

# ***Jahana Hayes Has Voted Against Nearly Every Measure In Congress That Would Secure The Border And Stop The Flow Of Illegal Drugs And Human Trafficking Into The State And Country And She Voted To Give Residency To Millions Of Illegal Immigrants***

## **Hayes Voted Against Restarting Construction Of A Border Wall And Reforming Asylum**

**On May 11, 2023, Hayes Voted Against The Secure The Border Act.** “Passage of the bill, as amended, that would require the Homeland Security Department to take a number of actions to limit illegal immigration into the United States, including by resuming construction of the ‘border wall’ along the southwestern border, bolstering Customs and Border Protection, reopening border detention facilities, limiting asylum applications and eligibility, and establishing a mandatory employment verification system. To enhance physical border security, the bill would require DHS to resume all previously planned border wall construction on the U.S.-Mexico border. It would require DHS to design, install and operate at least 900 total miles of physical barriers and other infrastructure and technology along the border, until the department achieves ‘operational control’ of the border, defined under current law as the prevention of all unlawful entries into the country. To bolster operations and capacity of Customs and Border Protection, the bill would require CBP to maintain at least 22,000 full-time agents by Sept. 30, 2025, and authorize up to \$100 million for agent retention bonuses. It would authorize \$110 million annually through fiscal 2028 for new DHS grants to law enforcement agencies in border states to assist with CBP operations. It would authorize funding for CBP to upgrade license plate readers and install cameras, microphones, and surveillance and intrusion detection systems at the northern and southern borders. It would require CBP to issue and regularly update a strategic plan to enhance U.S. border security, including to address security gaps between ports of entry, staffing requirements and information sharing. It would require DHS to ensure that the CBP Air and Marine Operations carries out at least 110,000 flight hours annually and operates unmanned aircraft systems over the southern border 24 hours per day. As amended, the bill would require Congress to commission a report that contains a national strategy to address Mexican drug cartels, including a determination of whether there should be a designation established to address such cartels. Among provisions limiting eligibility for asylum within the United States, the bill would specify that noncitizens are eligible for asylum only if they arrived at an official U.S. port of entry. It would tighten standards for determining whether an individual has a ‘credible fear of persecution’ and is persecuted as part of a ‘social group’ or based on a ‘political opinion.’ It would expand reasons disqualifying individuals from asylum eligibility, including convictions for certain offenses such as using a false ID, domestic violence, child abuse, certain drug possession or trafficking, and repeated or serious driving while intoxicated; traveling through but not seeking asylum in at least one other country party to certain refugee protection treaties; and ability to avoid persecution by relocating to another part of their home country. It would require DHS to return asylum seekers who cannot be detained to a safe third country during their immigration proceedings. Among other immigration enforcement provisions, the bill would require DHS to reopen or restore the use of all Immigration and Customs Enforcement detention facilities that were in operation on Jan. 20, 2021. It would require DHS to detain parents and their children together and return all unaccompanied children to their country of origin. It would limit ‘parole’ authority allowing noncitizens to temporarily live and work in the U.S. allowing DHS to grant parole only on a case-by-case individual basis. The bill would require DHS to create a system based on the E-Verify pilot program to verify whether prospective employees are eligible to work in the U.S. and gradually require all employers to begin using the new system over 24 months, with 36-month deadline for agricultural sector employers.” (H.R. 2, [Roll Call Vote #209](#): Passed 219-213; R 219-2; D 0-211; 5/11/23, Hayes Voted Nay; [CQ Summary](#), Accessed 5/19/23)

- **The Secure The Border Wall Act Would “Restart Border Wall Construction, Restrict Asylum,” And “Crack Down on The Employment Of Undocumented Immigrants.”**  
“House Republicans passed a sweeping border security package Thursday that lawmakers in both

parties and chambers said could spark bipartisan negotiations on immigration measures. The House voted 219-213 to pass the bill, which would restart border wall construction, restrict asylum and more. No Democrats supported the bill, and two Republicans also voted against it: Kentucky Rep. Thomas Massie and California Rep. John Duarte. (...) Congressional Republicans have made U.S.-Mexico border security a priority amid high migration levels. The House voted hours ahead of the end of the Title 42 policy, which is expected to further increase migration. House Majority Leader Steve Scalise, R-La., called the bill the ‘strongest border security package that Congress has ever taken up.’ The bill would require the Department of Homeland Security to resume construction of a border wall that Biden halted and invest more in border security technology and personnel. It would make it harder for migrants to qualify for asylum, permit migrant children to be detained for months with their parents and crack down on the employment of undocumented immigrants. The legislation would also limit federal funding to nongovernmental organizations that assist migrants and curb the government’s authority to allow certain migrants to come to the U.S. legally under a form of humanitarian protection known as parole.” (Suzanne Monyak and Lindsey McPherson, “House-Passed Border Bill May Spark Bipartisan Immigration Talks,” [Roll Call](#), 5/11/23)

- **The Bill Would “Increase Penalties For Individuals Who Overstay Their Visas And Bolster The Number Of Border Patrol Agents.”** “The legislation, which House Speaker Kevin McCarthy called the ‘strongest border security bill to come through Congress in more than 100 years,’ would increase penalties for individuals who overstay their visas and bolster the number of Border Patrol agents. H.R. 2, known as the ‘Secure the Border Act,’ also restarts border wall construction and reinstates the ‘remain in Mexico’ policy that required some asylum-seekers to be sent back to Mexico during immigration proceedings.” (Lauren Peller, “McCarthy-Backed Border Bill Passes House Hours Before Title 42 Ends,” [ABC News](#), 5/11/23)
- **The Legislation Would Also Overturn A Biden Administration Policy To Allow Migrants From Venezuela, Haiti, And Nicaragua “To Apply To Come To The U.S. For Two Years Legally And Work.”** “House Republicans passed a sweeping bill Thursday to build more U.S.-Mexico border wall and impose new restrictions on asylum seekers, creating a hard-line counter to President Joe Biden’s policies just as migrants are amassing along the border with the end of coronavirus pandemic restrictions. (...) The bill would also scrap a program that has allowed U.S. officials to accept or quickly turn away some migrants from Venezuela, Haiti and Nicaragua. The program is a cornerstone of Biden’s immigration efforts, allowing migrants from those countries to apply to come to the U.S. for two years legally and work.” (Stephen Groves, “House Republican Pass new Asylum Restrictions As Title 42 Ends; Biden Promises Veto,” [The Associated Press](#), 5/11/23)

### **As The United States Faced A Surge Of Migrants At The Southern Border, Hayes Voted For H.R. 6 The “American Dream And Promise Act,” Which Would Create A Pathway To Citizenship For Millions Of Illegal Immigrants And Has Been Criticized As Amnesty**

**On March 18, 2021, Hayes Voted For H.R. 6, Or The “American Dream And Promise Act Of 2021.”** (H.R. 6, [Roll Call #91](#), Passed: 228-197, R 9-197, D 219-0, Hayes voted Yea, 3/18/21)

**Hayes Co-Sponsored H.R. 6, Or The “American Dream And Promise Act Of 2021.”** (H.R. 6, [Co-Sponsors](#), Passed: 228-197, R 9-197, D 219-0, Hayes voted Yea, 3/18/21)

**The House Passed H.R. 6 As The Southern Border Faced A Surge Of Migrants.** “The House passed two bills Thursday to provide a path to legal status for millions of undocumented people living in the U.S. -- part of Democrats’ scaled back plans for immigration reform as a surge of migrants at the southern border puts pressure on the Biden administration.” (Laura Litvan and Billy House, “Two Immigration Bills Clear House as GOP Cite Border Surge,” [Bloomberg](#), 3/18/21)

**H.R. 6 Would Create A Pathway To Citizenship For More Than Two Million Illegal Immigrants.** “The proposal would allow more than 2.3 million ‘Dreamers,’ or unauthorized immigrants who came to the U.S. as minors, as well as beneficiaries of certain temporary

humanitarian programs, to gain permanent legal status and eventually, U.S. citizenship.” (Camilo Montoya-Galvez, “House passes immigration bills with path to citizenship for ‘Dreamers’ and farmworkers,” [CBS News](#), 3/19/21)

**According To The Heritage Foundation, H.R. 6 Would Provide “Amnesty And Green Cards To Millions Of Illegal Immigrants.”** “This bill provides amnesty and green cards to millions of illegal immigrants. It is prone to fraud and is an immoral solution to the illegal immigration problem.” (The Heritage Foundation, “American Dream and Promise Act of 2021,” [Report](#), 3/16/21)

### **Hayes Voted Against A Motion To Ensure That Gang Members Do Not Receive Any Benefits Under H.R. 6 And Are Swiftly Removed From The Country**

**Hayes Voted Against A Motion To Ensure That Gang Members Do Not Receive Any Benefits Under H.R. 6 And Are Swiftly Removed From The Country.** “Mr. Jordan moves to recommit the bill H.R. 6 to the Committee on the Judiciary. The material previously referred to by Mr. Jordan is as follows: Page 10, after line 8, insert the following: (C) The Secretary knows or has reason to believe that the alien is or has been a member of a criminal street gang (as defined in subsection (a) of section 521 of title 18, United States Code), or to have participated in the activities of a criminal street gang knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang. For purposes of this subparagraph, the Secretary may consider any and all credible evidence of membership or participation in a criminal street gang, including evidence obtained from a State or Federal data base used for the purpose of recording and sharing activities of alleged gang members across law enforcement agencies. Page 13, strike line 11 and all that follows through line 19. Page 55, after line 18, insert the following: SEC. 314. TREATMENT OF CERTAIN ALIENS FOUND INELIGIBLE FOR ADJUSTMENT OF STATUS. Notwithstanding sections 102(e), 202(d)(3), and 309 of this Act, an alien whose application would be denied based on criminal, national security, gang, or public safety grounds, as set out in section 102(c) or 202(a)(3) of this Act, shall be referred by the Secretary of Homeland Security for a determination of whether the alien should be placed in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a).” (CQ Summary, Motion to Recommit H.R. 6, Motion rejected 203-216: R 203-0, D 0-216, Hayes Voted Nay, [Roll Call #90](#), 3/18/21)

### **Hayes Voted To Allow Illegal Immigrants Who Pose A Criminal, Public Safety, Or National Security Risk To Remain In The United States**

**On June 4, 2019, Rep. Ben Cline Put Forward A Motion To Recommit H.R. 6, Or The American Dream And Promise Act, To Add A Provision To Automatically Refer Illegal Aliens Who Were Denied Green Cards “On The Basis Of Criminal Activity, National Security Risks, Or As Violent Gang Members” To Homeland Security.** “This motion to recommit simply says that if an alien has been designated a danger to Americans, then they don't deserve to become an American. It provides that aliens whose applications are denied on the basis of criminal activity, national security risks, or as violent gang members are automatically referred to the Department of Homeland Security for a determination of removability from the United States. Under this bill, information about criminal activity provided in an application for a green card may not be used for the purpose of immigration enforcement, even if the application is denied or withdrawn.” (H.R. 6, [Congressional Record Vol. 165, No. 93](#), 6/4/19)

**Hayes Voted No On The Motion, Ensuring Illegals Who Pose Security Risks Are Protected From Potential Deportation.** (H.R. 6, [Roll Call #239](#), Failed 202-221, R 1-192, D 220-1, Hayes Voted No, 6/4/19)

**In FY2018, Immigration and Customs Enforcement’s Enforcement and Removal Operations (ERO) Division Arrested 158,581 Aliens, 90 Percent Of Whom Either Had Criminal Convictions, Pending Charges, Or Orders For Removal.** “In FY2018, ERO arrested 158,581 aliens, 90% of whom had criminal convictions (66%), pending criminal charges (21%), or previously issued final orders (3%). The overall arrest figure represents an 11% increase over FY2017.” (ICE, “[Fiscal Year 2018 ICE Enforcement and Removal Operations Report](#)” Accessed 6/10/19)

**ERO Removed 256,086 Illegals In Fy2018, More Than Half Of Whom Were Convicted Criminals.** “In FY2018, ERO removed 256,086 illegal aliens, reflecting an increase of 13% over FY2017. The majority of removals (57%) were convicted criminals.” (ICE, [“Fiscal Year 2018 ICE Enforcement and Removal Operations Report”](#) Accessed 6/10/19)

**Despite Connecticut Facing An Epidemic Of Fentanyl Deaths, Hayes Voted Against Legislation That Would Make Fentanyl A Schedule I Drug, Which Would Toughen Penalties For Fentanyl Trafficking And Provide Greater Resources To The Government To Combat The Drug**

**On May 25, 2023, Rep. Hayes Voted Against The Halt Fentanyl Act.** (H.R. 467, [Roll Call Vote #237](#), Passed: 289-133; R: 215-1, D: 74-132, Hayes Voted Nay, 5/25/23)

**The Legislation Would Permanently Places Fentanyl-Related Substances As A Class Into Schedule I Of The Controlled Substances Act.** “This bill permanently places fentanyl-related substances as a class into schedule I of the Controlled Substances Act. A schedule I controlled substance is a drug, substance, or chemical that has a high potential for abuse; has no currently accepted medical value; and is subject to regulatory controls and administrative, civil, and criminal penalties under the Controlled Substances Act.” (H.R. 467, [Library Of Congress](#), Introduced 1/24/23)

**The Legislation Would Toughen Penalties For Fentanyl Trafficking And Provide Greater Resources To The Government To Combat The Drug.** “The White House on Monday signaled support for legislation led by two House Republicans that would toughen penalties for fentanyl trafficking and provide greater resources to the government to combat the drug.” (Brett Samuels, “White House Signals Support For GOP-Led Bill To Strengthen Penalties For Fentanyl Trafficking,” [The Hill](#), 5/22/23)