

115TH CONGRESS
1ST SESSION

H. R. 2826

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. LABRADOR (for himself, Mr. GOODLATTE, and Mr. SMITH of Texas) 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 2017”.

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: “50,000. 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” the second place it ap-
17 pears and inserting a period.

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

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

22 (1) in paragraph (4)—

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

1 (B) by inserting after “determines” the
2 following: “—”;

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

5 “(A) that the alien was not”;

6 (D) by striking the period at the end and
7 inserting “; or”; and

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

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

17 (2) by inserting after paragraph (4) the fol-
18 lowing:

19 “(5) Each fiscal year, the Secretary shall submit to
20 the Committee on the Judiciary of the House of Rep-
21 resentatives and the Committee on the Judiciary of the
22 Senate a report that includes the number of terminations
23 of status under paragraph (4), disaggregated by whether
24 the termination occurred pursuant to subparagraph (A)
25 or (B) of such paragraph.”.

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 indi-
8 viduals seeking refuge from a country listed as a ‘Country
9 of Particular Concern’ in the annual report of the Com-
10 mission on International Religious Freedom under section
11 203 of the International Religious Freedom Act of 1998
12 for the year prior to the current year, the Secretary of
13 Homeland Security shall grant priority consideration to
14 such applicants whose claims are based on persecution or
15 a well-founded fear of persecution based on religion by
16 reason of those applicants being practitioners of a minor-
17 ity religion in the country from which they sought ref-
18 uge.”;

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

22 (3) in subsection (c)(1), by striking “Attorney
23 General’s” and inserting “Secretary of Homeland
24 Security’s”.

1 **SEC. 5. LIMITATION OF WAIVER AUTHORITY ON ADMISSION**
2 **OF REFUGEES.**

3 Section 207(c)(3) of the Immigration and Nationality
4 Act (8 U.S.C. 1157(c)(3)) is amended by striking “any
5 other provision of such section (other than paragraph
6 (2)(C) or subparagraph (A), (B), (C), or (E) of paragraph
7 (3))” and inserting “paragraph (1) of section 212(a)”.

8 **SEC. 6. RECURRENT SECURITY MONITORING.**

9 Section 207 of the Immigration and Nationality Act
10 (8 U.S.C. 1157) is amended by adding at the end the fol-
11 lowing:

12 “(g) **BACKGROUND SECURITY CHECKS.**—The Sec-
13 retary may conduct recurrent background security checks
14 of an admitted refugee until such date as the refugee ad-
15 justs status under section 209.”.

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

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

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

21 (2) by striking “shall, at the end of such year
22 period” and inserting “shall, at the end of such pe-
23 riod”.

1 **SEC. 8. LIMITATION OF WAIVER AUTHORITY ON ADJUST-**
2 **MENT OF STATUS OF REFUGEES.**

3 (a) **GROUND** **S FOR INADMISSIBILITY.**—Section
4 209(e) of the Immigration and Nationality Act (8 U.S.C.
5 1159(e)) is amended by striking “any other provision of
6 such section (other than paragraph (2)(C) or subpara-
7 graph (A), (B), (C), or (E) of paragraph (3))” and insert-
8 ing “paragraph (1) of section 212(a)”.

9 (b) **GROUND** **S OF DEPORTABILITY; IN-PERSON**
10 **INTERVIEW REQUIRED; REQUIRED REEXAMINATION FOR**
11 **ADMISSION.**—Section 209 of the Immigration and Nation-
12 ality Act (8 U.S.C. 1159) is amended by adding at the
13 end the following:

14 “(d) **COORDINATION WITH SECTION 237.**—An alien
15 may not adjust status under this section if the alien is
16 deportable under section 237, except that section
17 237(a)(5) shall not apply for purposes of this subsection.

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

25 “(f) **REQUIRED REEXAMINATION FOR ADMISSION.**—
26 An alien who is admitted as a refugee who is denied ad-

1 mission under subsection (a)(1) shall, beginning on the
2 date that is 5 years after such denial, and every 5 years
3 thereafter, if that alien retains status as a refugee, return
4 or be returned to the custody of the Department of Home-
5 land Security for inspection and examination for admis-
6 sion to the United States as an immigrant in accordance
7 with the provisions of sections 235, 240, and 241.”.

8 **SEC. 9. LIMITATION ON RESETTLEMENT.**

9 Section 412 of the Immigration and Nationality Act
10 (8 U.S.C. 1522) is amended by adding at the end the fol-
11 lowing:

12 “(g) **LIMITATION ON RESETTLEMENT.**—Notwith-
13 standing any other provision of this section, for a fiscal
14 year, the resettlement of any refugee may not be provided
15 for—

16 “(1) in any State in which the Governor of that
17 State or the State legislature have taken any action
18 formally disapproving of resettlement in that State;
19 or

20 “(2) in any locality where the chief executive of
21 that locality’s government, or the local legislature,
22 has taken any action formally disapproving of reset-
23 tlement in that locality.”.

1 **SEC. 10. BENEFIT FRAUD ASSESSMENT.**

2 Not later than 540 days after the date of the enact-
3 ment of this Act, the Fraud Detection and National Secu-
4 rity Directorate of U.S. Citizenship and Immigration Serv-
5 ices shall—

6 (1) complete a study on the processing of refu-
7 gees by officers and employees of the U.S. Citizen-
8 ship and Immigration Services including an identi-
9 fication of the most common ways in which fraud oc-
10 curs in such processing and recommendations for
11 the prevention of fraud in such processing; and

12 (2) submit a report on such study to the Com-
13 mittee on the Judiciary of the House of Representa-
14 tives and the Committee on the Judiciary of the
15 Senate.

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

17 Not later than 2 years after the date of the enact-
18 ment of this Act, the Secretary of Homeland Security shall
19 establish a program for detecting the use of fraudulent
20 documents in applications for admission as a refugee, in-
21 cluding—

22 (1) placement of Fraud Detection and National
23 Security officials who are under the direction of the
24 Fraud Detection and National Security Directorate
25 of U.S. Citizenship and Immigration Services at ini-
26 tial refugee screening in conjunction with the reset-

1 tlement agency and with the authority to hold a ref-
2 ugee application in abeyance until any fraud or na-
3 tional security concerns are resolved; and

4 (2) creation of a searchable database of scanned
5 and categorized documents proffered by applicants
6 at initial refugee screening to allow for discovery of
7 fraud trends and random translation verification
8 within such documents.

9 **SEC. 12. RECORDING OF INTERVIEWS TO PROTECT REFU-**
10 **GEES AND PREVENT FRAUD.**

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

17 (b) AUDITING OF TRANSLATIONS.—The Secretary
18 shall randomly select a number of interviews conducted,
19 with the assistance of an interpreter, during each refugee
20 circuit ride, equal to 20 percent of the total number of
21 interviews conducted with the assistance of an interpreter
22 during such circuit ride and review each such selected
23 interview in order to determine whether any interpreter
24 who participated in the interview incorrectly interpreted
25 any portion of the interview (other than a de minimis error

1 in translation). Such reviews shall take place prior to ap-
2 proval or denial of any application for admission as a ref-
3 ugee submitted at that location.

4 (c) IN CASES OF MISTRANSLATIONS.—If the Sec-
5 retary determines that the interpreter incorrectly inter-
6 preted any portion of the interview (other than a de mini-
7 mis error in translation)—

8 (1) the interpreter shall be barred from subse-
9 quently serving as an interpreter for immigration
10 purposes; and

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

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

14 Section 101(a)(42) of the Immigration and Nation-
15 ality Act (8 U.S.C. 1101(a)(42)) is amended by inserting
16 “For purposes of this paragraph, a person may not be con-
17 sidered a refugee solely or in part because the person is
18 displaced due to, or is fleeing from, violence in the country
19 of such person’s nationality or, in the case of a person
20 having no nationality, the country in which such person
21 last habitually resided, if that violence is not specifically
22 directed at the person, or, if it is directed specifically at
23 the person, it is not directed at the person on account of
24 that person’s race, religion, nationality, membership in a

1 particular social group, or political opinion.” before “The
2 term ‘refugee’ does not include”.

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

4 Prior to admitting to the United States as a refugee
5 under section 207 of the Immigration and Nationality Act
6 (8 U.S.C. 1157) an alien, the Secretary of Homeland Se-
7 curity shall ensure that the alien does not pose a threat
8 to the national security of the United States based on a
9 background check that the Secretary conducts, which in-
10 cludes a review of the alien’s publicly available interactions
11 on and posting of material to the Internet (including social
12 media services).

13 **SEC. 15. IMPLEMENTATION OF GAO RECOMMENDATIONS.**

14 Not later than 180 days after the date of the enact-
15 ment of this Act, the Secretary of State and the Secretary
16 of Homeland Security each shall implement the rec-
17 ommendations applicable to their respective department
18 set out in the Government Accountability Office reports
19 entitled “State and Its Partners Have Implemented Sev-
20 eral Antifraud Measures but Could Further Reduce the
21 Risk of Staff Fraud” (GAO–17–446SU) and “Actions
22 Needed by State Department and DHS to Further
23 Strengthen Applicant Screening Process and Assess
24 Fraud Risks” (GAO–17–444SU).

1 **SEC. 16. GAO REPORT ON U.S. REFUGEE ADMISSIONS PRO-**
2 **GRAM.**

3 Not later than 18 months after the date of the enact-
4 ment of this Act, the Comptroller General of the United
5 States shall conduct a review and report to Congress on
6 the following:

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

9 (A) how the U.S. Government conducts se-
10 curity screening and background checks, includ-
11 ing the agencies or U.S. Government partners
12 involved and the systems and databases used;

13 (B) how the U.S. Government determines
14 whether applicants are eligible for refugee reset-
15 tlement and admissible to the United States;
16 and

17 (C) the number of individuals who were
18 admitted into the United States as refugees and
19 subsequently convicted as a result of a ter-
20 rorism-related investigation by the U.S. Govern-
21 ment since fiscal year 2006.

22 (2) Federally funded benefit programs for
23 which aliens admitted into the United States under
24 section 207 of the Immigration and Nationality Act

1 (8 U.S.C. 1157) are eligible, as well as what is
2 known about their participation in these programs.

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