

114TH CONGRESS
2D SESSION

H. R. 4731

To provide for an annual adjustment of the number of admissible refugees,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2016

Mr. LABRADOR (for himself, Mr. GOODLATTE, Mr. GOWDY, Mr. SMITH of Texas, and Mr. COLLINS of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for an annual adjustment of the number of
admissible 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 “Refugee Program In-
5 tegrity Restoration Act of 2016”.

6 **SEC. 2. ANNUAL ADJUSTMENT OF THE NUMBER OF ADMIS-**
7 **SIBLE REFUGEES.**

8 (a) IN GENERAL.—Section 207(a)(2) of the Immi-
9 gration and Nationality Act (8 U.S.C. 1157(a)(2)) is
10 amended by striking all that follows after “shall be” and

1 inserting the following: “60,000. The President may, after
2 appropriate consultation, submit a recommendation to
3 Congress for the revision of such number not later than
4 6 months prior to the beginning of such fiscal year, setting
5 forth the justification for such revision due to humani-
6 tarian concerns or that such revision is otherwise in the
7 national interest.”.

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

11 (1) by striking “the President may fix a num-
12 ber of refugees” and inserting the following: “the
13 President may submit to Congress a recommended
14 number of refugees”; and

15 (2) by striking all that follows after “to the
16 emergency refugee situation” and inserting a period.

17 **SEC. 3. TERMINATION OF REFUGEE STATUS.**

18 Section 207(c) of the Immigration and Nationality
19 Act (8 U.S.C. 1157(c)), as amended by this Act, is further
20 amended—

21 (1) in paragraph (4)—

22 (A) by striking “may” each place it ap-
23 pears and inserting “shall”;

24 (B) by inserting after “determines” the
25 following: “—”;

1 (C) by striking “that the alien was not”
2 and inserting the following:

3 “(A) that the alien was not”;

4 (D) by striking the period at the end and
5 inserting “; or”; and

6 (E) by adding at the end the following:

7 “(B) that the alien, who applied for such
8 status because of persecution or a well-founded
9 fear of persecution in the country from which
10 they sought refuge on account of race, religion,
11 nationality, membership in a particular social
12 group, or political opinion, returned to such
13 country absent changed conditions therein.”;
14 and

15 (2) by inserting after paragraph (4) the fol-
16 lowing:

17 “(5) Each fiscal year, the Secretary shall sub-
18 mit to the Committee on the Judiciary of the House
19 of Representatives and the Committee on the Judici-
20 ary of the Senate a report that includes the number
21 of terminations of status under paragraph (4),
22 disaggregated by whether the termination occurred
23 pursuant to subparagraph (A) or (B) of such para-
24 graph.”.

1 **SEC. 4. PRIORITY CONSIDERATION FOR CERTAIN APPLI-**
2 **CANTS FOR REFUGEE STATUS.**

3 Section 207(c) of the Immigration and Nationality
4 Act (8 U.S.C. 1157(c)), as amended by this Act, is further
5 is amended—

6 (1) by adding at the end the following:

7 “(6) When processing refugee applications from
8 individuals seeking refuge from a country listed as
9 a ‘Country of Particular Concern’ in the annual re-
10 port of the Commission on International Religious
11 Freedom under section 203 of the International Re-
12 ligious Freedom Act of 1998 for the year prior to
13 the current year, the Secretary of Homeland Secu-
14 rity shall grant priority consideration to such appli-
15 cants whose claims are based on persecution or a
16 well-founded fear of persecution based on religion by
17 reason of those applicants being practitioners of a
18 minority religion in the country from which they
19 sought refuge.”; and

20 (2) by striking “Attorney General” each place
21 it appears and inserting “Secretary of Homeland Se-
22 curity”.

23 **SEC. 5. LIMITATION OF WAIVER AUTHORITY ON ADMISSION**
24 **OF REFUGEES.**

25 Section 207(c)(3) of the Immigration and Nationality
26 Act (8 U.S.C. 1157(c)(3)) is amended by striking “any

1 other provision of such section (other than paragraph
2 (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph
3 (3))” and inserting “paragraph (1) of section 212(a)”.

4 **SEC. 6. RECURRENT SECURITY MONITORING.**

5 Section 207 of the Immigration and Nationality Act
6 (8 U.S.C. 1157) is amended by adding at the end the fol-
7 lowing:

8 “(g) The Secretary may conduct recurrent back-
9 ground security checks of an admitted refugee until such
10 date as the refugee adjusts status under section 209.”.

11 **SEC. 7. ADJUSTMENT OF STATUS OF REFUGEES.**

12 Section 209(a)(1) of the Immigration and Nationality
13 Act (8 U.S.C. 1159(a)(1)) is amended—

14 (1) in subparagraph (B), by striking “for at
15 least one year” and inserting “for 3 years”; and

16 (2) by striking “shall, at the end of such year
17 period” and inserting “shall, at the end of such pe-
18 riod”.

19 **SEC. 8. LIMITATION OF WAIVER AUTHORITY ON ADJUST-**
20 **MENT OF STATUS OF REFUGEES.**

21 (a) **GROUND FOR INADMISSIBILITY.**—Section
22 209(c) of the Immigration and Nationality Act (8 U.S.C.
23 1159(c)) is amended by striking “any other provision of
24 such section (other than paragraph (2)(C) or subpara-

1 graph (A), (B), (C), or (E) of paragraph (3))” and insert-
2 ing “paragraph (1) of section 212(a)”.

3 (b) GROUNDS OF DEPORTABILITY; IN-PERSON
4 INTERVIEW REQUIRED; REQUIRED REEXAMINATION FOR
5 ADMISSION.—Section 209 of the Immigration and Nation-
6 ality Act (8 U.S.C. 1159) is amended by adding at the
7 end the following:

8 “(d) COORDINATION WITH SECTION 237.—An alien
9 may not adjust status under this section if the alien is
10 deportable under section 237, except that section
11 237(a)(5) shall not apply for purposes of this subsection.

12 “(e) IN-PERSON INTERVIEW REQUIREMENTS.—An
13 alien may not adjust status under this section unless, at
14 the time of application for adjustment, the alien estab-
15 lishes by clear and convincing evidence during an in-per-
16 son interview with the Secretary of Homeland Security
17 that the alien continues to meet the requirements of sec-
18 tion 101(a)(42).

19 “(f) REQUIRED REEXAMINATION FOR ADMISSION.—
20 An alien who is admitted as a refugee who is denied ad-
21 mission under subsection (a)(1) shall, beginning on the
22 date that is 5 years after such denial, and every 5 years
23 thereafter, if that alien retains status as a refugee, return
24 or be returned to the custody of the Department of Home-
25 land Security for inspection and examination for admis-

1 sion to the United States as an immigrant in accordance
2 with the provisions of sections 235, 240, and 241.”.

3 **SEC. 9. LIMITATION ON RESETTLEMENT.**

4 Section 412 of the Immigration and Nationality Act
5 (8 U.S.C. 1522) is amended by adding at the end the fol-
6 lowing:

7 “(g) **LIMITATION ON RESETTLEMENT.**—Notwith-
8 standing any other provision of this section, for a fiscal
9 year, the resettlement of any refugee may not be provided
10 for—

11 “(1) in any State where the Governor of that
12 State, or the State legislature, has taken any action
13 formally disapproving of resettlement in that State;
14 or

15 “(2) in any locality where the chief executive of
16 that locality’s government, or the local legislature,
17 has taken any action formally disapproving of reset-
18 tlement in that locality.”.

19 **SEC. 10. BENEFIT FRAUD ASSESSMENT.**

20 Not later than 540 days after the date of enactment
21 of this Act, the Fraud Detection and National Security
22 Directorate of U.S. Citizenship and Immigration Services
23 shall—

24 (1) complete a study on the processing of refu-
25 gees by officers and employees of the U.S. Citizen-

1 ship and Immigration Services including an identi-
2 fication of the most common ways in which fraud oc-
3 curs in such processing and recommendations for
4 the prevention of fraud in such processing; and

5 (2) submit a report on such study to the Com-
6 mittee on the Judiciary of the House of Representa-
7 tives and the Committee on the Judiciary of the
8 Senate.

9 **SEC. 11. DOCUMENT FRAUD DETECTION PROGRAM.**

10 Not later than 2 years after the date of enactment
11 of this Act, the Secretary of Homeland Security shall es-
12 tablish a program for detecting the use of fraudulent docu-
13 ments in applications for admission as a refugee, includ-
14 ing—

15 (1) placement of Fraud Detection and National
16 Security officials who are under the direction of the
17 Fraud Detection and National Security Directorate
18 of U.S. Citizenship and Immigration Services at ini-
19 tial refugee screening in conjunction with the reset-
20 tlement agency and with the authority to hold a ref-
21 ugee application in abeyance until any fraud or na-
22 tional security concerns are resolved; and

23 (2) creation of a searchable database of scanned
24 and categorized documents proffered by applicants
25 at initial refugee screening to allow for discovery of

1 fraud trends and random translation verification
2 within such documents.

3 **SEC. 12. RECORDING OF INTERVIEWS TO PROTECT REFU-**
4 **GEEES AND PREVENT FRAUD.**

5 (a) IN GENERAL.—The Secretary of Homeland Secu-
6 rity shall use digital recording technology to record each
7 interview of an alien applying for admission as a refugee
8 under section 207 of the Immigration and Nationality Act
9 by an officer or employee of the U.S. Citizenship and Im-
10 migration Services.

11 (b) AUDITING OF TRANSLATIONS.—The Secretary
12 shall randomly select a number of interviews conducted,
13 with the assistance of an interpreter, during each refugee
14 circuit ride, equal to 20 percent of the total number of
15 interviews conducted with the assistance of an interpreter
16 during such circuit ride and review each such selected
17 interview in order to determine whether any interpreter
18 who participated in the interview incorrectly interpreted
19 any portion of the interview (other than a de minimis error
20 in translation). Such reviews shall take place prior to ap-
21 proval or denial of any application for admission as a ref-
22 ugee submitted at that location.

23 (c) IN CASES OF MISTRANSLATIONS.—If the Sec-
24 retary determines that the interpreter incorrectly inter-

1 preted any portion of the interview (other than a de mini-
2 mis error in translation)—

3 (1) the interpreter shall be barred from subse-
4 quently serving as an interpreter for immigration
5 purposes; and

6 (2) no action shall be taken regarding the appli-
7 cation until the applicant has been reinterviewed.

8 **SEC. 13. LIMITATION ON QUALIFICATION AS A REFUGEE.**

9 Section 101(a)(42) of the Immigration and Nation-
10 ality Act (8 U.S.C. 1101(a)(42)) is amended by inserting
11 “For purposes of this paragraph, a person may not be con-
12 sidered a refugee solely or in part because the person is
13 displaced due to, or is fleeing from, violence in the country
14 of such person’s nationality or, in the case of a person
15 having no nationality, the country in which such person
16 last habitually resided, if that violence is not specifically
17 directed at the person, or, if it is directed specifically at
18 the person, it is not directed at the person on account of
19 that person’s race, religion, nationality, membership in a
20 particular social group, or political opinion.” before “The
21 term ‘refugee’ does not include”.

22 **SEC. 14. SECURITY REQUIREMENTS FOR REFUGEES.**

23 Prior to admitting to the United States as a refugee
24 under section 207 of the Immigration and Nationality Act
25 (8 U.S.C. 1157) an alien, the Secretary of Homeland Se-

1 curity shall ensure that the alien does not pose a threat
2 to the national security of the United States based on a
3 background check that the Secretary conducts, which in-
4 cludes a review of the alien’s open source interactions on
5 and posting of material to the Internet (including social
6 media services).

7 **SEC. 15. GAO REPORT ON U.S. REFUGEE ADMISSIONS PRO-**
8 **GRAM.**

9 Not later than 18 months after the date of enactment
10 of this Act, the Comptroller General of the United States
11 shall conduct a review and report to Congress on the fol-
12 lowing:

13 (1) The security of the U.S. Refugee Admis-
14 sions Program, including an examination of—

15 (A) how the U.S. Government conducts se-
16 curity screening and background checks, includ-
17 ing the agencies or U.S. Government partners
18 involved and the systems and databases used;

19 (B) how the U.S. Government determines
20 whether applicants are eligible for refugee reset-
21 tlement and admissible to the United States;
22 and

23 (C) the number of individuals who were
24 admitted into the United States as refugees and
25 subsequently convicted as a result of a ter-

1 rorism-related investigation by the U.S. Govern-
2 ment since fiscal year 2006.

3 (2) Federally funded benefit programs for
4 which aliens admitted into the United States under
5 section 207 of the Immigration and Nationality Act
6 (8 U.S.C. 1157) are eligible, as well as what is
7 known about their participation in these programs.

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