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4 MEETING TO ADOPT RULES OF PROCEDURE FOR PRIVATE CLAIMS BILLS.

5 Tuesday, June 2, 2015

6 House of Representatives

7 Subcommittee on the Constitution and Civil Justice

8 Committee on the Judiciary

9 Washington, D.C.

10 The subcommittee met, pursuant to call, at 2:19 p.m., in  
11 Room 2141, Rayburn Office Building, Hon. Trent Franks  
12 [chairman of the subcommittee] presiding.

13 Present: Representatives Franks, Goodlatte, DeSantis,  
14 Gohmert, Jordan, Cohen, and Conyers.

15 Staff present: Zachary Somers, Majority Counsel; Tricia  
16 White, Majority Clerk; James Park, Minority Staff Member; and  
17 Veronica Eligan, Minority Clerk.

18

19 Mr. Franks. The Subcommittee on the Constitution and  
20 Civil Justice will come to order. Without objection, the  
21 chair is authorized to declare recesses of the committee at  
22 any time.

23 Pursuant to notice, I now call up for consideration the  
24 Subcommittee on the Constitution and Civil Justice's rules of  
25 procedure for private claims bills. I will now recognize  
26 myself for a brief opening statement, and then I will  
27 recognize the ranking member.

28 The Judiciary Committee has jurisdiction over  
29 legislation related to claims against the United States,  
30 including private claims bills. Within the committee for  
31 this Congress, jurisdiction over claims against the United  
32 States and private claims bills has been shifted from the  
33 Immigration Subcommittee to the Constitution Subcommittee.  
34 Accordingly, we have called today's meeting so that this  
35 subcommittee can adopt the same rules of procedure for  
36 private claims bills that the Immigration Subcommittee  
37 adopted in previous Congresses when it had jurisdiction over  
38 such bills.

39 Private claims bills arise when citizens request  
40 individualized relief from Congress when administrative or

41 other legal remedies have been exhausted. Until the early  
42 1970s, Congress regularly granted relief through private  
43 legislation, but as Congress has expanded administrative  
44 discretion to deal with many of the situations that tended to  
45 give rise to private bills, such bills have become much more  
46 rare.

47 In considering whether to grant relief through private  
48 claims bills, the subcommittee's task is to determine whether  
49 the entities and circumstances or the equities and  
50 circumstances create a moral obligation on the part of the  
51 Federal government to extend individual relief. These rules  
52 of procedure will guide our consideration of private claims  
53 bills to help ensure that only truly meritorious claims are  
54 reported favorably from the committee.

55 There 15 proposed rules of procedure. The rules include  
56 provisions such as not giving considerations to a private  
57 bill until the subcommittee has received sufficient evidence,  
58 not considering any claim that accrued more than 15 years  
59 before the first session of the current Congress convenes,  
60 and not considering any claim over which another tribunal  
61 court or department has jurisdiction until all remedies under  
62 such jurisdiction are exhausted.

63           The rules and procedures establish the standard  
64 requirements for the consideration of private claims bills.  
65 Without these standards, Congress could potentially be  
66 inundated with requests from and for private relief. These  
67 procedural rules served the Immigration Committee well in the  
68 past, and I would recommend that we adopt them for the 114th  
69 Congress.

70           And I would now recognize the ranking member for any  
71 statement that he may have.

72           Mr. Cohen. Thank you, Mr. Chairman. I just want to  
73 commend you on your opening statement, on your rules, on your  
74 position, and look forward to working with you in a  
75 bipartisan fashion.

76           Mr. Franks. That is a first.

77           [Laughter.]

78           Mr. Franks. Copies of the proposed rules are before  
79 each member. Without objection, the rules will be considered  
80 as read and open for amendment at any point.

81           [The information follows:]

82

83 Mr. Franks. Are there any amendments?

84 [No response.]

85 Mr. Franks. You must have been telling the truth. If  
86 there are no amendments, the question is on adopting the  
87 rules of procedure for private claims bills. And since there  
88 is not a quorum at the present moment, we will be postponing  
89 this vote.

90 [Meeting suspended.]

91 Mr. Franks. I think now we are ready for the vote. Is  
92 that right? All right. So then forgive me. If you will do  
93 the drum roll, as you say.

94 The question is on the adoption of the rules of  
95 procedure for private claims bills.

96 All those in favor will signify by saying aye.

97 Those opposed will say no.

98 It looks like we squeaked through it, and the ayes have  
99 it, and the Subcommittee on the Constitution and Civil  
100 Justice rules of procedure for private claims bills are  
101 adopted.

102 [Whereupon, at 2:30 p.m., the subcommittee was  
103 adjourned.]