

117TH CONGRESS
1ST SESSION

H. R. 5572

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

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 2021

Mr. ROSENDALE (for himself, Mr. TIFFANY, Mr. DUNCAN, Mr. BISHOP of North Carolina, Mr. STEUBE, Mr. HIGGINS of Louisiana, Mr. POSEY, Mr. GOOD of Virginia, Mr. GOODEN of Texas, Mr. BROOKS, Mr. DESJARLAIS, Mr. WEBER of Texas, Mr. PERRY, Mr. NORMAN, Mr. KELLER, and Mrs. MILLER of Illinois) introduced the following bill; which was referred to the Committee on the Judiciary

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”.

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

2 **CAP.**

3 Section 207 of the Immigration and Nationality Act
4 (8 U.S.C. 1157) is amended—

5 (1) in subsection (a)—

6 (A) by amending paragraphs (1) and (2)

7 to read as follows:

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

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

19 (B) in paragraph (4)—

20 (i) by striking “determination” and
21 inserting “recommendation”;

22 (ii) by striking “(beginning with fiscal
23 year 1992)” and inserting “(beginning
24 with fiscal year 2022)”; and

25 (iii) by striking “determined” and in-
26 serting “recommended”;

1 (2) in subsection (b)—

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

4 (B) by striking “situation and such” and
5 inserting “situation. Any such”;

6 (C) by striking “determination made by
7 the President” and insert “recommendation
8 made by the President”; and

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

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

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

1 **SEC. 3. CONGRESSIONAL REVIEW.**

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

5 **“SEC. 207A. CONGRESSIONAL REVIEW OF ADMISSION OF**
6 **CERTAIN REFUGEES.**

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

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

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

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

23 “(g)(1) In addition to the screening conducted by the
24 Secretary of Homeland Security, the Director of the Fed-
25 eral Bureau of Investigation shall take all actions nec-
26 essary to ensure that each alien receives a thorough back-

1 ground investigation, including an assimilation likelihood
2 screening under section 212(a)(3)(H), prior to admission
3 as a refugee. An alien may not be admitted as a refugee
4 until the Director of the Federal Bureau of Investigation
5 certifies to the Secretary of Homeland Security, Secretary
6 of State, and the Director of National Intelligence that
7 each covered alien has received a background investigation
8 that is sufficient to determine whether the covered alien
9 is a threat to the security of the United States.

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

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

21 “(4) The Secretary of Homeland Security shall sub-
22 mit to Congress a monthly report on the total number of
23 applications for admission with regard to which a certifi-
24 cation under paragraph (1) was made and the number of
25 aliens with regard to whom such a certification was not

1 made for the month preceding the date of the report. The
2 report shall include, for each alien with regard to whom
3 a certification was not made, the concurrence or non-
4 concurrence of each person whose concurrence was re-
5 quired under paragraph (1). The report shall also include
6 the country of origin of each alien and the grounds for
7 which each alien is seeking refuge in the United States.”.

8 **SEC. 5. ASSIMILATION LIKELIHOOD SCREENING.**

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

11 (1) by amending subparagraph (C) to read as
12 follows:

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

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

20 “(H) ASSIMILATION LIKELIHOOD SCREEN-
21 ING.—

22 “(i) IN GENERAL.—Any alien who has
23 expressed or, based on a screening, has
24 been determined to hold any views incom-
25 patible with the principles of the United

1 States, as described in clause (ii) is inad-
2 missible.

3 “(ii) VIEWS INCOMPATIBLE WITH THE
4 PRINCIPLES OF UNITED STATES DE-
5 SCRIBED.—The following are view incom-
6 patible with the principles of the United
7 States:

8 “(I) The belief that a system of
9 religious law should be implemented
10 in the United States.

11 “(II) The belief that a system of
12 religious law should operate in parallel
13 to or supersede the laws of the United
14 States, a State, territory, or munici-
15 pality thereof.

16 “(III) The belief that violence
17 based on religious teachings is justi-
18 fied under any circumstances.

19 “(IV) The belief that individuals
20 should not be entitled to any right
21 guaranteed to them in the Constitu-
22 tion of the United States, or any
23 amendment thereto.

24 “(V) The belief that the Con-
25 stitution of the United States, and all

1 amendments thereto are not the su-
2 preme law of the land.

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

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

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

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

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

24 (2) in paragraph (2)(B)(i), by striking “or (C)”
25 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. REMOVAL OF REFUGEES WHO COMMIT CRIMES OF VI-**
8 **OLENCE.**

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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