

**Statement of Ranking Member Ken Buck
Request for DHS Report on Victoria Galindo Lopez (H.R. 7146)
Subcommittee on Immigration and Citizenship
House Judiciary Committee
Wednesday, June 24, 2020**

Thank you, Chairperson Lofgren.

Representative Julia Brownley introduced H.R. 7146, to provide lawful permanent resident status to Ms. Victoria Galindo Lopez. What we know about Ms. Galindo Lopez and her situation, comes directly from materials provided by Rep. Brownley.

According to those materials, Ms. Galindo Lopez entered the U.S. illegally from Mexico in 1988, near San Ysidro, California. She has remained in the country since then, with the exception of two short time periods. She has three U.S. citizen children and one child who is currently a Deferred Action for Childhood Arrivals (DACA) recipient. Ms. Galindo Lopez is currently employed as a housekeeper at a hotel in Ventura, California.

In August of 2005, an immigration judge issued a final order of removal against Ms. Galindo Lopez. She filed subsequent

motions to reopen her removal proceedings that were denied in 2007, 2009, and 2010. In 2013, during the Obama Administration, Immigration and Customs Enforcement (ICE) issued a stay of removal to Ms. Galindo Lopez based on the fact that she did not meet the Obama Administration's priorities for removal. Ms. Galindo Lopez requested, and was granted, additional stays in 2017, 2018, and 2019, but was denied in April 2020.

After her stay was denied, Ms. Galindo Lopez made a new request based on the fact that she is considered an essential worker for COVID-19 purposes and thus not a priority for removal under the revised enforcement policy that ICE issued pursuant to the COVID-19 pandemic. Despite the order for Ms. Galindo Lopez to report for removal on June 11, 2020, after a June 8th request by the Committee that ICE give the Committee time to act on H.R. 7146, ICE provided Ms. Galindo Lopez an additional 30 days to remain in the U.S.

Ms. Galindo Lopez's U.S. citizen daughter, Elisabeth, age 20, has been diagnosed with severe Post Traumatic Stress Disorder (PTSD) and depression. She has been under the care of a psychologist and takes daily psychiatric medication for her conditions. Elisabeth attempted suicide 16 times between the ages of 11 and 17 and was treated for depression for several years. After her sixteenth suicide attempt, and while receiving in-patient psychiatric treatment, Elisabeth stated that the cause of her mental illness was repeated sexual abuse since age 9 by her father. The father was removed from the country with the help of Ms. Galindo Lopez.

Ms. Galindo Lopez is the primary caretaker of her youngest daughter, and Elisabeth, who relies on her mother for emotional support and care. She sleeps with her mother every night because she is afraid to sleep alone.

In a letter provided to the Subcommittee, Dr. Joseph Grillo, Elisabeth's psychologist stated "Elisabeth's condition is chronic

and requires two parallel interventions: First, clinical attention in the form of counseling and medication, and second, close contact with members of her family, and in particular her Mother, for ongoing support.” Dr. Grillo also stated, “Removal of either of these would constitute an extreme hardship, one that in light of past behavior in response to trauma could put not only Elisabeth’s well-being at risk, but her life itself.” Obviously, such contact would end if Ms. Galindo Lopez was removed to Mexico.

Pursuant to the Subcommittee’s longstanding Statement of Policy, the Subcommittee only considers private immigration bills “that are of such an extraordinary nature that an exception to the law is needed. It is the policy of the Subcommittee generally to act favorably on only those private bills that meet certain precedents.” One of the precedent categories is scenarios involving severe medical issues.

Congress has granted permanent residence to aliens who had been allowed to come to the U.S. to receive medical

treatment unavailable in their home country. In addition, there is private bill precedent in which Congress has granted permanent residence to aliens because their U.S. citizen spouses or children risked serious illness or death if they were to follow the aliens to the aliens' home countries. In two cases, Congress approved a private bill for the alien spouse of a U.S. citizen where the U.S. citizen would suffer severe medical consequences if the citizen were to follow the alien to the alien's home country. In these two cases, Congress acted even though the first marriages of the aliens had been fraudulent (though the current marriages were judged to be bona fide). There is also private bill precedent in which Congress granted permanent residence to a parent who was the caregiver for a child with a severe illness.

To date, there have been no precedential private bills in which the severe medical issue was solely psychological. However, according to the Center for Disease Control and Prevention, "Mental health disorders are medical conditions that

disrupt a person's thinking, feeling, mood, ability to relate to others and daily functioning. They are medical conditions that often result in a reduced ability to cope with the routine daily activities such as going to work or raising a family. . . . Mental health disorders include illnesses such as major depression, bipolar disorder, obsessive compulsive disorder, and post-traumatic stress disorder.”

Thus, the Majority and Minority have determined that provided all facts presented to the Subcommittee are true, due to the severity of the circumstances of Elisabeth's mental illness, H.R. 7146 falls under private bill precedent.

Importantly, I do want to note the severity of the risk to life in this case. The doctors caring for Elisabeth believe that without the constant companionship and support of her mother, her life would again be at risk. It is the many multiple attempts at suicide, the seriousness of the mental illness, and the likely loss of life, that predicate the circumstances of this bill falling under the medical

precedent for private bill purposes. I yield back the balance of my time.