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3 BUSINESS MEETING: ADOPT RULES OF PROCEDURE AND STATEMENT
4 OF POLICY FOR PRIVATE IMMIGRATION BILLS AND STATEMENT OF
5 POLICY ON FEDERAL CHARTERS; AND TO REQUEST DEPARTMENT OF
6 HOMELAND SECURITY DEPARTMENTAL REPORTS ON THE BENEFICIARIES
7 OF: H.R. 316, PRIVATE BILL FOR THE RELIEF OF ESTHER NJERI
8 KARINGE, H.R. 357, PRIVATE BILL FOR THE RELIEF OF CORINA DE
9 CHALUP TURCINOVIC, H.R. 794, PRIVATE BILL FOR THE RELIEF OF
10 ALLAN BOLOR KELLEY, H.R.823, PRIVATE BILL FOR THE RELIEF OF
11 MARIA CARMEN CASTRO RAMIREZ AND J. REFUGIO CARRENO ROJAS,
12 AND H.R. 824, PRIVATE BILL FOR THE RELIEF OF DANIEL
13 WACHIRA.
14 Thursday, March 10, 2011
15 House of Representatives
16 Subcommittee on Immigration Policy and Enforcement
17 Committee on the Judiciary
18 Washington, D.C.

19 The subcommittee met, pursuant to call, at 10:06
20 a.m., in Room 2141, Rayburn House Office Building, Hon.
21 Elton Gallegly [chairman of the subcommittee] presiding.

22 Present: Representatives Gallegly, Poe, Lofgren, and
23 Pierluisi.

24

25 Mr. Gallegly. Good morning.

26 At this time, pursuant to notice, the chair calls up
27 for consideration the adoption of the Rules of Procedure
28 and Statement of Policy for Private Immigration Bills and
29 the Policy on Granting of Federal Charters.

30 The primary focus of the rule is to establish the
31 standard requirements for the consideration of private
32 immigration bills, which are essentially a request to
33 circumvent current law. Without these statements, the
34 Congress could potentially be inundated with requests for
35 private bills.

36 The subcommittee will also consider adoption of the
37 policy of not granting new Federal charters to private,
38 not-for-profit organizations. This policy has been adopted
39 by the subcommittee of jurisdiction since the 101st
40 Congress, and it reflects the subcommittee's belief that
41 charters are unnecessary for the operations of any
42 charitable organization and falsely imply to the public
43 that an organization and its activities carry congressional
44 seal of approval.

45 This policy also reflects the subcommittee's belief
46 that significant resources required to properly investigate
47 prospective chartered organizations and monitor them could
48 and should be spent instead of subcommittee's large range
49 of policy matters. These are the same rules and statement
50 of policy that we had in the last Congress. They have
51 served us well, and I recommend that we adopt them again in
52 the 112th Congress.

53 I would now recognize the ranking member for any

54 statement she may have.

55 Ms. Lofgren. Thank you, Mr. Chairman.

56 Indeed, these rules are the same as those that guided
57 the subcommittee in the last Congress. I agree with
58 readopting these rules.

59 I would ask unanimous consent to put my statement in
60 the record and would merely note that in the last Congress,
61 some of our colleagues on both sides of the aisle
62 circumvented the charter rule through floor action, with
63 the best motives in the world, I understand. But I think
64 the subcommittee should counsel our colleagues that that is
65 contrary to our policy, and the policy is rooted in sound
66 rationale so that we don't experience a raft of that again.

67 But that is really something we need to do off
68 calendar. And with that, I would yield back with thanks.

69 Mr. Gallegly. Does the gentlelady have a unanimous
70 consent request to have all of the statements made a part
71 of the record and rather than taking oral testimony this
72 morning?

73 Ms. Lofgren. As to the private bills that are before
74 us?

75 Mr. Gallegly. Right.

76 Ms. Lofgren. I would, in fact, move that reports be
77 requested from the department on each of the bills and ask
78 unanimous consent to put my statement in the record on each
79 of the bills.

80 Mr. Gallegly. Without objection, that will be the
81 order for all Members.

82 [The information follows:]

83 Mr. Gallegly. Copies of the proposed rules are before
84 each Member. Without objection, the rules will be
85 considered as read and open for amendment at any point.

86 If there are no amendments, the question on adopting
87 the Rules of Procedure and Statement of Policy for Private
88 Immigration Bills and Policy on the Granting of Federal
89 Charters. I assume there are no amendments.

90 All those in favor will signify by saying aye.

91 [A chorus of ayes.]

92 Mr. Gallegly. Those opposed, no.

93 [No response.]

94 Mr. Gallegly. The motion passes.

95 And is there a roll call on the question?

96 Okay. I would now like to turn to the matter of
97 requesting reports from the Department of Homeland Security
98 for the potential beneficiaries of several private bills:
99 H.R. 316, for the relief of Esther Karinge; H.R. 357, for
100 the relief of Corina De Chalup Turcinovic; H.R. 794, for
101 the relief of Allan Bolor Kelley; H.R. 823, for the relief
102 of Maria Carmen Castro Ramirez and J. Refugio Carreno
103 Rojas; and H.R. 824, for the relief of Daniel Wachira.

104 I will support formally requesting a Department of
105 Homeland Security report on the beneficiaries of these five
106 private bills. However, I want to make it clear that I am
107 still gathering additional information related to a number
108 of the bills. And until I get the facts, I will hold off
109 on making a decision on moving forward with these measures
110 until we receive the reports.

111 I would ask that the written statements regarding

112 these private bills by unanimous consent for both the chair
113 and the ranking member be made a part of the record, or the
114 written record, as they are exactly the same as last year.

115 [The information follows:]

116

117 Mr. Gallegly. And the motion would be to waive Rule 4
118 of our Rules of Procedure for Private Immigration Bills and
119 Requests for these private bills.

120 Is there a motion?

121 Ms. Lofgren. There is a motion to do that, and I
122 would ask unanimous consent to place my statements on
123 behalf of these bills in the record and note also that
124 these are matters that the committee acted on last year, as
125 the chair has referenced.

126 And we will receive information and continue to
127 evaluate them, noting that because the Senate operates
128 under rules different than our own, we have been
129 unsuccessful in adopting even those matters that the House
130 believes are worthy. So that is another matter that we may
131 wish to discuss off calendar.

132 And with that, I would yield back to the chair.

133 Mr. Gallegly. In relation to the unanimous consent
134 order, hearing no objection, that will be the order.

135 Is there any further debate on the motion?

136 [No response.]

137 Mr. Gallegly. Seeing none, all of those in favor, say
138 aye.

139 [A chorus of ayes.]

140 Mr. Gallegly. Any opposed, say no.

141 [No response.]

142 Mr. Gallegly. Hearing the ayes have it, the motion is
143 approved.

144 And we will move on now with our hearing.

145 [Whereupon, at 12:12 p.m., the subcommittee was

146 adjourned.]