

109TH CONGRESS  
2D SESSION

# H. R. 5918

To amend the Immigration and Nationality Act to protect vulnerable refugees and asylum seekers.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2006

Mr. PITTS (for himself, Mr. LANTOS, Mr. PENCE, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. MCGOVERN, Mr. HONDA, Mr. WAMP, Mr. MCCOTTER, Mr. BOEHLERT, Mr. PAYNE, and Mr. ROHRABACHER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act to protect vulnerable refugees and asylum seekers.

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. FINDINGS.**

4 Congress finds the following:

5 (1) Combating terrorism and promoting free-  
6 dom from tyranny are inseparable national security  
7 priorities of the United States.

1           (2) Many enemies of freedom, whether state or  
2 non-state actors, persecute individuals and groups  
3 who stand up for democracy's ideals.

4           (3) Providing protection for victims of oppres-  
5 sion and terror is a foreign policy objective of the  
6 United States.

7           (4) The Presidential determination to admit a  
8 specified number of refugees to the United States  
9 each year is a humanitarian act of compassion in  
10 keeping with these important principles.

11           (5) In fiscal year 2006, an estimated 10,000 to  
12 15,000 vulnerable refugees who would otherwise be  
13 admitted will be denied entry because of the unin-  
14 tended consequences of overbroad bars on admission.

15           (6) Those individuals denied admission to the  
16 United States include victims of terrorism who are  
17 being barred because they were forced under threat  
18 of death or serious bodily injury to provide support,  
19 such as food, water, or shelter, to armed rebels.

20           (7) Other individuals are barred due to their  
21 membership in or support of groups that have sided  
22 with the United States in opposing repressive re-  
23 gimes.

24           (8) Current law defines terrorist organization  
25 so broadly that even the United States military is

1 defined as a terrorist organization any time it enters  
2 another country uninvited.

3 (9) Victims of terrorism and members of groups  
4 that the United States supports and that support  
5 the United States should not be labeled “terrorists”  
6 and denied entry to the United States.

7 **SEC. 2. PROTECTING GROUPS THAT SUPPORT THE UNITED**  
8 **STATES OR THAT THE UNITED STATES SUP-**  
9 **PORTS FROM BEING LABELED “TERRORIST”.**

10 (a) IN GENERAL.—Section 212(a)(3)(B)(vi)(III) of  
11 the Immigration and Nationality Act (8 U.S.C.  
12 1182(a)(3)(B)(vi)(III)) is amended by inserting before the  
13 period at the end the following: “and whose activities  
14 threaten the security of United States nationals or the na-  
15 tional security of the United States (as is defined under  
16 section 219(d)), as determined by the Secretary of State,  
17 independently or upon the request of the Attorney General  
18 or the Secretary of Homeland Security”.

19 (b) SAVINGS CLAUSE.—The failure of the Secretary  
20 of State to determine that a group threatens the security  
21 of United States nationals or the national security of the  
22 United States shall not in any way affect the application  
23 of any of the other security and terrorism-related bars on  
24 admission to any of the group’s members.

1 **SEC. 3. UNDUE COERCION AND DURESS EXCEPTION TO MA-**  
2 **TERIAL SUPPORT PROVISION.**

3 Section 212(a)(3)(B)(iv)(VI) of the Immigration and  
4 Nationality Act (8 U.S.C. 1182(a)(3)(B)(iv)(VI)) is  
5 amended, in the matter preceding item (aa), by inserting  
6 “(other than as the result of undue coercion or duress)”  
7 after “to commit an act”.

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