

114TH CONGRESS
1ST SESSION

H. R. 1568

To establish processes for certain aliens located in Iraq and certain other countries who are or were nationals or residents of Iraq or Syria who have been persecuted or have a credible fear of being persecuted by the group commonly known as the Islamic State of Iraq and the Levant, or by a similar group, to apply and interview for admission to the United States as refugees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 2015

Mr. VARGAS (for himself, Mr. ROONEY of Florida, Mr. CONYERS, and Mr. HUNTER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish processes for certain aliens located in Iraq and certain other countries who are or were nationals or residents of Iraq or Syria who have been persecuted or have a credible fear of being persecuted by the group commonly known as the Islamic State of Iraq and the Levant, or by a similar group, to apply and interview for admission to the United States as 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Religious
3 Minorities Persecuted by ISIS Act of 2015”.

4 **SEC. 2. PROCESSING MECHANISMS.**

5 Not later than 60 days after the date of the enact-
6 ment of this Act, the Secretary of State, in consultation
7 with the Secretary of Homeland Security, shall establish
8 or use existing refugee processing mechanisms in Iraq and
9 in other countries determined appropriate by the Sec-
10 retary, through which aliens described in section 3(a) may
11 apply and interview for admission to the United States
12 as refugees. Such processing mechanisms shall ensure that
13 background and security checks of such aliens are con-
14 ducted, which shall include the use of biographic and bio-
15 metric data to check an alien’s identity against all appro-
16 priate records and databases maintained by the Secretary
17 of Homeland Security, the Attorney General, the Sec-
18 retary of State, and any other Federal agency determined
19 appropriate by the Secretary of Homeland Security in
20 order to determine any whether an alien may be inadmis-
21 sible to the United States.

22 **SEC. 3. UNITED STATES REFUGEE PROGRAM PROCESSING**
23 **PRIORITIES.**

24 (a) IN GENERAL.—Refugees of special humanitarian
25 concern eligible for Priority 2 processing under the refugee
26 resettlement priority system who may apply directly to the

1 United States Refugee Admissions Program shall include
2 aliens who are or were nationals or residents of Iraq or
3 Syria who have been persecuted or have a credible fear
4 of being persecuted by the group commonly known as the
5 Islamic State of Iraq and the Levant (or any successor
6 name), or by a similar group, based on—

7 (1) the alien’s membership in a minority group,
8 including a religious or ethnic minority group;

9 (2) the alien’s gender; or

10 (3) other characteristics identified by the Sec-
11 retary of State, or the designee of the Secretary.

12 (b) ELIGIBILITY FOR ADMISSION AS A REFUGEE.—

13 No alien shall be denied the opportunity to apply for ad-
14 mission under this section solely because such alien—

15 (1) qualifies as an immediate relative;

16 (2) is eligible for any other immigrant classi-
17 fication; or

18 (3) was referred to apply for admission to the
19 United States as a refugee by a United States non-
20 profit organization that is exempt from Federal in-
21 come taxes under section 501(c)(3) of the Internal
22 Revenue Code.

23 (c) PERMITTING CERTAIN ALIENS WITHIN CAT-
24 EGORIES TO REAPPLY FOR REFUGEE STATUS.—Each
25 alien described in subsection (a) who after, June 1, 2014,

1 and before the date of the enactment of this Act was de-
2 nied refugee status shall be permitted to reapply for such
3 status. Such an application shall be determined taking
4 into account the application of this Act.

5 (d) PROTECTION OF ALIENS.—In the case that the
6 Secretary of State, in consultation with the Secretary of
7 Homeland Security, determines that an alien who is de-
8 scribed in subsection (a) and who has applied for admis-
9 sion to the United States as a refugee under section 207
10 of the Immigration and Nationality Act (8 U.S.C. 1157)
11 using the processes under section 2 is in imminent danger,
12 the Secretary shall make a reasonable effort to provide
13 such alien with protection or the immediate removal from
14 that country.

15 **SEC. 4. DETERMINATIONS OF REFUGEE APPLICATIONS.**

16 (a) RECORD OF DETERMINATION.—The adjudicator
17 of an application for admission to the United States as
18 a refugee under section 207 of the Immigration and Na-
19 tionality Act (8 U.S.C. 1157) submitted by an alien who
20 is described in section 3(a) using the processes under sec-
21 tion 2 shall consider all relevant evidence and maintain
22 a record of the evidence considered.

23 (b) LEGAL REPRESENTATION.—An applicant de-
24 scribed in subsection (a) may be represented, including at

1 a refugee interview, at no expense to the Government, by
2 an attorney or accredited representative who—

3 (1) was chosen by the applicant; and

4 (2) is authorized by the Secretary of Homeland
5 Security to be recognized as the representative of
6 such applicant in an adjudication under this section.

7 (c) WRITTEN DECISION REQUIRED.—A decision to
8 deny an application of an alien described in subsection
9 (a)—

10 (1) shall be in writing; and

11 (2) shall provide, to the maximum extent fea-
12 sible, information on the reason for the denial, in-
13 cluding—

14 (A) the facts underlying the determination;

15 (B) the basis of any negative credibility
16 finding; and

17 (C) whether there is a waiver of inadmis-
18 sibility available to the applicant.

19 (d) REVIEW OF DENIALS OF REFUGEE STATUS.—

20 (1) IN GENERAL.—Not later than 120 days
21 after being denied admission to the United States as
22 a refugee under section 207 of the Immigration and
23 Nationality Act (8 U.S.C. 1157), an applicant de-
24 scribed in subsection (a) may file a request with the

1 Secretary of Homeland Security for review of such
2 denial.

3 (2) REVIEW BY TRAINED REFUGEE OFFI-
4 CERS.—Not later than 90 days after receiving a re-
5 quest for review under paragraph (1), a refugee offi-
6 cer who has received training on reviewing a denial
7 described in paragraph (1), other than the refugee
8 officer who adjudicated the alien’s application for
9 admission, shall review such denial.

10 (3) STANDARD FOR REVIEW.—The Secretary
11 shall publish on the Internet website of the Depart-
12 ment of Homeland Security the standard to be ap-
13 plied to the review of a denial described in para-
14 graph (1).

15 (4) DECISIONS OF REQUESTS FOR REVIEW.—A
16 refugee officer reviewing a denial described in para-
17 graph (1) may, upon review—

18 (A) affirm the denial;

19 (B) reverse the denial; or

20 (C) reopen the application and conduct
21 further investigation and interviews to deter-
22 mine whether the denial should be affirmed or
23 reversed.

24 (5) WRITTEN DECISION REQUIRED FOR AF-
25 FIRMED DENIALS.—In the case that the refugee offi-

1 cer reviewing the denial described in paragraph (1)
2 affirms the denial, the decision affirming such denial
3 shall—

4 (A) be in writing; and

5 (B) provide, to the maximum extent fea-
6 sible, information relating to the reason for the
7 denial, including the information described in
8 subsection (c)(2).

9 **SEC. 5. EXPEDITED SYSTEM FOR PRIORITY 2 REFUGEE**
10 **PROCESSING.**

11 (a) REPORT.—Not later than 120 days after the date
12 of the enactment of this Act, the Secretary of State, in
13 consultation with the Secretary of Homeland Security,
14 shall submit to the Committee on the Judiciary of the
15 House of Representatives, the Committee on Foreign Af-
16 fairs of the House of Representatives, the Committee on
17 the Judiciary of the Senate, and the Committee on For-
18 eign Relations of the Senate a report containing a plan
19 to expedite the processing of applications for admission
20 to the United States as a refugee under section 207 of
21 the Immigration and Nationality Act (8 U.S.C. 1157) of
22 aliens described in section 3(a) who apply for admission
23 using the processes under section 2, which shall include
24 information relating to—

1 (1) expediting the processing of such refugees
2 for resettlement, including through temporary ex-
3 pansion of the Refugee Corps of United States Citi-
4 zenship and Immigration Services;

5 (2) increasing the number of personnel of the
6 Department of State and the Department of Home-
7 land Security devoted to the processing of such ap-
8 plications;

9 (3) streamlining existing systems for conducting
10 background and security checks of such aliens;

11 (4) establishing facilities to process such appli-
12 cations at appropriate locations in or near Erbil or
13 Basrah, Iraq, and the processing of such applica-
14 tions in such facilities; and

15 (5) the projections of the Secretary of Home-
16 land Security for the number of refugee interviews
17 that will be conducted pursuant to section 2 for each
18 month of fiscal years 2016 and 2017, including the
19 number of interviews that will be conducted pursu-
20 ant to referrals from the Office of the United Na-
21 tions High Commissioner for Refugees, and a plan
22 to increase the number of such interviews.

23 (b) EXPEDITED PROCESS.—Not later than 180 days
24 after the date of the enactment of this Act, the Secretary
25 of State, in consultation with the Secretary of Homeland

1 Security, shall implement the plan contained in the report
2 under subsection (a).

3 **SEC. 6. REPORTS.**

4 (a) ANNUAL REPORT.—Not later than 120 days after
5 the date of the enactment of this Act, and annually there-
6 after through 2018, the Secretary of State, in consultation
7 with the Secretary of Homeland Security, shall submit to
8 Congress an unclassified report, with a classified annex
9 if necessary, which includes—

10 (1) an assessment of the financial, security, and
11 personnel considerations and resources necessary to
12 carry out the provisions of this Act;

13 (2) the number of aliens described in section
14 3(a);

15 (3) the number of such aliens who have applied
16 for admission to the United States as a refugee
17 under section 207 of the Immigration and Nation-
18 ality Act (8 U.S.C. 1157) using the processes under
19 section 2; and

20 (4) in the case of such applications pending for
21 longer than 180 days, the reason that refugee status
22 has not been granted in each such case.

23 (b) REPORT ON VIDEO-CONFERENCE REFUGEE
24 INTERVIEWS.—Not later than 120 days after the date of
25 the enactment of this Act, the Secretary of Homeland Se-

1 curity, in consultation with the Secretary of State, shall
2 submit to Congress an unclassified report, with a classified
3 annex if necessary, which includes—

4 (1) the number of aliens who applied for admis-
5 sion as a refugee under section 207 of the Immigra-
6 tion and Nationality Act (8 U.S.C. 1157) in 2014
7 who are awaiting interviews in locations inaccessible
8 to U.S. Citizenship and Immigration Services offi-
9 cers;

10 (2) the number of locations worldwide to which
11 Refugee Corps Officer circuit rides were suspended
12 in 2014 due to security considerations; and

13 (3) a proposal for how to implement interviews
14 via video-conference for aliens who applied for ad-
15 mission the United States as a refugee under section
16 207 of the Immigration and Nationality Act (8
17 U.S.C. 1157), who currently reside in locations
18 where Refugee Corps circuit rides have been sus-
19 pended.

20 **SEC. 7. POLICY OF THE UNITED STATES GOVERNMENT.**

21 It is the policy of the United States government that
22 when conflict arises, the United States, working in concert
23 with the international community, should undertake its
24 best efforts to protect local populations and enable them
25 to remain in their home countries or neighboring host

1 countries in safety and dignity; that when such conflicts
2 produce forced international displacement, the United
3 States government should contribute to efforts to provide
4 a safe environment for displaced populations in their host
5 countries until they can be safely and humanely repatri-
6 ated once the conflict is over; that, in cases where refugees
7 have been allowed by a host country to remain perma-
8 nently in such country, the United States government
9 should encourage such countries to integrate such refugees
10 in safety and dignity; and that, in the case of refugees
11 facing strong vulnerabilities during or after the conflict
12 who determine that their best durable solution is third
13 country resettlement, the United States, working with the
14 international community, should do all it can to facilitate
15 access to resettlement in another country, including reset-
16 tlement to the United States when such refugees are of
17 special humanitarian concern to the United States, such
18 as the most vulnerable and those with family members in
19 the United States.

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