

FOR THE RELIEF OF MARIA CARMEN CASTRO RAMIREZ
AND J. REFUGIO CARREÑO ROJAS

MAY 22, 2020.—Referred to the Private Calendar and ordered to be printed

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

R E P O R T

[To accompany H.R. 1548]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1548) for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreño Rojas, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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Purpose and Summary

H.R. 1548, “For the relief of Maria Carmen Castro Ramirez and J. Refugio Carreño Rojas,” would provide the beneficiaries of this private bill, Ms. Castro Ramirez and Mr. Carreño Rojas, with an opportunity to obtain lawful permanent resident status in the United States.

Background and Need for the Legislation

A. IMMIGRATION BACKGROUND

Maria Carmen Castro Ramirez and J. Refugio Carreño Rojas were both born in Guanajuato, Mexico and separately entered the United States without inspection approximately 30 years ago. The couple married in 1992 and have three U.S. citizen children: Guadalupe Carreño Castro, age 26; Ivan Carreño Castro, age 25; and Jose Carreño Castro, age 12.

In 1994, Ms. Castro Ramirez and Mr. Carreño Rojas were placed in separate deportation proceedings. Following protracted proceedings and various requests for relief from deportation, both received final deportation orders. On January 27, 2009, Ms. Castro Ramirez and Mr. Carreño Rojas were arrested by Immigration and Customs Enforcement (ICE). Shortly thereafter, Mr. Carreño Rojas was deported from the United States, while Ms. Castro Ramirez remained in the United States pursuant to the grant of multiple stays of removal associated with the introduction of private bills on the couple's behalf. Desperate to be reunited with his family, Mr. Carreño Rojas reentered the United States without inspection in 2011.

B. NO CRIMINAL HISTORY OR NEGATIVE PUBLIC RECORDS

In March 2019, the Subcommittee on Immigration and Citizenship voted in favor of requesting a report from the Department of Homeland Security (DHS) on Ms. Castro Ramirez and Mr. Carreño Rojas. The report was issued on April 25, 2019 and revealed no criminal history or negative public records about either individual.

C. MEDICAL CONDITIONS

Two of the couple's children suffer from severe medical conditions. As a child, Guadalupe was diagnosed with acute Juvenile Myoclonic Epilepsy. This condition can lead to permanent neurological impairment and life-threatening seizures if not properly controlled. Twelve-year-old Jose suffers from severe asthma that requires the care of a pediatric pulmonology specialist, prescription medication, and emergency medical services when necessary. Additionally, Jose has been referred for psychological treatment, and recently suffered a perforated eardrum, which resulted in some hearing loss requiring corrective surgery.

The couple has private insurance, which they receive through their employers and which allows them to receive quality medical care that they can afford. Medical experts have confirmed that the family would be subjected to sub-standard medical care if forced to relocate to Mexico, as a result of limited medical expertise and shortages of required medications. This would make it difficult for Jose to receive appropriate care for his asthma, including emergency medical care. The medication that Guadalupe takes to treat her condition is unavailable in most parts of Mexico. If the family is relocated to Mexico, the negative impact on their health and well-being would be significant.

The risks for Jose if he were to remain in the United States apart from his parents are also significant. A licensed therapist confirmed that if Jose remained in the United States while his par-

ents were forced to relocate to Mexico, he would likely “experience negative effects on his personal health [which] could manifest as worsened frequency of asthma attacks, severity of symptoms, or length of time that the attacks occur.”¹

D. HOUSE PRECEDENT FOR CONSIDERATION OF PRIVATE IMMIGRATION BILLS

In the modern era, Congress has passed numerous private bills for similarly situated individuals, including in cases where the beneficiary, or the U.S. citizen spouse or child of a beneficiary, suffered from a serious illness and could not receive proper treatment in the beneficiary’s home country.

For example, in the 106th Congress, the House passed a private bill for Marina Khalina and her son Albert Kifakov, the latter of whom had cerebral palsy and would require lifelong medical treatment that was unavailable in their home country of Russia.² Also in the 106th Congress, the House passed a private bill for the relief of Jacqueline Salinas—who was paralyzed from the waist down and her children, one of whom was afflicted with bone cancer.³

In the 104th Congress, the House passed a private bill for Oscar Salas-Velazquez, whose U.S. citizen child and wife were carriers of an antigen that predisposes them to developing Reiter’s syndrome—a severe, disabling, incurable arthritic disease which can be triggered by an intestinal infection from organisms widespread in Mexico.⁴ Requiring Mr. Salas-Velazquez’s wife and child to join him in Mexico would very likely result in the development of Reiter’s syndrome.⁵ In the 106th Congress, the House also passed a private bill for Saeed Rezai, whose U.S. citizen wife was stricken with multiple sclerosis.⁶ Medical professionals indicated that her condition would likely deteriorate rapidly from the severe stress resulting from her husband’s removal.

Hearings

The Committee on the Judiciary held no hearings on H.R. 1548.

Committee Consideration

On March 11, 2020, the Committee met in open session and ordered the bill, H.R. 1548, favorably reported without amendment, by a voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee’s consideration of H.R. 1548.

¹ Psychological Assessment of Extreme Hardship, Jose Antonio Carreño Castro, East Bay Area Therapy at 10 (Mar. 2, 2020), on file with Subcommittee.

² See H.R. Rep. No. 106–956 (2000); See also S.150, 106th Cong. (1999).

³ See H.R. Rep. No. 106–962 (2000); See also S.1513, 106th Cong. (1999).

⁴ See H.R. Rep. No. 104–810 (1996); See also H.R. 1031, 104th Cong. (1995).

⁵ *Id.*

⁶ See H.R. Rep. No. 106–905 (2000); See also H.R. 5266, 106th Cong. (2000).

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises 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.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

Congressional Budget Office Cost Estimate

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 1548, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 12, 2020.

Hon. JERROLD NADLER,
*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. 1548, a bill for the relief of Maria Carmen Castro Ramirez and J. Refugio Carreño Rojas.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is David Rafferty, who can be reached at 226-2840.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

cc: Honorable Doug Collins
Ranking Member

H.R. 1548, a bill for the relief of María Carmen Castro Ramirez and J. Refugio Carreno Rojas			
As ordered reported by the House Committee on the Judiciary on March 11, 2020			
By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	*	*	*
Revenues	*	*	*
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	0	0	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	< \$5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between -\$500,000 and \$500,000.			

H.R. 1548 would allow the two people named in the bill to become lawful permanent residents. Enacting H.R. 1548 could increase direct spending and reduce revenues because lawful permanent residents are eligible for certain federal benefits, such as Medicaid and premium tax credits for health insurance purchased through the marketplaces established by the Affordable Care Act, if they otherwise meet the eligibility requirements for those benefits. CBO estimates that those effects would not be significant because only two people would be affected by the bill.

The CBO staff contact for this estimate is David Rafferty. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Duplication of Federal Programs

No provision of H.R. 1548 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1548 would provide María Carmen Castro Ramirez and J. Refugio Carreño Rojas with an opportunity to obtain lawful permanent resident status in the United States.

Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1548 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Sec. 1. Permanent Resident Status for Maria Carmen Castro Ramirez and J. Refugio Carreño Rojas. Subsection (a) provides that Maria Carmen Castro Ramirez and J. Refugio Carreño Rojas shall each be eligible for issuance of an immigrant visa or for adjustment of status to lawful permanent residence upon filing the appropriate application.

Subsection (b) provides that if Ms. Castro Ramirez or Mr. Carreño Rojas enter the United States before the filing deadline specified in subsection (d), they shall be considered to have entered and remained lawfully and shall be eligible for adjustment of status as of the date of the enactment of this Act.

Subsection (c)(1) provides that Ms. Castro Ramirez and Mr. Carreño Rojas may not be removed from the United States, denied admission, or considered ineligible for lawful permanent residence by reason of any ground for removal or inadmissibility that is reflected in the records of the Department of Homeland Security or the Department of State as of the date of the enactment of this Act.

Subsection (c)(2) provides that the Secretary of Homeland Security shall rescind any outstanding orders of removal or deportation, or any finding of inadmissibility or deportability, that has been entered against Ms. Castro Ramirez or Mr. Carreño Rojas.

Subsection (d) requires Ms. Castro Ramirez and Mr. Carreño Rojas to apply for an immigrant visa or adjustment of status within 2 years after the date of the enactment of this Act.

Subsection (e) provides that upon granting an immigrant visa or permanent residence to Ms. Castro Ramirez and Mr. Carreño Rojas, the Secretary of State shall reduce by two, the total number of immigrant visas that are made available to natives of the country of their birth.

Subsection (f) provides that the natural parents, brothers, and sisters of Ms. Castro Ramirez and Mr. Carreño Rojas shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.