

113TH CONGRESS
2D SESSION

H. R. 5430

To direct the Secretary of State, in consultation with the Secretary of Homeland Security, to establish processes for certain aliens located in Iraq, Saudi Arabia, Lebanon, Jordan, Kuwait, Turkey, or Syria to apply for admission to the United States as refugees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2014

Mr. VARGAS (for himself and Mr. ROONEY) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To direct the Secretary of State, in consultation with the Secretary of Homeland Security, to establish processes for certain aliens located in Iraq, Saudi Arabia, Lebanon, Jordan, Kuwait, Turkey, or Syria to apply for admission to the United States 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 “Nineveh Plain Refugee
5 Act of 2014”.

1 **SEC. 2. IN-COUNTRY PROCESSES FOR CERTAIN ALIENS AP-**
2 **PLYING FOR REFUGEE STATUS.**

3 (a) IN-COUNTRY PROCESSES.—The Secretary of
4 State, in consultation with the Secretary of Homeland Se-
5 curity, shall establish or use existing processes in Iraq,
6 Saudi Arabia, Lebanon, Jordan, Kuwait, Turkey, and
7 Syria through which an alien who is located in such a
8 country and described in section 3(b) may apply and inter-
9 view for admission to the United States as a refugee under
10 section 207 of the Immigration and Nationality Act (8
11 U.S.C. 1157). Such an alien shall be considered a refugee
12 of special humanitarian concern eligible for Priority 2
13 processing under the refugee resettlement priority system.

14 (b) SUSPENSION OF IN-COUNTRY PROCESSES.—

15 (1) IN GENERAL.—The Secretary of State, in
16 consultation with the Secretary of Homeland Secu-
17 rity, may suspend the processes under subsection (a)
18 in a foreign country listed in subsection (a) for a pe-
19 riod not to exceed 90 days, if the Secretary deter-
20 mines that such a suspension is appropriate.

21 (2) EXTENSION.—The Secretary of State, in
22 consultation with the Secretary of Homeland Secu-
23 rity, may extend a suspension under paragraph (1)
24 upon notification to the Committee on the Judiciary
25 of the House of Representatives, the Committee on
26 Foreign Affairs of the House of Representatives, the

1 Committee on the Judiciary of the Senate, and the
2 Committee on Foreign Relations of the Senate.

3 (3) REPORT.—The Secretary of State shall sub-
4 mit to the committees listed in paragraph (2) a re-
5 port that describes the reason for each suspension
6 and extension under this subsection.

7 **SEC. 3. ALIENS ELIGIBLE TO APPLY FOR ADMISSION TO**
8 **THE UNITED STATES AS A REFUGEE USING**
9 **IN-COUNTRY PROCESSES.**

10 (a) IN GENERAL.—In the case of an alien who is
11 within a category of aliens established under subsection
12 (b), the alien may establish, for purposes of admission as
13 a refugee under section 207 of the Immigration and Na-
14 tionality Act (8 U.S.C. 1157), that the alien has a well-
15 founded fear of persecution on account of race, religion,
16 nationality, membership in a particular social group, or
17 political opinion by asserting such a fear and asserting a
18 credible basis for concern about the possibility of such per-
19 secution.

20 (b) ESTABLISHMENT OF CATEGORIES.—For pur-
21 poses of subsection (a), the Secretary of State, in consulta-
22 tion with the Secretary of Homeland Security, shall estab-
23 lish one or more categories of aliens who are or were na-
24 tionals or residents of a territory controlled by the group
25 commonly known as the Islamic State of Iraq and the Le-

1 vant (or any successor name) in Iraq, Saudi Arabia, Leb-
2 anon, Jordan, Kuwait, Turkey, or Syria and who share
3 common characteristics that identify them as targets of
4 persecution in that country on account of race, religion,
5 nationality, membership in a particular social group, or
6 political opinion.

7 (c) EXCLUSION FROM NUMERICAL LIMITATIONS.—
8 Aliens provided Priority 2 processing under the refugee
9 resettlement priority system under this section shall not
10 be counted against any numerical limitation under section
11 207 of the Immigration and Nationality Act (8 U.S.C.
12 1157) for fiscal years 2014 and 2015.

13 (d) ELIGIBILITY FOR ADMISSION AS REFUGEE.—No
14 alien shall be denied the opportunity to apply for admis-
15 sion under this section solely because such alien qualifies
16 as an immediate relative or is eligible for any other immi-
17 grant classification.

18 (e) WRITTEN REASONS FOR DENIALS OF REFUGEE
19 STATUS.—Each decision to deny an application for ref-
20 ugee status of an alien under this section shall be in writ-
21 ing and shall state, to the maximum extent feasible, the
22 reason for the denial.

23 (f) PERMITTING CERTAIN ALIENS WITHIN CAT-
24 EGORIES TO REAPPLY FOR REFUGEE STATUS.—Each
25 alien described in subsection (b) who after, June 1, 2014,

1 and before the date of the enactment of this Act was de-
2 nied refugee status shall be permitted to reapply for such
3 status. Such an application shall be determined taking
4 into account the application of this Act.

5 (g) PROTECTION OF ALIENS.—In the case that the
6 Secretary of State, in consultation with the Secretary of
7 Homeland Security, determines that an alien who is lo-
8 cated in a foreign country listed in section 2(a) and de-
9 scribed in subsection (b) who has applied for admission
10 to the United States as a refugee under section 207 of
11 the Immigration and Nationality Act (8 U.S.C. 1157)
12 using the processes under this Act is in imminent danger,
13 the Secretary shall make a reasonable effort to provide
14 such alien with protection or the immediate removal from
15 that country.

16 **SEC. 4. REPORTS.**

17 (a) INITIAL REPORT.—Not later than 120 days after
18 the date of the enactment of this Act, the Secretary of
19 State, in consultation with the Secretary of Homeland Se-
20 curity, shall submit to the Committee on the Judiciary of
21 the House of Representatives, the Committee on Foreign
22 Affairs of the House of Representatives, the Committee
23 on the Judiciary of the Senate, and the Committee on For-
24 eign Relations of the Senate a report containing plans to
25 expedite the processing of applications for admission to

1 the United States as refugee under section 207 of the Im-
2 migration and Nationality Act (8 U.S.C. 1157) of aliens
3 described in section 3(b) who apply for admission using
4 the processes under the Act, including information relat-
5 ing to—

6 (1) expediting the processing of such refugees
7 for resettlement, including through temporary ex-
8 pansion of the Refugee Corps of United States Citi-
9 zenship and Immigration Services;

10 (2) increasing the number of personnel of the
11 Department of State and the Department of Home-
12 land Security devoted to the processing of such ap-
13 plications;

14 (3) enhancing existing systems for conducting
15 background and security checks of such aliens; and

16 (4) the projections of the Secretary for the
17 number of refugee interviews that will be conducted
18 in each foreign country listed in section 2(a) in each
19 month of fiscal years 2015 and 2016.

20 (b) ANNUAL REPORT.—Not later than 120 days after
21 the date of the enactment of this Act, and annually there-
22 after through 2016, the Secretary of State, in consultation
23 with the Secretary of Homeland Security, shall submit to
24 Congress an unclassified report, with a classified annex
25 if necessary, which includes—

1 (1) an assessment of the financial, security, and
2 personnel considerations and resources necessary to
3 carry out the provisions of this Act;

4 (2) the number of aliens described in section
5 3(b);

6 (3) the number of such aliens who have applied
7 for admission to the United States as a refugee
8 under section 207 of the Immigration and Nation-
9 ality Act (8 U.S.C. 1157) using the processes under
10 this Act; and

11 (4) in the case of such applications pending for
12 longer than 180 days, the reason that refugee status
13 has not been granted in each such case.

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