The next - and by far the most expensive - economic stimulus bill in Congress had less to do with stimulating the moribund economy and everything to do with stimulating the Democratic Party’s far left base in an election year. The Health and Economic Recovery Omnibus Emergency Solutions (HEROES Act), H.R. 6800, the $3 trillion government spending package also checked just about every box on the far left’s wish list, most of which had nothing to do with reviving the economy and getting laid-off Americans back to work. And since there is nothing higher on the far left wish list than mass immigration and an end to any meaningful immigration enforcement, the 1,800-page bill was laden with amnesty provisions for illegal aliens and taxpayer benefits to assist illegal aliens.

The HEROES Act was cooked up by House Speaker Nancy Pelosi and a small cadre of lieutenants while Congress was out of session due to the coronavirus pandemic and all but a handful of members were at home social distancing. As is often the case when congressional leadership doesn’t want the American people to know what’s in a bill, or even many of their own members, it was hastily brought to the floor of the House for a vote before anyone could possibly read through it thoroughly, or really figure out how $3 trillion of borrowed money would be spent.

It was approved by the full House by a vote of 208-199 on May 15. Fourteen Democratic members voted against the bill - 13 representing “purple” swing districts and one far left member representing Seattle. Only one Republican, Peter King from Long Island, New York, supported the measure.

Fortunately, FAIR’s Government Relations team was able to get its hands on advanced drafts of the provisions of H.R. 6800 that pertained to immigration.

What they found was an appalling effort on the part of Pelosi and her allies to use legislation meant to address a national health and economic crisis to...
House Stimulus Bill
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make sweeping (and unpopular) changes to immigration law:

- De facto amnesty for millions of illegal aliens. Illegal aliens deemed to be working in “essential” jobs - broadly defined to include not just those in frontline health care jobs, but also in food, agriculture, construction, and other trades - would receive deferment from removal. Their employers would similarly be indemnified from their violations of laws prohibiting the employment of illegal aliens. The bill establishes no sunset for these deferments (because, most likely, there wouldn’t be one), and almost certainly would protect family members who are also illegally present.

Polls indicated that 80% of Americans, including a majority of rank and file Democratic voters support a temporary cessation of immigration during the current crisis.

- Release of nearly all illegal aliens in detention. With exception of aliens who have been convicted of serious felonies, all deportable aliens in Immigration and Customs Enforcement custody would be released into the United States.
- Stimulus payments to illegal aliens. People who file tax returns using Individual Taxpayer Identification Numbers (ITINs) would be eligible for direct government stimulus checks. Most illegal aliens who file tax returns do so using ITINs. To correct what the bill’s authors see as an injustice, The Heroes Act would also provide retroactive payments to ITIN filers who were not eligible for stimulus checks under the CARES Act that was enacted in March.
- Increases legal immigration at a time of record unemployment. As of mid-May, when the bill was rolled out, some 36 million Americans had lost jobs due to the coronavirus pandemic. Nevertheless, The Heroes Act would allow unused visas for the current year to be rolled over for use in future years. It would also grant permanent residence to foreign physicians working here temporarily, whether or not they are working to fight the coronavirus.
House Stimulus Bill
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- Protects sanctuary jurisdictions. The bill ensures that sanctuary jurisdictions that violate federal law by protecting illegal aliens and impeding federal immigration law enforcement efforts will be eligible to receive all federal stimulus money.

FAIR IN ACTION

In response to this information, FAIR sprung into action to make sure that allies on the Hill, our members, and the general public were aware of these harmful and shameful provisions of H.R. 6800.

- FAIR’s Government Relations team provided advance warning of these provisions to members of Congress who were being kept in the dark by Pelosi and the Democratic House leadership.
- FAIR’s Media department disseminated this information to reporters and talk radio hosts around the country.
- FAIR used its social media outlets (which have millions of followers) to provide an even wider public audience information about what was in the bill. FAIR sent emails to some 300,000 online subscribers asking them to contact their members of Congress to protest this massive immigration giveaway that further undermines our growing ranks of the unemployed.
- Senior FAIR staff participated in a Facebook Live discussion to discuss the harmful effects that the bill would have on the nation.

Thankfully, The HEROES Act was little more than a crass political stunt aimed at shoring up the Democratic Party’s far left flank. (Polls indicated that some 80 percent of Americans, including a majority of rank and file Democratic voters support a temporary cessation of immigration during the current crisis.) The bill stands almost no chance of being considered in the Senate, much less passed, and even less chance of being signed by President Trump if it were approved. What is significant is how far the Democratic leadership is prepared to go to advance the interests of illegal aliens (and their own perceived political interests) at the expense of Americans who have been devastated by the current health and economic crises.

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STIMULUS BILL
State and Local Governments Rush to the Aid of Illegal Aliens

The efforts by the Democratic leadership of the House of Representatives to award millions of illegal aliens with stimulus checks may be political theater (see lead story). But efforts by some state and local governments, all which face severe fiscal crunches as a result of the coronavirus crisis, to hand out free cash and other benefits to illegal aliens are very real.

As noted in the May edition of the FAIR newsletter, California led the charge by creating a statewide $125 million public/private fund earmarked to assist illegal aliens, while equally hard-pressed local governments around the state added their own illegal alien assistance programs. But unlike Vegas, what happens in California doesn’t necessarily stay in California.

In late April and early May the urge to aid illegal aliens as American workers lost jobs by the millions, and state and local treasuries were sent reeling by the economic fallout from the crisis, spread all the way up the west coast.

In Oregon, the Joint Emergency Board, a statutory legislative committee comprised of members of both houses of the Oregon legislature, created a $32 million relief fund to help businesses, workers and renters during the coronavirus pandemic - a relatively small amount of money given the severity of the crisis. Nearly one-third of that money, $10 million, is earmarked for a wage replacement fund for newly unemployed workers who are ineligible for unemployment insurance benefits, i.e. illegal aliens. (These newly unemployed illegal aliens were also ineligible to be employed in the first place, but never mind.) Some 15,000 illegal aliens will be able to collect weekly benefits of up to $595.

Moving further up the coast, the Washington State Department of Social and Health Services will allow coronavirus relief funding to go to illegal aliens. Individuals who are not eligible for other programs can apply for Disaster Cash and receive a one-time payment between $383 and $1,121. More than a million Washingtonians have faced the personal disaster of losing a job since the crisis began.

The madness, however, was not contained to the west coast. The Massachusetts Legislature has introduced legislation (still pending as of completion of this newsletter) that would grant people who filed state income tax returns in the past two years using Individual Taxpayer Identification Numbers (which includes large numbers of illegal aliens) to collect benefits that are even more generous than California’s. Each adult would be eligible for a $1,200 state check, as well as $500 for each child in the household.

In New Jersey, Governor Phil Murphy (D) had been pushing the legislature to provide so-called “stimulus funds” that would provide illegal aliens $600 per week. Senators Teresa Ruiz (D-Newark) and Nicholas Scutari (D-Linden) heeded his call and introduced a bill (still pending as of the completion of the current newsletter) that would provide approximately $35 million in direct cash assistance to about 500,000 illegal aliens.

If history is any guide these harebrained proposals that come at the expense of struggling American families and empty state and local coffers will spread across the nation. FAIR’s State and Local Legislative department will be working with activists in these states and localities to fight these irresponsible benefits to illegal aliens.
Immigration Executive Order to Protect American Workers Does Not Protect American Workers

On April 20, as the number of Americans who had lost jobs due to the coronavirus pandemic neared the 30 million mark, President Trump announced his intention to temporarily halt immigration to the United States until the crisis eased. The announcement came in his favorite form of communication: a tweet. “In light of the attack from the Invisible Enemy, as well as the need to protect the jobs of our GREAT American Citizens, I will be signing an Executive Order to temporarily suspend immigration into the United States!”

Welcome news indeed! Welcome to the millions of Americans who had already lost jobs and who will likely struggle to find new ones even after the economy reopens. In fact it was welcome news to some 80 percent of Americans - across most political and demographic lines - who agreed that circumstances call for a temporary cessation of new immigration.

It was far less welcome to the radicals on the far left fringe and, even more significantly, to powerful business interests. As described by the New York Times, “business groups exploded in anger at the threat of losing access to foreign labor,” even amidst the unprecedented carnage in the labor market. Within 24 hours of the president’s initial tweet, that furious opposition from the business lobby caused the White House to back down. The final version of the Executive Order that President Trump signed on April 22 that he claimed would “ensure that American workers of all backgrounds will be first in line for jobs when our economy opens up,” did nothing of the kind.

The document signed by the president applies to only a small fraction of the more than 1 million people a year who are issued green cards. The immigration “halt” in the Executive Order stops the admission of people seeking employment-based immigration visas who are currently outside the country. (The halt does not apply to foreign nationals in the United States who are attempting to adjust their status.) Also affected are people who are applying for the utterly useless Diversity Visa Lottery, and to those seeking green cards based on having extended family connections in the United States. FAIR estimates that these categories account for a mere 10 percent of the annual immigration flow.

Even more egregious, the Executive Order capitulated to the demands of the business lobby by exempting a whole range of guest workers from the immigration pause - all but ensuring that American workers will not be first in line for jobs as the economy gets back on its feet. Even as jobs in America are disappearing at an alarming rate, business interests will maintain access to higher skilled guest workers (H-1Bs), agricultural workers (H-2As), and lower-skilled season-
American Workers
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guest workers (H-2Bs). Also exempt from the so-called halt are foreign students who may be permitted to work here, and the fraud-ridden E-B5 investor visa program.

Upon learning of the sell-out to the business lobby, FAIR responded with full-fledged effort to expose to the American public the fraudulent claims that the Executive Order protects American workers. Numerous news articles about the order included FAIR’s analysis that it exempted the vast majority of immigrant visas and left guest worker admissions unchecked. These reports cited an April 23 letter to the White House by Dan Stein, president of FAIR. In that letter, Stein questioned, “Under what craven notion of American equity would the United States continue a subordinated labor importation program at a time when American workers are in such distress? The optics are devastating -- we are becoming a two-class society, with a servant caste relegated to guestworker status continuing apace while Americans search desperately for employment.”

In addition, FAIR published several op-eds in leading news sites, amplified on our own social media sites, criticizing the shortcomings of the Executive Order and calling for the president to modify it so that it truly does protect American workers from unwelcome competition for jobs from new immigrants and guest workers.

Calls for expanding the scope of the immigration rollbacks are also coming from senior lawmakers in the president’s own party. In a May 7 letter to President Trump, Senators Tom Cotton (Ark.), Ted Cruz (Texas), Chuck Grassley (Iowa), and Josh Hawley (Mo.) wrote, “We urge you to continue to suspend new nonimmigrant guest workers for one year or until our new national unemployment figures return to normal levels whichever comes first.”

FAIR will continue to work with or apply pressure on Congress and the White House for meaningful restrictions on the admission of new permanent and temporary foreign workers at a time of unprecedented unemployment in the United States.

Mounting Pressure on the Administration to Opt Out of the Optional Practical Training (OPT) Program

The Optional Practical Training (OPT) training program allows foreign students to work in the United States for up to three years after graduation. OPT is enormously popular with foreign students (largely from China and India) hoping to use employment with an American company as a foothold in their quest to gain permanent residence in the United States. It is also popular with employers who can often hire OPT workers more cheaply and are exempt from contributing Social Security and Medicare taxes on their behalf. Those tax exemptions represent an automatic 7.65 percent savings for employers who hire OPT program participants over recent American graduates.
Polls Show Overwhelming Support for Immigration Pause During Coronavirus Crisis

Americans may not agree on much these days, but on one issue there is near consensus amid the coronavirus health and economic crisis. Several national polls taken since the onset of the crisis indicate that as many as four out of five Americans support a temporary halt to all immigration under the current circumstances.

A USA Today/Ipsos poll conducted in April found that 79 percent of Americans favor a pause in immigration until things return to normal, in what the newspaper described as a “seismic shift” in attitudes about immigration policy. Similarly, a late-April Washington Post/University of Maryland poll found 65 percent public support for a temporary cessation to nearly all immigration. According to that poll, an immigration halt was favored by 83 percent of Republican voters, 67 percent of Independents, and 49 percent of Democrats. Moreover, support for an immigration freeze cut across racial and ethnic lines, and age brackets.

This “seismic shift” in public opinion is hardly surprising. At a time of soaring unemployment, with millions more Americans losing jobs each week, continued large influxes of newcomers (in most cases) compound the difficulties of those who are out of work. Likewise, while much of the country was (and still is) under lockdown in an effort to curb the spread of the virus, normal immigration flows of about 90,000 people per month undermines public health objectives.

FAIR has long sought an end to the OPT program on the grounds that it undermines U.S. workers and that it belies the whole purpose of the student visa program, under which foreign nationals are supposed to study here and then return home. FAIR’s legal affiliate, the Immigration Reform Law Institute (IRLI), brought a successful lawsuit on behalf of the Washington Alliance of Technology Workers who claimed that the program undermined their wages and job prospects.

The current unemployment crisis presents the administration with the perfect opportunity to opt out of the OPT that has been undermining the interests of American workers for years. FAIR will be working with members of Congress and allies in the administration to seek a pause, if not an end, to the program.
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