in Vietnam while serving with the United States Marine Corps, be held and considered to have been a citizen of the United States at the time of his death.

Sincerely,

Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE H.R. 7682

Information concerning this case was obtained from Francisca T. Silva, the interested party and mother of the deceased beneficiary.

The beneficiary, Lance Corporal Federico Silva, a native and citizen of Mexico, was born March 2, 1946, and was single. His mother and father, United States citizen and lawful permanent resident, respectively, reside in San Bernardino, California. He is survived by fifteen brothers and sisters, five of whom are lawful permanent residents, and the others citizens of this country. The beneficiary attended public school in the United States from 1956 until February 20, 1964, when he enlisted in the United States Marine Corps. He was killed in action on December 18, 1965, while serving in Vietnam.

The beneficiary was admitted to the United States as a lawful permanent resident on April 12, 1956. He applied for naturalization as a United States citizen during January 1965, but subsequently withdrew the application. A second application was pending at his death.

The interested party, a native of Mexico, was born August 18, 1913. She attended public school in this country for four years. Her parents are deceased. Her six brothers and sisters are citizens of the United States. She and her husband receive approximately \$400 monthly from social security, veteran's benefits, and public assistance. Neither is employed. Their assets consist of \$15,000 equity in a home, an automobile worth \$500, plus furniture and other personal property valued at \$7,000.

The interested party was admitted to the United States as a lawful permanent resident on April 12, 1956. She became a naturalized citizen of this country on February 19, 1970.

Mr. Brown of California submitted the following letter in support of his bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 8, 1974.

HON. JOSHUA EILBERG,
Chairman, Subcommittee on Immigration, Citizenship, and International Law, Washington, D.C.

DEAR MR. CHAIRMAN: It was most gratifying to learn of your Subcommittee's support for H.R. 7682. The written statement which you suggested that I submit for inclusion in the House report on the bill is as follows:

H.R. 908

Mr. Chairman, any war is going to have its share of innumerable personal tragedies, and the war in Vietnam is no exception. What I wish to do is to make known to this Committee and to the Members of the House of Representatives the circumstances of one such tragedy involving a young man from my district, Federico Silva, known to his family and friends as Lico.

Lico Silva was born in Juarez, Mexico, in 1946. He came to the United States with his family when he was 10 years old and attended junior and senior high school in San Bernardino, California.

While still a young man, he decided to become a pastor in the Church of the Nazarene and he was well on his way to gathering a flock. Among his other activities, he would bake cookies for prisoners in the county jail and read to them from the Bible. In 1964, as the violence grew in Vietnam, his missionary spirit caused him to enlist because he wanted to help the children in that horribly devastated country. From his small paycheck he would send money home to his parents, apologizing for how little it was because he was spending so much on food and clothing for the Vietnamese children.

He was proud of his uniform and he was proud of his adopted country. He wrote his parents that he was trying to get permission to go to Hawaii to apply for American citizenship. But he never reached Hawaii. On December 18, 1965, 7 months before he was due to return to the States permanently, he and his company were returning to camp near Que Son when a Vietcong machine gun opened up on them. Lico, standing in front of his company, was cut down, dying instantly.

A friend of Lico's wrote Lico's parents about how many of the men in the company wept when they learned of his death.

Lico Silva's service to his adopted country was recognized by the following decorations and awards: the Purple Heart, Presidential Unit Citation, National Defense Service Medal, Republic of Vietnam Campaign Medal with Device, Vietnam Service Medal with one bronze star, and the Republic of Vietnam Meritorious Unit Citation Gallantry Cross Color.

Lico Silva still lives in the hearts of his parents, Mr. and Mrs. Francisco Silva, and his brothers, sisters, and many friends. In the years since then, his mother, two brothers, and 13 sisters have become American citizens. Lico Silva never had that opportunity. For that reason, Mr. Chairman, and in memory of Lico Silva and others like him, I introduced two bills. One of them, H.R. 7682, the bill being considered here, would grant Lico Silva posthumous citizenship. The other one, H.R. 7622, which is pending before this Committee but which is not the subject of this report, would be known as the Lico Silva Memorial Act of 1973 and would grant posthumous citizenship to any person not a citizen of the United States who was killed in action while serving in the U.S. Armed Forces in Indochina.

Sincerely,

GEORGE E. BROWN, JR.,
Member of Congress.

Upon consideration of all the facts in this case, the Committee is of the opinion that H.R. 7682 should be enacted an accordingly recommends that the bill do pass.

H. R. 7682

Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To confer United States citizenship posthumously upon Lance Corporal Federico Silva.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lance Corporal Federico Silva, a native of Mexico, who was serving in the United States Marine Corps when he was killed in action on December 18, 1965, shall be held and considered to have been a citizen of the United States at the time of his death.



Speaker of the House of Representatives.

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

August 9, 1974

Dear Mr. Director:

The following bills were received at the White House on August 9th:

S.J. Res. 229
H.J. Res. 1104
H.R. 69
H.R. 5667
H.R. 7682

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 Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.