

countries. It is exactly the opposite; because a weak border weakens America, a strong border is good for America, a stronger America is good for everybody around the world, and everybody in this Chamber should acknowledge that.

Just as we lock our doors at night to protect our homes, we secure our borders to protect our homeland. My friends, that is our sacred obligation.

We in the House Republican Conference desperately want to protect our homeland because we want to ensure that all of our children and grandchildren can continue to enjoy the blessings of liberty that we have enjoyed and that we have loved and experienced, and we can continue this grand experiment in self-governance we began in 1776.

Here is the question. I will leave you with this: Does President Biden want that? Does President Biden believe in the rule of law? Does President Biden believe that we are a sovereign Nation? Does he believe that Americans and not those from other countries should be put first?

Every American citizen should be asking these questions of the President and helping us demand his answers. We won't stop. We are going to continue.

OPPOSING THE WYDEN-SMITH TAX BILL

(Mr. CLYDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYDE. Mr. Speaker, I rise today to voice my strong opposition to the Wyden-Smith tax bill that is set to come to the floor tonight.

From welfare expansion to inflationary deficits, this tax bill is a Trojan horse for bad policies disguised as tax relief.

The most egregious problem is that this tax bill fails to close a loophole that allows illegal aliens with U.S. born children—that would be anchor babies—to claim the Child Tax Credit.

After 3 years of Joe Biden's intentional illegal invasion, which is now being used by the uniparty as an excuse to pass a horrendous border bill that encourages more illegal immigration, lawmakers on both sides of the aisle are set to expand the Child Tax Credit while subsequently allowing illegal aliens to cash in on those benefits.

There is no denying that these cash welfare payments reward and incentivize more illegal immigration. This tax bill advances policies that only worsen the chaos and fuel the border crisis.

It is a magnet for more illegal immigration, and I encourage all Members to vote against it. Americans simply deserve better.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

CONSEQUENCES FOR SOCIAL SECURITY FRAUD ACT

Mr. BENTZ. Mr. Speaker, pursuant to House Resolution 980, I call up the bill (H.R. 6678) to amend the Immigration and Nationality Act to provide that aliens who have been convicted of or who have committed Social Security fraud are inadmissible and deportable, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the House Resolution 980, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee print 118-23 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6678

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 "Consequences for Social Security Fraud Act".

SEC. 2. INADMISSIBILITY AND DEPORTABILITY RELATED TO SOCIAL SECURITY FRAUD OR IDENTIFICATION DOCUMENT FRAUD.

(a) INADMISSIBILITY.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

“(J) SOCIAL SECURITY FRAUD OR IDENTIFICATION DOCUMENT FRAUD.—Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of an offense under section 208 of the Social Security Act (42 U.S.C. 408) (relating to social security account numbers or social security cards), an offense under section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents, authentication features, and information), or a conspiracy to commit such an offense, is inadmissible.”.

(b) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

“(G) SOCIAL SECURITY FRAUD OR IDENTIFICATION DOCUMENT FRAUD.—Any alien who has been convicted of, who admits having committed, or who admits committing acts which constitute the essential elements of an offense under section 208 of the Social Security Act (42 U.S.C. 408) (relating to social security account numbers or social security cards), an offense under section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents, authentication features, and information), or a conspiracy to commit such an offense, is deportable.”.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

After 1 hour of debate, it shall be in order to consider the further amendment printed in part B of House Report 118-362, if offered by the Member designated in the report, which shall be

considered read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question.

The gentleman from Oregon (Mr. BENTZ) and the gentleman from New York (Mr. NADLER) will each control 30 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BENTZ).

GENERAL LEAVE

Mr. BENTZ. 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. 6678.

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

There was no objection.

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

Mr. Speaker, H.R. 6678 makes aliens inadmissible to and removed from the United States for committing Social Security fraud and identification document fraud.

The numbers are staggering. In 2017, before the Democrats opened our borders and produced the largest illegal mass migration in recorded history, there were 1.2 million cases in which illegal aliens used Social Security numbers that either belonged to someone else or were simply fabricated.

A 2020 GAO report on employment-related identity fraud identified more than 2.9 million Social Security numbers with risk characteristics associated with Social Security number misuse.

Last year, an investigative report published by RealClearInvestigations said this: “Reports dating back over a decade show that hundreds of thousands of Americans are unknowingly ‘sharing’ their Social Security numbers with illegal immigrants.

“Such victims may face tax bills for income they didn’t earn or depleted benefits. Worse, some may experience the burden of bad credit histories and criminal records inaccurately attributed to themselves after being issued Social Security numbers that illegal aliens had previously invented and used.

“The overall impact on American citizens is largely unknown because Federal, State, and local governments as well as financial institutions have generally failed to notify them even when fraud is suspected.”

The Trump administration documented the extent of fraud during which time it notified 1.6 million employers of employees whose Social Security numbers didn’t match government records.

The Biden administration then took over and has since brought 5 million illegal aliens into the United States.

They stopped the practice of notifying employers of fraudulent use of Social Security numbers. No doubt it was just too embarrassing.

This has been going on for years, but it is sure to have grown exponentially during the Biden administration. We don't know because the administration doesn't want us to know.

The current process for holding illegal aliens accountable for ID fraud is bureaucratized to the point of absurdity.

In one case, for example, an illegal alien trafficking in phony identification documents was placed in removal proceedings in 2005, and then nothing happened until 2013 when the endless appeals process finally concluded.

Despite the harm of Social Security fraud and the increasing number of illegal aliens committing it, there is no guarantee that an illegal alien committing it can be declared inadmissible to or removed from the United States.

In fact, in at least the U.S. Court of Appeals for the Seventh Circuit, the Ninth Circuit, and potentially the Fourth Circuit and 10th Circuit, certain Social Security fraud offenses do not carry immigration consequences.

This bill changes that arduous, counterintuitive, and lengthy process by streamlining the analysis and ensuring that criminal aliens can be held to account and quickly removed from the country for victimizing Americans through Social Security and identification document fraud.

In doing so, the Consequences for Social Security Fraud Act protects Americans and strengthens the immigration system.

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

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

Mr. Speaker, before I address the specifics of this bill, I want to address what we heard from the Speaker a few minutes ago.

The Speaker said that section 212(f) of the Immigration and Nationality Act cannot be used to "shut down the border."

Former President Trump agreed with him. He tried to do exactly what Speaker Johnson says in 2018. That action was immediately enjoined and declared unlawful.

You cannot use section 212(f) of the INA to shut down the border, but the Speaker knows this. That is why he had the House pass H.R. 2. If 212(f) were sufficient, why did we need a bill?

The Republicans passed H.R. 2, but the Republicans should know that this is a bicameral institution, and there is also a President.

H.R. 2 can go nowhere. The Senate won't even look at it, but we know that conservative Republicans in the Senate and Democrats in the Senate have been negotiating for a very, very strong, very powerful, very conservative immigration bill, which they have come up with, much too conservative for many Democrats—I am not sure I am going to vote for it—far more conservative than anything we have considered on the floor besides H.R. 2.

Yet, the Speaker says he won't hear of it. Why? Because the former Presi-

dent said he wants the issue. He was very clear, as was Mr. NEHLS: Don't pass anything so that former President Trump can campaign on immigration in the fall.

Don't solve the problem. Save the problem as a campaign issue. That is what they are doing. If they weren't doing that, they would seriously consider the Senate bill.

What is even more pernicious is that they have joined together the close the border issue, the border issue, which is a valid issue, but they have lumped it together with aid to Israel and aid to Ukraine.

I was on the steps of the House with the Speaker and many others touting our solidarity with Israel. Yet, what are we going to do?

Trump and the Speaker, doing Trump's bidding, don't want us to pass an immigration bill, which they have tied up with aid to Israel and aid to Ukraine.

We are not going to aid Israel. We are going to let Putin take over Ukraine. We are not going to send arms to Taiwan. We are not going to send humanitarian aid.

We are going to abandon Ukraine. We are going to abandon Israel. We are going to abandon Taiwan. We are going to abandon our Pacific allies.

Why? Because President Trump wants a campaign issue on immigration. This is shameful. Shameful. The Speaker knows it to be the case, and I challenge the Speaker to bring the Senate bill to the floor. Let's see what happens.

When the Senate passes a very conservative bill, which they seem on track to do, bring it to the floor of the House, and let's see what happens. I bet it passes, but let's see what happens.

Mr. Speaker, addressing this bill, let's be clear: Social Security fraud is a serious issue. It is also largely already a deportable offense.

If H.R. 6678 closed an actual gap in current law, Democrats would gladly support it. Unfortunately, this bill represents another unserious attempt by my Republican colleagues to target and scapegoat immigrants, and to score cheap political points, while doing nothing to fix our immigration system.

While I have several concerns with this bill, I would like to focus on the issue of deportability because that is the most troubling aspect of this legislation.

H.R. 6678 eliminates the requirement that we first charge and convict a person for Social Security fraud before we make them deportable.

This is concerning and stands in stark contrast to most other criminal deportability grounds within our immigration laws.

Barring a few exceptions, criminal offenses require a conviction to render a noncitizen deportable. This is especially important given who would be most impacted by this legislation.

This section of H.R. 6678 is not about deporting undocumented immigrants

who are, of course, already deportable, and it is not about preventing people from entering the United States.

The deportability provisions in this legislation target lawful, permanent residents, people who have put down roots in our communities, many of whom have U.S. citizen spouses and children and who have truly established themselves here in the United States.

A lot of these individuals are eligible to become U.S. citizens today. This bill would make these people deportable without even requiring that they be convicted of a crime.

Do we really want to be deporting lawful, permanent residents without due process and without them having their day in court?

Additionally, if this bill were to become law, it would result in absurd consequences. It would actually be easier to deport someone for offenses related to Social Security fraud than it is to deport someone for murder, rape, or sexual abuse of a minor, because for those crimes, a conviction is required. Is this really what my Republican colleagues are looking to accomplish?

For years, Republicans have claimed that they support legal immigration. They are opposed to illegal immigration, as we all are, but they support legal immigration, so they say.

By stripping people of their due process and playing political games with this bill, they are showing us that it is all just empty rhetoric.

We should be working together in a bipartisan way to modernize our broken immigration system. Instead, we are wasting our time with a bill that has no chance to become law and does nothing to address the real problems facing this country and that destroys due process for legal permanent residents.

Members should oppose this overbroad legislation that would deport people who have never even been charged with a crime.

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

□ 1300

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

Democrats today seem to be more concerned with the due process rights of illegal aliens than with the fact that those illegal aliens may be victimizing hardworking Americans. However, the Democrats' concerns are invalid.

For 80 years, the Board of Immigration Appeals has provided additional protections for aliens whose removability or inadmissibility is based on an admission. Under BIA precedent, to be considered an admission, an alien's admission must be explicit, unequivocal, and unqualified. The Department of Homeland Security then bears the burden to show by clear and convincing evidence that the statement meets that requirement for removability purposes.

Even then, the immigration judge would have to find that the admission

fits within the relevant statutes and that the admission is based on reasonable, substantial, and probative evidence. The statutes cited in this bill have clear elements and shouldn't be a surprise to anyone. It should not be so difficult to remove aliens who commit Social Security fraud or identification document fraud.

Democrats' fearmongering contradicts the law, contravenes the text of the bill, and undermines efforts to ensure that illegal alien fraudsters can be removed from the United States.

H.R. 6678 simplifies the process for ensuring foreign nationals who defraud Americans while guests in our country can be removed from the United States.

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

Mr. NADLER. Mr. Speaker, Mr. BENTZ says that the person to be deported has to be shown to have been guilty by clear and convincing evidence. I always thought the standard of proof for a crime was evidence beyond a reasonable doubt. This just shows again how destructive of due process this bill is.

Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Washington (Ms. JAYAPAL) the ranking Democrat on the Subcommittee on Immigration Integrity, Security, and Enforcement.

Ms. JAYAPAL. Mr. Speaker, I rise in strong opposition to H.R. 6678. Instead of putting forward real solutions to fix the immigration system, my Republican colleagues are once again looking for a way to scapegoat and fearmonger about immigrants.

We have had no hearing or testimony in the Judiciary Committee this Congress where Social Security fraud amongst immigrants has been identified as a problem that even needs fixing. What we did hear instead was about how immigrants are engines of growth for this country and how they often pay billions into Social Security, even though they are not eligible for benefits from the program. We discussed how in 2019 alone, undocumented Mexican workers contributed \$14.5 billion to Social Security and Medicare through the taxes taken out of their paychecks.

Despite these facts, my Republican colleagues have put forth a bill that is a dangerous solution in search of a problem. Under current law, Social Security fraud already makes a person deportable, but we require a conviction. This bill sets a dangerous precedent by allowing a person to be deported with absolutely no due process whatsoever.

Let me start by going through how this bill is not needed. Under the Immigration and Nationality Act, one of the many ways that someone can become deportable is if they are convicted of something called a crime involving moral turpitude for which a sentence of 1 year or longer may be imposed. The Social Security-related offenses in this

bill carry maximum penalties between 1 and 30 years, which clearly meet the 1-year minimum required for deportability.

Likewise, the offense of falsely making, forging, counterfeiting, or altering a document that can be used as evidence of authorized stay or employment in the United States is specifically defined as aggravated felony if the crime carries a sentence of 1 year or more. Conviction for an aggravated felony makes a person deportable. None of these facts seem to matter to the authors of this bill, my Republican colleagues.

H.R. 6678, however, sets a very difficult and dangerous precedent by eliminating the requirement that we first charge and convict a person for Social Security fraud before deporting them. This is not consistent with current immigration law, and most importantly, it violates the bedrock principles of fairness, due process, and the rule of law.

Now, my Republican colleagues seem to say that they don't care about due process for all people, but we do.

By not requiring a conviction, H.R. 6678 would vastly expand the ways in which a green card holder could become deportable, and it would lead to serious unintended consequences. With minor exceptions, the criminal grounds for deportation under the INA require a conviction to make a noncitizen deportable. That is just basic fairness.

Can you imagine a world in which you can simply be ejected from the country that you have lived in for decades without ever being convicted of a crime or separated from your family without ever being charged? That is not who we are as a country.

Due process needs to apply to everyone. We are better than this.

I hope my Republican colleagues will realize how absurd and shortsighted this bill is and will instead get to work with us on finding real solutions to fix our immigration system instead of constantly targeting immigrants through xenophobia, racism, and fear.

I urge all Members to vote "no" on H.R. 6678.

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

The gentlewoman from Washington suggests that we have not, as Republicans, focused on a real solution, and I would draw her attention to H.R. 2. Any one of the solutions that people come up with is going to be dependent upon our having secured the border first, and for anyone to suggest otherwise is simply incorrect.

The solutions that are contained in that bill I hope will make their way this direction from the Senate, but I doubt it. I am looking forward to seeing whatever comes from that direction. H.R. 2 is a good approach to try to resolve what I will call as the initial issue that must be addressed.

The Consequences for Social Security Fraud Act requires that aliens be convicted of fraud or admit to such fraud.

Contrary to the Democrats' talking points, not every ground for inadmissibility and removability in the Immigration and Nationality Act requires conviction. In fact, the language here is identical to the grounds of inadmissibility for crimes involving moral turpitude and controlled substances offenses under INA 212(a)(2).

Even for grounds of removability, convictions are not always required. For example, an alien can be removed for overstaying their visa, violating their nonimmigration status, or condition of entry, smuggling aliens, committing marriage fraud, being a drug user or drug addict, falsely claiming U.S. citizenship, or engaging in espionage.

By requiring at least an admission, this bill conforms to the pattern of other grounds of inadmissibility and removability. In a world of unsafe streets and far-left prosecutors who may never prosecute these offenses or will allow aliens to plead down to crimes that may not make them deportable, it makes no sense to strike the provision to require a conviction.

If an alien has admitted to such conduct, why can't the alien's own admission be used to show the alien is inadmissible or deportable? Democrats want to take illegal aliens at their word when they cross the border, even though they destroy their passports and IDs, yet Democrats don't want to take aliens at their word when they admit to committing a crime in the United States. This defies common sense.

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

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. CORREA).

Mr. CORREA. Mr. Speaker, first of all, let me say I have a poster here outlining the benefits that undocumented workers bring to the economy with a Social Security card that they will never get benefits from.

You know, I was thinking, why in God's name are we bringing up this legislation? What is it about this? What am I missing? And I finally figured it out. Why are we going after small businesses in the United States? Why are we going after farmers and ranchers in this Nation? Why would we be turning over more Federal agents, Federal investigators on small businesses?

Remember, we are not talking about the cash economy because workers and people that operate in the cash economy don't need a Social Security number. We are talking here about small businesses, employers and employees that are trying to do the right thing.

Under this legislation, we are going to give small businesses a choice. You obey the law, fire those employees that are questionable, and you go out of business; or you break the law, keep those workers that are questionable, and stay in business. Again, employees and small businesses.

One of these employees that is caught with one of these IDs is going

to implicate the small business owner. That is called a conspiracy, which is also a major crime.

California has the fourth largest economy in the world. It is the number one ag nation in the country. We export 40 percent of our food or ag product. Most of those workers are undocumented. Most of those workers that feed us are undocumented.

So let me get this right. We have a shortage of farmworkers. We are trying to bring back manufacturing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 1 minute to the gentleman from California.

Mr. CORREA. Mr. Speaker, we have a shortage of farmworkers. We have a shortage of manufacturing employees. We are trying to bring back jobs from China, and we are saying to the small businesses, to the farmers, you can't hire these people. If you do, you are a criminal, and you are going to jail.

Let's all take a deep breath. Let's give these workers a green card so they can work in the U.S. They are honest. If they were dishonest, they would be working for cash, but they are trying to do the right thing.

Mr. Speaker, this is not the right time for this legislation. I ask my colleagues to vote "no," protect small business owners, and protect our farmers throughout the country.

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

I want to return to my remark earlier and say, look, if we want to address issues such as E-Verify and challenges that small employers face, the first thing we have to do is secure the border, and the way we do that is with H.R. 2. The fact that the Democrats are, for whatever reason, ignoring the solutions to securing the border is beyond me because in order for us to move into these other areas to protect our farmers, our ranchers, and others, we have to secure the border first.

That is a challenge, I think, to those who want the border to be open. That is incredibly unfortunate because a huge portion of folks certainly in my district and in the United States realize that if we don't secure the border, all of this discussion about good and bad is moot. We have to secure the border first, and H.R. 2 does that.

Democrats claim this bill is unnecessary because aliens with fraud convictions are already inadmissible or removable. That couldn't be further from the truth.

Although aliens who committed some forms of fraud may be found inadmissible to or removable from the United States, many cannot be. In fact, in numerous Federal courts of appeal, certain Social Security fraud offenses do not carry immigration consequences.

Take this Ninth Circuit case, for instance: For 19 years, an illegal alien used another woman's Social Security number to obtain employment, get married twice, and obtain a driver's license, credit cards, and a HUD loan.

When the other woman learned of this fraud, she asked the illegal alien to stop using her identity. The illegal alien refused. Yet, the Ninth Circuit, doing legal gymnastics, determined that the illegal alien's fraud conviction did not carry certain immigration consequences because it was not a crime involving moral turpitude.

Even when courts get it right, it often takes them years to do so.

In a Fifth Circuit case from 2021, the alien already had been in removal proceedings for 6 years before the Federal appeals court finally found that his conviction did, in fact, make him inadmissible to the United States.

That is why H.R. 6678 is imperative to protect our communities from fraud and ensure aliens who engage in fraud can be more quickly removed from the United States.

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

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. MRVAN).

Mr. MRVAN. Mr. Speaker, I rise today to express my deep frustration with the unfortunate approach that the House majority is pursuing this week with regard to immigration legislation.

On a personal note, this past week, I held a series of community forums throughout Indiana's First Congressional District, and at each one, the topic of immigration reform and the challenge of securing our southern border was front and center.

Constituents throughout the region expressed great concern regarding the national security implications related to the increase in migrants, as well as the great need for increased border security agents, for administrative judges, for technology to monitor our border, and for the resources to address drug and human trafficking.

□ 1315

More broadly, there was an appetite to comprehensively solve this problem in a bipartisan manner. Further, it requires not only government and Federal contractor employers, but all employers to utilize the E-Verify system to ensure no labor is being exploited, as well as honor our commitment to Dreamers.

At our community forums, we also discussed the devastating impacts of fentanyl, highlighting how our district is home to an international port of entry that must be secure.

In my prior position as a local elected official, I often hosted Narcan training sessions. I recollect one such program during a polar vortex with 60-degree-below wind chills. More than 150 individuals attended that training session because drug traffickers flooded our region with fentanyl-laced heroin.

My office also assisted with burials for many of those who had lost the struggle with addiction. I looked into the eyes of family members who had lost loved ones, and I carry each one of those memories with me. This is real life.

I pull from these experiences every day for my resolve to move forward with real legislative solutions. We are not solving problems by debating bills for political advantage when there is a pending appropriations supplemental emergency request that would fund an additional 1,300 border security agents, amongst other priorities. We are not solving problems by debating bills to try and further divide us when there is a bipartisan policy solution pending in the Senate that regrettably has been declared dead on arrival in the House. This is a national security issue, and I am seeking an immigration solution that is strong, secure, and humane.

I implore my colleagues in the majority party to not jeopardize innocent lives and the safety of our communities by waiting to address this pressing issue until after the election. Let us put those solutions up for a vote so the American people can see if we stand for results or if we stand for political theater.

Mr. Speaker, I thank Ranking Member NADLER for the time.

Mr. BENTZ. Mr. Speaker, it seems to me that the Democrats want to leave the border open and then facilitate the illegal presence of those in the United States.

Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I will be very brief in closing. This legislation does nothing to improve our immigration system while making a mockery of basic due process. That is why it should be defeated.

I urge all Members to oppose it, and I yield back the balance of my time.

Mr. BENTZ. Mr. Speaker, contrary to the Democrats' talking points, this bill is necessary not only to protect Americans from fraud but also to hold aliens accountable for their criminal acts. This bill makes America safer. I urge my colleagues to support it.

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

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT NO. 1 OFFERED BY MR. D'ESPOSITO

The SPEAKER pro tempore. It is now in order to consider amendment No. 1 printed in House Report 118-362.

Mr. D'ESPOSITO. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 11, strike "Any alien" and insert the following:

"(i) IN GENERAL.—Any alien".

Page 1, line 14, insert after "the essential elements of" the following "a covered COVID offense,".

Page 2, line 5, insert after "inadmissible." the following:

"(ii) COVERED COVID OFFENSE.—For purposes of this subparagraph, the term 'covered COVID offense' means an offense of fraud pertaining to—

"(I) a loan made under—

"(aa) paragraph (36) or (37) of subsection (a) of section 7 of the Small Business Act (15 U.S.C. 636); or

“(bb) subsection (b) of such section in response to the COVID-19 pandemic; or

“(II) a grant made under—

“(aa) section 5003 of the American Rescue Plan Act of 2021 (15 U.S.C. 9009c); or

“(bb) section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (15 U.S.C. 9009a).”

Page 2, line 13, insert after “the essential elements of” the following: “a covered COVID offense (as such term is defined in section 212(a)(2)(J)(ii)),”.

The SPEAKER pro tempore. Pursuant to House Resolution 980, the gentleman from New York (Mr. D'ESPOSITO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. D'ESPOSITO. Mr. Speaker, I thank Representative MCCLINTOCK for introducing H.R. 6678, the Consequences for Social Security Fraud Act.

The underlying bill would create a ground of inadmissibility and deportation for criminal illegal immigrants who have been convicted of Social Security fraud. I am proud to offer this important amendment that I hope will go one step further in holding individuals accountable for trying to defraud the American government and the American people.

My amendment expands the bill to ensure that any illegal migrant who has been convicted of, or admits to having committed, a crime involving fraud in regard to certain COVID-19 loans and grants is also inadmissible and deportable.

Some of the programs included are the Paycheck Protection Program loans, Restaurant Revitalization Fund grants, and Shuttered Venue Operators Grants. These programs were intended to allow Americans to weather the storm through the pandemic, not for illegal immigrants to use for their own personal benefit or nefarious purposes.

During the pandemic, we witnessed beloved small businesses along our main streets close and saw many families struggle. Many of these important programs ran out of money and were unable to help all those who applied. Those who attempted to defraud these programs took taxpayer money away from Americans in need and should be penalized.

In November, the House passed a bipartisan bill to prohibit individuals convicted of financial misconduct with respect to these same COVID-19 loans from receiving financial assistance from the Small Business Administration.

The SBA Inspector General estimated that more than \$200 billion of the roughly \$1.2 trillion in pandemic loans were distributed to potentially fraudulent actors. I want to repeat those numbers. More than \$200 billion of the roughly \$1.2 trillion in pandemic loans were distributed to potentially fraudulent actors. That is nearly one-fifth of all Small Business Administration funds. We must continue to advance legislation that will protect tax-

payers' money and penalize those who commit fraud, especially those in our country illegally.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this commonsense, pro-American amendment.

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

Mr. NADLER. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Speaker, I rise in opposition to this amendment.

As I have repeatedly said, fraud, regardless of whether it is Social Security fraud or fraud related to COVID loans or grants, is a serious issue. This amendment, however, suffers from the same defect as the underlying bill. As written, it would eliminate the requirement that we first charge and convict a person for a fraud offense before we make them deportable.

Let's remember who would be most impacted by the deportability provisions in this amendment. This is not about deporting undocumented immigrants, who are, of course, already removable. It is not about preventing people from entering the United States.

The deportability provisions in this amendment target lawful permanent residents, people who have put down roots in our communities, many of whom have U.S. spouses and children. This bill would make these people deportable without even requiring that they be convicted of a crime. Do we really want to be deporting lawful permanent residents without any due process?

Additionally, this amendment, just like the underlying bill, would lead to absurd consequences. It would actually make it easier to deport someone for fraud related to COVID loans or grants than it is to deport someone for murder, rape, or sexual abuse of a minor, because for those crimes, a conviction is required. Is that really what the author of this amendment is trying to accomplish here, make it easier to deport people for COVID fraud than for murder, rape, or sexual abuse of a minor? Is that really what Mr. D'ESPOSITO wants?

This is not sound policy, and it makes no sense. I hope my Republican colleagues will realize how shortsighted this amendment is. I oppose this amendment, and I urge all Members to do the same.

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

Mr. D'ESPOSITO. Mr. Speaker, I find it almost comical that we are being lectured by my friend from New York who was just talking about consequences.

The consequences that we are facing here in this country are actually twofold. First, we are facing the consequences of the disastrous open bor-

ders that President Biden and Secretary Mayorkas have allowed here in the United States of America.

Secondly, closer to home, when we are talking about murderers and rapists, my friend from New York is part of the political party that leads New York City, that has rogue DAs who have decided not to hold those accountable who have committed crimes.

We are talking about the State of New York, where the Governor, the Assembly, and the State Senate, have put cashless bail and criminal justice reform into place that have actually given criminals more rights than law-abiding citizens.

I think, today, what we are focused on is holding those accountable who are defrauding the United States of America, people who come to this country illegally and have not only committed Social Security fraud but also taken money from COVID-19 funding and used it to their advantage; therefore, taking it away from good, hardworking Americans and businessowners.

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

Mr. NADLER. Mr. Speaker, the other gentleman from New York has not put forward any evidence that immigrants, documented or undocumented, were involved in defrauding the COVID relief funds. Moreover, everything he said basically was irrelevant to this bill.

We are not talking about the southern border crisis. We are not talking about the general policies of the Biden administration or the Trump administration or H.R. 2 or the Senate bill. All of that is beyond the scope of this bill.

What we are talking about in this bill is not making, as the gentleman said, illegal immigrants, but lawful permanent residents, deportable for fraud on COVID loans or grants without being convicted of a crime, something you cannot do for lawful permanent residents accused of murder, rape, or sexual abuse of a minor, because for those things a conviction is required.

This bill would set aside due process and say no conviction is required to deport someone for the crime of COVID fraud, although such a conviction is required for much more serious offenses. It makes no sense and it is abhorrent to our legal system to make people have heavy penalties, people who have lived in this country for many years, to be deportable without any due process and without conviction of a crime.

For that reason, this amendment and this bill should be defeated.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill and the amendment offered by the gentleman from New York (Mr. D'ESPOSITO).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

NO IMMIGRATION BENEFITS FOR HAMAS TERRORISTS ACT

Mr. BENTZ. Mr. Speaker, pursuant to House Resolution 980, I call up the bill (H.R. 6679) to amend the Immigration and Nationality Act with respect to aliens who carried out, participated in, planned, financed, supported, or otherwise facilitated the attacks against Israel, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 980, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-24 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6679

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 “No Immigration Benefits for Hamas Terrorists Act”.

SEC. 2. ALIENS WHO CARRIED OUT, PARTICIPATED IN, PLANNED, FINANCED, SUPPORTED, OR OTHERWISE FACILITATED ATTACKS AGAINST ISRAEL.

(a) **PARTICIPANTS IN HAMAS TERRORISM AGAINST ISRAEL.**—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended—

(1) in subparagraph (B)(i), in the matter following subclause (IX)—

(A) by inserting “Palestinian Islamic Jihad, or Hamas” after “Palestine Liberation Organization”; and

(B) by inserting “member,” after “representative,”; and

(2) by adding at the end the following:

“(H) **PARTICIPANTS IN HAMAS TERRORISM AGAINST ISRAEL.**—Any alien who carried out, participated in, planned, financed, afforded material support to, or otherwise facilitated any of the attacks against Israel initiated by Hamas beginning on October 7, 2023, is inadmissible.”.

(b) **INELIGIBILITY FOR RELIEF.**—Section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)) is amended by adding at the end the following:

“(D) **INELIGIBILITY FOR RELIEF.**—Any alien who carried out, participated in, planned, financed, afforded material support to, or otherwise facilitated any of the attacks against Israel initiated by Hamas beginning on October 7, 2023, shall be ineligible for any relief under the immigration laws, including under this section, section 208, and section 2242 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (and any regulations issued pursuant to such section).”.

(c) **CONFORMING AMENDMENT.**—Section 237(a)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(B)) is amended by striking “subparagraph (B) or (F)” and inserting “subparagraph (B), (F), or (H)”.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1

hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

After 1 hour of debate, it shall be order to consider the further amendment printed in part C of House Report 118-362, if offered by the Member designated in the report, which shall be considered read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question.

The gentleman from Oregon (Mr. BENTZ) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BENTZ).

GENERAL LEAVE

Mr. BENTZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 6679.

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

There was no objection.

□ 1330

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

On October 7, 2023, Hamas initiated its brutal, unprovoked terrorist attack on Israel, the deadliest terrorist attack since the State of Israel was formed. There is no place in the United States for people who would commit such acts.

H.R. 6679, the No Immigration Benefits for Hamas Terrorists Act ensures that aliens who carried out, participated in, planned, financed, provided material support to, or otherwise facilitated the attacks on the Israeli people that started on October 7 are inadmissible to and removable from the United States.

It also makes such aliens ineligible for any immigration relief.

Legislation like this is increasingly important because we have an executive who has implemented policies specifically designed to allow bad actors in the United States and to let them stay here.

The Biden administration's policies have thrown every facet of our immigration system into chaos. Since President Biden took office, more than 7 million illegal aliens have been encountered on our southwest border. We are on track to reach 12 million by the end of President Biden's term.

More than 3.3 million have been deliberately released into the United States. Another more than 1.7 million known got-aways successfully evaded Border Patrol agents to enter the country.

Thanks to the Biden administration's open-border policies, the immigration court backlog has ballooned to over 2.5 million cases. In addition, arrests of

criminal aliens have dropped exponentially.

What does all of this mean? Illegal aliens do not face swift immigration consequences.

Open-border policies present grave national security risks for our country and the world.

The FBI Director warned the Judiciary Committee that the open border constitutes a massive security threat.

Post-October 7, Germany, Belgium, and France have already seen lone-wolf terrorist attacks inspired by the Hamas attack on Israel.

Foreign nationals exploit U.S. immigration laws and policy to do us harm.

We learned that lesson on September 11, 2001.

Since October 7, here in the United States, at least one foreign national has already been arrested for plotting an attack against Houston's Jewish community—a Jordanian national who had overstayed his visa several years ago, but then applied for asylum and was issued a work authorization by the Biden administration.

Just this week, we learned that last March, the Biden administration released an Al-Shabaab terrorist into the United States.

It is not farfetched to think that October 7 terrorists would try to come here. It is imperative that Congress ensures that such bad actors will find no refuge in the United States.

H.R. 6679 does just that.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

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

Mr. Speaker, on October 7, 2023, Hamas committed a horrific assault on innocent civilians in Israel, murdering 1,200 people, including 32 Americans, killing the most Jewish people in a single day since the Holocaust.

Even now, Hamas continues to hold innocent men, women, and children in captivity. Not a day goes by that I don't think of the hostages:

Of Kfir Bibas, who turned 1 in captivity, and his family, whose lives Hamas has used as a tool of psychological torture;

Of U.S. citizens, like Hersh Goldberg-Polin, whose arm was blown off at the Nova music festival, and Keith Siegel, whose wife was released while he remains in Gaza;

Of peace activists, like Oded Lifshitz, who spent so much his life helping Palestinians get access to lifesaving healthcare;

Of the young women, like Noa Argamani and Agam Berger, who Hamas has used to torment and taunt their parents.

Every day since October 7 has been a nightmare from which we have been unable to wake up. It has been far too much suffering, too many lives have been lost, on both sides of the conflict.

H.R. 6679 has an important goal, ensuring that no one involved with the planning or commission of the October