

118TH CONGRESS  
1ST SESSION

# H. R. 194

To reform the process for admission of refugees, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

Mr. ROSENDALE (for himself and Mrs. MILLER of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To reform the process for admission of refugees, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safeguards Ensuring  
5 Criminal and Unvetted Refugees don’t Enter America  
6 Act” or the “SECURE America Act”.

7       **SEC. 2. CONGRESSIONAL AUTHORITY TO SET REFUGEE**

8                       **CAP.**

9       Section 207 of the Immigration and Nationality Act  
10 (8 U.S.C. 1157) is amended—

11                   (1) in subsection (a)—

1 (A) by amending paragraphs (1) and (2)  
2 to read as follows:

3 “(1) Before the beginning of a fiscal year and  
4 after appropriate consultation (as defined in sub-  
5 section (e) of this section), the President shall sub-  
6 mit to Congress a recommendation on the number of  
7 refugees who may be admitted under this section in  
8 any fiscal year.

9 “(2) Except as provided in subsection (b), no  
10 refugees may be admitted under this section in a fis-  
11 cal year until such time as a joint resolution is en-  
12 acted which sets the number of refugees who may be  
13 admitted under this section in that fiscal year.”; and

14 (B) in paragraph (4)—

15 (i) by striking “determination” and  
16 inserting “recommendation”;

17 (ii) by striking “(beginning with fiscal  
18 year 1992)” and inserting “(beginning  
19 with fiscal year 2023)”; and

20 (iii) by striking “determined” and in-  
21 sserting “recommended”;

22 (2) in subsection (b)—

23 (A) by striking “fix” and inserting “submit  
24 to Congress a recommendation for”;

1 (B) by striking “situation and such” and  
2 inserting “situation. Any such”;

3 (C) by striking “determination made by  
4 the President” and insert “recommendation  
5 made by the President”; and

6 (D) by adding at the end the following:  
7 “No refugees may be admitted under this sub-  
8 section until such time as a joint resolution is  
9 enacted which sets the number of refugees who  
10 may be admitted under this subsection.”;

11 (3) in subsection (e)(1), by striking “Subject to  
12 the numerical limitations established pursuant to  
13 subsections (a) and (b)” and inserting “Subject to  
14 the enactment of a joint resolution under subsection  
15 (a) or (b), and the numerical limitations established  
16 pursuant to such a resolution,”; and

17 (4) in subsection (d)(3), by striking “deter-  
18 mination” each place it appears and inserting “rec-  
19 ommendation”.

20 **SEC. 3. CONGRESSIONAL REVIEW.**

21 The Immigration and Nationality Act (8 U.S.C. 1101  
22 et seq.) is amended by inserting after section 207 the fol-  
23 lowing:

1 **“SEC. 207A. CONGRESSIONAL REVIEW OF ADMISSION OF**  
2 **CERTAIN REFUGEES.**

3 “(a) **RULE PROVIDING NOTICE.**—Not later than 30  
4 days before an alien or a class of aliens is determined to  
5 be eligible for refugee status, the Secretary of Homeland  
6 Security shall submit to Congress a notice of the deter-  
7 mination of eligibility and the facts supporting such a de-  
8 termination.

9 “(b) **CONGRESSIONAL REVIEW.**—A notice submitted  
10 pursuant to subsection (a) shall be treated in the same  
11 manner as a rule under chapter 8 of title 5, United States  
12 Code (commonly known as the ‘Congressional Review  
13 Act’) and shall be subject to the same procedure for dis-  
14 approval of a rule under such chapter.”.

15 **SEC. 4. VETTING OF REFUGEES PRIOR TO ADMISSION.**

16 (a) **IN GENERAL.**—Section 207 of the Immigration  
17 and Nationality Act, as amended by section 3, is further  
18 amended by adding at the end the following:

19 “(g)(1) In addition to the screening conducted by the  
20 Secretary of Homeland Security, the Director of the Fed-  
21 eral Bureau of Investigation shall take all actions nec-  
22 essary to ensure that each alien receives a thorough back-  
23 ground investigation, including an assimilation likelihood  
24 screening under section 212(a)(3)(H), prior to admission  
25 as a refugee. An alien may not be admitted as a refugee  
26 until the Director of the Federal Bureau of Investigation

1 certifies to the Secretary of Homeland Security, Secretary  
2 of State, and the Director of National Intelligence that  
3 each covered alien has received a background investigation  
4 that is sufficient to determine whether the covered alien  
5 is a threat to the security of the United States.

6 “(2) An alien may only be admitted to the United  
7 States after the Secretary of Homeland Security, with the  
8 unanimous concurrence of the Director of the Federal Bu-  
9 reau of Investigation and the Director of National Intel-  
10 ligence, certifies to Congress that the covered alien is not  
11 a threat to the security of the United States.

12 “(3) The Inspector General of the Department of  
13 Homeland Security shall conduct a risk-based review of  
14 all certifications made under paragraph (1) each year and  
15 shall provide an annual report detailing the findings to  
16 Congress.

17 “(4) The Secretary of Homeland Security shall sub-  
18 mit to Congress a monthly report on the total number of  
19 applications for admission with regard to which a certifi-  
20 cation under paragraph (1) was made and the number of  
21 aliens with regard to whom such a certification was not  
22 made for the month preceding the date of the report. The  
23 report shall include, for each alien with regard to whom  
24 a certification was not made, the concurrence or non-  
25 concurrence of each person whose concurrence was re-

1 quired under paragraph (1). The report shall also include  
2 the country of origin of each alien and the grounds for  
3 which each alien is seeking refuge in the United States.”.

4 **SEC. 5. ASSIMILATION LIKELIHOOD SCREENING.**

5 (a) IN GENERAL.—Section 212(a)(3) of the Immi-  
6 gration and Nationality Act is amended—

7 (1) by amending subparagraph (C) to read as  
8 follows:

9 “(C) FOREIGN POLICY.—An alien whose  
10 entry or proposed activities in the United States  
11 the Secretary of State has reasonable ground to  
12 believe would have potentially serious adverse  
13 foreign policy consequences for the United  
14 States is inadmissible.”; and

15 (2) by adding at the end the following:

16 “(H) ASSIMILATION LIKELIHOOD SCREEN-  
17 ING.—

18 “(i) IN GENERAL.—Any alien who has  
19 expressed or, based on a screening, has  
20 been determined to hold any views incom-  
21 patible with the principles of the United  
22 States, as described in clause (ii) is inad-  
23 missible.

24 “(ii) VIEWS INCOMPATIBLE WITH THE  
25 PRINCIPLES OF UNITED STATES DE-

1                   SCRIBED.—The following are view incom-  
2                   patible with the principles of the United  
3                   States:

4                   “(I) The belief that a system of  
5                   religious law should be implemented  
6                   in the United States.

7                   “(II) The belief that a system of  
8                   religious law should operate in parallel  
9                   to or supersede the laws of the United  
10                  States, a State, territory, or municipi-  
11                  pality thereof.

12                  “(III) The belief that violence  
13                  based on religious teachings is justi-  
14                  fied under any circumstances.

15                  “(IV) The belief that individuals  
16                  should not be entitled to any right  
17                  guaranteed to them in the Constitu-  
18                  tion of the United States, or any  
19                  amendment thereto.

20                  “(V) The belief that the Con-  
21                  stitution of the United States, and all  
22                  amendments thereto are not the su-  
23                  preme law of the land.

1                   “(VI) The belief that authori-  
2                   tarian forms of government are supe-  
3                   rior to representative democracy.

4                   “(VII) The belief that the alien  
5                   does not need to learn how to speak  
6                   and understand the English language,  
7                   if the alien is not already fluent in  
8                   English.

9                   “(VIII) Any other belief that the  
10                  Secretary of State, in coordination  
11                  with the Secretary of Homeland Secu-  
12                  rity, determines to be incompatible  
13                  with the principles of the United  
14                  States.”.

15               (b) REMOVAL OF ALIENS INADMISSIBLE ON SECU-  
16               RITY AND RELATED GROUNDS.—Section 235(c) of the  
17               Immigration and Nationality Act (8 U.S.C. 1225(c)) is  
18               amended—

19                   (1) in paragraph (1), in the matter preceding  
20                   subparagraph (A), by striking “or (C)” and insert-  
21                   ing “(C), or (H)”; and

22                   (2) in paragraph (2)(B)(i), by striking “or (C)”  
23                   and inserting “(C), or (H)”.



1 **SEC. 6. RESCIND AUTHORITY OF THE SECRETARY OF**  
2 **HOMELAND SECURITY TO PAROLE ALIENS**  
3 **INTO THE UNITED STATES.**

4 Section 212(d) of the Immigration and Nationality  
5 Act (8 U.S.C. 1182(d)) is amended by striking paragraph  
6 (5) and inserting the following:

7 “(5) Notwithstanding any other provision of  
8 law, the Secretary of Homeland Security may not  
9 parole into the United States any alien who has not  
10 been granted status under the immigration laws of  
11 the United States.”.

12 **SEC. 7. PROVIDES STATES AUTHORITY TO REJECT TO REF-**  
13 **UGEES.**

14 Section 412 of the Immigration and Nationality Act  
15 (8 U.S.C. 1522) is amended by adding at the end the fol-  
16 lowing:

17 “(g) **LIMITATION ON RESETTLEMENT.**—

18 “(1) **NOTICE.**—Not later than 30 days before  
19 the date on which a refugee is to resettled in a  
20 State, the Director or Federal agency administering  
21 subsection (b)(1) shall submit to the chief executive  
22 of the State in which resettlement is to take place  
23 a notice of the intention to resettle aliens in such  
24 State.

25 “(2) **DISAPPROVAL.**—Notwithstanding any  
26 other provision of this section, the Director or the

1 Federal agency administering subsection (b)(1) may  
2 not resettle any refugee or coordinate placement of  
3 any refugee in a State if the chief executive of the  
4 State communicates to the Director that the State  
5 does not accede to the resettlement or placement of  
6 refugees in that State.”.

7 **SEC. 8. REMOVAL OF REFUGEES WHO COMMIT CRIMES OF**  
8 **VIOLENCE.**

9 Section 207 of the Immigration and Nationality Act,  
10 as amended by sections 3 and 4, is further amended by  
11 adding at the end the following:

12 “(h)(1) An alien who commits a crime of violence (as  
13 such term is defined in section 16(a) of title 18, United  
14 States Code) shall be ineligible for admission as a refugee  
15 and shall be ordered removed.

16 “(2) In the case of a refugee whose status is adjusted  
17 to that of an alien lawfully admitted for permanent resi-  
18 dence and who commits a crime of violence (as such term  
19 is defined in section 16(a) of title 18, United States Code),  
20 such status shall be rescinded.”.

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