

AMENDMENT TO H.R. 5300
OFFERED BY MS. JACOBS OF CALIFORNIA

Insert after section 226 the following:

1 **SEC. 227. STANDARDS AND TRANSPARENCY FOR FOREIGN-**
2 **POLICY REMOVAL DETERMINATIONS.**

3 (a) POLICY AND STANDARDS.—Not later than 90
4 days after the date of enactment of this Act, the Secretary
5 shall issue public written standards governing determina-
6 tions transmitted pursuant to section 237(a)(4)(C) of the
7 Immigration and Nationality Act (8 U.S.C.
8 1227(a)(4)(C)), including factors considered; required
9 consultations with the Bureau of Democracy, Human
10 Rights, and Labor and the Office of the Legal Adviser;
11 and protections for lawful speech and association con-
12 sistent with section 212(a)(3)(C)(ii)–(iii) of the Immigra-
13 tion and Nationality Act (8 U.S.C. 1182(a)(3)(C)(ii)–
14 (iii)).

15 (b) NOTIFICATIONS.—Not later than 7 days after any
16 such determination, the Secretary shall transmit to the
17 Committee on Foreign Affairs and the Committee on the
18 Judiciary of the House of Representatives and the Com-
19 mittee on Foreign Relations and the Committee on the
20 Judiciary of the Senate a notification including the legal

1 and policy basis for the determination, consistent with the
2 protection of national security information.

3 (c) ANNUAL REPORT.—Not later than 120 days after
4 the date of enactment of this Act and annually thereafter,
5 the Secretary shall submit to the committees specified in
6 subsection (b) an unclassified report (which may include
7 a classified annex) providing aggregate numbers of such
8 determinations during the preceding year, country or re-
9 gional context, and a description of the standards applied.

10 (d) LIMITATION ON FUNDS.—None of the funds au-
11 thorized by this Act for the Department may be used to
12 issue or transmit a determination under section
13 237(a)(4)(C) of the Immigration and Nationality Act (8
14 U.S.C. 1227(a)(4)(C)) unless the Secretary has complied
15 with subsections (a) through (c) of this section.

