

FOR THE RELIEF OF VICTORIA GALINDO LOPEZ

NOVEMBER 18, 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. 7146]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 7146) for the relief of Victoria Galindo Lopez, 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. 7146, “For the relief of Victoria Galindo Lopez,” would provide the beneficiary of this private bill, Ms. Galindo Lopez, with an opportunity to obtain lawful permanent resident status in the United States.

Background and Need for the Legislation

A. IMMIGRATION BACKGROUND

Victoria Galindo Lopez entered the United States in 1988. She has left only twice since then, for short periods of time, reentering without inspection both times. She has three U.S. citizen children and a daughter who is a recipient of deferred action under the Deferred Action for Childhood Arrivals (DACA) program. In 2000, Ms. Galindo Lopez and her then husband (and father of two of her children) sought to regularize their immigration status but were placed into deportation proceedings and eventually ordered removed on August 18, 2005. Since August 2011, Ms. Galindo Lopez has been granted successive stays of removal, most recently on July 29, 2020 for a period of six-months.

B. MEDICAL CONDITIONS

Ms. Galindo Lopez's youngest U.S. citizen daughter is an incest survivor; her father began to sexually assault her when she was just 9 years old while Ms. Galindo Lopez was working nights. Her daughter learned at an early age that she is not safe when her mother is not home, and at age 11, she made her first suicide attempt. Although she has been in treatment for depression for most of her young life, the root cause of her distress remained hidden until after her sixteenth suicide attempt at age 17 and a stay in a mental health facility. Immediately following this revelation, Ms. Galindo Lopez acted to protect her daughter and her other children. She filed criminal charges against her husband and filed for divorce, obtained a restraining order, and helped secure her husband's removal from the United States.

Ms. Galindo Lopez's daughter risks devastating health consequences if her mother is removed from this country. She has been diagnosed with depression, anxiety, Post-Traumatic Stress Disorder (PTSD), insomnia, and borderline personality disorder stemming from repeated sexual abuse by her father for half of her childhood. Ms. Galindo Lopez, who works as a housekeeper at a hotel in Ventura, California, is the primary breadwinner and pillar of support for her family. Her daughter is at grave risk of suicide if she is deprived of her mother's constant care. Ms. Galindo Lopez ensures that she stays current with her medications, attends therapy, and continues to work through the devastating consequences of the prolonged abuse from her father.

C. HOUSE PRECEDENT FOR CONSIDERATION OF PRIVATE IMMIGRATION BILLS

In the modern era, Congress has passed numerous private bills where the extreme hardship that would result from the beneficiary's removal centers around medical issues. For example, in the 106th Congress, the House passed a private bill for Saeed Rezai, whose U.S. citizen wife was stricken with multiple sclerosis.¹ Medical professionals indicated that her condition would likely deteriorate rapidly from the severe stress resulting from her husband's removal.

¹ See H.R. Rep. No. 106-905 (2000); See also H.R. 5266, 106th Cong. (2000).

Also 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,² as well as a 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

Like Mr. Rezai’s U.S. citizen wife, the removal of Ms. Galindo Lopez from the United States would cause unbearable stress for her U.S. citizen daughter, resulting in the rapid deterioration of the medical conditions that resulted from the horrific abuse she endured at the hands of her father. As this case is truly a matter of life and death, the Committee has determined that H.R. 7146 meets the existing medical condition precedent. It is not the Committee’s intent that this legislation serve as precedent for other private legislation where the hardship resulting from the beneficiary’s removal centers solely around an individual’s mental stability or emotional difficulties.

Hearings

The Committee on the Judiciary held no hearings on H.R. 7146.

Committee Consideration

On September 9, 2020, the Committee met in open session and ordered the bill, H.R. 7146, 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. 7146.

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.

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).

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. 7146, 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, September 22, 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 these four bills:

- H.R. 631, For the relief of Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar;
- H.R. 4225, For the relief of Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso;
- H.R. 7146, For the relief of Victoria Galindo Lopez; and
- H.R. 7572, For the relief of Median El-Moustrah.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is David Rafferty.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

cc: Honorable Doug Collins
Ranking Member

Immigration-Relief Legislation			
As ordered reported by the House Committee on the Judiciary on September 9, 2020			
By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	0	*	*
Revenues	0	*	*
Increase or Decrease (-) in the Deficit	0	*	*
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.			

On September 9, 2020, the House Committee on the Judiciary ordered reported four bills that would allow the people named in each bill to become lawful permanent residents:

- H.R. 631, For the relief of Arpita Kurdekar, Girish Kurdekar, and Vandana Kurdekar;

- H.R. 4225, For the relief of Maria Isabel Bueso Barrera, Alberto Bueso Mendoza, and Karla Maria Barrera De Bueso;
- H.R. 7146, For the relief of Victoria Galindo Lopez; and
- H.R. 7572, For the relief of Median El-Moustrah.

Enacting each of those four bills 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 of the small number of people who would be affected by each 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. 7146 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. 7146 would provide Victoria Galindo Lopez 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. 7146 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 Victoria Galindo Lopez. Subsection (a) provides that Victoria Galindo Lopez shall 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 Victoria Galindo Lopez enters the United States before the filing deadline specified in subsection (d), she 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 Victoria Galindo Lopez may not be removed from the United States, denied admission, or considered ineligible for lawful permanent residence by reason of any ground of 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 Victoria Galindo Lopez.

Subsection (d) requires Victoria Galindo Lopez 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 Victoria Galindo Lopez, the Secretary of State shall reduce by one, the total number of immigrant visas that are made available to natives of the country of her birth.

Subsection (f) provides that the natural parents, brothers, and sisters of Victoria Galindo Lopez shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.