

115TH CONGRESS  
1ST SESSION

# H. R. 2826

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

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## 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

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## 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 Immig-  
9       ration 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(c) of the Immigration and Nationality  
20 Act (8 U.S.C. 1157(c)), 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”;

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

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

5 “(A) that the alien was not”;

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

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

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

16 and

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)   **GROUNDS FOR INADMISSIBILITY.**—Section  
4   209(c) of the Immigration and Nationality Act (8 U.S.C.  
5   1159(c)) 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)   **GROUNDS 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.

○