

Republican Motion #3

STOP INCENTIVIZING ILLEGAL IMMIGRATION THROUGH MASS AMNESTY

Offered by Representative Tom McClintock (CA-04)

Mr. McClintock moves that the Committee on the Budget direct its Chairman to request on behalf of the Committee that the rule providing for consideration of the bill make in order an amendment to strike all provisions of this bill that would provide amnesty to illegal immigrants who have violated United States immigration laws.

Background

- (1) On September 13, 2021, the House Judiciary Committee produced legislative proposals to comply with the reconciliation instructions included in the Concurrent Resolution on the Budget for Fiscal Year 2022 which included language deemed to grant a path to citizenship to millions of unauthorized immigrants.
- (2) The House Judiciary's budget reconciliation bill completely ignores the crisis occurring at the border:
 - a. There were 208,887 border apprehensions in August 2021 – a 317 percent increase from last year.
 - b. August 2021 was the second straight month with over 200,000 apprehensions.
 - c. August 2021 was the sixth straight month of more than 170,000 encounters along the southwest border.
 - d. Over \$1.3 million illegal immigrants have been apprehended at the border since President Biden took office, the highest number of encounters in 20 years.
 - e. U.S. Customs and Border Protection is on track to encounter more migrants this fiscal year than any year on record.
 - f. 10,469 pounds of fentanyl have been seized at the border this year.
 - g. During Fiscal Year 2020, 92 percent of the aliens removed from the interior United States by Immigration and Customs Enforcement had criminal convictions or pending criminal charges.
- (3) Americans are currently facing a crisis at the border. Rather than address the current border crisis, Washington Democrats are promoting policies that will reward immigrants who came to the U.S. illegally with a path to citizenship and access to federal benefits that should be reserved for American citizens.
- (4) Additionally, on September 19, 2021, Senate Parliamentarian Elizabeth MacDonough determined that the amnesty language violates the “Byrd Rule” and is therefore impermissible for inclusion within budget reconciliation.

- (5) On September 20, 2021, in a Dear Colleague to Members, Speaker Nancy Pelosi stated, “Our legislation is being reviewed by the House and Senate Budget Committees for possible Byrd violation challenges in order to narrow our exposure in a Byrd bath.”
- (6) Including this language in the House bill would further jeopardize the reconciliation bill’s ability to meet compliance in the Senate and receive expedited procedures.