

114TH CONGRESS
1ST SESSION

S. 2300

To require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2015

Mr. JOHNSON introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as 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 “American Security
5 Against Foreign Enemies Act of 2015” or the “American
6 SAFE Act of 2015”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) COVERED ALIEN.—The term “covered
2 alien” means any alien applying for admission to the
3 United States as a refugee who—

4 (A) is a national or resident of Iraq or of
5 Syria;

6 (B) has no nationality and whose last ha-
7 bitual residence was in Iraq or in Syria; or

8 (C) has been present in Iraq or in Syria at
9 any time on or after March 1, 2011.

10 (2) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Armed Services of
14 the Senate;

15 (B) the Select Committee on Intelligence
16 of the Senate;

17 (C) the Committee on the Judiciary of the
18 Senate;

19 (D) the Committee on Homeland Security
20 and Governmental Affairs of the Senate;

21 (E) the Committee on Foreign Relations of
22 the Senate;

23 (F) the Committee on Appropriations of
24 the Senate;

1 (G) the Committee on Armed Services of
2 the House of Representatives;

3 (H) the Permanent Select Committee on
4 Intelligence of the House of Representatives;

5 (I) the Committee on the Judiciary of the
6 House of Representatives;

7 (J) the Committee on Homeland Security
8 of the House of Representatives;

9 (K) the Committee on Foreign Affairs of
10 the House of Representatives; and

11 (L) the Committee on Appropriations of
12 the House of Representatives.

13 **SEC. 3. REVIEW OF REFUGEES TO IDENTIFY SECURITY**
14 **THREATS TO THE UNITED STATES.**

15 (a) **BACKGROUND INVESTIGATION.**—In addition to
16 the screening conducted by the Secretary of Homeland Se-
17 curity, the Director of the Federal Bureau of Investigation
18 shall take all actions necessary to ensure that each covered
19 alien receives a thorough background investigation prior
20 to admission as a refugee. A covered alien may not be ad-
21 mitted as a refugee until the Director of the Federal Bu-
22 reau of Investigation certifies to the Secretary of Home-
23 land Security and the Director of National Intelligence
24 that each covered alien has received a background inves-

1 tigation that is sufficient to determine whether the covered
2 alien is a threat to the security of the United States.

3 (b) CERTIFICATION BY UNANIMOUS CONCUR-
4 RENCE.—A covered alien may only be admitted to the
5 United States after the Secretary of Homeland Security,
6 with the unanimous concurrence of the Director of the
7 Federal Bureau of Investigation and the Director of Na-
8 tional Intelligence, certifies to the appropriate congres-
9 sional committees that the covered alien is not a threat
10 to the security of the United States.

11 (c) INSPECTOR GENERAL REVIEW OF CERTIFI-
12 CATIONS.—The Inspector General of the Department of
13 Homeland Security shall—

14 (1) conduct a risk-based review of all certifi-
15 cations made under subsection (b) each year; and

16 (2) provide an annual report to the appropriate
17 congressional committees that details the findings of
18 each review conducted under paragraph (1).

19 (d) MONTHLY REPORT.—The Secretary of Homeland
20 Security shall submit a monthly report to the appropriate
21 congressional committees that—

22 (1) describes the total number of applications
23 for admission with regard to which a certification
24 under subsection (b) was made and the number of
25 covered aliens with regard to whom such a certifi-

1 cation was not made for the month preceding the
2 date of the report; and

3 (2) includes, for each covered alien with regard
4 to whom a certification was not made, the concur-
5 rence or nonconcurrency of each person whose con-
6 currence was required under subsection (b).

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