

important bill would help address the health disparities in American Indian and Alaska Native communities.

I urge a "yes" vote on this particular bill. Let's pass this bill swiftly and get it to the Senate.

Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I also urge support for the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 3841.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSENDALE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

#### PARLIAMENTARY INQUIRY

Mr. DEUTCH. Mr. Speaker, I make a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. DEUTCH. Mr. Speaker, on all of these good bills that are being debated with strong bipartisan support on the Democratic side and the Republican side when they go to a voice vote, Mr. Speaker, does there need to be even one "no" vote, which there have not been for this whole series, for a Member to ask for a recorded vote?

The SPEAKER pro tempore. The gentleman has not stated a proper point of order, but the Chair would inform Members that the gentleman from Montana requested the yeas and nays, and pursuant to section 3(s) of House Resolution 8, the yeas and nays have been ordered.

#### PREVENTING CRIMES AGAINST VETERANS ACT OF 2021

Mr. NADLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 983) to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 983

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing Crimes Against Veterans Act of 2021".

#### SEC. 2. ADDITIONAL TOOL TO PREVENT CERTAIN FRAUDS AGAINST VETERANS.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

##### "§ 1352. Fraud regarding veterans' benefits

"(a) Whoever knowingly executes, or attempts to execute, any scheme or artifice to

defraud an individual of veterans' benefits, or in connection with obtaining veteran's benefits for that individual, shall be fined under this title, imprisoned not more than 5 years, or both.

"(b) In this section—

"(1) the term 'veteran' has the meaning given that term in section 101 of title 38; and

"(2) the term 'veterans' benefits' means any benefit provided by Federal law for a veteran or a dependent or survivor of a veteran."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of title 18, United States Code, is amended by adding at the end the following new item:

"1352. Fraud regarding veterans' benefits."

#### SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. NADLER) and the gentleman from North Carolina (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

□ 1530

#### GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 983.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud to support H.R. 983, the Preventing Crimes Against Veterans Act of 2021, bipartisan legislation that would make it a crime to knowingly engage in any scheme to defraud a veteran of his or her veteran's benefits.

Our Nation owes a great debt to veterans. There are currently about 18 million veterans of the United States military, men and women who selflessly served our Nation.

Unfortunately, many of our veterans, as a result of their service, have physical and mental scars. There are well over 1 million American veterans with service-connected disabilities, and 43 percent of post-9/11 veterans have a service-connected disability which may entitle them to certain benefits.

Receipt of benefits requires the veteran to file an application and undergo a thorough review by the Department of Veterans Affairs. Sometimes these benefits are granted outright. Other times, the veteran must appeal their initial denial to receive the benefits they deserve.

Under current law, the VA allows agents or attorneys to assess a nominal fee to assist claimants who are appeal-

ing different aspects of their benefits. They are not permitted, however, to charge for services related to the initial preparation and filing of their claims.

Accordingly, it is currently illegal for a nonattorney or a person not registered as an agent to assist such initial claims. The rationale for this prohibition is that many veterans may fall victim to benefit fraud schemes, where individuals may divert benefits or apply for benefits that should not be awarded.

To enforce this prohibition, Federal prosecutors currently rely on the wire and mail fraud statutes to ensure that nonattorneys or nonregistered agents do not assist in benefit applications or unlawfully divert benefits.

However, if an unauthorized individual offers a veteran assistance in person, they cannot be prosecuted under current fraud statutes. The wire and mail fraud statutes do not extend to in-person fraudulent schemes.

The Preventing Crimes Against Veterans Act would close this critical loophole and would ensure that in-person benefit fraud schemes may also be prosecuted.

For example, in one instance, a scammer held briefing seminars in a senior community. He asked the staff to round up the veterans, then used high-pressure sales tactics to coerce the veterans to apply for benefits.

In-person solicitation like this requires no electronic or mail transmission and, thus, evades wire and mail fraud criminal prohibitions. Other reports indicate that scammers have also been known to hand out flyers outside of VA regional medical centers and VA regional offices to identify unwitting veterans.

These examples are precisely why closing this loophole is so critically important. Under H.R. 983, anyone convicted of such crimes could be fined, imprisoned, or be subject to both penalties.

By adopting this bill, Congress would affirm the integrity of the benefits program and would protect veterans and their survivors who receive payments, such as those to veterans with service-connected disabilities, pensions for veterans with limited incomes, and education and training payments under the GI bill.

In recognition of the extreme sacrifice by our veterans and the hardships many of them continue to face after their military service, it is our duty to provide, to the best of our ability, an appropriate measure of compensation for them, particularly for those who are in need.

This legislation would ensure that attempts to defraud them of the benefits they need and deserve may be fully prosecuted.

I commend the bill's sponsors, Mr. DEUTCH and Mr. FITZPATRICK, for their hard work and bipartisan efforts to address this critical problem.

I urge my colleagues to support this important legislation, and I reserve the balance of my time.

Mr. BISHOP of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us today makes a small but significant change to the Federal fraud statutes to protect veterans from criminals who seek to steal their benefits. It does so by inserting a new provision into the criminal code to complement the mail and wire fraud statutes.

Unfortunately, there have been reports in recent years of criminals entering nursing homes in search of elderly veterans with the intent to defraud them of their Federal benefits.

Like many crimes of fraud, these fraudsters present themselves to their victims as a helping hand in a time of need. This is a truly despicable crime worthy of this body's attention.

This legislation has passed this House three times by overwhelming margins, including a vote of 417-0 last Congress.

Our men and women in uniform have sacrificed much for us. They have earned our gratitude, our respect, and our protection.

Mr. Speaker, there is little, in my mind, more contemptuous than someone who tries to defraud a veteran of what they have earned in defense of our country. We must put an end to this fraud.

I urge all my colleagues to support this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I rise in support of H.R. 983, the Preventing Crimes Against Veterans Act.

Financial fraud is an increasingly sophisticated enterprise. The unfortunate reality is that our Nation's veterans have become one of its biggest new targets.

Far too often, so-called pension poachers prey on elderly veterans. They use high-pressure sales pitches to con vulnerable veterans, survivors, and their families out of their hard-earned and well-deserved benefits.

Scammers make big promises, knowing that they will never be able to deliver. In the end, they leave veterans with their personal information and financial security compromised.

These criminals not only prey on our veterans, they prey on every American taxpayer who wants to do right by those who have served our country. Sadly, the COVID-19 pandemic has only made the situation worse, as scams have been on the rise.

The VA, community groups, and veterans service organizations are working to alert and educate our communities about these scams. But Congress must ensure that we do not let pension poachers get away with taking advantage of those who have served.

Unfortunately, our current laws fail to keep up with the increasing complexity of these fraudulent schemes.

This bill will give Federal prosecutors the tools they need to target criminals who actively work to avoid current mail and wire fraud statutes. It will specifically outlaw attempts to defraud veterans of their benefits.

It is past time that we take action to crack down on pension poachers and other fraudsters who prey on our veterans.

I want to thank the Palm Beach County Veterans Services office including, Greg Dover, Jose Capellan, Rohn Hultgren, Andrew Reese, and Yolanda Asante. They are working hard to help veterans receive their benefits, and they first raised the troubling rise of pension poaching with me years ago.

I thank Congressman FITZPATRICK for his leadership on this important bipartisan effort. Again, I want to thank Mr. NADLER and the gentleman from North Carolina, and I am thankful to every Member of this body who voted to pass this legislation last Congress 417-0.

I would, again, ask my colleagues to support and honor our veterans by passing the Preventing Crimes Against Veterans Act. Our veterans have done so much to protect this Nation. It is now our turn, and this bill is an opportunity for us to help protect them.

Mr. BISHOP of North Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I am proud to lend my voice in support of H.R. 983, the Preventing Crimes Against Veterans Act, and I congratulate the gentleman from Florida (Mr. DEUTCH) for his work, again, on an enormously commonsense bill.

This is a commonsense and needed bipartisan fix to close a loophole in Federal law that allows con artists who make in-person pitches to defraud veterans of their well-earned benefits.

The State of Texas is home to 1.5 million veterans, and the State of Texas operates a large network of nursing homes for veterans.

All of us have heard stories in our offices, through our veterans' caseworker, of the horrible, horrible attacks on veterans because of the benefits they receive. Yes, financial attacks. And they are attacks. Unlike the battlefield, where they can defend themselves, these attacks, they cannot.

Veterans at these homes and veterans seeking treatment at medical treatment facilities may be susceptible to the in-person grifters falsely claiming that they can facilitate the provisions of additional veterans' benefits.

This bill would help hold scammers accountable and allow the Department of Justice to protect the integrity of veterans' benefits programs. Protecting veterans and their survivors from these types of in-person scams is particularly important, since so many depend on service-connected disability payments.

As chair of the Crime, Terrorism, and Homeland Security Subcommittee, I am focused on addressing fraud and other veterans' issues.

To that end, I ask my colleagues today to join me as I also work on legislation to buttress veterans' courts and to make them a more equitable and successful rehabilitation model.

I thank my colleague from the Judiciary Committee, TED DEUTCH, for championing this bill and persisting in his effort.

Mr. Speaker, I ask my colleagues to support this bill.

Mr. Speaker, I am proud to lend my voice in support of H.R. 983, the "Preventing Crimes Against Veterans Act."

This bill is a commonsense and needed bipartisan fix to close a loophole in federal law that allows con artists who make in-person pitches to defraud veterans of their well-earned benefits.

My state of Texas is home to nearly 1.5 million veterans, and the state of Texas operates a large network of nursing homes for veterans.

Veterans at these homes and veterans seeking treatment at medical treatment facilities may be susceptible to the in-person grifters falsely claiming that they can facilitate the provision of additional veterans benefits.

This bill would help hold scammers accountable and allow the Department of Justice to protect the integrity of veterans' benefits programs. Protecting veterans and their survivors from these types of in-person scams is particularly important since so many depend on service-connected disability payments.

As Chair of the Crime, Terrorism, and Homeland Security Subcommittee, I am focused on addressing fraud and other veterans' issues.

To that end, I ask my colleagues here today to join me as I also work on legislation to buttress veterans' courts and to make them more equitable and successful rehabilitation models.

I thank my colleague on the Judiciary Committee, Representative TED DEUTCH, for championing this bill and persisting in this effort.

Mr. BISHOP of North Carolina. Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, Congress owes a continuing debt to veterans. This bill would help protect the more than 1 million veterans diagnosed with service-connected disabilities who receive related benefits, as well as the thousands who are undiagnosed and may apply for such benefits in the future.

Helping to ensure that their benefits are protected against fraud, as H.R. 983 would do, is one way of expressing our appreciation for veterans' service.

For these reasons, I urge my colleagues to join me in supporting this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I am proud to lend my voice in support of H.R. 983, the "Preventing Crimes Against Veterans Act."

This bill is a commonsense and needed bipartisan fix to close a loophole in federal law that allows con artists who make in-person

pitches to defraud veterans of their well-earned benefits.

My state of Texas is home to nearly 1.5 million veterans, and the state of Texas operates a large network of nursing homes for veterans.

Veterans at these homes and veterans seeking treatment at medical treatment facilities may be susceptible to the in-person grifters falsely claiming that they can facilitate the provision of additional veterans benefits.

This bill would help hold scammers accountable and allow the Department of Justice to protect the integrity of veterans' benefits programs. Protecting veterans and their survivors from these types of in-person scams is particularly important since so many depend on service-connected disability payments.

As Chair of the Crime, Terrorism, and Homeland Security Subcommittee, I am focused on addressing fraud and other veterans' issues.

To that end, I ask my colleagues here today to join me as I also work on legislation to buttress veterans' courts and to make them more equitable and successful rehabilitation models.

I thank my colleague on the Judiciary Committee, Representative TED DEUTCH, for championing this bill and persisting in this effort.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Judiciary Committee and the Chair of its Subcommittee on Crime, Terrorism, and Homeland Security, I rise in strong support of H.R. 983, the "Preventing Crimes Against Veterans Act," commonsense and necessary bipartisan legislation that establishes a new criminal offense for knowingly engaging in or attempting to engage in a scheme to defraud veterans of their hard-earned benefits.

My state of Texas is home to nearly 1.5 million veterans, and the state operates a large network of nursing homes for veterans called Texas State Veterans Homes.

Houston houses over 282,000 of these veterans, many of whom live in these state-owned nursing homes.

Veterans at these Texas nursing homes or those seeking treatment at medical facilities are susceptible to in-person scammers falsely claiming that they can facilitate the provision of additional veterans benefits when they are actually swindling veterans out of their benefits.

H.R. 983 will help hold these con artists accountable and provide an additional tool to the Department of Justice to protect the integrity of veterans' benefits programs and prevent fraud.

Protecting veterans and their survivors from these types of in-person scams is imperative since so many depend on service-connected disability payments, including those in my district in Houston.

I ask my colleagues here today to join me as I also work on legislation to strengthen veterans' courts and to make them more equitable and successful rehabilitation models.

I thank my colleague from the Judiciary Committee, Congressman DEUTCH of Florida, for championing this bill and persisting in his effort to protect our veterans with this legislation.

I urge all Members to join me in voting to pass H.R. 983, the Preventing Crimes Against Veterans Act of 2021.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr.

NADLER) that the House suspend the rules and pass the bill, H.R. 983, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSENDALE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

#### CRIMINAL JUDICIAL ADMINISTRATION ACT OF 2021

Mr. NADLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2694) to amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2694

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Criminal Judicial Administration Act of 2021".

#### SEC. 2. TRANSPORTATION AND SUBSISTENCE FOR CRIMINAL JUSTICE ACT DEFENDANTS.

Section 4285 of title 18, United States Code, is amended in the first sentence—

(1) by striking "when the interests of justice would be served thereby and the United States judge or magistrate judge is satisfied, after appropriate inquiry, that the defendant is financially unable to provide the necessary transportation to appear before the required court on his own" and inserting "when the United States judge or magistrate judge is satisfied that the defendant is indigent based on appointment of counsel pursuant to section 3006A, or, after appropriate inquiry, that the defendant is financially unable to provide necessary transportation on his own";

(2) by striking "to the place where his appearance is required," and inserting "(1) to the place where each appearance is required and (2) to return to the place of the person's arrest or bona fide residence,"; and

(3) by striking "to his destination," and inserting "which includes money for both lodging and food, during travel to the person's destination and during any proceeding at which the person's appearance is required".

#### SEC. 3. EFFECTIVE USE OF MAGISTRATE JUDGES TO DECIDE POSTJUDGMENT MOTIONS.

Section 3401 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in the second sentence, by striking "and" after "trial, judgment,";

(B) in the second sentence, by inserting "and rulings on all post-judgment motions" after "sentencing";

(C) in the third sentence, by striking "and" after "trial, judgment,"; and

(D) in the third sentence, by inserting "and rulings on all post-judgment motions" after "sentencing";

(2) in subsection (c), by striking "with the approval of a judge of the district court,"; and

(3) by inserting after subsection (i) the following:

"(j) A magistrate judge who exercises trial jurisdiction under this section, in either a petty offense case or a misdemeanor case in which the defendant has consented to a magistrate judge, may also rule on all post-judgment motions in that case, including but not limited to petitions for writs of habeas corpus, writs of coram nobis, motions to vacate a sentence under section 2255 of title 28, and motions related to mental competency under chapter 313 of this title.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. NADLER) and the gentleman from North Carolina (Mr. BISHOP) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2694.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2694, the Criminal Judicial Administration Act of 2021, is bipartisan legislation that makes two modest but important amendments to current law, promoting efficient, effective, and fair administration of justice.

The first part of this bill concerns out-of-custody criminal defendants, particularly those who are released pending trial to live in communities that are located far from the courthouses where their cases are being heard.

Most Federal criminal defendants are detained pending trial. The U.S. Marshals Service is responsible for housing and transporting them to court hearings, including trial. Under current law, the court may order the marshals to provide funds for a criminal defendant who is released pending trial but cannot afford the cost of travel to the location of the courthouse for required court proceedings.

However, defendants must fund their own way back home, and defendants in this position are not able to receive financial support from the marshals for subsistence, such as lodging and meals. For an indigent defendant, these costs are sometimes insurmountable.

For years, Federal courts have struggled with how to assist indigent defendants when they find themselves in these difficult situations. Unfortunately, the courts' efforts have come up against the text of the statute.

This bill would authorize courts, in the interest of justice, to order the U.S. marshals to cover roundtrip travel and subsistence for defendants who must attend court hearings but who cannot afford to pay this on their own. The Judicial Conference of the United States has urged us to correct this grave unfairness, and I am pleased to see that we are finally doing so with this bill.

The second part of this bill, concerning Federal magistrate judges, is