



## Debunking Strawmen Arguments for Wyden-Smith

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### Yes – Illegal Immigrants Receive the Child Tax Credit. They Should Not

- The Child Tax Credit (CTC) has always had an illegal immigrant problem.
  - In 2010, [illegal immigrants received \\$4.3 billion](#) from the CTC.<sup>1</sup>
- Trump-Pence partially curbed this abuse in 2017 by requiring children to have a valid SSN.
- Biden’s temporary expansion resulted in the [vast majority of illegal immigrants receiving the CTC](#) (averaging ~\$5,000). Just half of legal residents received it, and they got less.<sup>2</sup>
- Wyden-Smith moves the CTC closer to the version in Biden’s \$2 trillion American Rescue Plan, meaning more cash for illegal immigrants.

### Biden Is Working to Make It Easier for Illegal Immigrants to Receive the Credit

- Biden’s DHS is further sidestepping CTC safeguards by granting illegal immigrants SSNs via [fast-tracked work authorizations](#).<sup>3</sup>
- **Conservatives cannot support Wyden-Smith without closing the CTC loophole.**

### Americans Should Not Be Paying People Not To Work

- The new CTC “lookback provision” means that someone working only every other year would get the [exact same credit](#) as someone working continuously.<sup>4</sup>
- These freeriders will cost the American people nearly [one billion dollars annually](#).<sup>5</sup>

### Eliminating Fraud is Good Governance, Not a Hostage for More D.C. Spending

- **\$700:** Cost of Employee Retention Tax Credit (ERTC) to each American since 2020.
  - The Wall Street Journal called the ERTC “the [Biggest Covid Scam](#).”<sup>6</sup>
- Congress should eliminate waste, fraud, and abuse, not leverage it for new pet projects.
- **Reality check:** The current score is based off the package becoming law by January 31.
  - The Senate wants a mark-up so that’s not going to happen by the end of January.
  - Further - experts warn the penalty provisions may be unlawful, citing equal protection and *ex post facto* issues that could be litigated in court.

### Let’s Be Honest: Checks During an Election Year = Buying Biden Votes

- The National Taxpayer Advocate (NTA) predicts the IRS can’t send out CTC refunds before summer at earliest. However, IRS officials disagree, arguing it will take just weeks.<sup>7</sup>
- The NTA is an independent organization within the IRS, created to hold the IRS to account and ensure that taxpayers are treated fairly. Congress should take its concerns seriously.

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<sup>1</sup> <https://cis.org/Report/Estimating-Illegal-Immigrant-Receipt-Cash-Payments-EITC-and-ACTC>

<sup>2</sup> <https://cis.org/Camarota/New-Child-Tax-Credit-Would-Make-LowSkill-Immigration-Even-More-Expensive>

<sup>3</sup> <https://www.usatoday.com/story/news/nation/2023/12/31/biden-work-permits-for-migrants/71931816007/>

<sup>4</sup> <https://www.aei.org/center-on-opportunity-and-social-mobility/tax-extenders-package-would-cut-the-child-tax-credits-annual-work-requirement-in-half/>

<sup>5</sup> [https://twitter.com/George\\_A\\_Callas/status/1750262396160025034](https://twitter.com/George_A_Callas/status/1750262396160025034)

<sup>6</sup> <https://www.wsj.com/articles/employee-retention-tax-credit-covid-congress-irs-employers-6c72e9c1>

<sup>7</sup> <https://x.com/RyanJamesCarey/status/1750568269180781039>