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8/10/11/76

APPROVED

OCT 1 - 1976

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: October 5

October 1, 1976

Posted  
10/2/76  
  
archived  
10/4/76

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *J. Cannon*

SUBJECT:

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

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

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. Frey*  
Assistant Director for  
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: September 28

Time: 830pm

FOR ACTION:

Dick Parsons *as*  
NSC/S *as*  
Max Friedersdorf *as*  
*Kilbey as*

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:

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 Beatrice 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. AD*

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.

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 Beatrice 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

*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

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

PLEASE ADDRESS REPLY TO

OFFICE OF THE COMMISSIONER

24 SEP 1976

AND REFER TO THIS FILE NO.

A20 893 292

TO : OFFICE OF MANAGEMENT AND BUDGET

SUBJECT: Enrolled Private Bill No. S. 1404; Office of Management  
and Budget request dated September 23, 1976

Beneficiary or Beneficiaries Mrs. Kyong Chu Stout

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 Mae 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



SEP 28 1976 1:34

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





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

SEP 28 1976

To: J. Johnston  
9-28-76  
6:00 p.m.

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. KYONG CHU STOUT

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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. 1404]

The Committee on the Judiciary, to whom was referred the bill (S. 1404) for the relief of Mrs. Kyong Chu Stout, 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 Mrs. Kyong Chu Stout, the widow of a United States citizen.

GENERAL INFORMATION

The beneficiary of the bill is a 30-year-old native and citizen of Korea. On May 1, 1974 she married a United States citizen, Sgt. Harold R. Stout, who was at the time stationed with the U.S. Army in Korea. Mrs. Stout had been issued an immigrant visa based on her marriage, and was preparing to accompany her husband to the United States when he was accidentally electrocuted. Upon his death, her visa was automatically revoked. She was admitted to the United States on September 7, 1974 as a visitor to accompany her husband's body for burial. Mrs. Stout currently resides in Bossier City, Louisiana; she is unemployed and has no children.

A letter, with attached memorandum, dated June 30, 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., June 30, 1975.

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. 1404) for the relief of Kyong Chu Stout, 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 and citizen of Korea, is chargeable to the nonpreference portion of the numerical limitation for immigrants and conditional immigrants from countries in the Eastern Hemisphere.

Sincerely,

L. F. CHAPMAN, JR.,  
Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE S. 1404

The beneficiary, Kyong Chu Stout, is a native and citizen of Korea, born on April 25, 1946. She received the equivalent of a high school education in her native country. On May 1, 1974 she married Harold R. Stout, an American soldier stationed in Korea, and was preparing to return to the United States with him when he was accidentally electrocuted on September 1, 1974. An immigrant visa had been issued based on her marriage to permit her to accompany her husband to the United States and was automatically revoked upon his demise. There were no children born of this marriage.

The beneficiary was admitted to the United States as a nonimmigrant visitor on September 7, 1974, to accompany her husband's remains for burial. She received a subsequent extension of her temporary stay until June 7, 1975.

The beneficiary is presently living in Bossier City, Louisiana. She is currently unemployed but has an annual income of approximately \$3,000 from an insurance benefit. She has \$2,700 in savings accounts in the United States.

The interested party, Robert Dale Griffin, is the beneficiary's brother-in-law. He is married to Ruth Janie Griffin nee Stout, the sister of the beneficiary's deceased husband. They were married on August 10, 1953, have four children, and reside in Bossier City, Louisiana. All members of the family are United States citizens. He is retired from the United States Air Force and is currently employed as a life insurance salesman. His annual net income averages \$20,000 and his assets consisting of his home and savings account is in excess of \$56,000.

Senator J. Bennett Johnston, Jr., the author of the bill, submitted the following supporting information:

U.S. SENATE,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
Washington, D.C., September 2, 1975.

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

DEAR MR. CHAIRMAN: Thank you for your nice letter enclosing a copy of the report of the Immigration and Naturalization Service on my bill, S. 1404, which would grant the privileges of permanent residence in the United States to Mrs. Kyong Chu Stout.

As you know, Mrs. Stout, a native and citizen of Korea, is the widow of Sergeant Harold R. Stout to whom she was married on May 1, 1974 while he was stationed with the U.S. Army in Korea. She and her husband were preparing to return to the United States when he was accidentally electrocuted on September 1, 1974.

The immigrant visa which had been issued to her, based on her marriage, and which would have permitted her to accompany her husband to the United States, was automatically revoked by his death.

She is presently living in Bossier City, Louisiana with an annual income of approximately \$3000 from an insurance benefit and with approximately \$2700 in savings account in the United States.

Robert Dale Griffin, a citizen of my state of Louisiana, is the husband of the late Sergeant Stout's sister and I enclose for the Subcommittee's information a copy of his letter expressing his readiness to "satisfy any requirement that . . . (Mrs. Stout) . . . will not become a burden to this Country/State financially or otherwise."

As a matter of simple justice, I think this country is obligated to this American soldier to open its arms to his widow, particularly under the circumstances I have described, and I hope your Subcommittee will recommend favorable action on my bill at the earliest possible time.

If you should need any additional information, I will do my best to obtain it as quickly as I can.

With kindest regards and best wishes.

Sincerely,

J. BENNETT JOHNSTON,  
U.S. Senator.

Enclosure.

OCTOBER 28, 1974.

HON. BENNETT JOHNSTON,  
432 Russell Senate Office,  
Washington, D.C.

DEAR SIR: I am Robert D. Griffin, resident of Bossier City, Louisiana and after consulting with Mr. Harper from your office here, I submit this request for assistance.

As the result of the death of my later brother-in-law, Sgt. Harold R. Stout, 430-82-6892, active duty, U.S. Army, we have experienced great difficulty trying to obtain a permanent residence status for his wife, Kyong Chu Stout, Korean National. I speak for our entire family and we feel that she should be allowed to reside in the U.S. permanently and subsequently become a U.S. citizen after due process. Mrs. Alice

Stout, mother of the deceased, is aged and in ill health plus her recent loss has caused a noticeable deterioration of her well-being. Kyong Chu would be invaluable to Mrs. Stout in her aged condition as she is also a widow.

We are prepared to satisfy any requirement that Kyong Chu will not become a burden to this Country/State financially or otherwise. Mrs. Stout has recently bought a home here in Bossier and she intends to provide that permanent residence. Kyong Chu will receive a monthly income of \$468.00 from survivor's benefits plus other entitlements such as base privileges including hospitalization. Kyong Chu speaks, reads, writes, and understands English fluently. Therefore, she will not have a problem with the language barrier.

The following facts pertinent to her case are submitted for your information:

- a. applied for passport in Korea under title 8, U.S. Code 115;
- b. petition approved under Sec. 204;
- c. passport issue date: Aug. 21, 1974 to Aug. 21, 1977, a passport number MB131711;
- d. upon death of sponsor in Korea and because no entry in U.S. was made, her status under title 8 U.S. Code 115 was changed to non-immigrant and she was issued a B-2 type visa with expiration date of Dec. 5, 1974 B-2 Visa issued in Seoul Korea #003419;
- e. We have applied for an extension of this visa for the purpose of settling the estate and filing for survivor benefits. We do not have the entry record number (I-94) as it was forwarded with the application for extension, and no answer has been received from Immigration, New Orleans, yet.

*Vital statistics:* Kyong Chu Stout Kang--

Place of birth: Seoul, Korea.

Height: 5'2".

Weight: 110 lbs.

Hair: black.

Eyes: brown.

Date of birth: April 25, 1946.

SIR, I have attempted to obtain a labor certification for the purpose of establishing a permanent residence and I was informed by the Labor Department, Shreveport, that the skills that she possesses are not critical and efforts in this area would be useless. I have also talked with Mr. Smith, Immigration Examiner, Dallas, Texas, and although he was sympathetic towards our problem, he could not assist us under present immigration laws. Efforts with New Orleans Immigration also produced negative results.

Mr. Johnston, surely there is a manner to establish permanent residence under these circumstances. We have exhausted our efforts and limited knowledge and for humanitarian reasons, we beg of you to intervene and assist in this matter.

Thank you in advance for your consideration, and we anxiously await your reply.

Sincerely,

ROBERT D. GRIFFIN,  
4216 Mike Street, Bossier City, La..  
Telephone (746-0892).

#### 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 RECOMMENDATIONS

Upon consideration of all the facts in this case, the Committee is of the opinion that S. 1404 should be enacted and accordingly recommends that the bill do pass.

○



# 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 Mrs. Kyong Chu Stout.

*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, Mrs. Kyong Chu Stout, 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 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.*