

FOR THE RELIEF OF CHONG HO KWAK

JULY 24, 1998.—Committed to the Committee of the Whole House and ordered to be printed

Mr. SMITH of Texas, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 2744]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 2744) for the relief of Chong Ho Kwak, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

This bill would direct the Attorney General to naturalize Mr. Kwak regardless of his inability to take the oath of allegiance.

BACKGROUND AND NEED FOR THE LEGISLATION

Chong Ho Kwak came to this country seven years ago with his wife and two sons. He is a legal permanent resident. His wife and one son are currently preparing to become U.S. citizens, and his older son became a U.S. citizen in 1997. Mr. Kwak passed his citizenship test and was approved for naturalization on January 23, 1996. He was scheduled to take the oath of allegiance on June 14, 1996.

On February 4, 1996, when Mr. Kwak and his wife were closing up their grocery store, three masked teens entered the store to rob them. Although the Kwak's gave them all the money they had, one teen shot Mr. Kwak in the head. Although in a stabilized semi-comatose state, Mr. Kwak has never regained consciousness since the shooting.

Immigration law prohibits anyone from attaining U.S. citizenship who is unable to take and understand the oath. Therefore, I.N.S. has refused to naturalize Mr. Kwak.

It is clear Mr. Kwak intended to naturalize, that it was in no way his fault that he did not complete that process, and that this is a unique situation.

HEARINGS

The Committee's Subcommittee on Immigration and Claims held no hearings on H.R. 2744.

COMMITTEE CONSIDERATION

On June 11, 1998, the Subcommittee on Immigration and Claims met in open session and ordered favorably reported the bill H.R. 2744, without amendment, by voice vote, a quorum being present.

On July 16, 1998, the Committee on the Judiciary met in open session and ordered reported favorably the bill H.R. 2744 without amendment by voice vote, a quorum being present.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT FINDINGS

No findings or recommendations of the Committee on Government Reform and Oversight were received as referred to in clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 2(l)(3)(B) of House Rule XI is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 2744, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 20, 1998.

Hon. HENRY J. HYDE,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2744, a bill for the relief of Chong Ho Kwak.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

cc: Hon. John Conyers, Jr.,
Ranking Minority Member

H.R. 2744—A bill for the relief of Chong Ho Kwak

H.R. 2744 would grant citizenship to Chong Ho Kwak. CBO estimates that enacting this legislation would have no significant impact on the federal budget. H.R. 2744 would not affect direct spending or receipts, so pay-as-you-go procedures would not apply.

The CBO staff contact for this estimate is Mark Grabowicz, who can be reached at 226-2860. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Rule XI, clause 2(1)(4) of the Rules of the House of Representatives, the Committee finds the authority for this legislation in Article 1, Section 1, Clause 8 of the Constitution.