



Congressional Update The Refugee Program Integrity Restoration Act of 2016

*Roxanne Perugino
March 18, 2016*

On March 16, the House Judiciary Committee approved legislation that would provide for an annual adjustment of the number of admissible refugees to the United States.

HR4731, to Provide for an annual adjustment of the number of admissible refugees, and for other purposes, sponsored by Representative Raul Labrador (R-Idaho) and passed on a straight party line vote of 18-9, caps the number of refugees at 60,000 and gives Congress, rather than the President the discretion to adjust the number.

The bill is a fundamental attack on the US refugee program, and, a thinly veiled attempt to prevent Muslim refugees from entering the US. It is based on the falsehood that Muslim refugees pose a danger to the US and its citizens. It also reduces the US ability to respond to international crises, and, prioritizes religious minorities, i.e., Christians, from countries designated by the US Commission on Religious Freedom, as countries of particular concern (CPC). In prioritizing Christians, the legislation effectively would prevent many Muslim refugees from resettling in the US.

This pernicious legislation would not only cap refugee admissions, it would place refugees under continual surveillance after arrival and create new procedures that could potentially delay indefinitely resettlement for many refugees whose lives are in danger, including Central Americans, Syrians and Iraqis. If admitted, Muslim refugees would not be able to adjust to Lawful Permanent Residency until they have been in the US for three years thereby delaying any family reunification. The bill also would revoke refugee status of any refugees who return to their country of origin to visit family members or rebuild their communities.

Labrador said the bill also would block refugees from being placed in states or localities that have formally gone on record against such resettlement. It includes provisions on document fraud detection, recurring background checks and monitoring refugee applicants' Internet postings. Moreover, his proposal would force the federal government to weigh input from the communities affected by an influx of refugees, as well as help counter fraud in the application system and threats to national security.

The panel adopted two amendments making the bill even more restrictive. By a vote of 15-7, it approved an amendment by Representative Steve King (R-Iowa) to allow states to hold ballot initiative or referendums to block refugee resettlement. By a vote of 17-8, the Committee approved an amendment by Representative Ted Poe (R-Texas) that will allow states to opt out of receiving refugees if federal authorities do not provide a 21-day advance notice of a placement plan and certify that it would not carry a security risk.



Efforts by Committee Democrats to soften the bill were defeated by Republican members. Ranking Democrat Representative John Conyers (D-Michigan) offered an amendment that would strip out the provisions allowing states and localities to block refugees but the amendment was rejected by a vote of 5 to 12. The Committee also rejected an amendment by Representative Jerrold Nadler (D-New York) that would have removed language that set the numerical cap and transfer discretion to Congress. That amendment was defeated on a 9-15 vote. Representative Chu Judy Chu (D-California) offered an amendment that would have provided a waiver authority for victims of sex trafficking to be considered for admission to the US, noting that many Syrian women in Lebanon have been and are victims of sex trafficking. The amendment was rejected on a 6-16. Republicans asserted there is existing legislation in place to protect victims of sex trafficking; thus the amendment was unnecessary. Other amendments to weaken the bill offered by Democrats to Suzan DelBene (Washington), David Cicilline (Rhode Island), Hakeem Jeffries (New York) and Zoe Lofgren (California) were all defeated.

This is the not the first attempt by Congress to deny Muslim refugees entry into the US. In January 2016, Senate Democrats blocked a vote on a House-passed bill (**HR4038**) that would have halted the admission of Syrian and Iraqi refugees into the US until they underwent the strictest vetting process ever required for people fleeing their war-torn homelands. Senators voted 55-43 to advance the bill but fell five votes short of the 60 needed for passage. President Obama had vowed to veto the legislation if passed.

Clearly, the Administration also opposes **HR4731** not only because it denies admission of Muslim refugees, but also because it limits the President's power to take executive action. Republican members of Congress are angry at the President's recent executive decisions with respect to refugees and the legislation is a heavy-handed effort to tie the President's hands. The Administration opposes the bill and therefore it is unlikely that it will be enacted into law.

Text of [HR4731](#) and the [Poe](#) and [King](#) amendments.