

FOR THE RELIEF OF MICHEL CHRISTOPHER MEILI,  
GIUSEPPINA MEILI, MIRJAM NAOMI MEILI, AND DAVIDE  
MEILI

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JUNE 11, 1997.—Committed to the Committee of the Whole House and ordered to  
be printed

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

REPORT

[To accompany S. 768]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the Act (S. 768) for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili, having considered the same, report favorably thereon without amendment and recommend that the Act do pass.

PURPOSE AND SUMMARY

This bill would allow the beneficiaries to be lawfully admitted to the United States for permanent residence.

BACKGROUND AND NEED FOR THE LEGISLATION

In January of this year Christopher Meili, a security guard at the Union Bank of Switzerland, was making his nightly rounds when he came across Holocaust era documents in the shredding room. Shortly before that night, the Swiss parliament had passed a law specifically prohibiting the destruction of documents that could assist in the search for assets which had belonged to the victims of Hitler's concentration camps. Mr. Meili, realizing the significance of the financial records, took some of those documents and turned them into the Swiss authorities. Mr. Meili was subsequently fired for stealing the documents, and has been refused any other employment in his field based on a negative recommendation by his former employer. After much publicity, Mr. Meili and his family started receiving death threats. Mr. Meili has done a great service for the world in exposing these documents, and because of

the death threats and his inability to find employment in Switzerland, he has asked that he and his family be allowed to emigrate permanently to the U.S.

A private bill is needed because Mr. Meili and his family do not meet the necessary criteria for permanent residency under any existing categories. Because they do not have any immediate family in the United States they cannot obtain family-based immigrant visas. And, although Mr. Meili has been offered a full-time job by the World Jewish Congress, it would take several years for the labor certification process to allow him to stay in this country, thus not solving the immediate death threat concerns should he have to go back to Switzerland to await the employment visa.

Mr. Meili and his family are currently here on a 90-day temporary visa which expires in July. Therefore, it is necessary to quickly resolve their immigration status.

#### HEARINGS

The Committee's Subcommittee on Immigration and Claims held no hearings on S. 768.

#### COMMITTEE CONSIDERATION

On June 3, 1997, the Subcommittee on Immigration and Claims met in open session and ordered favorably reported the bill S. 768, by voice vote, a quorum being present.

On June 11, 1997, the Committee on the Judiciary met in open session and ordered favorably reported the bill S. 768, by voice vote, a quorum being present.

#### COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(1)(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(1)(3)(D) of rule XI of the Rules of the House of Representatives.

#### NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 2(1)(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, S. 768, 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, June 11, 1997.

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 S. 768, an act for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacted is Mark Grabowicz.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

S. 768—*An act for the relief of Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili*

CBO estimates that enacting this legislation would have no significant impact on the federal budget. S. 768 would not affect direct spending or receipts; therefore, pay-as-you-go procedures do not apply. This act contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no costs on state, local, or tribal governments.

S. 768 would grant permanent residence to Michel Christopher Meili, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili. This act would not affect the total level of immigration; thus, enacting this legislation would have no significant impact on the federal budget.

The CBO staff contact for this estimate is Mark Grabowicz. 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 8, Clause 10 of the Constitution.

AGENCY VIEWS

The comments of the Immigration and Naturalization Service on S. 768 are as follows:

U.S. DEPARTMENT OF JUSTICE,  
 IMMIGRATION AND NATURALIZATION SERVICE,  
 Washington, DC, June 6, 1997.

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

DEAR MR. CHAIRMAN: S. 768 is a private bill which would grant permanent resident status to Michel Christopher Meili and his family members, Giuseppina Meili, Mirjam Naomi Meili, and Davide Meili.

Mr. Meili was a security guard at a Swiss bank, who kept certain Holocaust-era Swiss bank records from being shredded and turned them over to the Swiss police and to the Jewish community in Zurich. Mr. Meili, his wife, and two minor children arrived in the United States on April 30, 1997, and were admitted as visitors for pleasure under the Visa Waiver Pilot Program until July 29, 1997. No extensions are available for aliens admitted under Section 217 of the Immigration and Nationality Act (INA), 8 U.S.C. 1187.

We have reviewed the circumstances of Mr. Meili and his family and would confirm that there is no immediate relief under existing law available to him and his family as a condition of their admission under the Visa Waiver Pilot Program. Mr. Meili and his family members waived their right to a removal hearing, except for consideration of an application for asylum. Although Mr. Meili has never filed for asylum under Section 208 of the INA, 8 U.S.C. 1158, it would seem extremely unlikely that he could establish that the harm he fears is on account of race, religion, nationality, membership in a particular social group or political opinion or that the Swiss Government is unable or unwilling to control those who have threatened harm to him and his family.

The Immigration and Naturalization Service (INS) has not completed background checks on the Meili family, and, therefore, does not take a position on the merits of S. 768 with regard to the specifics of this case. However, the INS has no objection on legal or policy grounds to the passage of S. 768.

We hope that the information provided is useful. If we may be of assistance in the future, please let us know.

Sincerely,

ALLEN ERENBAUM,  
*Acting Director, Congressional Relations*  
(For the Commissioner).

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