

FOR THE RELIEF OF TONY LARA

OCTOBER 11, 2000.—Referred to the Private Calendar 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 S. 2002]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (S. 2002) for the relief of Tony Lara, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

S. 2002 would allow Tony Lara to adjust to permanent resident status.

BACKGROUND AND NEED FOR THE LEGISLATION

Tony Lara was born in El Salvador in February 1980. In 1990, Tony and his sister were brought to the United States by their parents. That same year, Tony's mother was deported back to El Salvador. She died in a drowning accident while trying to reenter the United States. In 1991, Tony's father began using drugs and essentially abandoned his two children. At age 11, Tony became a surro-

gate father to his younger sister. After several drug arrests, the father was deported in 1994.

Tony and his sister were taken in by an uncle, who neglected them. Neighbors of the uncle, the Brackens, subsequently took the children in to live with them. The Brackens eventually adopted Tony's younger sister, but could not afford to pursue adoption of both children. At age 16, Tony's wrestling coach, Terrance Fischer, invited him to move in with him and his wife. Tony eventually became a California high school wrestling champion, and since high school has won many other wrestling championships.

During the last 6 years, Tony made attempts to find out how to secure permanent residency. However, he was told that if the authorities knew of his immigration status or the fact that he had no parents in the United States, he would be deported and separated forever from his sister. Unfortunately, he was given incorrect advice. If Tony had become a ward of the court before age 16, he could have filed a special immigrant visa petition and obtained legal status.

Tony has had no contact with his father since his deportation in 1994, and his mother is deceased. He has lived with Mr. Fischer and his family since 1997, maintains contact with his sister, and has maintained no ties with anyone in El Salvador.

#### COMMITTEE CONSIDERATION

On October 11, 2000, the Committee on the Judiciary met in open session and ordered reported favorably the bill S. 2002 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 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 3(d)(2) of rule XIII of the Rules of the House of Representatives, the committee believes that the bill would have no significant impact on the Federal budget. This is based on the Congressional Budget Office cost estimate on S. 2002. That Congressional Budget Office cost estimate follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, October 11, 2000.*

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed 11 private relief acts, which were ordered reported by the House Committee on the Judiciary on October 11, 2000. CBO estimates that their enactment would have no significant impact on the federal budget. These acts could have a very small effect on fees collected by the Immigration and Naturalization Service and on benefits paid under certain federal entitlement programs. Because these fees and expenditures are classified as direct spending, pay-as-you-go procedures would apply. The act reviewed is:

- S. 2002, an act for the relief of Tony Lara;

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. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Sincerely,

DAN L. CRIPPEN, *Director.*

cc: Honorable John Conyers Jr.  
Ranking Democratic Member

#### 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 4 of the Constitution.

#### AGENCY VIEWS

The comments of the Immigration and Naturalization Service on S. 2002 are as follows:

U.S. DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
*Washington, DC, Month 00, 2000.*

Hon. ORRIN HATCH, *Chairman,*  
*Committee on the Judiciary,*  
*United States Senate, Washington, DC.*

DEAR MR. CHAIRMAN: In reference to your request for a report relative to S. 2002, for the relief of Tony Lara, whose correct name is Gerardo Antonio Lara-Romero, attached is a Memorandum of Information regarding the beneficiary.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment, upon payment of the required visa fee. The bill would also direct the proper visa number deduction from the beneficiary's native country.

The Subcommittee may wish to amend the bill under section “(d)” to replace “Guy Taylor” with “Tony Lara” as Guy Taylor is the beneficiary of S. 2000.

Sincerely,

FOR THE COMMISSIONER  
GERRI RATLIFF, *Acting Director,*  
*Congressional Relations.*

Enclosure

cc: Department of State—Private Bill Staff  
District Director—Los Angeles, CA  
Investigations—Craig Porter

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND  
NATURALIZATION SERVICE FILES RE: S. 2000

Information concerning this case was obtained from Mr. Terrence Lee Fisher and Mrs. Holly Maxine Welch, the interested parties, and also the Gerardo Antonio Lara-Romero, the beneficiary.

The beneficiary, Tony Lara, whose correct name is Gerardo Antonio Lara-Romero, A77 302 695, a native and citizen of El Salvador, was born on February 25, 1980. He is unmarried and currently resides in Northridge, California with Mr. Terrence Lee Fischer and Mrs. Holly Maxine Welch, who are married and also the interest parties. The beneficiary has resided with the interested parties since March 1997. The beneficiary graduated from El Camino Real High School in 1998 and from the West Valley Occupational Center in June 2000.

The beneficiary entered the United States on March 15, 1990, near San Ysidro, California without inspection. He joined his father, Gerardo Menjivar Lara, and his mother, Olga Estela Romero Navidad, both citizens of El-Salvador, who were residing in Los Angeles, California. He mother was deported later that year and drowned trying to return to the United States. His father was deported, the beneficiary lived with various friends and relatives until the interested parties invited him to live with them. The beneficiary met the interested parties as Mr. Fischer was his high school Wrestling Coach. The beneficiary has a brother and sister who resides in El Salvador. He also has a sister, Olga, who is legally adopted by a United States citizen family who are neighbors of the interested parties, and who are in the process of filing an application for Olga to become a lawful permanent resident.

The interested party, Terrence Lee Fischer, a native and citizen of the United States, was born on October 10, 1953, in Santa Monica, California. He is married to Mrs. Holly Maxine Welch, and resides with her and the beneficiary in Northridge, California. Mr. Fisher obtained a college degree from California State University in 1975. He is currently employed as a Wrestling Coach at El Camino Real High School and has worked for the Los Angeles United School District since 1990, with an income of about \$72,000 a year.

The interested party, Holly Maxine Welch, a native and citizen of the United States, was born on December 4, 1949, in St. Charles, Illinois. She is married to Mr. Terrence Lee Fischer and resides with him and the beneficiary in Northridge, California. Mrs. Welch obtained a college degree from the University of Illinois in 1972. She is currently employed as a Story Analyst at Paramount Pic-

tures and has worked for him for the past 18 years, with a current income of about \$60,000 a year.

The interested parties claim combined assets in the amount of about \$16,000 in personal property, and about \$136 in IRA's and retirement plans. They have liabilities of about \$36,500 of credit card debt. Mr. Fischer and Mrs. Welch have a combined total yearly income of about \$132,000.

The interested parties indicated they would like to assist the beneficiary in becoming a lawful permanent resident so that he can accomplish his goal of becoming a Wrestling Coach and a Physical Education Teacher.

Fingerprint checks for the beneficiary through the Federal Bureau of Investigation were conducted with negative results, however, fingerprints checks for the interested parties are pending at this time.