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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MEMORANDUM FOR THE PRESIDENT

FROM: 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

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.
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.

James M. Fury
Assistant Director for Legislative Reference

Enclosures
ACTION MEMORANDUM

WILLINGTON

LOG NO:

Date: October 11 Time: 1000pm

FOR ACTION: Dick Parsons cc (for information): Jack Marsh
NSC/S Ed Schults
Bobbie Kilber
Max Friedersdorf

FROM THE STAFF SECRETARY

DUE: Date: October 13 Time: 500pm

SUBJECT:

S.3622-Relief of Dr. Oscar J. Briseno
S.3683-Relief of Dr. Juan Bautista Lopez Ruiz

ACTION REQUESTED:

--- For Necessary Action
--- Prepare Agenda and Brief
--- For Your Comments

--- For Your Recommendations
--- Draft Reply
--- 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
TO: OFFICE OF MANAGEMENT AND BUDGET

Beneficiary or Beneficiaries: Doctor Oscar J. Briseño.

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,

[Signature]

Commissioner
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,

[Signature]
Kempton H. Jenkins
Acting Assistant Secretary for Congressional Relations

The Honorable James T. Lynn,
Director,
Office of Management and Budget.
THE WHITE HOUSE
ACTION MEMORANDUM
LOG NO.: WASHINGTON

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
- Prepare Agenda and Brief
- For Your Recommendations
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:
please return to judy johnston, ground floor west wing

Tmnc!': "~

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
James N. Cannon
ACTION MEMORANDUM

THE WHITE HOUSE
WASHINGTON

Date: October 11
Time: 1000pm

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

cc (for information): Jack Marsh
Ed Schults

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

James E. Carson
**THE WHITE HOUSE**

**ACTION MEMORANDUM**

**WASHINGTON**

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<th>Time: 1000pm</th>
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**FOR ACTION:**
Dick Parsons  
NSC/S  
Bobbie Kilberg  
Max Friedersdorf

**ce (for information):**
Jack Marsh  
Ed Schmults

**FROM THE STAFF SECRETARY**

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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 johnson, 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 contact James W. Cannon.

James W. Cannon
MEMORANDUM FOR: JAMES M. CANNON
FROM: Jeanne W. Davis
SUBJECT: 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.
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:

S-007
SENATOR EASTLAND
Bay Springs, Miss., July 19, 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 Laughren of your Staff and Mr. Lee Harrison, 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 United States 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 860 and P9 4590. 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 22,000. We have had to close our surgical department and O.R. 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.
Bay Springs Chamber of Commerce,
Bay Springs, Miss., July 19, 1976.

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SENATOR EASTLAND
Bay Springs, Miss., July 19, 1976.

Hon. James O. Eastland,
U.S. Senator, New 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 to 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 from the 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 19, 1976.

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SENATOR EASTLAND:
Bay Springs, Miss., July 19, 1976.

Hon. James O. Eastland,
U.S. Senator, New Senate Office Building,
Washington, D.C.

Dear Senator Eastland: Six 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.

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...
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 Cardiovascular 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

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 J. 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, Chairman of Board of Commerce, Bay Springs, Mississippi, 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.

Approximately 25,000 people depend upon the physicians who practice in Bay Springs, Mississippi for their medical care. 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.
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(a) 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.