

117TH CONGRESS
2D SESSION

H. R. 8952

To give the Secretary of Homeland Security the authority to contain migration surges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2022

Mrs. CAMMACK (for herself, Mr. DONALDS, Ms. VAN DUYNE, Mr. BABIN, Ms. MALLIOTAKIS, Mr. CRENSHAW, Ms. HERRELL, Mr. WEBER of Texas, Mr. HIGGINS of Louisiana, Mr. BANKS, Mr. GROTHMAN, Mr. NORMAN, and Mr. BUCK) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To give the Secretary of Homeland Security the authority to contain migration surges, 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 “Justified Action for
5 Securing Our Nation Act” or the “JASON Act”.

6 **SEC. 2. MIGRATION SURGES.**

7 Section 212(f) of the Immigration and Nationality
8 Act (8 U.S.C. 1182(f)) is amended—

1 (1) in the subsection heading, by inserting “**OR**
2 **THE SECRETARY OF HOMELAND SECURITY**”
3 after “**BY THE PRESIDENT**”;

4 (2) by striking “Whenever” and inserting “(a)
5 PRESIDENTIAL SUSPENSION.—Whenever”;

6 (3) by striking “Attorney General” and insert-
7 ing “Secretary of Homeland Security” each place it
8 appears; and

9 (4) by adding at the end the following:

10 “(b) SECRETARY SUSPENSION.—

11 “(1) IN GENERAL.—Notwithstanding any other
12 provision of law, in the case that the Secretary of
13 Homeland Security finds that the entry of any alien
14 or any class of aliens would be detrimental to the in-
15 terests of the United States, the Secretary may,
16 after submitting a notice in accordance with para-
17 graph (2), suspend the entry of all aliens or any
18 class of aliens as immigrants or nonimmigrants for
19 not more than 60 days.

20 “(2) NOTIFICATION.—Not less than 5 days be-
21 fore the suspension under paragraph (1) takes ef-
22 fect, the Secretary of Homeland Security shall, by
23 classified communication, submit written notice of
24 the intent to suspend entry under this subsection
25 and the factual basis for such suspension to—

1 “(A) the Speaker and Minority Leader of
2 the House of Representatives, the President pro
3 tempore, Majority Leader, and Minority Leader
4 of the Senate;

5 “(B) the Committees on the Judiciary of
6 the House of Representatives and the Senate;
7 and

8 “(C) the Committee on Homeland Security
9 of the House of Representatives and the Com-
10 mittee on Homeland Security and Govern-
11 mental Affairs of the Senate.

12 “(3) PRESUMPTION ESTABLISHED.—For pur-
13 poses of this subsection, the entry of any alien into
14 the United States shall be presumed to be detri-
15 mental to the interests of the United States—

16 “(A) during—

17 “(i) a month following any month in
18 which the total recorded number of appre-
19 hensions of aliens by the Department of
20 Homeland Security at the land borders of
21 the United States exceeds by twenty-five
22 percent or more the total recorded number
23 of apprehensions in the previous month; or

24 “(ii) a week following any week where
25 the total recorded number of apprehen-

1 sions of aliens by the Department of
2 Homeland Security at the land borders of
3 the United States exceeds by twenty-five
4 percent or more the total number of re-
5 corded apprehensions in the previous week;

6 “(B) in the case of a public health emer-
7 gency, as declared by the Secretary of Health
8 and Human Services pursuant to section 319 of
9 the Public Health Service Act (42 U.S.C.
10 247d), due to any outbreak in the world that
11 can be characterized as a pandemic;

12 “(C) a national government within the
13 Western Hemisphere fails or otherwise dis-
14 solves; or

15 “(D) the Secretary of Homeland Security,
16 in consultation with the Attorney General and
17 the Secretary of State, finds that there is an
18 imminent foreign terror threat to the security
19 of the United States.

20 “(4) RULEMAKING.—Not later than 180 days
21 after the date of the enactment of this subsection,
22 the Secretary of Homeland Security shall issue a
23 rule implementing this subsection.”.

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