To temporarily restrict the admission to the United States of refugees from countries containing terrorist-controlled territory.

IN THE SENATE OF THE UNITED STATES

Mr. CRUZ introduced the following bill; which was read twice and referred to the Committee on

A BILL

To temporarily restrict the admission to the United States of refugees from countries containing terrorist-controlled territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Terrorist Refugee Infiltration Prevention Act of 2015”.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTRY CONTAINING TERRORIST-CONTROLLED TERRITORY.—The phrase “country containing terrorist-controlled territory” means—
(A) Iraq, Libya, Somalia, Syria, and Yemen; and

(B) any other country designated by the Secretary of State pursuant to section 4(a).

(2) REFUGEE.—The term “refugee” has the meaning given the term in section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)).

(3) SUBSTANTIAL ASSISTANCE.—The phrase “substantial assistance” means a level of assistance without which the United States could not achieve the purposes for which the assistance was provided or sought.


SEC. 3. PROHIBITION ON REFUGEES FROM TERRORIST-CONTROLLED TERRITORIES.

(a) IN GENERAL.—Except as provided in subsection (b) and notwithstanding any other provision of law, an alien may not be admitted to the United States under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) if the alien is a national of, has habitually resided
in, or is claiming refugee status due to events in any country containing terrorist-controlled territory.

(b) Exception.—

(1) IN GENERAL.—An alien otherwise prohibited from admission to the United States under subsection (a) may be admitted to the United States under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) if the alien clearly proves, beyond doubt, that he or she—

(A) satisfies the requirements for admission as a refugee; and

(B) is a member of a group that has been designated by the Secretary of State or by an Act of Congress as a victim of genocide.

(2) NATIONAL SECURITY THREAT.—An alien may not be admitted under paragraph (1) unless—

(A) the alien has undergone the highest level of security screening of any category of traveler to the United States, including assessments by the Department of State, the Department of Defense, the Department of Homeland Security, the Federal Bureau of Investigation Terrorist Screening Center, and the National Counterterrorism Center;
(B) full multi-modal biometrics of the alien have been taken, including face, iris, and all fingerprints; and

(C) the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence certify that such alien is not a threat to the national security of the United States.

(c) APPLICABILITY.—Subsections (a) and (b) shall not apply to any alien seeking admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) if the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, and the Director of National Intelligence certify that the alien—

(1) provided substantial assistance to the United States; and

(2) would face a substantial risk of death or serious bodily injury because of that assistance if not admitted to the United States.

SEC. 4. RESPONSIBILITIES OF THE SECRETARY OF STATE.

(a) IDENTIFICATION OF OTHER COUNTRIES.—In addition to the countries listed in section 2(1)(A), the Secretary of State may designate, as a “country containing terrorist-controlled territory”, any country containing ter-
ritory that is controlled, in substantial part, by a Foreign
Terrorist Organization, as designated by the Secretary of
State under section 219 of the Immigration and Nation-
ality Act (8 U.S.C. 1189), to the exclusion of that coun-
try’s recognized government.

(b) LIST OF COUNTRIES CONTAINING TERRORIST-
CONTROLLED TERRITORY.—The Secretary of State
shall—

(1) maintain and continually update a list of
the countries containing terrorist-controlled terri-
tory; and

(2) continuously make available the list de-
scribed in paragraph (1)—

(A) on the Secretary’s website;

(B) to the Secretary of Homeland Secu-

rity;

(C) to Congress; and

(D) to the public.

(c) VICTIMS OF GENOCIDE.—The Secretary of State
shall—

(1) identify all groups that are victims of geno-

cide;

(2) maintain and continually update a list of
the groups that the Secretary or Congress has iden-
tified as victims of genocide; and
(3) continuously make available the list described in paragraph (2)—

(A) on the Secretary’s website;

(B) to the Secretary of Homeland Security;

(C) to Congress; and

(D) to the public.

(d) National Security Threat.—The Secretary of State may refuse to designate a group for the exception under section 3(b)(1)(B) if the Secretary determines that the group poses a substantial security risk to the United States.

SEC. 5. RESPONSIBILITIES OF THE SECRETARY OF HOMELAND SECURITY.

(a) Rulemaking.—The Secretary of Homeland Security shall issue regulations to implement section 3 as soon as practicable.

(b) Limit of Alien Assertions.—The Secretary of Homeland Security may not admit any alien into the United States under this Act solely based on the assertions of such alien.

(c) Coordination.—The Secretary of Homeland Security shall coordinate with the Secretary of State, the Secretary of Defense, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence
to substantiate, as much as reasonably practicable, the assertions made by aliens seeking admission to the United States.

SEC. 6. EFFECTIVE PERIOD.

This Act shall be effective during the 3-year period beginning on the date of the enactment of this Act.