

**The original documents are located in Box 58, folder “1976/10/01 S1477 Relief of Beatrice Serrano-Toledo” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

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8/10/1/76

APPROVED  
OCT 1 - 1976

THE WHITE HOUSE  
WASHINGTON  
October 1, 1976

ACTION

Last Day: October 5

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *J. Cannon*

SUBJECT:

S. 1404 - Relief of Mrs. Kyong  
Chu Stout - Sponsor: Sen. Johnston

S. 1477 - Relief of Beatrice  
Serrano-Toledo - Sponsor: Sen. McClure

*Posted  
10/2/76  
Archives  
10/4/76*

Attached for your consideration are S. 1404 and S. 1477.

These bills would enable the beneficiaries, both alien widows of U.S. citizens, to remain in the United States by reinstating their former immigration classification of immediate relatives of U.S. citizens.

Additional information is provided in OMB's enrolled bill report at Tab A.

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

RECOMMENDATION

That you sign S. 1404 at Tab B.

That you sign S. 1477 at Tab C.





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

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) S. 1404 - Relief of Mrs. Kyong Chu Stout  
Sponsor - Sen. Johnston (D) Louisiana
- (2) S. 1477 - Relief of Beatrice Serrano-Toledo  
Sponsor - Sen. McClure (R) Idaho

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To permit the alien widows of U.S. citizens to remain in the United States as permanent residents.

Agency Recommendations

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

Discussion

These bills would enable the beneficiaries, both alien widows of U.S. citizens, to remain in the United States by reinstating their former immigration classification of immediate relatives of U.S. citizens, thereby making them eligible for immigrant visas. In both cases, immigrant visas had been issued to the women, based on their marriages to U.S. citizens; however, the deaths of both husbands terminated the beneficiaries' status as immediate relatives of U.S. citizens and resulted in automatic revocation of their immigrant visas. Absent this legislation, both widows would be subject to deportation.

S. 1404 - Mrs. Kyong Chu Stout

The beneficiary is a 30-year-old native and citizen of Korea and widow of the late U.S. Army Sgt. Harold R. Stout.



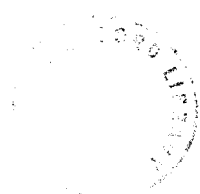
Mrs. Stout had been issued an immigrant visa following her marriage and was preparing to accompany her husband to the United States when he was accidentally electrocuted. Upon his death, her immigrant visa was automatically revoked, but she was admitted as a visitor to accompany her husband's body to the United States for his funeral. Mrs. Stout remained in the United States and currently resides in Bossier City, Louisiana; she is unemployed and has no children. However, she is being provided for by Mr. and Mrs. Robert D. Griffin of Bossier City; Mrs. Griffin is the late Sgt. Stout's sister.

S. 1477 - Beatrice Serrano-Toledo

Mrs. Toledo is a 29-year-old native and citizen of Mexico who currently resides in Nampa, Idaho. She was married June 3, 1973 in Mexico to Mr. Juan Toledo, a U.S. citizen, who was murdered in Mexico three months later. Mrs. Toledo has one child from this marriage--a 2-year-old U.S. citizen daughter who lives with her in Idaho. Mrs. Toledo entered the United States on April 3, 1974 on a temporary visitor's visa, which expired May 3, 1974. However, deportation proceedings have not been instituted against her because of this pending private relief legislation.

*James M. Gray*  
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

87 SEP 1976

AND REFER TO THIS FILE NO.

A20 663 886

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 1477 ; Office of Management  
and Budget request dated September 23, 1976

Beneficiary or Beneficiaries Beatrice Serrano-Toledo

Pursuant to your request for the views of the Department of Justice on the subject bill, a review has been made of the facsimile of the bill, the relating Congressional Committee report or reports, and all pertinent information in the files of the Immigration and Naturalization Service

On the basis of this review the Immigration and Naturalization Service, on behalf of the Department of Justice:

- Recommends approval of the bill
- Interposes no objection to approval of the bill

Sincerely,

  
Commissioner



SEP 28 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of September 22, 1976, transmitting for comment enrolled bills, S. 2322, "For the relief of Lee Mee Sun", S. 1404, "For the relief of Mrs. Kyong Chu Stout", and S. 1477, "For the relief of Beatrice Serrano-Toledo".

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

Sincerely yours,

Kempton B. Jenkins  
Acting Assistant Secretary  
for Congressional Relations

The Honorable  
James T. Lynn, Director,  
Office of Management and Budget

JB 28B 58 6N 1:3d

RECEIVED

THE WHITE HOUSE

WASHINGTON

September 29, 1976

MEMORANDUM FOR:

JIM CAVANAUGH

FROM:

MAX L. FRIEDERSDORF *M.L.F.*

SUBJECT:

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

The Office of Legislative Affairs concurs with the agencies

that the subject bill be signed.

Attachments

Date: September 28

Time: 830pm

FOR ACTION:

Dick Parsons *DP*  
NSC/S *NSC/S*  
Max Friedersdorf *MF*  
*Kilbury*

cc (for information):

Jakk Marsh  
Jim Connor  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 200pm

SUBJECT:

S.1404-Relief of Mrs. Kyong Chu Stout  
S.1477-Relief of Beatric Serrano-Toledo

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: September 28

Time: 830pm

FOR ACTION:

Dick Parsons  
NSC/S  
Max Friedersdorf  
Bobbie Kilberg

cc (for information):

Jack Marsh  
Jim Connor  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 200pm

SUBJECT:

→ S.1404-Relief of Mrs. Kyong Chu Stout  
→ S.1477-Relief of Beatric Serrano-Toledo

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

*I recommend approval of both bills.*  
please return to judy johnston, ground floor west wing

*ADP*

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.

James M. Cannon  
For the President

MEMORANDUM

NATIONAL SECURITY COUNCIL

5440

September 30, 1976

MEMORANDUM FOR: JAMES M. CANNON  
FROM: Jeanne W. Davis *JWD*  
SUBJECT: S. 1404 and S. 1477

The NSC Staff concurs in the enrolled bills S. 1404-Relief of  
Mrs. Kyong Chu Stout and S. 1477-Relief of Beatrice Serrano-Toledo.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 28

Time: 830pm

FOR ACTION:

Dick Parsons  
NSC/S  
Max Friedersdorf  
Bobbie Kilberg

cc (for information):

Jack Marsh  
Jim Connor  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 200pm

SUBJECT:

→ S.1404-Relief of Mrs. Kyong Chu Stout  
S.1477-Relief of Beatric Serrano-Toledo

ACTION REQUESTED:

\_\_\_ For Necessary Action

\_\_\_ For Your Recommendations

\_\_\_ Prepare Agenda and Brief

\_\_\_ Draft Reply

<sup>x</sup>  
\_\_\_ For Your Comments

\_\_\_ Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

*Approved  
Kilberg 9/30/76*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James M. Cannon  
For the President

To: J. Johnston  
9-28-76  
6:00 P.M.



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

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) S. 1404 - Relief of Mrs. Kyong Chu Stout  
Sponsor - Sen. Johnston (D) Louisiana
- (2) S. 1477 - Relief of Beatrice Serrano-Toledo  
Sponsor - Sen. McClure (R) Idaho

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To permit the alien widows of U.S. citizens to remain in the United States as permanent residents.

Agency Recommendations

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

Discussion

These bills would enable the beneficiaries, both alien widows of U.S. citizens, to remain in the United States by reinstating their former immigration classification of immediate relatives of U.S. citizens, thereby making them eligible for immigrant visas. In both cases, immigrant visas had been issued to the women, based on their marriages to U.S. citizens; however, the deaths of both husbands terminated the beneficiaries' status as immediate relatives of U.S. citizens and resulted in automatic revocation of their immigrant visas. Absent this legislation, both widows would be subject to deportation.

S. 1404 - Mrs. Kyong Chu Stout

The beneficiary is a 30-year-old native and citizen of Korea and widow of the late U.S. Army Sgt. Harold R. Stout.

# Calendar No. 906

94TH CONGRESS }  
2d Session }

SENATE }

REPORT  
No. 94-955

## BEATRICE SERRANO-TOLEDO

JUNE 17, 1976.—Ordered to be printed

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

### REPORT

[To accompany S. 1477]

The Committee on the Judiciary, to which was referred the bill (S. 1477), for the relief of Beatrice Serrano-Toledo, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

#### AMENDMENTS

1. Strike all after the enacting clause and insert in lieu thereof:  
“That, in the administration of the Immigration and Nationality Act, Beatrice Serrano-Toledo, the widow 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 provisions of section 204 and section 245(c) of such Act shall not be applicable in this case.”

2. Amend the title to read:

“A bill for the relief of Beatrice Serrano-Toledo.”

#### PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of an immediate relative to Beatrice Serrano-Toledo, to which status she would have been entitled were it not for the death of her husband, a citizen of the United States. The bill has been amended in accordance with established precedents and to correct the spelling of the beneficiary's name.

## STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native and citizen of Mexico who currently resides in Nampa, Idaho with her 2-year-old U.S. citizen daughter. The beneficiary married a U.S. citizen in Mexico on June 3, 1973. Her husband was murdered in that country on September 6, 1973.

A letter, with attached memorandum, dated July 29, 1975 to the Chairman of the Senate Committee on the Judiciary 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., July 29, 1975.

A20663886

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

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (S. 1477) for the relief of Beatrice Serrano-Toledo, there is attached a memorandum of information concerning the beneficiary.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment, upon payment of the required visa fee. It would also direct that a visa number deduction be made.

The beneficiary, a native of Mexico, is chargeable to the numerical limitation for immigrants from the Western Hemisphere. She is statutorily ineligible to adjust her status while in the United States and will be required to apply for a visa outside of this country.

Sincerely,

L. F. CHAPMAN, Jr., *Commissioner.*

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICES FILE RE S. 1477

Information concerning this case was obtained from both the beneficiary and Mrs. Frank Denke, the interested party in this case.

The beneficiary, Beatrice Serrano-Toledo, a native and citizen of Mexico, was born April 1, 1947. She is widowed and is presently residing with the interested party in Nampa, Idaho. She has no assets and is supported by Mr. and Mrs. Frank Denke. The beneficiary completed four years of elementary school in her native country. She was married June 3, 1973, in Mexico, to a native and citizen of the United States. Her spouse was murdered in Mexico on September 6, 1973.

The beneficiary has one child from this marriage, a daughter she alleges was born April 19, 1974, in Marsing, Idaho. The child's birth has not been recorded and efforts to verify her claim have been unsuccessful. The beneficiary has a mother, father, four brothers, and a sister residing in Mexico.

The beneficiary's only entry into the United States occurred on April 3, 1974, when she was admitted at Nogales, Arizona, as a nonimmigrant visitor for pleasure until May 3, 1974. Deportation proceedings have not been instituted.

Senator James A. McClure, the author of the bill, submitted the following supporting information:

U.S. SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
Washington, D.C., September 4, 1975.

Hon. JAMES O. EASTLAND,  
Chairman, Senate Subcommittee on Immigration and Naturalization,  
Dirksen Building, Washington, D.C.

DEAR SENATOR EASTLAND: Pursuant to your letter requesting written information in support of my bill, S. 1477, for the relief of Beatrice Serrano-Toledo, I am enclosing a copy of a House Joint Memorial passed earlier this year by the State of Idaho.

Although I am fully aware that this state resolution has no bearing upon the legislative proceedings as they pertain to private relief legislation, the contents of this material certainly describes the unfortunate circumstances of Mrs. Serrano-Toledo. As the resolution states, had Juan Toledo survived to bring his wife and child to the United States, the rights and privileges of citizenship would have been available to them. Due to the tragic death of Mr. Toledo this remedy was foreclosed to Mrs. Serrano-Toledo and her child, a very sad circumstance. It is my understanding that Mr. Toledo was in fact making preparations to take the appropriate steps to bring his family to the United States just prior to his death.

I can only re-emphasize that I too believe that "the laws of the United States are intended to be tempered with compassion, justice and humanity" and upon this basis I respectfully request that the committee permit favorable consideration of my bill for the relief of Mrs. Serrano-Toledo.

Sincerely,

JAMES M. McCLURE, *U.S. Senator.*

Enclosure.

HOUSE OF REPRESENTATIVES,  
State of Idaho, March 25, 1975.

Hon. JAMES A. McCLURE,  
U.S. Senate, Dirksen Building, Washington, D.C.

DEAR SENATOR McCLURE: I am directed by the Legislature of the State of Idaho to transmit to you House Joint Memorial No. 3, by State Affairs, urging Congress to consider the unfortunate circumstances of Beatrice Serrano-Toledo, to consider the intention of her husband, a citizen of the United States, and to take the steps necessary to extend to her the rights, duties and privileges of citizens in the United States.

This Memorial has been passed by the Senate and the House of Representatives of the First Regular Session of the Forty-third Idaho Legislature. A printed copy of HJM 3 is enclosed.

Respectfully,

CRAIG S. HARVEY, *Chief Clerk.*

Enclosure.

The material referred to in the above correspondence is contained in the files of the Senate Committee on the Judiciary.

Senator James A. McClure has also submitted the following supplemental information:

U.S. SENATE,  
COMMITTEE ON INTERIOR INSULAR AFFAIRS,  
*Washington, D.C., February 25, 1976.*

HON. JAMES O. EASTLAND,  
*Chairman, Senate Subcommittee on Immigration and Naturalization,  
Washington, D.C.*

DEAR CHAIRMAN EASTLAND: I regret that it has taken so long for me to get back to your letter of September 23, 1975 concerning my private immigration bill, S. 1477 for the relief of Beatrice Serrano-Toledo. I have only recently received word from the beneficiary concerning her attempts to verify that her child is in fact a United States citizen.

The beneficiary forwarded to me a copy of a baptismal certificate for her child stating that this was the only "proof" she had available that her child was a U.S. citizen. On February 18th, I wrote to Mrs. Serrano-Toledo explaining that this was not sufficient proof. She had indicated that a midwife had assisted her with the birth of her child but she was unable to remember the woman's name and she had subsequently returned to Mexico. Mrs. Serrano-Toledo has some difficulties with our language but from all indications it appears that she did not register the birth of her child. As stated, I have written to Mrs. Serrano-Toledo requesting that she verify if this is in fact the case and if so, that she make every possible attempt to locate the Mexican midwife who assisted in the birth of her child.

I have not as yet had word from the beneficiary, but I will notify you immediately when I do receive word.

I appreciate your patience in this matter.

Sincerely,

JAMES A. McCLURE, *U.S. Senator.*

U.S. SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C., April 6, 1976.*

Re S. 1477 for the relief of Beatrice Serrano-Toledo.

HON. JAMES O. EASTLAND,  
*Chairman, Senate Subcommittee on Immigration and Naturalization,  
Washington, D.C.*

DEAR CHAIRMAN EASTLAND: I am enclosing a copy of an affidavit executed by one Lupe DeLeon who served in the capacity as midwife in the birth of the above named beneficiary's child.

As you will recall, the committee requested that Mrs. Toledo submit substantiating evidence to prove that her child was in fact born within the United States in light of the fact that the birth was not registered.

The original copy of the affidavit is being held in my files should the committee wish to further examine it. It is hoped that the enclosed will provide the committee with the necessary proof to favorably act on this measure.

Sincerely,

JAMES A. McCLURE, *U.S. Senator.*

Enclosure.

KIBLER, HAMILTON & CLARK,  
*Nampa, Idaho, March 31, 1976.*

Re Verification of Mrs. Toledo's child's birth.

Senator JAMES A. McCLURE,  
*U.S. Senate, Committee on Public Works,  
Washington, D.C.*

Senator McCLURE: Please find enclosed, an affidavit executed by Lupe DeLeon verifying the birth of Mrs. Toledo's child, Maria Juanita Toledo.

We hope this is all that is needed to clear up this matter, and if it is not, please write to Lupe DeLeon at Route 6, Caldwell, Idaho. We would also appreciate it very much if you would send us a carbon copy of any further information.

Thank you for your assistance in this matter and if we can be of any help on obtaining information further required by your office, please feel free to contact us at any time.

Very truly yours,

MARK L. CLARK.

AFFIDAVIT

Lupe DeLeon, after being first duly sworn, deposes and says:

That she was present, and assisted Mrs. Toledo in the birth of her child, Maria Juanita Toledo, on April 19, 1974, at Sunny Slope, Idaho which is located about one mile Northeast of Marsing, Idaho. The above stated child was born at approximately 1:00 a.m. in my own home which is situated at the above described address.

Affiant further deposes and says, that she is a United States citizen and is a resident of the State of Idaho and has been such for the past twenty (20) years and has lived at the above described address for the past five (5) years.

LUPE DELEON.

Subscribed and sworn to before me this 31st day of March, 1976.

[SEAL]

DOLORES J. JONES,

*Notary Public for Idaho, Residence, Nampa, Idaho.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1477), as amended, should be enacted.

○

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BEATRICE SERRANO-TOLEDO

---

SEPTEMBER 13, 1976.—Committed to the Committee of the Whole House and  
ordered to be printed

---

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

REPORT

[To accompany S. 1477]

The Committee on the Judiciary, to whom was referred the bill (S. 1477) for the relief of Beatrice Serrano-Toledo, 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 restore immediate relative status to the widow of a citizen of the United States.

GENERAL INFORMATION

The beneficiary of the bill is a 29-year-old native and citizen of Mexico who currently resides in Nampa, Idaho with her 2-year-old U.S. citizen daughter. The beneficiary married a U.S. citizen in Mexico on June 3, 1973. Her husband was murdered in that country on September 6, 1973.

A letter, with attached memorandum, dated July 29, 1975 to the Chairman of the Senate Committee on the Judiciary 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., July 29, 1975.*

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*Chairman, Committee on the Judiciary,  
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DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (S. 1477) for the relief of Beatrice Serrano-Toledo, there is attached a memorandum of information concerning the beneficiary.



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Sincerely,

L. F. CHAPMAN, Jr., *Commissioner.*

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The beneficiary has one child from this marriage, a daughter she alleges was born April 19, 1974, in Marsing, Idaho. The child's birth has not been recorded and efforts to verify her claim have been unsuccessful. The beneficiary has a mother, father, four brothers, and a sister residing in Mexico.

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Senator James A. McClure, the author of the bill, submitted the following supporting information:

U.S. SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C., September 4, 1975.*

HON. JAMES O. EASTLAND,  
*Chairman, Senate Subcommittee on Immigration and Naturalization,  
Dirksen Building, Washington, D.C.*

DEAR SENATOR EASTLAND: Pursuant to your letter requesting written information in support of my bill, S. 1477, for the relief of Beatrice Serrano-Toledo, I am enclosing a copy of a House Joint Memorial passed earlier this year by the State of Idaho.

Although I am fully aware that this state resolution has no bearing upon the legislative proceedings as they pertain to private relief legislation, the contents of this material certainly describes the unfortunate circumstances of Mrs. Serrano-Toledo. As the resolution states, had Juan Toledo survived to bring his wife and child to the United States, the rights and privileges of citizenship would have been avail-

able to them. Due to the tragic death of Mr. Toledo this remedy was foreclosed to Mrs. Serrano-Toledo and her child, a very sad circumstance. It is my understanding that Mr. Toledo was in fact making preparations to take the appropriate steps to bring his family to the United States just prior to his death.

I can only re-emphasize that I too believe that "the laws of the United States are intended to be tempered with compassion, justice and humanity" and upon this basis I respectfully request that the committee permit favorable consideration of my bill for the relief of Mrs. Serrano-Toledo.

Sincerely,

JAMES M. McCLURE, *U.S. Senator.*

Enclosure.

HOUSE OF REPRESENTATIVES,  
*State of Idaho, March 25, 1975.*

HON. JAMES A. McCLURE,  
*U.S. Senate, Dirksen Building,  
Washington, D.C.*

DEAR SENATOR McCLURE: I am directed by the Legislature of the State of Idaho to transmit to you House Joint Memorial No. 3, by State Affairs, urging Congress to consider the unfortunate circumstances of Beatrice Serrano-Toledo, to consider the intention of her husband, a citizen of the United States, and to take the steps necessary to extend to her the rights, duties and privileges of citizens in the United States.

This Memorial has been passed by the Senate and the House of Representatives of the First Regular Session of the Forty-third Idaho Legislature. A printed copy of HJM 3 is enclosed.

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COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C., February 25, 1976.*

HON. JAMES O. EASTLAND,  
*Chairman, Senate Subcommittee on Immigration and Naturalization,  
Washington, D.C.*

DEAR CHAIRMAN EASTLAND: I regret that it has taken so long for me to get back to your letter of September 23, 1975 concerning my private immigration bill, S. 1477 for the relief of Beatrice Serrano-Toledo. I have only recently received word from the beneficiary concerning her attempts to verify that her child is in fact a United States citizen.

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Serrano-Toledo explaining that this was not sufficient proof. She had indicated that a midwife had assisted her with the birth of her child but she was unable to remember the woman's name and she had subsequently returned to Mexico. Mrs. Serrano-Toledo has some difficulties with our language but from all indications it appears that she did not register the birth of her child. As stated, I have written to Mrs. Serrano-Toledo requesting that she verify if this is in fact the case and if so, that she make every possible attempt to locate the Mexican midwife who assisted in the birth of her child.

I have not as yet had word from the beneficiary, but I will notify you immediately when I do receive word.

I appreciate your patience in this matter.

Sincerely,

JAMES A. McCLURE, *U.S. Senator.*

U.S. SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C., April 6, 1976.*

Re S. 1477 for the relief of Beatrice Serrano-Toledo.

HON. JAMES O. EASTLAND,  
*Chairman, Senate Subcommittee on Immigration and Naturalization,  
Washington, D.C.*

DEAR CHAIRMAN EASTLAND: I am enclosing a copy of an affidavit executed by one Lupe DeLeon who served in the capacity as midwife in the birth of the above named beneficiary's child.

As you will recall, the committee requested that Mrs. Toledo submit substantiating evidence to prove that her child was in fact born within the United States in light of the fact that the birth was not registered.

The original copy of the affidavit is being held in my files should the committee wish to further examine it. It is hoped that the enclosed will provide the committee with the necessary proof to favorably act on this measure.

Sincerely,

JAMES A. McCLURE, *U.S. Senator.*

Enclosure.

KIBLER, HAMILTON & CLARK,  
*Nampa, Idaho, March 31, 1976.*

Re Verification of Mrs. Toledo's child's birth.

Senator JAMES A. McCLURE,  
*U.S. Senate, Committee on Public Works,  
Washington, D.C.*

Senator McCLURE: Please find enclosed, an affidavit executed by Lupe DeLeon verifying the birth of Mrs. Toledo's child, Maria Juanita Toledo.

We hope this is all that is needed to clear up this matter, and if it is not, please write to Lupe DeLeon at Route 6, Caldwell, Idaho. We would also appreciate it very much if you would send us a carbon copy of any further information.

Thank you for your assistance in this matter and if we can be of any help on obtaining information further required by your office, please feel free to contact us at any time.

Very truly yours,

MARK L. CLARK.

AFFIDAVIT

Lupe DeLeon, after being first duly sworn, deposes and says: That she was present, and assisted Mrs. Toledo in the birth of her child, Maria Juanita Toledo, on April 19, 1974, at Sunny Slope, Idaho which is located about one mile Northeast of Marsing, Idaho. The above stated child was born at approximately 1:00 a.m. in my own home which is situated at the above described address.

Affiant further deposes and says, that she is a United States citizen and is a resident of the State of Idaho and has been such for the past twenty (20) years and has lived at the above described address for the past five (5) years.

LUPE DELEON.

Subscribed and sworn to before me this 31st day of March, 1976.  
[SEAL] DOLORES J. JONES,

*Notary Public for Idaho, Residence, Nampa, Idaho.*

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 RECOMENDATIONS

Upon consideration of all the facts in this case, the Committee is of the opinion that S. 1477 should be enacted and accordingly recommends that the bill do pass.

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# 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 Beatrice Serrano-Toledo.

*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, Beatrice Serrano-Toledo, the widow 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 provisions of section 204 and section 245 (c) of such Act shall not be applicable in this case.*

*Speaker of the House of Representatives.*

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