

114TH CONGRESS
1ST SESSION

H. R. 4078

To authorize the Governor of any State in which it is proposed to place or resettle a Syrian refugee to refuse such placement or resettlement if the Governor makes certain certifications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2015

Mr. YOHO (for himself, Mr. JONES, and Mr. POSEY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the Governor of any State in which it is proposed to place or resettle a Syrian refugee to refuse such placement or resettlement if the Governor makes certain certifications, 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 “Give States a Chance
5 Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) On November 13, 2015, 3 teams of radical
2 Islamic terrorists staged coordinated attacks at 6 lo-
3 cations throughout Paris.

4 (2) ISIS leader Abu Bakr al-Baghdadi ordered
5 this cowardly attack on innocent civilians.

6 (3) At least one of the attackers carried a fake
7 Syrian passport and arrived among the refugees
8 from the Syrian conflict.

9 (4) The recent attacks in Paris illustrate the se-
10 riousness of the threats posed by extreme radical Is-
11 lamic terrorists groups and those sympathetic to
12 their cause.

13 (5) President Obama has stated that the
14 United States will take in at least 10,000 Syrian ref-
15 ugees.

16 (6) The potential of ISIS and other terrorist
17 groups inserting terrorists in the flow of refugees is
18 high, as demonstrated by the attacks in Paris.

19 (7) The governors of Alabama, Arizona, Arkan-
20 sas, Florida, Georgia, Idaho, Illinois, Indiana, Iowa,
21 Kansas, Louisiana, Maine, Massachusetts, Michigan,
22 Mississippi, Nebraska, Nevada, New Hampshire,
23 New Jersey, New Mexico, North Carolina, Ohio,
24 Oklahoma, South Carolina, Tennessee, Texas, Wis-
25 consin, Wyoming, South Dakota, and Maryland al-

1 ready have stated that they are opposed to receiving
2 Syrian refugees in their States.

3 (8) The primary responsibility of the Federal
4 Government is to provide for the common defense of
5 our Nation.

6 **SEC. 3. AUTHORITY OF STATES TO REFUSE RECEIPT OF**
7 **REFUGEES.**

8 (a) STATES AUTHORIZED TO ACT.—The Governor of
9 any State in which it is proposed to place or resettle a
10 refugee (as defined in section 101(a)(42) of the Immigra-
11 tion and Nationality Act (8 U.S.C. 1101(a)(42))) who is
12 an alien described in subsection (b) may refuse such place-
13 ment or resettlement if the Governor certifies that the
14 Governor—

15 (1) has not properly been informed of the in-
16 tended sponsorship process for the refugee;

17 (2) has determined that the proposed location
18 for the refugee within the State is inappropriate be-
19 cause the proportion of refugees and comparable en-
20 trants in the population in the location area is too
21 high; or

22 (3) is not reasonably satisfied that the refugee
23 does not post a security threat.

24 (b) ALIENS DESCRIBED.—An alien is described in
25 this subsection if the alien—

1 (1) is a national of Syria; or

2 (2) has no nationality and the country in which
3 the alien last habitually resided is Syria.

4 (c) LIMITATION ON LIABILITY.—A State may not be
5 held liable in any Federal civil action for any decision de-
6 scribed in subsection (a).

7 **SEC. 4. REVIEW OF REFUGEES TO IDENTIFY SECURITY**
8 **THREATS.**

9 (a) CERTIFICATION.—A covered refugee may not be
10 admitted to the United States until the Secretary of
11 Homeland Security, in consultation with the Attorney
12 General, the Director of the Federal Bureau of Investiga-
13 tion, and the Director of National Intelligence, certifies
14 to Congress that that covered refugee is not a security
15 threat to the United States.

16 (b) INSPECTOR GENERAL REVIEW OF CERTIFI-
17 CATIONS.—The Inspector General of the Department of
18 Homeland Security shall review 20 percent of all certifi-
19 cations made under subsection (a) each fiscal year.

20 (c) FBI BACKGROUND INVESTIGATION.—The Direc-
21 tor of the Federal Bureau of Investigation shall take all
22 actions necessary to ensure that each covered refugee re-
23 ceives a thorough background investigation prior to admis-
24 sion. A covered refugee may not be admitted until the Di-

1 rector certifies that the covered refugee has received such
2 a background investigation.

3 (d) DEFINITION.—The term “covered refugee”
4 means any alien applying for admission to the United
5 States as a refugee who—

6 (1) is a national or resident of Iraq or Syria;

7 (2) has no nationality and whose last habitual
8 residence was in Iraq or Syria; or

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

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