

The original documents are located in Box 64, folder “10/15/76 S3682 Relief of Dr Oscar J Briseno” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library

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APPROVED
OCT 15 1976

8/10/15/76

THE WHITE HOUSE
WASHINGTON
October 13, 1976

ACTION
Last Day: October 19

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON *Jim Cannon*

SUBJECT: S. 3682 - Relief of Dr. Oscar J. Briseno
Sponsor: Sen. Eastland
S. 3683 - Relief of Dr. Juan Bautista Lopez Ruiz
Sponsor: Sen. Eastland

*Posted
10/15/76
Archives
10/15/76*

Attached for your consideration are two enrolled bills which grant permanent residence to two alien physicians who entered the U.S. on temporary visas for the furtherance of their medical training.

Both of the beneficiaries have been recruited by hospitals in Mississippi, however, they are unable to practice there because State law requires physicians to be permanent residents or U.S. citizens.

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

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

RECOMMENDATION

That you sign S. 3682 at Tab B.

That you sign S. 3683 at Tab C.





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

OCT 11 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills

- (1) S. 3682 - Relief of Dr. Oscar J. Briseno
Sponsor - Sen. Eastland (D) Mississippi
(2) S. 3683 - Relief of Dr. Juan Bautista
Lopez Ruiz
Sponsor - Sen. Eastland (D) Mississippi

Last Day for Action

October 19, 1976 - Tuesday

Purpose

To grant permanent residence to two alien physicians who entered the United States on temporary visas for the furtherance of their medical training.

Agency Recommendations

Office of Management and Budget

Approval

Immigration and Naturalization
Service

Approval

Department of State


No objection

Discussion

The beneficiaries of these two enrolled bills are alien physicians from Western Hemisphere countries who had been admitted to the United States on temporary visas to allow them to complete their advanced medical training in this country. Although on temporary visas, both physicians are practicing medicine in States which do not require permanent resident immigrant status or citizenship as a condition to obtaining a license to practice medicine. Both have been recruited by hospitals in Mississippi; however, they are unable to practice in Mississippi because Mississippi law requires that physicians practicing in that State be permanent residents or U.S. citizens.

The medical services of both Drs. Briseno and Lopez are critically needed by hospitals in Bay Springs and Jackson, Mississippi, respectively, because of their particular medical skills. Dr. Briseno, a citizen of Mexico, is a skilled physician and surgeon currently practicing medicine in Illinois; the Bay Springs, Mississippi hospital has had to close its surgical unit because of its recent loss of the services of two physicians. Dr. Lopez, who is a citizen of Nicaragua, is a specialist in the field of neonatology (newborn infants), currently practicing in a Pennsylvania hospital; Hinds General Hospital in Jackson, Mississippi faces having to close its nursery if a qualified physician such as Dr. Lopez does not take a position.

The Immigration and Nationality Act does not permit Western Hemisphere natives to adjust their immigration status while in the United States. Accordingly, both physicians would have to return to their respective countries and wait several months for an immigrant visa; this would seriously jeopardize the availability of certain medical services in the two Mississippi hospitals. The enrolled bills would grant both physicians permanent resident immigrant status upon payment of the required visa fee. In addition, both enrolled bills direct the Department of State to make an appropriate reduction in the number of preference visas available to the doctors' respective countries.


Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 11

Time: 1000pm

19

FOR ACTION:

Dick Parsons *DP*
NSC/S *ok*
Bobbie Kilberg *ok*
Max Friedersdorf *ok*

cc (for information):

Jack Marsh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 500pm

SUBJECT:

S.3682-Relief of Dr. Oscar J. Briseno
S.3683-Relief of Dr. Juan Bautista Lopez Ruiz

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

K. R. COLE, JR.
For the President

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

OCT 6 1976

AND REFER TO THIS FILE NO.

A18 927 090

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 3682; Office of Management
and Budget request dated October 5, 1976.

Beneficiary or Beneficiaries Doctor Oscar J. Briseno.

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,


Acting Commissioner



DEPARTMENT OF STATE

Washington, D.C. 20520

OCT 7 1976

Dear Mr. Lynn:

Reference is made to Mr. Frey's communication of October 5, 1976, transmitting for comment enrolled bills, S. 3682, "For the relief of Doctor Oscar J. Briseno", S. 3683, "For the relief of Doctor Juan Bautista Lopez Ruiz", and S. 3556, "For the relief of Marciano Santiago and his wife, Eleanor L. Santiago".

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,

A handwritten signature in black ink, appearing to read "Kempton B. Jenkins".

Kempton B. Jenkins
Acting Assistant Secretary
for Congressional Relations

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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 11

Time: 1000pm

FOR ACTION: Dick Parsons
NSC/S
Bobbie Kilberg
Max Friedersdorf

cc (for information): Jack Marsh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: October 13

Time: 500pm

SUBJECT:

S.3682-Relief of Dr. Oscar J. Briseno
S.3683-Relief of Dr. Juan Bautista Lopez Ruiz

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

approve Reply 10/12/76

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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 11

Time: 1000pm

FOR ACTION: Dick Parsons ✓
NSC/S
Bobbie Kilberg
Max Friedersdorf

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SUBJECT:

S.3682-Relief of Dr. Oscar J. Briseno
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ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

For Your Comments

___ Draft Remarks

REMARKS:

Approve. AD

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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James E. Cannon

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 11

Time: 1000pm

FOR ACTION: Dick Parsons
NSC/S
Bobbie Kilberg
Max Friedersdorf

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FROM THE STAFF SECRETARY

DUE: Date: October 13

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SUBJECT:

S.3682-Relief of Dr. Oscar J. Briseno
S.3683-Relief of Dr. Juan Bautista Lopez Ruiz

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

*Recommend
Approval
mef*

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

MEMORANDUM

NATIONAL SECURITY COUNCIL

5703

October 13, 1976

MEMORANDUM FOR: JAMES M. CANNON
FROM: Jeanne W. Davis *JWD*
SUBJECT: *Jn* S. 3682 and S. 3683

The NSC Staff concurs with the proposed enrolled bills: S. 3682-Relief of Dr. Oscar J. Briseno and S. 3683-Relief of Dr. Juan Bautista Lopez Ruiz.

DR. OSCAR J. BRISENO

—————
AUGUST 4, 1976.—Ordered to be printed
—————

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

REPORT

[To accompany S. 3682]

The Committee on the Judiciary, to which was referred the bill (S. 3682), for the relief of Doctor Oscar J. Briseno, 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 grant the status of permanent residence in the United States to Doctor Oscar J. Briseno. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction.

STATEMENT OF FACTS

The beneficiary of the bill is a 32-year-old native and citizen of Mexico who entered the United States six years ago on an exchange visa to further his medical training. Dr. Briseno is a highly skilled physician and surgeon who is licensed to practice medicine in Illinois. However, he cannot obtain a license to practice in Mississippi until he becomes a permanent resident alien and files a declaration of intent to become a United States citizen.

Dr. Briseno's medical expertise is urgently needed at Jasper General Hospital in Bay Springs, Mississippi. The hospital serves 25,000 people and has recently lost the services of two of its physicians. The surgical suite at the Jasper General Hospital has been forced to close due to lack of surgical services.

The Committee is in receipt of numerous letters of recommendation in behalf of Dr. Briseno, examples of which follow :

JASPER GENERAL HOSPITAL,
Bay Springs, Miss., July 12, 1976.

HON. JAMES O. EASTLAND,
U.S. Senator, New Senate Office Building,
Washington, D.C.

DEAR SENATOR EASTLAND: In accordance with the conversation with Mr. Ed Laughron of your Staff and Mr. Lee Harrson, Jr., of Bay Springs, Mississippi, concerning Doctor Oscar J. Briseno.

We are in desperate need of the services of Dr. Briseno and find he cannot obtain a Mississippi License due to the requirement that he must have filed a Declaration of Intent for U.S. Citizenship.

Dr. Briseno has been in the U.S. under a J-1 training visa for the past 6 years and has a license to practice medicine in Illinois. The J-1 program numbers are P11 380 and P3 4510. He has applied to the District office in New Orleans for a H-1 Visa; unaware of the requirement to have filed a Declaration of Intent in order to obtain a Mississippi License. He has re-located his family to Bay Springs, Miss., and a new clinic has been constructed for his use. Dr. Briseno has three children, who were born in this country and are U.S. Citizens.

Senator, we need your support and action to assist us in being able to use the services of Dr. Briseno. He is an exceptionally well trained physician and you are aware of the severe problems faced by rural communities in obtaining the services of qualified physicians. Our community only has 3 practicing physicians for a population served in excess of 25,000. We have had to close our surgical department and O.B. Departments in the hospital due to the lack of adequate physicians. Dr. Briseno intends to do general practice and surgery which will greatly assist the citizens of this area.

I am enclosing several documents to support our request for assistance. If you need further information, please call on me. The citizens of Jasper County and the surrounding areas will greatly appreciate your attention to this matter.

Sincerely,

BILLY F. SIMMONS, *Administrator.*

Enclosures.

BAY SPRINGS CHAMBER OF COMMERCE,
Bay Springs, Miss., July 12, 1976.

HON. JAMES O. EASTLAND,
Senate Office Building,
Washington, D.C.

DEAR SENATOR EASTLAND: Our Chamber of Commerce several months ago contracted with a medical search organization to try and locate two doctors to come to Bay Springs so as to help alleviate the critical situation that exists due to the scarcity of doctors in this immediate area.

This medical search organization has sent us a fine Doctor who is now here with his family, and we have had a clinic built for him.

Dr. Briseno finished medical school in his native Mexico, but has been in the United States for the past five or six years furthering his medical training, but he now finds that Mississippi has a law that requires that a foreign Doctor must have applied for citizenship before

being allowed to practice in the State of Mississippi. Also, we understand that the application process, unless it is pushed by someone might take up to two years.

On behalf of the people of this area, I would like for you to expedite this process of application in every way that you can, as Dr. Briseno and his family are temporarily located in a local Motel and do not know just what move to make at this time.

We would greatly appreciate anything that you could do for us in this matter.

Sincerely,

ROY ROGERS, *President.*

TOWN OF BAY SPRINGS,
Bay Springs, Miss., July 13, 1976.

HON. JAMES O. EASTLAND,
Senate Office Building,
Washington, D.C.

DEAR SENATOR EASTLAND: Several months ago the Bay Springs Chamber of Commerce contracted with a medical search organization to try and locate two doctors to come to Bay Springs so as to help alleviate the critical situation that exists due to the scarcity of doctors in this immediate area.

Dr. Oscar Briseno, whom the medical search organization has sent, has arrived with his family in Bay Springs.

Dr. Briseno finished medical school in his native Mexico, but has been in the United States for the past five or six years furthering his medical training, but he now finds that Mississippi has a law that requires that a foreign doctor must have applied for citizenship before being allowed to practice in the State of Mississippi. Also, we understand that the application process, unless it is pushed by someone might take up to two years.

On behalf of the people of this area, I would like for you to expedite this process of application in every way that you can, as Dr. Briseno and his family are temporarily located in a local motel and do not know just what move to make at this time.

We would greatly appreciate anything that you could do for us in this matter.

Sincerely,

JOHN R. SIMS, *Mayor.*

ST. FRANCIS HOSPITAL-MEDICAL CENTER,
Peoria, Ill., May 20, 1976.

Re: Oscar J. Briseno, M.D.

Mr. BILLY F. SIMMONS,
Administrator, Jasper General Hospital,
Bay Springs, Miss.

DEAR MR. SIMMONS: Dr. Briseno served as a resident in General Surgery at St. Francis Hospital-Medical Center from July 1, 1973 to June 30, 1975. Dr. Briseno came here following his stay at Henry Ford Hospital in Detroit, Michigan mainly because he wished to leave the area

of Detroit, in which the hospital was located. He left there of his own volition. Dr. Briseno was a very pleasant individual, was conscientious and did good work in Surgery. He left here because we do not have a residency in Cardio Vascular Surgery and that is the reason he went to Chicago for training. There were no particular reasons for his changing programs, except as stated above. He was a considerate, honest individual and I have no reservations in recommending him.

Sincerely yours,

CHARLES D. BRANCH, M.D.

COOK COUNTY HOSPITAL,
Chicago, Ill., May 27, 1976.

Re: Oscar J. Briseno, M.D.

Mr. BILLY F. SIMMONS,
Administrator, Jasper General Hospital,
Bay Springs, Miss.

DEAR MR. SIMMONS: This letter is written in support of an application Dr. Oscar Briseno has submitted to you for Medical Staff privileges.

Dr. Briseno completed a Rotating Internship (emphasis on Surgery) here from June 23, 1970 to June 22, 1971. A review of his record reveals he was an average intern, who maintained a good record on the services through which he rotated. He was a quiet, pleasant young man who was conscientious, cooperative, and eager to learn. Morally and ethically, I believe his character to be above reproach.

On the basis of his performance, I am happy to recommend Dr. Briseno to you for your serious consideration.

Yours very truly,

ROWINE HAYES BROWN, M.D.,
Medical Director.

PETITION OF JASPER PHYSICIAN SEARCH COMMITTEE FOR THE
SERVICES OF DR. OSCAR J. BRISENO, MD.

Jasper Physician Search Committee composed of Chairman, Board of Supervisors, Jasper County, Mayor of Bay Springs, Mississippi, President of Chamber of Commerce, Bay Springs, Mississippi, Chairman of Board of Trustees, Jasper General Hospital, Chief of Medical Staff, Jasper General Hospital, and Administrator of Jasper General Hospital, Bay Springs, Mississippi was established to represent the citizens of Jasper County in locating and obtaining additional physicians to practice in Bay Springs, Mississippi, hereby, request, petition for approval of the petition of Dr. Oscar Briseno-Marroquin for the change in his visa status from J-1 to H-1.

This petition is based upon the critical need of the services of Dr. Briseno to practice in Bay Springs, Mississippi. Approximately 25,000 people depend upon the physicians who practice in Bay Springs, Mississippi for their medical care. Until recently, we had five practicing physicians and due to

illness, we only have three remaining physicians and the medical care for citizens in this area has become a serious problem. The practice of Dr. Briseno will aid significantly in resolution of this critical problem.

Dr. Oscar J. Briseno will perform general practice and general surgery. Currently there is no surgical care available to the citizens in Bay Springs and the surgical suite at the Hospital has been closed due to lack of services of a surgeon.

A new clinic building for Dr. Briseno to practice in is now under construction and he will practice in Bay Springs, Jasper County, Mississippi, 39422.

Due to the critical need for his services by the citizens of this area and the lack of other available physicians, we plan for Dr. Briseno to practice in this area for an indefinite time.

(S) JOHN R. SIMS, Mayor, Bay Springs, Miss.,
Chairman, Jasper Physician Search Committee.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 3682) 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 Doctor Oscar J. Briseno.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act and section 21 (e) of the Act of October 3, 1965, Doctor Oscar J. Briseno shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper officer to reduce by one number, during the current fiscal year or the fiscal year next following, the total number of immigrant visas which are made available to special immigrants as defined in section 101 (a) (27) (A) of the Immigration and Nationality Act.

Speaker of the House of Representatives.

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