

117TH CONGRESS  
2D SESSION

# H. R. 7725

To amend the Immigration and Nationality Act to limit the availability of asylum for aliens transiting through third countries, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2022

Mr. PERRY (for himself, Mrs. MILLER of Illinois, Mrs. BOEBERT, Mr. DONALDS, Mr. JACKSON, Mr. BUCK, Mr. TIFFANY, Mr. BURGESS, Mr. GOHMERT, Mr. STEUBE, Mr. CARTER of Texas, and Mr. DUNCAN) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act to limit the availability of asylum for aliens transiting through third countries, 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 “Preserving Border In-  
5 tegrity Act”.

1 **SEC. 2. LIMITATIONS ON ASYLUM FOR ALIENS TRANSITING**  
2 **THROUGH THIRD COUNTRIES.**

3 Section 208 of the Immigration and Nationality Act  
4 (8 U.S.C. 1158) is amended—

5 (1) in subsection (a)(2)—

6 (A) in subparagraph (A)—

7 (i) by striking “if the Attorney Gen-  
8 eral determines that the alien may be re-  
9 moved, pursuant to a bilateral or multilat-  
10 eral agreement, to” and inserting “if the  
11 Attorney General or the Secretary of  
12 Homeland Security determines that the  
13 alien may be removed to”; and

14 (ii) by striking “Attorney General  
15 finds” and inserting “Attorney General or  
16 Secretary finds, on a case-by-case basis,”;  
17 and

18 (B) by adding at the end the following:

19 “(F) CERTAIN ALIENS ENTERING ALONG  
20 THE SOUTHERN BORDER.—Paragraph (1) shall  
21 not apply to an alien described in subsection  
22 (b)(2)(A)(vii).”; and

23 (2) in subsection (b)(2)(A)—

24 (A) in clause (v), by striking “or” at the  
25 end;

1 (B) in clause (vi), by striking the period at  
2 the end and inserting “; or”; and

3 (C) by adding at the end the following:

4 “(vii) the alien entered or attempted  
5 to enter the United States across the  
6 northern or southern border, but did not  
7 apply for protection from persecution or  
8 torture where it was available in at least  
9 one third country outside the alien’s coun-  
10 try of citizenship, nationality, or last lawful  
11 habitual residence through which he or she  
12 transited en route to the United States, ex-  
13 cept in the case of an alien who—

14 “(I) demonstrates that he or she  
15 is a victim of a severe form of traf-  
16 ficking in persons (as such term is de-  
17 fined in section 103 of the Victims of  
18 Trafficking and Violence Protection  
19 Act of 2000 (22 U.S.C. 7102)) and  
20 agrees to cooperate in an investigation  
21 or other proceeding concerning such  
22 trafficking; or

23 “(II) transited en route to the  
24 United States through only a country  
25 or countries that were not parties to

1 the 1967 Protocol Relating to the  
2 Status of Refugees, or the Convention  
3 against Torture and Other Cruel, In-  
4 human or Degrading Treatment or  
5 Punishment.”.

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