

In 35 states, women's incarceration numbers have been higher than men's, and in a few states, the growth of women's prison populations have counteracted any reductions in men's incarceration numbers.

Further, women in jail are the fastest growing correctional population in the country, increasing 14-fold between 1970 and 2014.

This trend is even greater in small counties, where there has been a 31-fold increase between 1970 and 2014.

Significantly, nearly half of all incarcerated women are held in jails.

Mr. Speaker, somewhere between 3 percent and 6 percent of women entering the prison system are pregnant, with the highest rates of pregnancies being in local jails.

Statistics from the Bureau of Prisons show that there were 171 pregnancies in federal prison in 2018.

While the prison health care system is barely adequate for men, it fails to meet incarcerated women's basic needs.

The situation is even more dire for pregnant women in prison who have additional and unique health needs.

A significant portion of women come into the prison system with a history of poverty, substance abuse, and trauma and abuse.

Women who enter prison are also less likely to have had access to regular health care before their incarceration, especially appropriate prenatal care.

Moreover, women in prison are more likely to suffer from undiagnosed chronic illnesses, such as diabetes and high blood pressure, that can cause a high-risk pregnancy.

Another salutary aspect of H.R. 7718 is that provides education and technical assistance by the National Institute of Corrections to state and local corrections facilities on appropriate medical care for pregnant women and to ensure training of BOP correctional officers at facilities housing women and of deputy U.S. Marshals, on the requirements of the bill.

Finally, the legislation directs GAO to study and report to Congress the services and protections provided for pregnant incarcerated women in local and State correctional settings and in Federal pretrial detention facilities and authorizes the Attorney General to make grants to State, tribal, and local governments, to promote and support the health needs of incarcerated pregnant women.

Mr. Speaker, H.R. 7718 complements and expands on the SIMARRA Act I introduced in the 114th and 115th Congress (i.e., H.R. 5130, H.R. 3410) and incorporated in the Violence Against Women Reauthorization Act, legislation which directs the Bureau of Prisons to establish a pilot program to allow incarcerated women who give birth and children born during such incarceration to reside together in a separate prison housing unit.

I strongly support this legislation and urge all Members to join me in voting to pass H.R. 7718, the "Protecting the Health and Wellness of Babies and Pregnant Women in Custody Act."

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. BASS) that the House suspend the rules and pass the bill, H.R. 7718, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 561. An act to amend title 38, United States Code, to improve the oversight of contracts awarded by the Secretary of Veterans Affairs to small business concerns owned and controlled by veterans, and for other purposes.

H.R. 991. An act to extend certain provisions of the Caribbean Basin Economic Recovery Act until September 30, 2030, and for other purposes.

H.R. 3399. An act to amend the Nutria Eradication and Control Act of 2003 to include California in the program, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 910. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

S. 1069. An act to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

S. 3681. An act to require a joint task force on air travel during and after the COVID-19 Public Health Emergency, and for other purposes.

S. 4403. An act to amend the Nutria Eradication and Control Act of 2003 to include California in the program, and for other purposes.

FIGHT NOTARIO FRAUD ACT OF 2020

Ms. BASS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8225) to amend title 18, United States Code, to prohibit certain types of fraud in the provision of immigration services, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8225

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 "Fight Notario Fraud Act of 2020".

SEC. 2. FRAUD PROHIBITED.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following new section:

"§ 1041. Schemes to defraud persons in any matter arising under immigration laws

"(a) FRAUD.—Any person who knowingly executes a scheme or artifice, in connection with any matter authorized by or arising under the immigration laws, or any matter that such person claims or represents is authorized by or arises under the immigration laws to—

"(1) defraud any other person; or

"(2) obtain or receive money or anything else of value from any other person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 1 year, or both.

"(b) MISREPRESENTATION.—Any person who knowingly makes a false representation that such person is an attorney or an accredited representative (as such term is defined under section 1292.1(a)(4) of title 8, Code of Federal Regulations (or any successor regulation)) in any matter arising under the immigration laws shall be fined under this title, imprisoned not more than 1 year, or both.

"(c) THREATS AND RETALIATION.—Any person who violates subsection (a) and knowingly—

"(1) threatens to report another person to Federal authorities or State law enforcement authorities working in conjunction with or pursuant to Federal authority;

"(2) acts to adversely affect another person's immigration status, perceived immigration status, or attempts to secure immigration status that—

"(A) impacts or results in the removal of the person from the United States;

"(B) leads to the loss of immigration status; or

"(C) causes the person seeking to apply for an immigration benefit to lose an opportunity to apply for such an immigration benefit that would have provided immigration status and for which a person was prima facie eligible; or

"(3) demands or retains money or anything else of value for services fraudulently performed or not performed or withholds or threatens to withhold services promised to be performed,

shall be fined under this title, imprisoned not more than 1 year, or both.

"(d) GRAVITY OF OFFENSE.—

"(1) CUMULATIVE LOSS.—Any person who violates subsection (a), (b), or (c) such that the cumulative loss to all victims exceeds \$10,000 may be imprisoned not more than 3 years, fined under this title, or both.

"(2) RETALIATION.—Any person who violates subsection (a) or (b) and causes the harm described in subsection (c)(2) may be imprisoned not more than 3 years, fined under this title, or both.

"(e) INFORMATION SHARING AND ENFORCEMENT.—

"(1) IN GENERAL.—The Immigrant and Employee Rights Section of the Civil Rights Division of the Department of Justice—

"(A) shall have primary enforcement responsibility for this section and shall be consulted prior to a United States Attorney initiating an action under this section;

"(B) shall establish procedures to receive and investigate complaints of fraudulent immigration schemes from the public that are consistent with the procedures for receiving and investigating complaints of unfair immigration-related employment practices; and

"(C) shall maintain and publish on the internet, information aimed at protecting consumers from fraudulent immigration schemes, as well as a list of individuals who have been convicted of unlawful conduct under this section or have been found by a State or Federal agency to have unlawfully provided immigration services.

"(2) SPECIAL UNITED STATES ATTORNEYS.—The Attorney General shall establish no fewer than 15 Special United States Attorney positions in districts the Attorney General determines, after analyzing data following each decennial census, to be most affected by the fraud described in subsections (a), (b), and (c).

“(3) RESTITUTION.—There shall be deposited in the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (34 U.S.C. 20101) any restitution ordered for an offense under this section if the victim of such offense cannot reasonably be located.

“(f) SEVERABILITY.—If any provision of this section, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remainder of this section and the application of the remaining provisions of this section to any person or circumstance shall not be affected thereby.

“(g) IMMIGRATION LAWS.—In this section, the term ‘immigration laws’ has the meaning given that term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

“1041. Schemes to defraud persons in any matter arising under immigration laws.”.

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 gentlewoman from California (Ms. BASS) and the gentleman from Pennsylvania (Mr. RESCHENTHALER) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. BASS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

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

Mr. Speaker, H.R. 8225, the Fight Notario Fraud Act of 2020, would address notario fraud, the practice of the provision of unauthorized immigration legal services, which has not been effectively curbed by existing Federal, State, and local efforts.

The practice continues to cause irreparable harm to immigrant communities. Notario fraud proliferates all over the United States because there is an overwhelming need for representation in immigration proceedings.

In any given year, United States Citizenship and Immigration Services receives approximately 6 million applications from individuals and businesses seeking an immigration benefit, humanitarian relief, or naturalization. Immigration proceedings are notoriously and unusually complex, as one editorial described them, dizzyingly Byzantine. The high demand for assistance with this complex set of laws at-

tracts charlatans who prey on unsuspecting victims.

Unfortunately, efforts to curb notario fraud for the past several decades have fallen short. Education campaigns by local governments, bar associations, and grassroots organizations have raised public awareness and have stemmed notario fraud somewhat.

While 34 States and the District of Columbia have some type of statute outlawing the unauthorized practice of immigration law, only a handful have more comprehensive laws, like California, Illinois, New York, and Washington. Most jurisdictions address the issue by limiting the activities of licensed notaries public. But this is rarely effective, and even where laws have been enacted at the State level, these efforts have done little to meaningfully rein in notario fraud.

Leadership from the Department of Justice is needed. The Federal Government plays a singular role in immigration proceedings, so it must also undertake efforts to protect the integrity of the immigration process and to protect vulnerable victims from fraud and illegal deceit.

We must strengthen the ability of Federal prosecutors to hold notarios accountable for their malfeasance.

Congress must act carefully when creating new crimes. There must be strong need and justification for them, but this is one instance where State and local efforts have fallen short, and Federal enforcement has been almost nonexistent.

This bill’s comprehensive approach would not only criminalize notario fraud at the Federal level and in 16 States that have yet to enact such legislation, but it would also establish an enforcement apparatus within the Department of Justice to combat fraudulent notario schemes nationwide.

Importantly, this bill requires the Department of Justice to post information on the internet aimed at protecting consumers from fraud, including maintaining a public list of individuals who have been convicted of unlawful conduct under this bill or have been found by the State or Federal agency to have unlawfully provided immigration services.

The Fight Notario Fraud Act will help prevent fraud and protect vulnerable victims. Mr. Speaker, I urge all of my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, H.R. 8225, the Fight Notario Fraud Act of 2020, addresses a problem that already has a remedy in current law.

The U.S. Department of Justice and State and local officials fight against fraud every day, including fraud related to immigration laws. In addition, the Executive Office for Immigration Review maintains a Fraud and Abuse Prevention Program as a centralized

place for anyone to make complaints about issues of fraud, immigration scams, and the unauthorized practice of immigration law.

These existing efforts to fight immigration fraud are working. For example, in San Antonio, Texas, the DOJ charged Eric Jon Alva and his wife, Jessica Rivas Alva, in a scheme to defraud undocumented immigrants by falsely claiming to work on behalf of two San Antonio attorneys. Although they pled guilty and were sentenced to 6 months in Federal prison, they could have been sentenced up to 5 years, and that is 5 years under current law.

By contrast, the bill before us today would impose only a 1-year sentence for similar crimes. In rare circumstances, the defendant may receive a 3-year sentence.

So the Democrats’ response to a problem in the immigrant community is apparently to go soft on crime and reduce the penalties for immigration fraud. That doesn’t make sense.

We also should not be in the business of complicating the immigration system, but this bill does just that.

This bill prohibits the unauthorized practice of law specific to immigration, but the unauthorized practice of law, no matter the type, is already illegal.

Additionally, by dedicating prosecutors specifically to notario fraud and creating burdensome requirements for prosecuting this fraud, H.R. 8225 could leave other types of immigration crimes understaffed and unaddressed.

Mr. Speaker, I truly appreciate the sentiment behind this bill, I truly do, but if we are going to create a new category of immigration fraud, we should make it as strong as existing law and work to simplify, not to complicate, the current system. Immigrants following the legal system deserve as much.

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

Ms. BASS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Mr. Speaker, I rise today on the House floor to express my strong and unwavering support for the Fight Notario Fraud Act of 2020.

This bill would hold public notaries accountable that abuse their power to take advantage of vulnerable communities with language barriers or who cannot read or who cannot fully understand the legal system.

Many Spanish-speaking immigrants, for example, turn to notaries because in their home countries a notario publico refers to a lawyer.

H.R. 8225 criminalizes notario fraud schemes to ensure that no one can take advantage of the literal-sounding translation of notario publico.

Significantly, some grifters have fraudulently used the notary public title to hold themselves out as authorized to provide advice and services.

When I was a legal aid lawyer, I remember seeing firsthand many deceitful practices at the expense of poor

people due to the language barrier, due to the immigration status, or due to the fact that people could not read the papers that they brought to the notario publicos. That was wrong then, and it is still wrong today.

As Members of Congress, we have a responsibility to protect the well-being and livelihoods of the most vulnerable among us, including American families across the country. Certainly, courts have recognized the widespread prevalence of notario fraud, and the negative impact on immigrants and their families is clear.

Mr. Speaker, I want to thank my comadre and good friend, Congresswoman DEBBIE MUCARSEL-POWELL of south Florida, for exemplary leadership on this issue and for sponsoring this bill. I urge all of my colleagues to vote in favor of this very important legislation. Let's put an end to these fraudulent schemes.

Mr. RESCHENTHALER. Mr. Speaker, I have no further speakers at this time, and I am prepared to close. I yield myself such time as I may consume.

Mr. Speaker, I have concerns that H.R. 8225 will only further complicate the immigration system and hurt rather than help the very people it is meant to protect. So with immigrants in mind, I have concerns with this bill as written.

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

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

Mr. Speaker, the harms brought by notario schemes can be devastating. This bill's combination of enforcement and public education is critically needed to protect some of the most unsuspecting and vulnerable victims of fraud.

The Department of Justice must refocus its efforts to target notario fraud, and we are enabling them to do so with this bill.

Mr. Speaker, I thank Representative MUCARSEL-POWELL for championing this issue, and I urge my colleagues to join me in supporting this bill.

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

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committee on the Judiciary, I rise in strong support of H.R. 8225, the "Fight Notario Fraud Act," introduced by the gentlelady from Florida, Congresswoman Mucarsel-Powell.

I support this legislation because it protects persons who are the most vulnerable in society against unconscionable predatory conduct from fraudulent "notarios publicos" who use the "notary public" title to hold themselves out as authorized to provide immigration legal advice and services.

Specifically, H.R. 8225 would criminalize the provision of fraudulent legal services, certain misrepresentations by individuals who claim to be authorized to practice immigration law, and threats and retaliation associated with the provision of fraudulent legal services.

Additionally, the bill would require the Attorney General to create no fewer than 15 Spe-

cial United States Attorney positions to prosecute notario fraud crimes.

Mr. Speaker, the roots of modern "notario fraud" in the United States stem from a practice in parts of Latin America where "notarios publicos," (which could be literally translated to "notaries public") are lawyers and, as such, are authorized to provide legal services.

Unlike in the United States, because "notario pblicos" in Latin America have a law license and can represent others in court, many Spanish-speaking immigrants in the United States turn to notaries thinking they are attorneys able to represent them in legal proceedings, especially cases involving immigration claims.

On account of linguistic and cultural differences in meaning, notario fraud disproportionately targets immigrants from Latin America who are not fluent English speakers or familiar with the difference between the Latin American and American legal systems.

Notarios often gain the trust of the immigrant families they defraud, making extravagant promises and preying on the desperation of families.

The effect of the breach of trust can often be dire and multifaceted. Notarios often make mistakes in these filings and proceedings, which can result in irreversibly negative immigration consequences for their clients.

A notario's legal errors can lead to an unfavorable review in immigration courts and may prejudice the immigrant-appellant on appeal.

Fly-by-night notarios may skip town with important documentation immigrants need to file for immigration relief or they may apply for relief without the immigrant-applicant's knowledge.

A notario's advice to a parent may impact the separate and independent relief a child applicant may have.

Currently, equitable relief for this malfeasance is not available in the immigration proceedings and, even worse, defrauded immigrants can be charged with filing false claims.

Immigrants have been defrauded of hundreds or even thousands of dollars by unscrupulous notarios only to find out they will not receive the services they were promised and, in some cases, these individuals find themselves in worse conditions than when they originally sought help with their immigration matters.

After they discover that they have been bilked, many immigrants are afraid to report notaries; by some estimates, only one in every hundred cases are reported.

In one civil action initiated by the Federal Trade Commission in 2011, investigators recovered evidence of 2,785 defrauded immigrants, but only 99 consumer complaints associated with the notario grifter—a reporting rate of 3.55 percent.

Because many of the victims of notarios also do not have legal immigration status, they fear negative immigration outcomes if they attempt to bring a complaint.

Courts across the country have recognized the widespread prevalence of notario fraud.

The proposed explicit criminalization of notario fraud is necessary to focus criminal fraud prosecution on widespread scams that target some of the least sophisticated and most vulnerable individuals in our society.

I strongly support this legislation and urge all Members to join me in voting for its passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. BASS) that the House suspend the rules and pass the bill, H.R. 8225, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EMPOWERING OLYMPIC, PARALYMPIC, AND AMATEUR ATHLETES ACT OF 2020

Ms. BASS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2330) to amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2330

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 "Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The courageous voice of survivors is a call to action to end emotional, physical, and sexual abuse in the Olympic and Paralympic movement.

(2) Larry Nassar, the former national team doctor for USA Gymnastics, sexually abused over 300 athletes for over two decades because of ineffective oversight by USA Gymnastics and the United States Olympic Committee.

(3) While the case of Larry Nassar is unprecedented in scale, the case is hardly the only recent incident of sexual abuse in amateur sports.

(4) Survivors of Larry Nassar's abuse and all survivors of abuse in the Olympic and Paralympic movement deserve justice and redress for the wrongs the survivors have suffered.

(5) After a comprehensive congressional investigation, including interviews and statements from survivors, former and current organization officials, law enforcement, and advocates, Congress found that the United States Olympic Committee and USA Gymnastics fundamentally failed to uphold their existing statutory purposes and duty to protect amateur athletes from sexual, emotional, or physical abuse.

(6) USA Gymnastics and the United States Olympic Committee knowingly concealed abuse by Larry Nassar, leading to the abuse of dozens of additional amateur athletes during the period beginning in the summer of 2015 and ending in September 2016.

(7) Ending abuse in the Olympic and Paralympic movement requires enhanced oversight to ensure that the Olympic and Paralympic movement does more to serve athletes and protect their voice and safety.

SEC. 3. DEFINITIONS.

Section 220501(b) of title 36, United States Code, is amended—