

## NOT VOTING—7

DeFazio	Ruppersberger	Williams
Ellison	Takai	
Hinojosa	Watson Coleman	

□ 1135

Mr. POLIS changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 531, I call up the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WOODALL). Pursuant to House Resolution 531, the bill is considered read.

The text of the bill is as follows:

H.R. 4038

*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 “American Security Against Foreign Enemies Act of 2015” or as the “American SAFE Act of 2015”.

#### SEC. 2. REVIEW OF REFUGEES TO IDENTIFY SECURITY THREATS TO THE UNITED STATES.

(a) **BACKGROUND INVESTIGATION.**—In addition to the screening conducted by the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation shall take all actions necessary to ensure that each covered alien receives a thorough background investigation prior to admission as a refugee. A covered alien may not be admitted as a refugee until the Director of the Federal Bureau of Investigation certifies to the Secretary of Homeland Security and the Director of National Intelligence that each covered alien has received a background investigation that is sufficient to determine whether the covered alien is a threat to the security of the United States.

(b) **CERTIFICATION BY UNANIMOUS CONCURRENCE.**—A covered alien may only be admitted to the United States after the Secretary of Homeland Security, with the unanimous concurrence of the Director of the Federal Bureau of Investigation and the Director of National Intelligence, certifies to the appropriate Congressional Committees that the covered alien is not a threat to the security of the United States.

(c) **INSPECTOR GENERAL REVIEW OF CERTIFICATIONS.**—The Inspector General of the Department of Homeland Security shall conduct a risk-based review of all certifications made under subsection (b) each year and shall provide an annual report detailing the findings to the appropriate Congressional Committees.

(d) **MONTHLY REPORT.**—The Secretary of Homeland Security shall submit to the appropriate Congressional Committees a monthly report on the total number of applications for admission with regard to which a certification under subsection (b) was made and the number of covered aliens with regard to whom such a certification was not made

for the month preceding the date of the report. The report shall include, for each covered alien with regard to whom a certification was not made, the concurrence or nonconcurrence of each person whose concurrence was required by subsection (b).

(e) **DEFINITIONS.**—In this Act:

(1) **COVERED ALIEN.**—The term “covered alien” means any alien applying for admission to the United States as a refugee who—  
(A) is a national or resident of Iraq or Syria;

(B) has no nationality and whose last habitual residence was in Iraq or Syria; or

(C) has been present in Iraq or Syria at any time on or after March 1, 2011.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEE.**—The term “appropriate Congressional Committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Permanent Select Committee on Intelligence of the House of Representatives;

(I) the Committee on the Judiciary of the House of Representatives;

(J) the Committee on Homeland Security of the House of Representatives;

(K) the Committee on Appropriations of the House of Representatives; and

(L) the Committee on Foreign Affairs of the House of Representatives.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4038, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 4038, the American Security Against Foreign Enemies Act of 2015.

Just one example of a terrorist taking advantage of the United States’ generous immigration policy in order to perpetrate attacks on Americans is too many. Unfortunately, there are too many examples to count. Most notable, of course, are the attacks on September 11, 2001, perpetrated by 19 foreign nationals who were admitted to the U.S. through our legal immigration system.

The U.S. Government has the ultimate responsibility to protect its citizens. As such, if U.S. immigration policy allows foreign nationals who want to do us harm access to U.S. soil, then the immigration policy must be reviewed and amended.

We are faced with such a situation right now. There is a very real possibility that a terrorist, particularly one from, or claiming to be from, Syria or Iraq, will attempt to gain access to the United States as a refugee. In fact, ISIS is making no secret of their plans to have their members infiltrate groups of Syrian refugees. We should take ISIS at its word.

Of course, our hope is that such an individual would be screened out through the refugee vetting process. Unfortunately, we have heard time and time again from top counterterrorism and intelligence officials that the current vetting process cannot prevent such an individual from receiving refugee status.

In fact, just late last month, FBI Director James Comey told the Judiciary Committee that with a conflict zone like Syria, where there is “dramatically” less information available to use during the vetting process, he could not “offer anybody an absolute assurance that there is no risk associated with” admitting Syrian nationals as refugees.

He told another House committee that “we can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home but . . . nothing will show up because we have no record on that person.”

The administration’s foreign policy inaction in Syria, and failure to take seriously the ISIS threat, are responsible for the flood of Syrians currently leaving their country. Of course, we all remember when the President told us that ISIS was the JV team. That JV team just murdered 120 innocent people in Paris, including at least one American. And the Paris JV team included at least one terrorist who was registered as a refugee from Syria.

H.R. 4038 requires certification by the FBI Director that the security vetting process is sufficient to prevent an individual who is a security threat from being admitted as a refugee. The bill also requires that the DHS Secretary, FBI Director, and Director of National Intelligence certify to Congress that each refugee is not a security threat prior to his or her admission to the United States.

In addition, H.R. 4038 requires the DHS Inspector General to review such certifications annually and report its findings to Congress. The certification procedures apply to aliens who are nationals of Iraq or Syria, those who have no nationality and whose last habitual residence was in Iraq or Syria, or who have been present in those countries at any time on or after March 1, 2011.

H.R. 4038 puts the administration on notice that their lax attitude toward this issue will no longer be tolerated. And it puts the administration on notice that Congress is not yet finished reforming refugee policy.

In fact, our committee has been hard at work long before the Paris attacks working on legislation to make necessary security-related and other changes to the U.S. Refugee Admissions Program. We look forward to moving that legislation through the House.

H.R. 4038 is not meant to be the sole solution to the security problems we face in vetting Syrian and other refugees, but it is an important first step. I look forward to Congress taking additional action to ensure America's safety.

I thank the gentleman from Texas and the gentleman from North Carolina for the work they have done on this bill. I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker and Members, the so-called American SAFE Act purports to make us safer. But as the administration has so correctly observed, this measure would provide no meaningful additional security for the American people. Worse yet, it would effectively deny refugee status for Syrians and Iraqis who are themselves victims of terrorism in their own homelands.

□ 1145

H.R. 4038 is a terribly flawed and inhumane bill for many reasons. To begin with, while ensuring the safety of all Americans should be our top priority, H.R. 4038 does nothing to achieve this goal.

This measure sets unreasonable clearance standards that the Department of Homeland Security simply cannot meet. Refugees seeking to come to our shores are already subject to the highest level of vetting, more than any other traveler or immigrant to the United States.

This extensive screening process is performed by the Department of Homeland Security, the State Department, in conjunction with the Central Intelligence Agency, the Federal Bureau of Investigation, and other law enforcement and intelligence agencies. The process utilizes methodical and exhaustive background checks that often take up to 24 months, on average, to complete, and even longer, in some cases.

We must keep in mind that our Nation was founded by immigrants and has historically welcomed refugees when there is suffering around the globe. Whether it is an earthquake in Haiti, a tsunami in Asia, or 4 years of civil war in Syria, with no end in sight, the world looks always to the United States. We provide protections for refugees and asylum seekers, especially women and children.

Nevertheless, in the wake of the September 11 attacks on our shores and the tragic November 13 terrorist attacks in Paris, we must be vigilant, particularly in the midst of a global refugee crisis.

H.R. 4038, however, is an extreme over-reaction to these latest security concerns. Rather than shutting our doors to these desperate men and women and children who are risking their lives to escape death and torture in their own homelands, we should work to utilize our immense resources and good intentions of our citizens to welcome them.

Finally, Congress needs to do its part by properly funding refugee resettlement as well as funding our Federal agencies so they have the necessary personnel and programs to complete security checks that we already have in place. Instead of slamming our doors to the world's most vulnerable, we should be considering legislation to strengthen and expand refugee programs.

Unfortunately, the bill before us today is not a serious effort to legislate, and it will not make us safer. It is a knee-jerk reaction, as evidenced by the fact that this measure was introduced just 2 days ago, and has not been the subject of a single hearing or any meaningful review by our committee.

Rather than betraying our values, we must continue to focus on the most effective tools to keep us safe, while also providing refuge for the world's most vulnerable.

Accordingly, I urge all of my colleagues to oppose H.R. 4038.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. MCCAUL), the chairman of the Homeland Security Committee, and the chief sponsor of this bill.

Mr. MCCAUL. Mr. Speaker, I want to first thank the gentleman from Virginia, the chairman of the Judiciary Committee, for his work on this legislation.

I rise today to urge my colleagues to support the American Safe Act.

Let me be clear. We are a nation at war. The world was reminded last week that Islamic terrorists are seeking to harm our people, destroy our way of life, and undermine the foundational principles of the free world.

Sadly, with the news that at least one of these terrorists may have infiltrated Europe posing as a Syrian refugee, the Paris attacks appear to confirm our worst fears, that, of the thousands of foreign fighters who have gone to Syria and Iraq to join ISIS, some would be deployed to bring terror back to the West.

The world is now looking at America for leadership and for a clear-eyed understanding of the threat.

ISIS is not "contained," as the President says. ISIS is expanding globally and is plotting aggressively. The group is now responsible for more than 60 terrorist plots against Western targets, including 18 in the United States.

Here in the homeland, we have arrested more than one ISIS supporter a week in the past year, and the FBI says it has nearly 1,000 ISIS-related investigations in all 50 States.

Today, we must take decisive action to show the American people that we are doing all that we can to protect our country. We must listen to the words of our enemies.

ISIS has vowed, in their words, to exploit the refugee process, to sneak operatives, to infiltrate the West, and they appear to have already done that, to attack our allies.

For nearly a year, intelligence and law enforcement agencies have warned Congress, both publicly and privately, that they are alarmed by intelligence collection gaps and our ability to weed out terrorists from the refugee process.

FBI Director Comey testified before my committee and stated: "We can query our databases until the cows come home, but nothing will show up because we have no record of them."

Homeland Security Secretary Johnson said: "We know that organizations like ISIS might like to exploit this program."

This is an administration official's words, not mine.

This legislation would add two important layers to our defenses, creating the most robust national security screening process in American history for any refugee population.

The American SAFE Act also strikes an important balance between security and our humanitarian responsibilities. It sets up roadblocks to keep terrorists from entering the United States, while also allowing legitimate refugees who are not a threat to be resettled appropriately.

Let us not forget, this legislation is the first in a series of steps we must take to defend the homeland, but ultimately, to win this war, we must take the fight to the enemy.

Last week, the streets of Paris could just have easily been the streets of New York or Chicago or Houston or Los Angeles.

But as I have said before, our long-term message to these terrorists must be clear. You may have fired the first shot in the struggle but, rest assured, America will fire the last.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN), one who has worked harder on this issue than anyone I know.

Ms. LOFGREN. Mr. Speaker, all of us watched with horror the events in Paris. November 13 was France's September 11.

And all of us have paused to consider what further should be done to make sure that America is safe because our first obligation, as Members of Congress, is to make sure that America is safe.

So, as we watch the refugees from the Middle East pouring into Europe, concern has been expressed—and I think correctly—who are these people

hidden among the many helpless victims? Are there those who would pose a threat?

It is worth noting that our process for refugees is completely different. No one gets into the United States unless they have been completely vetted. This process starts with the U.N. referring only those people who are vulnerable, who have been tortured, who have been victimized, who are helpless women and children, for screening by us.

We have a process that includes soliciting information from the DEA, from the intelligence agencies, from the FBI, and the like. All of those agencies have a veto. If there is a problem, they veto the admission. The process takes 2 years or more, and a very small number of people actually are admitted.

Of the 2,000 or so Syrian refugees who have been admitted to the United States, the overwhelming majority are children and widows who have been victims of torture, who have seen their husbands beheaded.

The bill before us, as has been described by the Speaker and the author, would stop the refugee program. They call it a pause. They would stop it because it completely restructures the very elaborate system that we have.

By putting the FBI as the lead agency, they would have to hire agents, send them over. It would be a pause. That is what they have described. We think it would take a couple of years to start up.

Now, why is that a bad idea?

ISIS is our enemy, and we need to fight them, and we need to defeat them. But we are fighting on two levels; one, military, but also, this is a fight of values.

America stands for freedom. We are the beacon of light, of democracy, of freedom in the world. And part of that value of America is allowing people who are escaping monsters like ISIS to be able to become Americans like us.

We need to screen and make sure that we are completely safe. But if we stop that program, we give ISIS a win. Please defeat this bill.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. HUDSON), the chief cosponsor of the legislation.

Mr. HUDSON. Mr. Speaker, America is a compassionate country. We are a good country. We have a long history of accepting refugees, people fleeing oppression and violence.

But we also have an obligation to the American people. As we welcome people into this country who are seeking asylum, we owe it to the American people to know who these people are. And when you have got a terrorist group like ISIS, who has said that they will exploit this refugee crisis to infiltrate America—this is an organization that has said their goal is to come to America and kill Americans—I take them at their word.

The number one responsibility of this body is to protect the American people. It is not me saying that we have chal-

lenges with the current vetting process; it is experts from President Obama's administration.

I draw your attention to the first quote here from Jeh Johnson: "It is true that we are not going to know a whole lot about the Syrians that come forth in this process." That is definitely a challenge. That is the Secretary of Homeland Security.

I draw your attention to the next quote from Director James Comey of the FBI: "We can only query against that which we have collected, and so if someone has not made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our databases, we can query our data until the cows come home, but nothing will show up because we have no record of that person."

This is not me saying that. This is not Republicans saying that. These are officials in President Obama's administration saying that the current process is broken, that we are bringing in these refugees that we cannot properly vet.

So our legislation simply says: Let's stop this flow unless and until the law enforcement experts that President Obama has appointed, the FBI Director, the Secretary of Homeland Security, can vouch for the fact that we have a process in place that they are comfortable with.

How radical is that?

This is common sense, and that is why our polls show that as many as 75 percent of the American people support this measure.

□ 1200

Mr. Speaker, I know the President has issued a veto threat, but I hope that today in this House we can come together, Republicans and Democrats, and respond to the will of the American people and do our primary job to keep them safe so we can have a bipartisan vote that doesn't say no refugees, it doesn't say stop Syrian refugees, and it doesn't say don't ever let them in again. It says pause the program unless and until the law enforcement experts are comfortable that we have got a process.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this legislation.

Mr. GOODLATTE. Mr. Speaker, I yield the remainder of my time to the gentleman from South Carolina (Mr. GOWDY), the chairman of the Immigration and Border Security Subcommittee, and ask unanimous consent that he be able to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOWDY. Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), a distinguished member of the House Judiciary Committee.

Mr. NADLER. Mr. Speaker, I rise in opposition to this irresponsible bill

that would effectively block the settlement of Syrian refugees in the United States for years.

The shocking and tragic events in Paris have touched people all over the world and strengthened our resolve to defeat the terrorists who are responsible for these heinous acts, for bombing a Russian airliner, and for carrying out deadly bombings in Beirut. But defeating terrorism should not mean slamming the door in the faces of those who are fleeing the terrorists. That is why I am appalled by the actions of this House and by some of the words of my colleagues today.

Mr. Speaker, the United States has always been and should always be a place of refuge. Remember, the Syrian refugees are running away from ISIS. They are running away from war, from terror. They are its victims. To stop thousands of desperate people who are fleeing unspeakable violence is unconscionable. We might as well take down the Statute of Liberty.

Countries with much smaller populations like Lebanon and Turkey have agreed to take 1 million refugees or more. Even France just announced they are increasing the number of Syrian refugees they are accepting. We in the United States are talking about a mere 10,000. These refugees are subject to an extensive vetting process which can take up to 24 months.

But the real danger America faces is that ISIS, through its propaganda, can radicalize people already here and inspire them to attack the United States from within. In Paris we saw that several of the attackers were European nationals who could enter the United States without being vetted, so it is ridiculous to assert that by denying access to refugees, we would be making America safer.

We face a choice that will echo through history. In 1924, a racist, xenophobic, and anti-Semitic Congress passed legislation slamming the door shut on Jewish, Italian, Greek, and Eastern European immigrants. The Almanac of American Politics said that, if it weren't for the 1924 Immigration Act, perhaps 2 million of the 6 million Jews who were murdered in the Holocaust would have been living safely in the United States instead.

Back then we shut our doors to people in desperate need. We must not do so again. We must not let ourselves be guided by irrational fear. We have a moral obligation and, for those who care, a religious obligation to extend a hand to those in need.

Mr. Speaker, I urge my colleagues to oppose this bill.

Mr. GOWDY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding, and I thank those who have worked on the bill, Congressman RICHARD HUDSON, Chairman MIKE MCCAUL, a number of other committee chairmen, Chairman GOODLATTE, and others.

Mr. Speaker, this is not an issue that comes before us just because of action that happened recently—a horrific action. Mr. Speaker, our duty is to protect the American people. Without security, we cannot have freedom. Without security, we cannot help others abroad.

The American people are generous, and we want to help those in the world suffering from terrorism and civil war. The fact that America gives far more in foreign aid than any other country in the world is a testament to our generosity. In 2014, we gave over \$6.5 billion in humanitarian foreign aid alone. That doesn't even count the millions of dollars that privately have been offered by American people.

But, Mr. Speaker, being generous does not mean we have to have a weak screening process for refugees, especially for those coming from Iraq and Syria where we know people are there who seek to do us harm and are looking to exploit a weak process. It is wrong to condemn a strong screening process using the language of charity and morality.

When we allow refugees into this country, we must be guided by one single principle: If you are a terrorist or you are a threat to our country, you are not getting in, period. The bill before us increases the standards to keep those who want to do us harm out.

But America is not saying "no" to refugees. America always stands as a beacon of hope for everyone fleeing oppression and terror. Nothing will stop us from protecting the innocent while continuing our fight against evil. Instead, this bill puts a pause on our refugee program until we are certain that nobody being allowed in poses a threat to the American people.

To those who do not even want to consider increasing accountability in our refugee process—and to the President, who announced that he wants to veto this bill—let me tell you this: It is against the values of our Nation and the values of a free society to give terrorists the opening they are looking for to come into our country and harm the American people, and we have an obligation to stop that from happening. In the debate we are having on the refugee crisis, we should not lose sight of the root of the problem. The real problem is ISIL and our lack of strategy to destroy them.

It astounds me that the President refuses to face reality and admit that his strategy is failing. ISIL controls territory the size of Maryland. Attacks in Paris, Beirut, and Egypt show that ISIL is not contained to Iraq and Syria. Every day ISIL continues to exist is another day they can train, recruit, and radicalize more people to continue their war on the civilized world and threaten the safety of the American people.

Mr. Speaker, this danger is real, and nothing can replace a winning strategy. Here in the House, we will not accept half measures. We are committed

to keeping America safe. That is why I ask all in the House to support this bill.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a distinguished member of the House Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I have been on the Homeland Security Committee since the heinous and vile acts of 9/11. I have often said that I was at Ground Zero, and I had the misery of seeing the recovery that was still occurring at that time. I take no backseat to the concern and love for this Nation, as I know that neither do my colleagues on both sides of the aisle.

But, Mr. Speaker, this legislation is divided in a simple premise: no to refugees, stop the refugee program, turn your back on children, women, and old people broken and bent. This side is saying that America's values can parallel the love, respect, and commitment to the national security of this Nation.

ISIL is determined to divide this bipolar world; divide it between Muslims who share the distorted and profane interpretation and those who live every day under the sun who love freedom. We do not define the faith by those who kill us and maim us. As President Franklin Delano Roosevelt said: "The only thing we have to fear is fear itself"—nameless, unreasoning, and unjustified terror which paralyzes needed efforts to convert, retreat, and advance.

This is the extensive, extensive review that only a small number of Syrians go through that are able to get in this country from refugee camps. That is the only place they come from. This is the extensive one.

I say to the President, certify it now.

But what this legislation does is requires that the 5-year-old Syrian girl that has lived most of her life in a Jordanian camp must be certified by four or five individuals who are already in the process of the certification.

There are 60 million individuals who are displaced across the globe now. Twenty percent of them are Syrians fleeing the conflict that has taken 240,000 lives. Right now the FBI has 50 terrorist cells being investigated. They cannot count them as Syrian refugees.

This is the wrong direction. Let us follow our values, Mr. Speaker. Vote that bill down and bring refugees who are already certified. This bill is unnecessary. It stops the refugee program. Where is our mercy?

Mr. GOWDY. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Appropriations Committee.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today first to reaffirm our solidarity with the people of France, our brethren in Beirut, and the families of the victims of Metrojet Flight 9268 who perished over the skies

of the Sinai. The senseless and unspeakable violence, the blind fanaticism, the utter and irrational hatred for human life by ISIS, together they present a threat not just to national and global security, but also to the fundamental values that constitute the very fiber of civilization.

Mr. Speaker, ISIS must be stopped. The violence must end. And the United States must do more—more to stamp out this evil, more to eradicate the threats posed here and abroad, and more to ensure that Americans can tuck in their children at night with a feeling of security that they will be waking up tomorrow morning for school free from fear. That is why we must support the SAFE Act. It is thoughtful, and it will further one of our principal national security priorities—keeping Americans safe—as we work to eliminate the threat posed by ISIS.

The instability in Syria and the surrounding region has continued unabated for more than 4 years, and we have witnessed an indescribable humanitarian crisis because of the brutality of the Assad regime and radical Islamic groups such as ISIS.

In the wake of the Paris tragedy, we must step back and review the procedures in place for admitting refugees resulting from this conflict coming into our country. We can and must implement a system that assists the victims of the tragedy but that also prioritizes American security first.

H.R. 4038 will ensure that no refugee from Iraq or Syria steps foot on U.S. soil without the Secretary of the Department of Homeland Security, the FBI Director, and the highest intelligence officer certifying that each refugee is not a security threat to the U.S. The Department of Homeland Security, the FBI, and the Director of National Intelligence must unanimously certify that a person seeking refuge in this country does not represent a security threat. This is an unprecedented vetting process to ensure dangerous people do not slip through the cracks.

I urge your support, all in this Chamber, so we can provide our military and intelligence personnel with the best possible chance for success as they work to keep us safe.

Mr. Speaker, I urge support for the bill.

Mr. CONYERS. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. THOMPSON), ranking member on the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I appreciate the generosity from my colleague from Michigan on the time.

Mr. Speaker, we live in uncertain and dangerous times with ever-evolving terrorist threats. The brutality that ISIL has inflicted on innocent people is both chilling and demands action.

As Members of Congress, we have a responsibility to do all we can to protect our citizens. In the wake of the

Paris attacks, questions have been raised about the screening system that the U.S. utilizes and whether it can be exploited by terrorists.

□ 1215

In light of those questions, Mr. Speaker, I include in the RECORD a letter from the Department of Homeland Security former Secretary Janet Napolitano and former Secretary Michael Chertoff supporting the current system of vetting refugees.

NOVEMBER 19, 2015.

Hon. BARACK OBAMA,  
*President of the United States,*  
*The White House, Washington, DC.*

DEAR MR. PRESIDENT: Following the creation of the Department of Homeland Security, substantial progress has been made in protecting our nation's homeland. The ongoing efforts by our national security experts have provided tools and resources to make a coordinated attack like the one in Paris last week much more difficult to achieve here at home. As a nation, we have strengthened security at our air, land, and sea ports; we have strengthened the ability to monitor the travel of bad actors and detect fraud in our visa process; we have strengthened partnerships with state and local law enforcement across the nation to ensure that they are prepared; and we have engaged with minority and ethnic communities to prevent homegrown radicalization.

As former Secretaries of the U.S. Department of Homeland Security, it is our view that the American people are safer due to these efforts, but the Paris attacks remind us that we must remain ever-vigilant in this effort and that the highest priority of our government is to keep American's safe. It is our view that we can achieve this mission in a manner that is consistent with American values of openness and inclusiveness. With respect to refugees seeking to resettle here, it is our view that we can admit the most vulnerable of these refugees into this country safely as long as we do not compromise the already established protections. The process for any refugee seeking entry to the United States requires the highest level of scrutiny from a law enforcement and national security perspective. The process takes place while the refugees are still overseas, and it is lengthy and deliberate—taking an average of 18-24 months with no waiver of any steps. First, we consider only the most vulnerable—particularly survivors of violence and torture, those with severe medical conditions, and women and children—for potential admittance to the U.S. Once a candidate is selected they are subjected to biographic and biometric security reviews based on the latest intelligence from the Department of Homeland Security (DHS), the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of State, and the Department of Defense. If they pass these national security checks, they will then be personally interviewed by specially trained DHS personnel to ensure they are qualified for admittance. They are then subjected to recurrent vetting up to the final point of departure and a final interview at the border before being admitted into the U.S.

The process that is currently in place is thorough and robust and, so long as it is fully implemented and not diluted, it will allow us to safely admit the most vulnerable refugees while protecting the American people. Fortunately, these goals are not mutually exclusive.

Sincerely,

JANET NAPOLITANO,

*Former Secretary*  
*(2009–2013), Department*  
*of Homeland*  
*Security.*  
MICHAEL CHERTOFF,  
*Former Secretary*  
*(2005–2009), Department*  
*of Homeland*  
*Security.*

Mr. THOMPSON of Mississippi. Mr. Speaker, in recent days, however, we have seen a number of Governors, including the Governor of my home State, choose fear over facts. If they had done their research, they would have learned that our program is an extensive 13-step process.

It starts with a referral from the United Nations of a prescreened person within its refugee camps, requires the Department of Homeland Security to do in-person interviews, and subjects each applicant to recurring vetting against the Department of Homeland Security, the State Department, FBI, Department of Defense, and intelligence community terrorist and criminal databases. No excuses, Mr. Speaker. If any one of those reviews pops up with a problem, that person can't be considered for the refugee program—no excuses.

Unlike in Europe, where migrants crossed into countries that had little opportunity to vet them, no alien is allowed onto U.S. soil until all the checks are completed to DHS' satisfaction. As has already been said by my colleague, ZOE LOFGREN, it takes about 18 to 24 months to process an applicant for refugee status.

Now, that processing is thorough, Mr. Speaker, and it is complete. But there has been a reference to a stolen passport in the Paris situation. That person, if they had applied for the refugee program, would have had to go through the same process of vetting that would have required at least 18 to 24 months. So the thought that that person could just get on a plane and get here to this country is actually not accurate, and that is my effort to perfect the record.

Our system of vetting is a multi-layered, multi-agency approach where the FBI has veto authority on any applicant seeking refugee status. While no system is risk free, the protections in place in the American system are rigorous, robust, and extensive.

In fact, Mr. Speaker, yesterday a witness that the majority invited to appear before our committee, Matthew Olsen, the former Director of the National Counterterrorism Center, told our committee that no refugee program in the world is as extensive as what we do in the United States.

Yet, here we are today considering H.R. 4038, a bill that would upend the current system, which was developed by security personnel with one thought in mind: to protect the homeland. And these security personnel have done a wonderful job.

To the knowledge of all of us, none of the refugees that we are talking about from Syria or Iraq who came through this system have done anything but

been model citizens since they have been here. Just for the record, there were 23,000 people that applied for refugee status from these two countries. Of those 23,000, about 7,000 were actually interviewed. Of those 7,000, only 2,000 were admitted.

So, Mr. Speaker, our system is robust. It works and it speaks to our values as Americans. I am proud to say that people who are abused, people who are oppressed, can still look to this country, follow the rules. If those rules are properly applied, they can look to America as somewhere they can call home, because most of those individuals applying for refugee status can't go home.

Once again, I call on Members to embrace facts over fear, Mr. Speaker, and vote against H.R. 4038.

Mr. GOWDY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, I thank the gentleman from South Carolina for the time.

Mr. Speaker, ISIS is at war with the United States. The question is: Is America at war with ISIS? I am not so sure, since we don't have a strategy to defeat ISIS, other than if we are attacked, shelter in place, hunker down, get more security guards around the Capitol, use the tunnels rather than walk outside. That is what we were told after the Paris attacks, Mr. Speaker.

This legislation is really simple. It has at its core the idea to protect American citizens. It has nothing to do with refugees as far as whether we accept refugees. Our country accepts refugees. We always have. That is clear. It is not the issue of refugees. It is the issue of letting ISIS terrorists get into the country to kill us, Mr. Speaker.

Our own security that the gentleman from Mississippi kept talking about tells us we cannot vet Syrian refugees. The FBI Director says that. We can't do it. We are not capable of doing it. One of the reasons is many of these folks have no identity. So we can't do a background check on somebody who has no identity.

This legislation says let's take some safeguards. Before we bring in these specific refugees, let's make sure that the people in charge of security certify that this person is not a threat. They can't do it right now. Even the FBI Director says they can't certify. We owe that to the American public. This legislation does that.

The gentleman from Mississippi is correct that 31 Governors of the States say: Wait a minute. Not so fast. Find out who these people are.

I think the Governors of the States get it right. They ought to have the ability, I think, to decide whether people should come to their State or not only after a security check.

So this legislation is a step to protect America, one of the things we are supposed to do. The legislation is coming up quickly. Why? Because it is an

immediate threat. We have got refugees being bombed over in Syria. If we are going to take them in, let's at least have a plan to protect not only us, but those refugees.

That plan is in this legislation. It seems to me it would be irresponsible not to pass the legislation to require a certification of everybody that comes into America so that America could be safe because that is our responsibility, Mr. Speaker.

And that is just the way it is.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington (Mr. McDERMOTT).

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, this bill is nothing but a PR piece that could have been written by Joseph Goebbels, who said, If you can make people afraid, you can make them do anything. What you are seeing here is the Republican's attempt to panic the American people that there is not a system in place.

Let me tell you about this system that is there. Mr. THOMPSON from Mississippi said what is really there. I helped a woman who for 2 years was a translator for American troops in Iraq. She was so good she saved lots of people's lives. She was so good that the enemy put a mark on her and said they were going to kill her. So she had to go into hiding.

It took her from January 2007 until September 2007 to get the papers and the witnesses and all the information necessary to get her into the United States. Somebody who had put her life on the line for us, our soldiers, it took 9 months to get her in. Then her mother and her brothers and sisters, who were 16 and 12 and 9, it took them 2 years to get into this country.

We have a robust system that is working. This bill is PR bologna. We ought to vote "no." It sends the wrong message. It says only White Christians can come into this country.

Mr. GOWDY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding and for all of his work to make our Nation more secure.

Mr. Speaker, I do rise in support today of the safety and security of the American people. As Members of Congress, we have no more sacred responsibility. Thus, I rise in support of the American SAFE Act.

Now, I join all Americans and all the people of the world in standing with the people of Paris. We are so sobered as to what happened to their homeland, but we are also sobered by the challenge and the grave responsibility to thwart the same evil from coming to our homeland.

The Director of the FBI testified before Congress just last month that a number of people who were of serious

concern were able to slip through screenings of Iraqi refugees. That is what the Director of the FBI said. This disturbing information, Mr. Speaker, obviously raises very serious red flags about lapses in the security within our current refugee vetting system.

Again, it is why I support and I encourage all Members to support the American SAFE Act of 2015. It would effectively hit the pause button on the refugee program, not the stop, but the pause button.

It is simple legislation. It simply requires more rigid standards so that the FBI, the Department of Homeland Security, and the Director of National Intelligence would positively certify that each refugee from Iraq and Syria does not pose a security threat to us, to our homeland, to our families. Otherwise, they will not be permitted to set down on American soil. It is simple. It is common sense. It is needed.

Mr. Speaker, our hearts also go out to the millions of refugees forced to flee their homes and save their lives. There is no other country in the world—no other country in the world—that has been more generous with their time and treasure to refugees than the United States of America.

But today is not the day to share our territory, not until and unless these people can be properly vetted to ensure they don't threaten our families.

Mr. Speaker, hopefully, the world has awakened that there is a very real threat that ISIS poses. It is not the JV team. They are not contained. What happened in Paris was not merely a setback.

I urge my colleagues to take the responsibility to secure our homeland seriously. This will be the first of what I know will be many steps that this Chamber will take to address the growing threats that are posed to our families and our country.

I thank the sponsor of the legislation for bringing it to the floor. I urge all my colleagues to adopt it.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our leader.

□ 1230

Ms. PELOSI. I thank the gentleman for yielding and for his great service to our country in promoting our values and strengthening our Nation.

Mr. Speaker, I come to the floor in a very prayerful way today because we were all horrified at what happened in Paris, at what happened in Beirut, at what happened to the Russian airliner, to name a few recent incidences.

We recognize that that is horrible and that we have to protect the American people from it. To do so, we must be strong, but our strength must also spring from our prayerfulness for those who lost their lives or for those whose security was threatened physically, emotionally, and in every other way.

In our country, we have a relationship with France. They were our earliest friends. That is why in this Cham-

ber of the House of Representatives, any visitor can see there are only two paintings. One is of our great patriarch, George Washington, our hero, our Founding Father.

The other painting in this Chamber is of the Marquis de Lafayette. It is in recognition of the friendship that the French Government extended to the Colonies in our war for independence.

Just imagine George Washington and Lafayette, a long, long friendship. So, while we are concerned about violence wherever it exists in the world, when Paris was hit in such a vicious way, in some ways, it hit home for us, not that the other lives were not equally as important.

As we come to the floor to talk about what we do next, we take an oath of office—every one of us—to protect and to support the American people and the Constitution of the United States. Keeping the American people safe is our first responsibility. It is the oath we take. If the American people aren't safe, what else really matters?

We understand the concern, the fear, in the country when an act of terrorism strikes. In fact, that is the goal of terrorists: to instill fear, to instill terror. We cannot let them succeed; so, we have to take the measures necessary to protect the American people and to be very strong in how we do it.

That is why I have a problem with the bill that is on the floor today. It is because I think we have a much stronger, better option to protect the American people, and that is in the form of the Thompson-Lofgren legislation.

Unlike in the Republican bill, the Democratic alternative applies tough scrutiny to all potential refugees, not just to Syrians and Iraqis, as the Republican bill is limited to.

The Thompson-Lofgren Secure Refugee Process Act would require the Secretary of Homeland Security to verify the identities of all refugee applicants. Any application that contains insufficient, conflicting, or unreliable information would be denied from day one.

The bill also requires that at least five Federal agencies—the Department of Homeland Security, the Attorney General, the Federal Bureau of Investigation, the Secretary of State, the Secretary of Defense, the Director of National Intelligence—check all refugee applications against their records. Any application that indicates a national security or a criminal threat would be denied—all. Not Iraq-Syria—all.

Two former Secretaries of Homeland Security—Secretary Janet Napolitano and Secretary Michael Chertoff—have written about the process that is in existence now and which the Thompson-Lofgren legislation respects. The process that is currently in place is thorough and robust, and so long as it is fully implemented and not diluted, it will allow us to safely admit the most vulnerable refugees while protecting the American people. Fortunately,

they say, these goals are not mutually exclusive.

There are other things that we could be doing in a bipartisan way, and I would have hoped that that would have been a place we could have gone with this. One of them relates to closing loopholes in the Visa Waiver Program.

Today our colleagues on the Senate side are putting forth their principles, which state: "If an ISIS recruit attempts to travel to the United States on a fraudulent paper passport issued by a country that participates in the Visa Waiver Program, that individual would avoid biometric screening and an in-person interview."

How could we allow this loophole to exist if we are truly addressing this challenge in a comprehensive way?

If the Republicans want to make the Nation safer in the face of terror, there is another clear area in which we should act, and that is we should be voting on Republican Congressman PETER KING's bill in order to close the appalling loophole.

It is outrageous that a person who is on the terrorism watch list—listen to this. If someone is on the terrorist watch list, he could walk into a gun store and buy a gun. His bill is called the Denying Firearms and Explosives to Dangerous Terrorists Act.

The visa waiver.

Close the terrorist gun loophole.

According to the GAO, over the last 11 years, more than 2,000 suspects on the FBI's terrorist watch list bought weapons in the United States. Did you know that?

Ninety-one percent of all suspected terrorists who tried to buy guns in the United States walked away with the weapons they wanted over the time period with just 190 rejected despite their having ominous histories. Listen, 5 to 1, 10 to 1, they were able to get these guns.

Why can't we talk about guns when we talk about danger to the American people?

It is outrageous that we would be slamming the door to mothers and children while we still allow people on the terrorist watch list to walk in the door of a gun store and buy a gun.

With regard to those mothers and children, I join with labor, civil, human rights, and faith groups from the U.S. Conference of Catholic Bishops, from the Episcopalians, the Lutherans, the Methodists, the Presbyterians, the evangelicals, and Jewish groups. I join them in saying that the Republican bill before the House today fails to meet our values and fails to strengthen the security of the American people.

Families in Syria and Iraq are desperately trying to escape ISIS' gruesome campaign of torture, rape, violence, and terror of the Assad regime. The Republican bill before the House today severely handicaps the refugee settlement in the future in our country. It slams that door again on desperate mothers and children who are fleeing ISIS' unspeakable violence.

As Leith Anderson, President of the National Association of Evangelicals, said: "Of course we want to keep terrorists out of our country, but let's not punish the victims of ISIS for the sins of ISIS."

Did you know this? Here are the facts.

Since 2001—just in the last few years—only about 2,200 Syrians have been admitted to the United States. Half are children, and 25 percent are seniors. All faced an 18- to 24-month-long screening process.

As the Refugee Council and its coalition of more than 80 faith, humanitarian, and human rights groups point out in their letter to Congress: "Because so few refugees in the world are resettled, the United States often chooses the most vulnerable, including refugees who cannot remain safely where they are and families with children who cannot receive the medical care they need to survive."

Mr. Speaker, I include for the RECORD the Refugee Council's letter with all of the cosigners.

REFUGEE COUNCIL USA,

Washington, DC, November 18, 2015.

DEAR REPRESENTATIVE: On behalf of Refugee Council USA (RCUSA), a coalition of 20 non-governmental organizations committed to refugee protection and welcome, I write to you today to urge you to protect Syrian and Iraqi refugees and the integrity of the United States refugee resettlement program by voting NO on H.R. 4038—The American Security Against Foreign Enemies Act 2015.

Since 1975, the United States has resettled more than 3 million refugees from around the world, including 169,000 from Bosnia and more than 100,000 from Iraq. Three quarters of a million of those refugees entered the U.S. since 2001. During that time, there have been no recorded terrorist acts in the United States by a refugee. That should come as little surprise. Refugees are, by definition, people fleeing from persecution—not persecutors themselves.

H.R. 4038 creates a bureaucratic review process that could take years to implement and would effectively shut down refugee resettlement. The bill requires the Secretary of Homeland Security to "certify" whether an individual refugee is a threat or not after "concurrence" with the Directors of the FBI and DNI. The bill does not provide guidance on what the process for certification will be. This process will have to be created and agreed upon by three heads of agencies. Establishing such a process could take years, and in the meantime, refugees who could be resettled would languish in camps and dangerous situations. Syrian Americans would not be able to reunite with their family members, and there would be very real ramifications for international refugee protection and U.S. foreign policy interests in the region.

The process, once established, would add months or years to the security screening process, which is already the lengthiest and most robust in the world, routinely taking between 18 and 36 months. Obtaining the concurrence of three heads of federal agencies for EACH REFUGEE would take years and effectively put an end to the refugee resettlement program. For reasons of security and safety, security and medical clearances are only valid for limited periods of time. During the certification process, these clearances will expire. This will mean that refugees will be caught in an un-ending loop of security clearances that will never end.

The bill requires reporting to thirteen congressional committees on each refugee that is considered for resettlement. This is unreasonably burdensome and will further delay the admission of refugees, cause security clearances to expire, and effectively end the program.

Refugees are already the most vetted non-citizens in our country. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks of applicants' fingerprints and photographs; in-depth, in-person interviews by well-trained Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center; and other checks by U.S. domestic and international intelligence agencies. Supervisory review of all decisions; random case assignment; inter-agency national security teams; trained document experts; forensic testing of documents; and interpreter monitoring are in place to maintain the security of the refugee resettlement program. Due to technological advances, Syrian refugees are also undergoing iris scans to confirm their identity through the process.

The bill is a waste of resources. Funds used to establish and run this certification process would be better used in conducting actual security reviews of refugees and others who are vetted by these agencies.

The bill is a pretext and requires differential treatment of refugees from Syria and Iraq without providing a justification for the additional verification. It is a disguised attempt to stop refugees from two countries long beset by internal conflict, including refugees who have been in neither Syria nor Iraq for four years. Differential treatment, with no clear justification, amounts to discrimination on the basis of nationality without rational basis.

No terrorist attacks in the US have been committed by refugees. The few non-citizens who have caused harm have come to the US as tourists or through other means. This bill will tell the world that the US has no interest in being part of the global solution to protect the victims of the violence in Syria and Iraq. It will keep US citizen family members of these refugees from reuniting with their loved ones who are in danger. This bill does nothing to keep the country safe, is a waste of tax dollars, and is an attack on refugees and immigrants—both those who are seeking safety and those who are already here.

For these reasons we ask that you vote "no" on H.R. 4038. We also want to draw your attention to the attached letter signed yesterday by 81 national organizations in support of Syrian refugees.

We appreciate your support in protecting the refugees.

Sincerely,

MELANIE NEZER,

Chair, Refugee Council USA.

Ms. PELOSI. As it is the proud American tradition, we can both ensure the security of our country and welcome desperate women, children, and seniors who are facing ISIS' brutality. As my colleague who spoke before me just said, our hearts go out to the refugees, but our hand of friendship does not. And it could.

We could do this in a bipartisan way. If we betray our values as a country and slam the door in the faces of those innocent victims of terror, we do not strengthen our security. We weaken ourselves in the fight against ISIS' savage ideology.

As the Refugee Council USA and its coalition wrote to Congress—and this is very important—“it would send a demoralizing and dangerous message to the world that the United States makes judgments about people based on the country they come from and their religion. This feeds into extremist propaganda and makes us all less safe.”

I talked about the French to begin with. It was interesting to me to hear President Hollande as he spoke to thousands of people in the wake of the tragedy. What he said in some of his remarks at various venues was that France would be welcoming 30,000 refugees from Syria in the period ahead. With all that they have suffered, with the immediacy of the tragedy, with the emotion of the moment, they are still doing the right thing.

The Republican bill before us does not make us safer, and it does not reflect our values. It does not have my support.

Mr. GOWDY. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. ASHFORD).

Mr. ASHFORD. Mr. Speaker, in my view, H.R. 4038 is, in fact, a common-sense approach to addressing the legitimate security concerns that my constituents and the American people have expressed to me and are expressing today.

In the wake of the horrific attacks in Paris—in my view, it is a game-changer—we must and are obligated to reassess our existing procedures—and that is all this bill does—for admitting and monitoring refugees from countries associated with ISIS. I cannot sit back and ignore the concerns of my constituents and the American public.

This legislation does not shut down the refugee asylum process. If it did, I wouldn't support it. We are simply asking the administration to reassure us that those coming to the United States do not pose a threat to the American people. We should not accept anything less from our Federal Government.

I am very proud of our American legacy of being a welcoming nation, and I have devoted much of my professional life to that concept and idea. This legislation, in my view, does not diminish that legacy. Rather, this legislation will protect that legacy into the future and will reassure Americans that we are working to protect them.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I think it is without question that we have the strongest, the most stringent, and the toughest refugee system in the entire world. I don't think anybody can dispute that. Yet, we are still humanitarians with regard to what our system is.

This bill is called the American SAFE Act, but where our greatest danger lies is when rhetoric is given for ISIS to utilize in order to recruit American citizens—those of us who are

here to radicalize them—and then they can go to a gun shop and buy an assault weapon.

□ 1245

If we truly want to make sure that America is safe, we should make sure that no homegrown or radicalized person here has access to an assault weapon. We should have a bill.

We want every American to be safe, as I hear my colleagues talking. I am with you. How do we make them safe? Make sure that nobody, refugee or otherwise, has the ability to come to our Nation and put their hands on an assault weapon that can harm our people. That is what will keep America safe. Working together with the most stringent refugee system is what we need to do.

This is just something to try to keep people from coming in who are running away from rape, from violence, from persecution. Young children and women who are widows overwhelmingly are the individuals of the 2,000 that have been led in here.

Let's keep America safe. Let's keep assault weapons out of our land.

Mr. GOWDY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I rise in support of H.R. 4038. This legislation will give us a pause to ensure that a benevolent safe haven in America is not used by terrorists to murder a large number of Americans. After the slaughter in Paris, it behooves us to take a close look to see to it that Americans will not be put in jeopardy by an irresponsible refugee policy or by flaws in our own system that already exist.

We can be proud that our country has a tradition of assisting suffering refugees, but we will not be consistent with that by putting Americans in jeopardy.

What could we do that might make the system better, improve the system, protect more Americans? If we pause for a moment, we might come up with some ideas. For example, let me be the first on the floor of the House to advocate that all people coming here, especially from the Middle East, be given polygraph tests. Let's give them a lie detector test to find out who they are. This shouldn't be an option for our embassies. It should be a requirement for our embassies to give such polygraph tests.

Finally, we have heard several references to the Jews being sent back in 1938 to Nazi Germany. Well, the Jews had been targeted for genocide. It was wrong, it was horrible, and it was immoral for us to send them back and not recognize they had been targeted for genocide.

Well, today the Christians in the Middle East are targeted for genocide. I hear over here: Oh, no, you are not going to let anybody in but Christians. No. Christians should get the priority the same way those Jews should have been given the priority in 1938 because,

today, Christians are targeted for genocide in the Middle East. So we do not want to make the same mistake that sent the Jews back in 1938 to Hitler's death camps. Let's not make the same mistake and send Christians back because we won't give them priority because it might make some people upset with us.

I call for, number one, my colleagues to join us and save the Christians from genocide; and number two, let's make our system better so Americans are not put in jeopardy by the benevolence of our own people.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, we want to vote for a bill to reflect the angst of our constituents. If you read this bill, you can't vote for it. It forces our three security leaders—the Director of the FBI, the Director of National Intelligence, and the Secretary of Homeland Security—to personally review, vote on, and certify each and every individual refugee file.

We admitted 187 Syrian refugees last month. If our security leaders just spend 2 hours on each file, it will consume all of their working hours. ISIS cannot simultaneously and permanently incapacitate our security leaders. This bill does.

Now, some will say that our security leaders just won't look at any of the files, that this is an underhanded way for Congress to halt all refugees without taking responsibility, but our security leaders are human. They are going to look at the picture of Aylan Kurdi—that 3-year-old boy on the Turkish beach—and our security leaders will know that if they just invest a couple of hours in personally reviewing a file, they can save a human life. If they just spend another 2 hours, they can save another human life. Our security leaders will be full-time refugee evaluators.

This bill is not a pause bill. This is a permanent bill which permanently incapacitates our security agencies. Read the bill. Vote “no.”

Mr. GOWDY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Mr. Speaker, I want to thank my friend from South Carolina for the time.

Mr. Speaker, we are under attack. Across the globe and here at home, we are being targeted. We are at war. The enemy has brought war to us. And make no mistake about it, this enemy is radical Muslim extremism.

Last week in Paris, we saw a brutal reminder of just how dedicated our enemy is in fighting this war against us. We must fight back, and we must do more. The United States of America must do more.

The President of the United States, on the very day ISIS attacked Paris, argued that ISIS had been contained. He was wrong. Last year, the President called ISIS the JV team. He was wrong. The President has been wrong on ISIS

from the very beginning, and he is wrong now. Where is the strategy? Where is the willpower? Where is the leadership?

Two years ago, Secretary of State John Kerry testified in front of the House Armed Services Committee about the need to arm Syrian rebels. I questioned this decision because we had no way of vetting these rebels. I told Secretary Kerry at the time: "America is just not buying what you are selling." Two years later, the administration has shut down the arming of Syrian rebels because it was completely ineffective.

Now, the administration wants to bring in 10,000 Syrian refugees to the United States, refugees who even the Director of the FBI says cannot be fully vetted. We cannot allow this to happen.

Mr. Speaker, today we are going to pass a strong piece of legislation to protect the American people. The SAFE Act will ensure the highest level of scrutiny is placed on every single Syrian refugee and effectively stop this program until we can ensure Americans are protected. I believe we should do more, but this is a powerful first step to stopping dangerous terrorists from reaching our soil.

The President, our Commander in Chief, the one person charged with protecting the U.S. homeland above all others has threatened to veto this bill. I dare him. I dare the President to veto this bill because he is angrier at Republicans than he is terrorists. I dare him to veto this bill because he thinks his strategy is working, despite the devastation in Paris. I dare the President of the United States to tell the citizens of the United States that he is more concerned with Syrian refugees than the safety of the American people. I dare him.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, I am Congressman TED LIEU. I am a veteran, and I oppose the Republican legislation that would upend America's refugee program for Syrians and Iraqis. It is the wrong solution for the wrong problem.

There has not been a single act of terrorism on American soil committed by a refugee. In Paris, those horrific attacks were committed by French and Belgian citizens. Under the Republican rationale, we ought to be banning travel for French and Belgians to America. If that sounds ridiculous, then so is scapegoating Syrian orphans, widows, and senior citizens fleeing persecution.

America is a country born of persecution, forged in liberty's name with equality for all. We are that shining city upon the hill. We are better than this.

Mr. GOWDY. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, as a Christian, I have compas-

sion and sympathy for the refugees in Syria. In fact, I visited with many of them in a refugee camp in Jordan, a camp that held about 120,000 Syrian refugees.

We are criticized for not having compassion on this issue. Let me tell you, compassion cuts two ways. We should also be cognizant of the compassion we should show our fellow citizens here in America. That compassion is exemplified by using the good sense that God gave us in addressing this national security concern that our Nation faces.

Our compassion should be, too, to make sure to the best of our abilities—and I think that is what this legislation does—is it says we are going to use the best of our abilities that no harm comes to our fellow countrymen. We should do everything we can to make sure that elements of evil are not introduced, due to our compassionate hearts, into the neighborhoods, the towns, the cities, and the States that we represent in this great Nation.

We lock our doors, not because we hate the people on the outside. We lock our doors because we love the people on the inside. This legislation is a great first step to hit pause. Let's get this right for the people we serve in the great Nation that we swear to uphold and defend.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, my Republican friends, unlike the French who had the vision and courage not to scapegoat desperate Syrian refugees fleeing the barbarians that attacked them in Paris, this is a foolish attempt to thwart ISIS terrorists who won't wait 2 years to be vetted.

They would do what the 9/11 hijackers did using the existing visa system. Are we going to pause and certify visas for students, tourists, or workers? Why not?

One really objectionable portion of this bill for me is I have worked for 10 years to try and help the Iraqis who worked with us in Iraq during that war to be able to escape the tender mercies of al Qaeda and others with long memories who are killing and torturing them. This bill pulls the plug on that and condemns them to be left to the terrorists. I think that is reprehensible. These are people who depended upon us, who relied upon us. We have been working in a bipartisan way for 10 years to help them escape to safety, and this bill would slam that door shut. You ought to be ashamed.

Mr. GOWDY. I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, this bill is a great way for Congress to appear as if it is acting and achieving something without actually doing anything.

Mr. Speaker, I am proud to be a member of the Foreign Affairs Com-

mittee. We have had numerous hearings from the beginning of the year, including yesterday, on this issue specifically.

One of the great challenges Western countries face is the problem of homegrown terrorism. We saw that last week in Paris when the overwhelming majority of those who perpetrated these acts were French nationals and Belgian nationals.

So the big issue we face is: What do we do with those who hold European passports and who can come here easily by getting a plane ticket? What do we do with the problem of homegrown terrorism here in the U.S. among American citizens? Those are the key challenges we face in how we balance our civil liberties, our need for tourism, our need for economic bilateral relations, with our need for security. This bill sadly today does absolutely nothing about that.

So we are going to pass this bill. We are going to pat ourselves on the back. We are going to go home and say we did something when actually we have done nothing to solve the problem and protect the security of the American people.

□ 1300

Mr. GOWDY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, the safety of our fellow Americans, and America itself, is and must be our number one priority, our number one responsibility here in this Chamber. The people of America have a right to expect—indeed, demand—exactly that.

Our national security screening and background system for refugees is the toughest in the world. That is why so few refugees from Syria have ever been able to receive their clearance to be accepted into this country.

But then Paris, November 13, happened. Terror reigns and fear spreads, including here. We are reminded of 9/11. If I believed that this rushed legislation made our toughest of refugee screening systems work better, I would vote for it. If this rushed legislation only adds another layer of bureaucracy that makes our screening process look tougher and then results in denying women and children who are fleeing the very terrorists we seek to keep out a chance to seek that refuge here in this country, then I cannot support that.

Our tradition and our values open our door, as in the past, to those who fled Europe to start this country in the first place. It is up to us to do this courageously and do it right, not with rushed legislation.

Mr. Speaker, I urge a "no" vote.

Mr. GOWDY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN), a member of the Committee on the Judiciary.

Mr. COHEN. Mr. Speaker, this bill is here without having gone through committee. It is not our normal process. It is considered an emergency. It is not an emergency. Refugees will not get in this country for 1½ to 2 years from the time they apply.

We could come back and look at the Democratic bill, of which I am a co-sponsor, that incorporates Mr. KING's amendment to prevent terrorists or people on the terrorist list from getting guns, and get a Democratic and Republican bill that we might find we could agree on.

Instead, we are doing this for politics, and we are doing it by continuing to use the pinata of President Barack Hussein Obama. This is an attack on the President, who has a responsibility to defend us, and his team is doing it. This doesn't add anything to it. It doesn't make us safer. It is simply a political way to attack the President, and it is wrong.

Mr. Speaker, that is why I will be voting "no."

Mr. GOWDY. Mr. Speaker, may I inquire how much time remains for both sides.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from South Carolina has 2 minutes remaining. The gentleman from Michigan has 4 minutes remaining.

Mr. GOWDY. Mr. Speaker, I continue to reserve the balance of my time until such time as my friend from Michigan has closed.

Mr. CONYERS. Mr. Speaker, I include in the RECORD from today's New York Times Editorial Board, noted today, "Refugees From War Aren't the Enemy." It includes, "this measure represents election-year pandering to the xenophobia that rears up when threats from abroad arise. People who know these issues—law enforcement and intelligence professionals, immigration officials and humanitarian groups—say that this wrongheaded proposal simply would not protect Americans from 'foreign enemies.'"

[From the New York Times, Nov. 18, 2015]

REFUGEES FROM WAR AREN'T THE ENEMY  
(By The Editorial Board)

The House is expected to vote Thursday on H.R. 4038, the American Security Against Foreign Enemies (SAFE) Act of 2015, which Republican sponsors say "would put in place the most robust national-security vetting process in history" for refugees, one that would "do everything possible to prevent terrorists from reaching our shores."

Conceived partly in response to the Paris attacks, the bill seeks to "pause" admission of Syrian and Iraqi refugees. Though there are real fears of terrorism, this measure represents election-year pandering to the xenophobia that rears up when threats from abroad arise. People who know these issues—law enforcement and intelligence professionals, immigration officials and humanitarian groups—say that this wrongheaded proposal simply would not protect Americans from "foreign enemies."

One of the bill's chief sponsors, Representative Michael McCaul of Texas, chairman of the House committee overseeing the Department of Homeland Security, surely knows

how federal protocols for admitting refugees work. Yet the bill disregards the complicated current process, which already requires that applicants' histories, family origins, and law enforcement and past travel and immigration records be vetted by national security, intelligence, law enforcement and consular officials. This process can take 18 months to two years for each person.

Among other hurdles, the measure would require that the secretary of homeland security, the director of the F.B.I. and the director of national intelligence personally certify that every refugee from Syria and Iraq seeking resettlement here is not a threat. That's a lot of women, children, and old people.

Moreover, this bill ignores most of what the United States has learned, since 9/11 and before, of how potential terrorists actually reach these shores: such individuals more often already live here, or they come via illegal means. Unlike the refugees in Europe, those seeking resettlement in the United States must apply from abroad. They don't arrive until formally admitted, and about half of those seeking refugee status are approved.

So far, half of the Syrian refugees accepted into the United States, officials say, have been children, and another quarter are over 60 years old. Roughly half are female, and many of those applying from abroad are multigenerational families, often with the primary breadwinner missing. About 2 percent are single males of combat age.

Given these facts, it is fair to say that the people who will be denied resettlement by this bill would be the victims of war, people who have been tortured and threatened by the same jihadists the United States now battles. They are families, they are old people and they are children, who might be given a chance for an education and a future.

This is a frightening time for Europe, and for the United States. Should this bill reach his desk, President Obama is more than likely to veto it because it has little to do with fighting global terror. It is sad that this proposal has been described as a first chance for the new speaker of the House, Paul Ryan, to cooperate with the Senate. This bill doesn't reflect who Americans are, and congressional leaders should have the good sense to realize that.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), a member of the Committee on the Judiciary.

Ms. LOFGREN. Mr. Speaker, I have listened to all of this debate with keen interest, and it is with a sense of great sadness that we were unable to come up with a bipartisan bill today.

I would like to note, however, that a bill was introduced by myself and the gentleman from Mississippi (Mr. THOMPSON) that actually is much tougher than the bill before us. It would relate to all refugees in terms of their identity and their excludability—including Nigerians because we are worried about Boko Haram and Somalians because we may be worried about al Shabaab—and that is a tougher approach. I recommend it.

But we also took good ideas from Mr. MCCAUL's bill. It is a good idea to do some sampling on the IG. It is a good idea to have some reporting to the committees. Unfortunately, our bill was not made in order; but it is a stronger bill that incorporates the good ideas from the Republican bill

and a smarter approach to deal with the threat.

Mr. GOWDY. I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I include in the RECORD letters of opposition to H.R. 4038.

WHITE HOUSE STATEMENT OF ADMINISTRATION  
POLICY

H.R. 4038—AMERICAN SAFE ACT OF 2015

(Rep. McCaul, R-TX, and Rep. Hudson, R-NC)

The Administration's highest priority is to ensure the safety and security of the American people. That is why refugees of all nationalities, including Syrians and Iraqis, considered for admission to the United States undergo the most rigorous and thorough security screening of anyone admitted into the United States. This legislation would introduce unnecessary and impractical requirements that would unacceptably hamper our efforts to assist some of the most vulnerable people in the world, many of whom are victims of terrorism, and would undermine our partners in the Middle East and Europe in addressing the Syrian refugee crisis. The Administration therefore strongly opposes H.R. 4038.

The current screening process involves multiple Federal intelligence, security, and law enforcement agencies, including the National Counterterrorism Center, the Federal Bureau of Investigation, and the Departments of Homeland Security (DHS), State, and Defense, all aimed at ensuring that those admitted do not pose a threat to our country. These safeguards include biometric (fingerprint) and biographic checks, medical screenings, and a lengthy interview by specially trained DHS officers who scrutinize the applicant's explanation of individual circumstances to assess whether the applicant meets statutory requirements to qualify as a refugee and that he or she does not present security concerns to the United States. Mindful of the particular conditions of the Syria crisis, Syrian refugees—who have had their lives uprooted by conflict and continue to live amid conditions so harsh that many set out on dangerous, often deadly, journeys seeking new places of refuge—go through additional forms of security screening, including a thorough pre-interview analysis of each individual's refugee application. Additionally, DHS interviewers receive extensive, Syria-specific training before meeting with refugee applicants. Of the 2,174 Syrian refugees admitted to the United States since September 11, 2001, not a single one has been arrested or deported on terrorism-related grounds.

The certification requirement at the core of H.R. 4038 is untenable and would provide no meaningful additional security for the American people, instead serving only to create significant delays and obstacles in the fulfillment of a vital program that satisfies both humanitarian and national security objectives. No refugee is approved for travel to the United States under the current system until the full array of required security vetting measures have been completed. Thus, the substantive result sought through this draft legislation is already embedded into the program. The Administration recognizes the importance of a strong, evolving security screening in our refugee admissions program and devotes considerable resources to continually improving the Nation's robust security screening protocols. The measures called for in this bill would divert resources from these efforts.

Given the lives at stake and the critical importance to our partners in the Middle East and Europe of American leadership in

addressing the Syrian refugee crisis, if the President were presented with H.R. 4038, he would veto the bill.

DEAR MEMBERS OF CONGRESS: The National Immigration Law Center (NILC) urges you to vote no on H.R. 4308. Our nation's refugee laws and programs already include intense security screening and no legislation is required. Our nation would be turning its back on its most fundamental values if we were to adopt measures that hinder or unnecessarily restrict refugee admissions to the U.S.

Congress does not need to impose new mandates, like H.R. 4038, that would effectively freeze refugee resettlement programs for Syrian, Iraqi or any other refugees. Screening and security measures for refugee admissions are the most robust and thorough in the nation. The agencies directly involved in security screening for refugees are continually reassessing and updating their procedures to keep in line with technology and intelligence resources. The White House has also stated its opposition to H.R. 4038.

Proposals like H.R. 4038—along with others that unnecessarily mandate additional burdens on our refugee resettlement programs—are attempts to demonize refugees who are fleeing some of the most dangerous and devastating conditions in the world and to discredit our nation's long-standing and successful refugee resettlement programs that have welcomed and reunited refugee families from around the world.

We urge you to vote NO on H.R. 4038 which would halt and likely delay for months, years or more the Syrian and Iraqi refugee programs.

Sincerely,

AVIDEH MOUSSAVIAN,  
Economic Justice Policy Attorney,  
National Immigration Law Center.

REFUGEE COUNCIL USA,

Washington, DC, November 18, 2015.

DEAR REPRESENTATIVE: On behalf of Refugee Council USA (RCUSA), a coalition of 20 non-governmental organizations committed to refugee protection and welcome, I write to you today to urge you to protect Syrian and Iraqi refugees and the integrity of the United States refugee resettlement program by voting NO on H.R. 4038—The American Security Against Foreign Enemies Act 2015.

Since 1975, the United States has resettled more than 3 million refugees from around the world, including 169,000 from Bosnia and more than 100,000 from Iraq. Three quarters of a million of those refugees entered the U.S. since 2001. During that time, there have been no recorded terrorist acts in the United States by a refugee. That should come as little surprise. Refugees are, by definition, people fleeing from persecution—not persecutors themselves.

H.R. 4038 creates a bureaucratic review process that could take years to implement and would effectively shut down refugee resettlement. The bill requires the Secretary of Homeland Security to “certify” whether an individual refugee is a threat or not after “concurrence” with the Directors of the FBI and DNI. The bill does not provide guidance on what the process for certification will be. This process will have to be created and agreed upon by three heads of agencies. Establishing such a process could take years, and in the meantime, refugees who could be resettled would languish in camps and dangerous situations, Syrian Americans would not be able to reunite with their family members, and there would be very real ramifications for international refugee protection and U.S. foreign policy interests in the region.

The process, once established, would add months or years to the security screening

process, which is already the lengthiest and most robust in the world, routinely taking between 18 and 36 months. Obtaining the concurrence of three heads of federal agencies for each refugee would take years and effectively put an end to the refugee resettlement program. For reasons of security and safety, security and medical clearances are only valid for limited periods of time. During the certification process, these clearances will expire. This will mean that refugees will be caught in an un-ending loop of security clearances that will never end.

The bill requires reporting to thirteen congressional committees on each refugee that is considered for resettlement. This is unreasonably burdensome and will further delay the admission of refugees, cause security clearances to expire, and effectively end the program.

Refugees are already the most vetted non-citizens in our country. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks of applicants' fingerprints and photographs; in-depth, in-person interviews by well-trained Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center; and other checks by U.S. domestic and international intelligence agencies. Supervisory review of all decisions; random case assignment; inter-agency national security teams; trained document experts; forensic testing of documents; and interpreter monitoring are in place to maintain the security of the refugee resettlement program. Due to technological advances, Syrian refugees are also undergoing iris scans to confirm their identity through the process.

The bill is a waste of resources. Funds used to establish and run this certification process would be better used in conducting actual security reviews of refugees and others who are vetted by these agencies.

The bill is a pretext and requires differential treatment of refugees from Syria and Iraq without providing a justification for the additional verification. It is a disguised attempt to stop refugees from two countries long beset by internal conflict, including refugees who have been in neither Syria nor Iraq for four years. Differential treatment, with no clear justification, amounts to discrimination on the basis of nationality without rational basis.

No terrorist attacks in the US have been committed by refugees. The few non-citizens who have caused harm have come to the US as tourists or through other means. This bill will tell the world that the US has no interest in being part of the global solution to protect the victims of the violence in Syria and Iraq. It will keep US citizen family members of these refugees from reuniting with their loved ones who are in danger. This bill does nothing to keep the country safe, is a waste of tax dollars, and is an attack on refugees and immigrants—both those who are seeking safety and those who are already here.

For these reasons we ask that you vote “no” on H.R. 4038. We also want to draw your attention to the attached letter signed yesterday by 81 national organizations in support of Syrian refugees.

We appreciate your support in protecting the refugees.

Sincerely,

MELANIE NEZER,  
Chair, Refugee Council USA.

THE LEADERSHIP CONFERENCE ON  
CIVIL AND HUMAN RIGHTS,  
Washington, DC, November 19, 2015.  
Oppose H.R. 4038's Refugee Policy “Reforms”.

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, we write to express our strong opposition to H.R. 4038, the “American Security Against Foreign Enemies Act of 2015.” This bill would effectively end the admission of refugees from Syria and Iraq, while doing virtually nothing to improve “American security against foreign enemies,” as the name suggests. It is an illogical, poorly considered proposal that is simultaneously far too broad and far too narrow.

Under our current system, refugees resettled in the United States undergo more security vetting than immigrants or visitors who come here through any other channel, and more than refugees who are resettled in any other country in the world. Yet under H.R. 4038, and after we have already resettled 3 million refugees from around the world since 1975 (including 100,000 from Iraq), Congress has just this week concluded that our security screening procedures are insufficient. In their place, H.R. 4038 would institute new screening procedures for Syrian and Iraqi refugees—procedures which are poorly defined, but which would take years to fully implement.

The practical impact of H.R. 4038's onerous new requirements would be to prevent any refugees from either of these two countries from being admitted for the foreseeable future. Meanwhile, only five days after the terrorist attacks in Paris, French President Francois Hollande has stated that France will honor its commitment to admit 30,000 refugees from war-torn Syria—three times more than President Obama had proposed to admit.

At the same time that H.R. 4038 would cause us to cede our decades-long moral high ground in protecting refugees, we struggle to comprehend precisely how it would make America safer. If the assumption behind H.R. 4038 is that Iraqi and Syrian citizens somehow pose a greater threat than citizens of other countries, this bill does not affect the admissions of immigrants or nonimmigrant visitors via other legal channels. If the assumption behind the bill is that refugees somehow pose a greater threat than other types of immigrants, this bill only affects refugee admissions from two countries.

We are certainly not suggesting that H.R. 4038 be expanded in any way. But the narrow scope of the bill does make us wonder exactly what the sponsors are hoping to accomplish through its enactment. We should note that few of the terrorists who attacked Paris last week, and none of the hijackers who attacked our country on September 11, 2001, would have been prevented from entering the United States under the provisions of this bill.

Again, we urge you to oppose this bill. If you have any questions, please contact either of us, or Senior Counsel Rob Randhava.

Sincerely,

WADE HENDERSON,  
President & CEO.  
NANCY ZIRKIN,  
Executive Vice President.

[From MoveOn.org, Nov. 18, 2015]

MOVEON RESPONDS TO OBAMA'S VETO THREAT  
OF HOUSE REFUGEE BILL

(By Brian Stewart)

Anna Galland, executive director of MoveOn.org Civic Action, had the following statement in response to news that President Obama would veto a House bill that

would make it more difficult for vetted refugees to be admitted to the United States:

“We stand strongly with President Obama on this one. MoveOn members will fight vigorously to uphold the principles of welcome and compassion that are engraved on the Statue of Liberty, and against the xenophobic, hateful, and counterproductive rhetoric and proposals we’ve heard this week from some—primarily Republican—politicians.

“We will work to help defend the United States’ essential program for resettling refugees, many of whom are fleeing from threats of terrorism to save their lives and protect their children. We urge Congress, and in particular every Democrat, to show courage and compassion in keeping our doors open to refugees in need—and to opening them wider in this moment of crisis.”

Since Tuesday, more than 115,000 people have signed state- and local-level petitions on MoveOn.org opposing bans on Syrian refugees.

CHRISTIAN REFORMED CHURCH,  
November 19, 2015.

CRCNA STATEMENT TO THE U.S. HOUSE OF REPRESENTATIVES’ RECORD ON THE AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015

As Executive Director of the Christian Reformed Church in North America, I lament the attacks in Beirut, Baghdad, and Paris on November 12 and 13 and would like to express my grief for the victims and their families.

In the wake of these attacks, anti-refugee sentiment has greatly increased throughout the world. Refugees—who are fleeing from the violence of terrorism—should not be scapegoated for these extreme acts of violence. As Christians, we must speak clearly and loudly: we are called to welcome the stranger, protect the vulnerable, and love fearlessly. We are called to respond with love even amidst our fear.

The world is still facing the largest refugee crisis in recorded history. We must continue to have compassion for the vulnerable individuals fleeing conflict in Syria. Refugees already go through security screenings that can take up to 1,000 days; unnecessary additions to the process would be neither compassionate nor caring.

The Christian Reformed Church has a long history of welcoming the vulnerable and helping to resettle refugees in safe communities. The CRCNA pledges to fully participate in resettling Syrians of all religions during this current crisis as it has done with refugees from Iraq, Afghanistan, Cambodia, Cuba, Vietnam, and elsewhere.

Sincerely,

DR. STEVE TIMMERMANS,  
Executive Director, CRCNA.

AMERICAN CIVIL LIBERTIES UNION,  
Washington, DC, November 18, 2015.

Re Oppose H.R. 4038, the “American Security Against Foreign Enemies Act of 2015.”

DEAR REPRESENTATIVE: The American Civil Liberties Union strongly urges you to oppose H.R. 4038, the “American Security Against Foreign Enemies Act of 2015,” or “American SAFE Act of 2015” (H.R. 4038). A vote on the bill is scheduled to take place on Thursday, November 19, 2015. The ACLU urges you to vote NO on H.R. 4038. The ACLU will score this vote.

I. H.R. 4038 creates bureaucratic obstacles to end U.S. acceptance of refugees from Syria and Iraq without any demonstrated public-safety benefit.

H.R. 4038 creates a bureaucratic-review process that likely would effectively shut down resettlement of refugees from Syria and Iraq. The bill mandates new certifications and undefined background investiga-

tions for all refugees who are nationals or residents of Iraq or Syria, and many who are not. Under H.R. 4038, all refugees deemed to originate from Iraq or Syria—including anyone who has been in either country at any time in the last four and a half years—may only be admitted to the U.S. after the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Director of National Intelligence unanimously concur that the refugee has cleared an additional background investigation on top of what the Attorney General this week testified is “significant and robust” security screening. There has been no need expressed by federal intelligence or law-enforcement agencies for such an unprecedented clearance process, which could take years to operationalize and does not add any public-safety benefit for the U.S. population. In short, H.R. 4038 would bring the U.S. resettlement process of Syrian and Iraqi refugees to a grinding halt.

II. H.R. 4038 would result in unjustified discrimination against refugees from Syria and Iraq based on their nationality, national origin, and religion.

It is wrong and un-American to condemn groups without reason solely based on their nationality, national origin, religion, or other protected grounds. The proposed certification and background investigation requirements in H.R. 4038 would only apply to refugees deemed to be from Iraq or Syria, and not other countries. The bill sponsors have provided no sufficient reason for additional certification and investigation requirements to justify the differential treatment of refugees from Syria and Iraq, or even defined how that differential treatment would improve current practice. H.R. 4038, therefore, amounts to impermissible discrimination on the basis of nationality and national origin without a rational basis.

The extra certification and investigation requirements in H.R. 4038 would disproportionately harm Muslim refugees seeking protection in the U.S. According to the Refugee Processing Center, 96 percent of Syrian refugees admitted to the U.S. since the Syrian civil war began in 2011 are Muslim, while over 60 percent of Iraqi refugees admitted since the Iraq war began in 2003 are Muslim. Muslim refugees would disproportionately suffer the consequences of this discriminatory bill, as they would be denied entry to the U.S. and forced to languish in refugee camps for years on end.

III. H.R. 4038 is an attack on vulnerable refugees from Syria and Iraq, both those seeking protection and those already residing in the U.S.

Not only is H.R. 4038 an attack against refugees from Syria and Iraq, but it would also harm those refugees’ family members who are already in the U.S. and eagerly awaiting to be reunited with their loved ones. This bill would subject those families to an interminable wait and would prolong unnecessary suffering for both the refugees seeking protection and those family members waiting in the U.S. Moreover, the bill’s very name, the “American Security Against Foreign Enemies Act,” would worsen stigmatization of Syrian and Iraqi refugees—and, more broadly, scapegoat all refugees—fanning the flames of discriminatory exclusion here and abroad.

IV. Conclusion

The ACLU urges the House to vote NO on H.R. 4038. For more information, please contact ACLU Legislative Counsel Joanne Lin.

Sincerely,

KARIN JOHANSON,  
Director, Washington  
Legislative Office.

JOANNE LIN,  
Legislative Counsel.

CHRIS RICKERD,  
Policy Counsel.

ASIAN AMERICANS ADVANCING JUSTICE,  
November 18, 2015.

DEAR REPRESENTATIVE: Asian Americans Advancing Justice (Advancing Justice) is a national partnership of five nonprofit, non-partisan organizations that work to advance the human and civil rights of Asian Americans and Pacific Islanders through advocacy, public policy, public education, and litigation. We are based in Washington D.C., Atlanta, Chicago, Los Angeles, and San Francisco. We write to urge you to vote NO on H.R. 4038, The American Security Against Foreign Enemies Act of 2015 (American SAFE Act of 2015).

We are all shocked and saddened by the recent attacks in Paris and elsewhere but now is not the time to close our hearts and our state to people fleeing violence and terror. We must be careful not to act impulsively in response to recent violence and we must be vigilant against enacting policies targeting people based on their national origin or religion. Due to the legacy of the internment of Japanese Americans in WWII and the treatment of Arab, Middle Eastern and South Asian after 9/11, the Asian American community is all too familiar with hasty actions based on discrimination and fear.

Protecting national security and public safety is important to all of us, but we should not let fear and prejudice guide our decisions about whom to welcome to America. The refugee resettlement program is already the most difficult way to enter the United States, routinely taking individuals several years to be processed. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks; in-depth, in-person interviews by Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center, and other checks by U.S. domestic and international intelligence agencies. In addition, other measures such as mandatory supervisory review of all decisions, random case assignment, and forensic document testing are in place to maintain the security of the refugee resettlement program.

H.R. 4038 creates a bureaucratic review process that could take years to implement and would effectively shut down refugee resettlement. The bill requires the Secretary of Homeland Security to “certify” whether an individual refugee is a threat or not after “concurrence” with the Directors of the FBI and National Intelligence. The bill does not provide guidance on what the process for certification will be. This process will have to be created and agreed upon by three heads of agencies. Establishing such a process could take years, and in the meantime, refugees who could be resettled would languish in camps and dangerous situations, Syrian Americans would not be able to reunite with their family members, and there would be very real ramifications for international refugee protection and U.S. foreign policy interests in the region.

The process, once established, would add months or years to the security screening process, which is already the lengthiest and most robust in the world, routinely taking between 18 and 36 months. Obtaining the concurrence of three heads of federal agencies for each refugee would take years and effectively put an end to the refugee resettlement program. For reasons of security and safety, security and medical clearances are only valid for limited periods of time.

During the certification process, these clearances will expire. This will mean that refugees will be caught in an un-ending loop of security clearances that will never end.

The bill also requires reporting to more than a dozen congressional committees on each refugee that is considered for resettlement. This is unreasonably burdensome and a waste of resources. Funds used to establish and run this certification process would be better used in conducting actual security reviews of refugees and others who are vetted by these agencies.

This bill is merely a pretext for discriminatory treatment of refugees from Syria and Iraq without providing a justification for the additional verification. America should remain a place of safety for people seeking refuge and peace from around the globe. We strongly urge you to vote no on H.R. 4038 and reject similar proposals that would limit or impose unnecessary processes that effectively prevent future refugees from coming to the United States.

If you have questions about our recommendation, please contact Erin Oshiro at Asian Americans Advancing Justice-AAJC. Thank you.

Sincerely,

STEWART KWOH,  
*President & Executive  
Director, Advancing  
Justice, Los Angeles.*

CHRISTOPHER  
PUNONGBAYAN,  
*Executive Director,  
Advancing Justice,  
Asian Law Caucus.*

MEE MOUA,  
*President & Executive  
Director, Advancing  
Justice, AAJC.*

TUYET LE,  
*Executive Director,  
Advancing Justice,  
Chicago.*

HELEN KIM HO,  
*Executive Director,  
Advancing Justice,  
Atlanta.*

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, our folks back home are understandably frightened, and there is no question that ISIL must be destroyed and that the safety of Americans must be our first priority. But denying refuge to women and children who are fleeing rape and torture and who go through a 2-year vigorous entry process will not make us a safer country.

At a time when we are trying to forge a coalition of international nations, it is self-defeating to send a message of isolation. Our antiterrorism resources must be focused on terrorists, not on innocent human beings seeking shelter from the most unspeakable horrors.

Mr. CONYERS. I yield myself the balance of my time.

Mr. Speaker, Members of the committee and of the House, instead of slamming our doors to the world's most vulnerable, we should be considering legislation to strengthen and expand refugee programs.

Unfortunately, the bill before us today is not a serious effort to legislate, and it will not make us safer. It is a knee-jerk reaction, as evidenced by

the fact that this measure was introduced just 2 days ago and has not been the subject of a single hearing or any meaningful review by our committee.

Rather than betraying our values, we must continue to focus on the most effective tools to keep us safe, while providing refuge for the world's most vulnerable. Accordingly, I plead with, I urge my colleagues to please oppose H.R. 4038.

Mr. Speaker, I yield back the balance of my time.

Mr. GOWDY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, it seems commonsensical that when it comes to national security and public safety, we should listen to and rely upon the women and men who are actually experts and have dedicated their lives to public safety and national security.

Mr. Speaker, this is a fact: We don't have sufficient information to appropriately investigate and vet failed nation-states.

This is a fact: ISIS has sworn to bring its war against innocents here.

This is a fact: Administration officials noted ISIS may well use the refugee program to infiltrate our country.

This is also a fact, Mr. Speaker: The margin for error is zero. It is zero. The presumption should always be in favor of national security and public safety because that is the preeminent role of government, and it is our constitutional duty, Mr. Speaker.

So unless and until those we place in charge of our national security and public safety can provide the necessary assurances, we should seek to aid those who need aid where they are.

In conclusion, Mr. Speaker, the President says that we are scared of widows and orphans. That is what passes for debate in this day and age. With all due respect to the President, what we are really afraid of, Mr. Speaker, is a foreign policy that produces so many widows and orphans.

He is the Commander in Chief, Mr. Speaker. His job is to make our homes safer. He could also make the homeland of the refugees safer. He could restore order to the region, and he can defeat that JV team that he once thought he had contained. That would be the very best thing we could do for those who aspire to a better, safer life.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I submit the following letters from the U.S. Conference of Catholic Bishops and First Focus Campaign for Children.

UNITED STATES CONFERENCE OF  
CATHOLIC BISHOPS, COMMITTEE ON  
MIGRATION,

*Washington, DC, November 19, 2015.*

DEAR REPRESENTATIVE: On behalf of the U.S. Conference of Catholic Bishops (USCCB), I write to oppose passage of H.R. 4038, the American Security Against Foreign Enemies Act of 2015.

As you know, the legislation would suspend the resettlement of refugees from Syrian and Iraq until a procedure could be established whereby the Secretary of the De-

partment of Homeland Security (DHS) would certify—with concurrence of the FBI director and the Director of National Intelligence—that each refugee is not a terrorist threat. It also would require that the current or a future Administration report to thirteen congressional committees on each refugee that is considered for resettlement. These requirements would keep many deserving refugees in danger for an extended period of time, at risk of their lives, but would not necessarily make the process a more effective one.

The U.S. Catholic bishops acknowledge and support the right of our government to defend our nation and to ensure that the American people are safe. However, we believe that this legislation is designed to severely limit, if not end, the resettlement of Syrians or Iraqis to the United States, including vulnerable women and children, the elderly, and religious minorities fleeing violence and death, including Christians. It also would impact Iraqis who may have been forced to flee to Syria during the Iraqi war, even those who may have supported our troops.

The current security process for Syrian refugees can take up to 24 months or longer, as refugees go through several interviews and 5 security clearance reviews. Refugees go through more security checks than any arrival to our nation. Since 2001, the United States has resettled 784,000 refugees under this process and there has not been a single terrorist act committed by a refugee admitted into the country.

The U.S. refugee program is an example of a successful private-public partnership which has enjoyed bipartisan support for decades. Presidents from both political parties have supported, and, at times, expanded the program to respond to humanitarian crises originating from global conflicts, including President Gerald R. Ford after the Vietnam War, President Bill Clinton after the Bosnian conflict, and President George W. Bush after the Iraqi War. H.R. 4038 represents a threat to this tradition and to our moral leadership in the world.

Instead of imposing additional bureaucratic processes upon the current stringent security system through the adoption of H.R. 4038, we encourage you to work with the Administration to strengthen it, without suspending the program. I also ask that you work with your colleagues and the Administration to end the Syrian conflict peacefully so the 4 million Syrian refugees can return to their country and rebuild their homes.

Until that goal is achieved we must work with the world community to provide safe haven to vulnerable refugees who are simply attempting to survive. H.R. 4038 abdicates our moral responsibility in this area and must be defeated.

Thank you for your consideration of our views.

Sincerely,  
MOST REVEREND EUSEBIO ELIZONDO,  
*Auxiliary Bishop of Seattle, WA,*  
Chairman.

FIRST FOCUS  
CAMPAIGN FOR CHILDREN,

*Washington, DC, November 19, 2015.*

DEAR MEMBER: On behalf of First Focus Campaign for Children, a national bipartisan advocacy organization dedicated to making children and families a priority in federal policy and budget decisions, I write to you today to strongly urge that you oppose the American SAFE Act (H.R. 4038). This bill would immediately prevent all refugees from Syria and Iraq from entering the United States and makes the process for their entry considerably more difficult.

The American SAFE Act creates a much more stringent, discriminatory process for

refugees from Syria and Iraq to gain entry into the United States. These populations would be singled out and could not be admitted until the Director of the FBI, the Secretary of DHS and the Director of the National Intelligence have received a background investigation that is deemed sufficient to determine whether the refugee is a threat. This process is fraught with complications as thousands of refugee children and their families will remain in limbo indefinitely and agencies would have to use significant resources to coordinate investigations and create new criteria for who can be admitted. The United States already has much tougher protections than European nations, evident in the fact that all refugees are screened for 18–24 months before stepping foot in the U.S. and face the highest level security screening of any traveler or immigrant.

Those fleeing from violence in Syria are amongst the most vulnerable in the world. Over 50% of those who have entered the United States are children and a quarter are over the age of 60. By adding an unnecessary layer of bureaucracy to the screening process, the United States would be jeopardizing the lives of thousands of innocent children who have committed no crime other than to be born in a country rife with instability and susceptible to unspeakable acts of terrorism. These children have already experienced a great deal of trauma and creating barriers for safety will only make their situations more desperate.

America has a proud history of providing refuge for those in need, and this bill runs contrary to our most fundamental values of compassion and fairness. Thus, we strongly urge you to oppose HR 4038 as it further undermines the safety of millions of children who are seeking protection from the very terrorism we are seeking to defeat.

Sincerely,

BRUCE LESLEY,  
*President.*

DEAR MEMBERS OF CONGRESS: The National Immigration Law Center (NILC) urges you to vote no on HR 4038. Our nation's refugee laws and programs already include intense security screening and no legislation is required. Our nation would be turning its back on its most fundamental values if we were to adopt measures that hinder or unnecessarily restrict refugee admissions to the U.S.

Congress does not need to impose new mandates, like HR 4038, that would effectively freeze refugee resettlement programs for Syrian, Iraqi or any other refugees. Screening and security measures for refugee admissions are the most robust and thorough in the nation. The agencies directly involved in security screening for refugees are continually reassessing and updating their procedures to keep in line with technology and intelligence resources. The White House has also stated its opposition to HR 4038.

Proposals like HR 4038—along with others that unnecessarily mandate additional burdens on our refugee resettlement programs—are attempts to demonize refugees who are fleeing some of the most dangerous and devastating conditions in the world and to discredit our nation's long-standing and successful refugee resettlement programs that have welcomed and reunited refugee families from around the world.

We urge you to vote NO on HR 4038 which would halt and likely delay for months, years or more the Syrian and Iraqi refugee programs.

Sincerely,

AVIDEH MOUSSAVIAN.

Ms. EDDIE BERNICE JOHNSON of Texas.  
Mr. Speaker, I would like to express my oppo-

sition to H.R. 4038, the American Security Against Foreign Enemies Act. As a result of horrific terrorist attacks in Paris, France and Beirut, Lebanon last week, many elected officials in the United States are demanding that we stop admitting refugees fleeing Syria or place strict restrictions upon their entrance. This rhetoric is disheartening and disappointing. We are facing a global refugee crisis that requires a global response.

With 60 million people displaced, the United States must do its part to help protect and resettle vulnerable families and children who are fleeing violence and persecution. While we must continue to ensure that screening procedures are able to properly vet those seeking political asylum in this country, I refuse to turn my back on innocent people who are fleeing the atrocities in their homeland.

H.R. 4038 places unnecessary bureaucratic obstacles in front of Syrian and Iraqi refugees without any demonstrated public safety benefit and would result in completely unjustified discrimination based on nationality, origin, and religion. This is not only wrong, it is not American. H.R. 4038 also wrongly attacks vulnerable refugees who are fleeing the same dangerous attacks that we fear so much here on American soil.

While I do believe that we must remain vigilant in our safety precautions, we cannot close our doors and our minds to the children and families seeking protection, shelter, and safety. In Dallas, we have always shown our compassion to those who seek safety. I refuse to slam the door on a small fraction of the world's Syrian refugees. In fact, 184 Syrian refugees have already been placed in Texas with more than 1,500 across the nation and we will certainly welcome more.

We cannot turn our backs on those who fall victim to war, aggression, and tenor. Instead, we must show compassion by promoting peace and diplomacy. I urge my colleagues to vote against this divisive and discriminatory legislation.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to HR. 4038.

In the aftermath of last week's barbaric ISIL terrorist attack in Paris the Republican leadership of the U.S. House has decided that the best way to protect the security of the American people is to attack Syrian and Iraqi refugees. These are the innocent and vulnerable children, parents, and elders who are seeking protection from murderous armies, terrorist groups, and death squads.

The perpetrators of the Paris attack were ISIL radicals with European citizenship, not refugees. As many as 3,000 European extremists have traveled to Syria to join the ranks of ISIL. In fact, the ISIL mastermind behind the Paris attack who was killed by French authorities, Abdelhamid Abaaoud, was a Belgian citizen, not a refugee from Syria or Iraq. Meanwhile, the U.S. visa waiver program allows unrestricted access to the U.S. from the European Union which is an open door for European extremists not on a watch list to enter our country. In my view, this is where the real reform and intelligence sharing must be strengthened.

The American Security Against Foreign Enemies Act (HR. 4038) is a Republican ploy that is cruel, callous, and a blatant display of xenophobia used to energize a political base that is motivated by a hatred of immigrants. This legislation is not designed to protect our

national security interests, but rather will be used as a political weapon to attack Democrats who still believe our nation should be a safe haven for vulnerable people seeking freedom from persecution and the threat of death.

I support resettling refugees in the U.S. and I have always welcomed them to Minnesota. The most modern identification technology and intelligence background checks need to be utilized in the resettlement security process. That means this Republican Congress must act responsibly and provide the necessary funding for such a comprehensive screening protocol. I support appropriating full funding for these strict protocols.

ISIL is a global scourge that must be eradicated. Keeping America safe and eliminating ISIL will require intelligence, military, and counter-terrorism coordination between the U.S. and all allies. Unfortunately, H.R. 4038 is a transparent effort to scapegoat Syrian and Iraqi refugees who have suffered immeasurably, but clearly not enough for some of my colleagues. I reject this Republican bill as another example of driving a political agenda based on willful ignorance in the face of a serious terrorist threat.

Mr. Speaker, I urge my colleagues to join me in opposing H.R. 4038.

Ms. BONAMICI. Mr. Speaker, I rise today in opposition to H.R. 4038, the American Security Against Foreign Enemies (SAFE) Act of 2015, legislation that was introduced just 48 hours ago with no consideration by any Committees of jurisdiction. In the wake of horrific terrorist attacks across the globe, I understand and appreciate the concerns and fear in our communities. We must recommit to keeping our country safe and secure, but keeping our country safe and accepting refugees fleeing war and terrorism are not mutually exclusive and never have been throughout the history of our great nation.

The American SAFE Act would effectively bar refugees, many of whom are women and children, from escaping violence and finding a safe haven in our country. The United States already has an extremely rigorous screening process for refugees that includes 18 to 24 months of detailed background checks, screening, and interviews administered by the Departments of State, Homeland Security, and Defense.

The President has committed to allowing an additional 10,000 refugees into our country, and more than half of those are children. Our history reflects a nation that thrives on diversity and is strengthened by the contributions of immigrants, and in darker times, our history also provides examples of where we have failed in the past, most notably during the early years of World War II. The men, women, and especially children who are seeking a better life and refuge from bullets and bombs are counting on us. As an American and a mother, I urge my colleagues not to respond to fear and political rhetoric by supporting this bill and instead commit to a thoughtful debate that will strengthen our national security policy without closing our border to the world's most vulnerable.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise before you with the words that are inscribed on our Statue of Liberty that reflects our history of a nation of what America is, should be, and to become to many people regardless of nationality, ethnicity, and creed (religious belief). We are a nation of Native

Americans, descendants of slaves, and immigrants. Historically, these words have not always reflected the true meaning of freedom through time and periods of conflict.

The American Safe Act is a bill that attempts to infuse fear on Americans about terrorism and would lead to slowing down the process of resettlement in the Syria and Iraq region for the most vulnerable refugees possibly for years to come.

History is a tool that we should always learn from and always seek to build on the existence of our past to make America better and not a spectator on the wrong side of history.

Remember what was said about the Japanese Americans during World War II, when they were placed in internment camps. Fear was the reason and rationale as to why specific citizens were looked on as enemy aliens that needed to be put away to protect our national security and make America safe from danger of foreign influences.

Remember what happen to immigration quotas and restrictions of Jewish refugees fleeing from a holocaust in Europe. Where American polls were suggesting to not allow German and other political refugees from entering America due to fear and concern of possible entry of German agents among refugees.

What about the Haitians and Africans who are turned back or returned to their country of origin while seeking refuge in America?

Mr. Speaker, *Deja vu* all over again, yet we should be cautious and yet wise in our decisions that are temper with compassion and not fear to reject a people in their greatest hour of need.

I submit the following Statue of Liberty Poem:

NEW COLOSSUS (STATUE OF LIBERTY POEM)

Not like the brazen giant of Greek fame,  
With conquering limbs astride from land to land;

Here at our sea-washed, sunset gates shall stand

A mighty woman with a torch, whose flame  
Is the imprisoned lightning, and her name  
Mother of Exiles.

From her beacon-hand  
Glows world-wide welcome; her mild eyes  
command

The air-bridged harbor that twin cities  
frame.

“Keep, ancient lands, your storied pomp!”  
cries she With silent lips.

“Give me your tired, your poor,  
Your huddled masses yearning to breathe  
free,

The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tossed to  
me,

I lift my lamp beside the golden door!”

Mr. LEVIN. Mr. Speaker, the entire goal of terrorists—in their cowardly acts of violence against innocent and unsuspecting civilians—is to cause death, chaos, bring intense fear and intimidate the global community. We were victims of the most horrendous terrorist attacks on 9–11 and we all joined in feelings of renewed honor as we watched the terrorist attacks in Paris.

We need to ensure that our response is both strong in purpose and effective. We did that after 9–11. We put in place the most stringent refugee resettlement program in the history of our country.

These are the facts:

Refugees are referred to the U.S. program after being screened by the United Nations

High Commissioner for Refugees who first determines if resettlement in a third country is the right solution.

The current U.S. screening process takes between 18–24 months. It involves multiple Federal intelligence, security, and law enforcement agencies, including the National Counterterrorism Center, the Federal Bureau of Investigation, and the Departments of Homeland Security (DHS), State, and Defense, all aimed at ensuring that those admitted do not pose a threat to our country. These safeguards include biometric (fingerprint) to confirm identity, multiple layers of biographical and background checks, and medical screenings.

Specifically, each applicant’s biographical information is checked against the Department of State’s Consular Lookout and Support System—which includes terrorist watchlist information during prescreening. Then, Security Advisory Opinions from the law enforcement and intelligence communities for each applicant is secured.

All of this information helps to inform the lengthy in-person interviews. DHS officers scrutinize the applicant’s explanation of individual circumstances to assess whether the applicant meets statutory requirements to qualify as a refugee and that he or she does not present security concerns to the United States. If as a result of the security process, U.S. security agencies cannot verify details of a potential refugee’s story, they are denied. These checks happen before an application is approved and long before a refugee would be able to enter the United States.

And these are the facts on the refugees:

Refugees by definition are the most vulnerable people in our global society. They are fleeing war, violence and persecution. In Syria refugees are either fleeing the violence brought on by the civil war and the violence of President Assad’s army or the terror of ISIS operating from there.

The emphasis for the U.S. program is to admit the most vulnerable—particularly women and children, survivors of violence and torture, and those with severe medical conditions. Since 2011, 2,034 Syrian refugees have been admitted to the United States. A quarter of these refugees are adults over 60. Half are children. Young, single males unattached to families constitute only 2% of the Syrian refugee admissions to date. DHS interviewers receive extensive, Syria-specific training before meeting with refugee applicants.

Each Member of Congress takes very seriously our number-one responsibility to protect the homeland. At times of crisis it is crucial that we act in a bi-partisan fashion. Regrettably that was not the process followed by the Republican Majority. They crafted the legislation before us today on their own and with no hearings, no expert testimony, no Committee markup, and no opportunity to offer amendment

As a result, the legislation before us sets a partisan course, and is being used mainly as a vehicle to criticize the President’s foreign policy. The current screening system has been working. This bill does not improve it and could scramble up what is working. The legislation would require the FBI to have their own additional and undefined separate screening systems even though they currently fully participate in the stringent process led by the Department of Homeland Security. We created

DHS after 9–11 to ensure the most effective system that brought all of the resources of the federal government together to combat terrorism. It does not seem wise to unwind that without thorough review and consideration.

The threat of terrorism brings to all of us and to communities across our country a sense of insecurity. It is our responsibility in Congress to channel those feelings into effective solutions. The legislation before us fails to do so. This bill would disrupt a screening process that is working and, in so doing, would yield the moral high ground that our country must hold at all costs if we are to defeat ISIS. We can and must both fight terrorism and help the victims who seek to escape it.

Mr. HONDA. Mr. Speaker, I rise today in strong opposition to the American SAFE Act of 2015 (H.R. 4038). This ill-advised, short-sighted, closed-minded bill would immediately block all refugees from Syria and Iraq from resettling in the U.S. and make the process for entry significantly more challenging for those seeking refuge here.

Today, we are seeing the greatest number of refugees and displaced persons since World War II. That fact alone is startling and disheartening.

People do not uproot their lives and flee their homeland unless it is for the most dire reasons. Who would choose to expose their children to months of traveling on foot, with only the shirt on their back? The families fleeing from the violence in Syria are the most vulnerable in the world. The majority of the refugees are children and women who are fleeing from their terror, sexual violence, and destruction.

History will remember this moment: when our nation decides whether we will turn the most vulnerable away from our shores, or if we will stand with humanity, be inclusive, and protect those who need our help the most.

Mr. Speaker, I firmly oppose the American SAFE Act of 2015; it will only compromise our moral standing in the world, as well as our national security and safety.

Our Constitution is never tested during times of tranquility; it is during times of tension, turmoil, tragedy, trauma, and terrorism that it is sorely tested. We must not allow our anger and outrage toward ISIL terrorists and their cowardly attacks on civilians to turn us away from compassion and generosity. We must not shut our doors—not to the Syrian refugees, or to anyone. We need to find ways to help them find safe haven from the perpetrators of these acts of violence.

Ms. JACKSON LEE. Mr. Speaker, I rise today to speak in opposition to H.R. 4038, the “American Security Against Enemies Act of 2015” (America SAFE Act).

This is the latest attempt to attack the President.

It is cheap and unworthy of this august body to engage in politics when our aim should be lofty and thoughtful policy.

President Obama has accomplished tremendous successes in restoring our nation’s leadership and integrity around the world following the disasters of the previous administration.

He inherited 2 wars including the Iraq war, an unprovoked and unjustified invasion, which today is a strong contributing force to the situation that exists in Iraq and Syria.

The President has led where others have only talked—he has used soft power in an impressive and masterful way that thwarted Russia in its ambitions, and to bring Iran to the

negotiation table resulting in the curbing of that nation's nuclear weapon ambition.

Now the President's work to make sure that United States remains a leader in the global community by meeting the obligation to receive refugees from Syria and Iraq.

This bill is doing damage to our national interest.

The American SAFE Act requires a FBI background check for every refugee from Iraq and Syria who apply for asylum in the United States.

In addition, H.R. 4038 provides that no refugee from Iraq or Syria can be granted asylum in the United States unless the Director of the FBI, the Secretary of the Department of Homeland Security, and the Director of National Intelligence each make an independent determination and concur unanimously that the applicant for asylum poses no threat to the national security of the United States.

I understand that the proponents of H.R. 4038 are responding to the legitimate apprehensions of many Americans shocked by the horror and carnage of the terrorist attacks that occurred last Friday, November 13, 2015, in Paris.

Mr. Speaker, this nation stands in unyielding solidarity with the people of France, which like the United States, is one of the most welcoming and freedom loving nations in the world.

Right now, our prayers are with the victims of the terrorist attacks and their families.

Every American can empathize with the people of France because we remember the terrible and heart-breaking events of September 11, 2001, the first and worst attack by an enemy on American soil since Pearl Harbor and which took the lives of more than 3,000 innocent persons.

On that day Americans of all races, religions, and creeds, in every region of the country were united in their shock and sadness and anger.

But we were united in our resolve to help each other, to defend our homeland, and bring to justice those responsible, and only those responsible, for their crime against humanity.

In the 14 years since that heart-wrenching day, our nation has learned much from our initial responses to the attacks of September 11; we have a much better idea today of what types of actions work, which do not, which go too far.

And the best way to honor those who lost or gave their lives on September 11, and to the victims of terrorism in France and other peace loving societies, is to apply the knowledge and wisdom we have gained from experience to meet the challenges and threats the civilized world faces today from radical jihadists.

Last September, the Homeland Security Committee, which I have served on since its inception, held a hearing at Ground Zero during the week marking the 14th Anniversary of the September 11.

Homeland Security Committee Chairman McCAUL, Ranking Member THOMPSON and Judiciary Committee Subcommittee on Immigration Ranking Member LOFGREN are dedicated public servants whose actions are always motivated by their commitment to keep our nation safe and secure.

It is safe to say that this motivation is shared by every Member of this House.

But that we all agree on the end to be achieved does not mean that we always agree on the means that should be employed.

Mr. Speaker, this is one of those occasions because while I yield to no one in my commitment to protecting the homeland and keeping the American people safe, I cannot agree that H.R. 4038 achieves that goal or is in the best interests of the United States.

On March 4, 1933, President Franklin Delano Roosevelt assured the nation in his Inaugural Address that "the only thing we have to fear is fear itself—nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance."

I would not oppose this bill if I believed that it was needed.

This is not to say that the actions H.R. 4038 requires should never be taken; only that they are not needed at this time and employing them would not be an exercise of American leadership but of fear and retreat.

Our nation is better than that.

But it is good that we are debating H.R. 4038 because it provides us another opportunity to remember who we are, what we believe, and what makes our nation exceptional.

ISIS/ISIL aspires to bring about a bi-polar world, one divided between those Muslims who share their distorted and profaned interpretation of one of the world's great religions on the one hand, and everyone else on the other.

We in the United States seek a peaceful world in which every person on earth is free to worship in peace, live in freedom, and enjoy the blessings of liberty.

In other words, like the French, we believe in "liberté, égalité, fraternité" (liberty, equality, and fraternity).

ISIS/ISIL would have none of this—the world they want is one where murder can be justified because you do not believe as they would have you believe or live as they would have you live.

Women and children, religious minorities—including other Muslim beliefs that differ from their views, have suffered under ISIS/ISIL's reign of terror.

The reign of terror unleashed by ISIS/ISIL is the source of refugees who are fleeing from something so all-consuming and destructive that they leave with nothing but their children in their arms and the clothes on their bodies.

Before September 11, few Americans could imagine that kind of terror.

Our allies in Europe understand that kind of terror—from the stories of those who sought refuge from the Nazis prior to and during World War II and after the war when escaping the totalitarian states of the Soviet-dominated Warsaw Pact.

Fear of the stranger has always existed, but civilization and institutions ease that fear by providing law and order to people to assure protection from want; violence; and war by expending resources to address conditions that would result in those societal destabilizing influences.

Each nation decides where it stands on principle, law, and conscience.

Mr. Speaker, H.R. 4038 is not necessary at this time because our nation already has in

place the world's most rigorous screening process for refugees seeking asylum.

Mr. Speaker, there are other alternatives to the draconian approach of H.R. 4038, takes such as the bill introduced by Ranking Members THOMPSON and LOFGREN.

The President is another solution for those who seek reassurance that every precaution is being taken—he is in a position to certify to the Congress and the American people that the process is prudent and careful in its actions regarding refugees seeking entrance into the United States.

It is helpful to recount briefly the critical elements of that screening process.

Every applicant for asylum must:

1. register with the United Nations High Commissioner for Refugees;

2. provide background information, including what caused him or her to flee their home country (a ready means of comparing information provided by more than one million refugees to further verify the validity of the information provided);

3. meet one of five legal qualifications: threat of violence based on race, religion or faith or national origin; political beliefs; or membership in a targeted social group.

4. undergo a rigorous background check during which investigators fact-check the refugee's biography to ensure consistency with published or documented reports of events such as bombings or other violence;

5. be subjected to biometric tests conducted by the Department of Defense, in conjunction with other federal agencies (the U.S. military has an extensive biometric data base on Iraqis from its time in Iraq); and

6. sit for intensive in-person interviews, which may take months or years before they are conducted.

Mr. Speaker, over the past several years intelligence and law enforcement agencies have established and perfected an intense form of screening for Syrians called the "Syrian Enhanced Review."

If, during the screening process, a person from Syria gives response that raise red flags he or she is selected for more intense examination by U.S. intelligence agencies.

The demographic breakdown of those Syrians who have been approved for refugee status to come to the United States is as follows: children, 50%; persons over the age of 60, 25%; combat age males, 2%.

Mr. Speaker, we must be careful not to engage in ethnic or religious profiling.

Unless someone has been profiled it may be difficult to understand what collective guilt looks, or worse, feels like when it is heaped upon members of a group—no matter their age or their condition.

Here in America we have learned through bitter experience that it is morally and politically wrong to regard an entire group of people as unworthy of compassion, regard, concern, or consideration because of their race or religion or ethnicity.

As I stated at the outset, I do not question the motives of those who prevailed upon the

House leadership to rush this bill to the floor for a vote today.

H.R. 4038 was introduced on Tuesday, November 17, and is on the floor for a vote less than 48 hours later, Thursday, November 19.

This is fast—too fast for such a serious decision and without considering the arduous process that is in place to screen all refugees not just those from Iraq and Syria.

Mr. Speaker, H.R. 4038 only addresses the refugee process for those who are Iraqi and Syrian.

In its own way, it acknowledges that the process in place to vet refugees is difficult so much so that no terrorist would choose it as a means to enter the United States.

Unlike Europe where people from the Syrian and Iraqi conflict could walk by land to Europe by the tens of thousands, the United States is not accessible by foot.

We will not take any refugees who are now in Europe.

Our nation welcomes millions of tourist, business travelers, and students from around the world at our airports and seaports each day.

The United States Refugee Asylum process is not comfortable and it takes at a minimum 2 years.

The persons who apply must remain where they have registered until the process is completed, which involves a series of in person interviews, physical health status checks, collection of biometrics and other data as well as investigations by law enforcement and intelligence agencies.

The last thing a terrorist would want is to be a refugee—living in the harsh environment of a refugee camp for two years.

Refugees are the victims of terrorists—ISIS/ISIL does not love them—they want to murder every last one of them, because they will not bow to them.

We should be stirred by the defiance and courage that refugees exemplify—braving the unknown because they yearn to breathe free.

In truth ISIS/ISIL has killed more Muslims than any other group of persons because they practice their faith as they see fit and refuse to worship falsely.

This bill troubles me because it asks the impossible of professional law enforcement, national security, and intelligence agency personnel—by requiring a 100% guarantee that each person poses no threat.

No professional security or law enforcement professional will give anyone a 100% guarantee about anything.

They will not provide a 100% guarantee because they believe that something or someone is a threat—they will not provide a guarantee because it is grossly unprofessional to do so and we should never ask them to do this.

On its face H.R. 4038 would end any hope of asylum in the United States for any refugee from Iraq or Syria.

If this is what the leadership wants then they should say it plainly and have a debate about profiling as a national policy.

I cannot support this bill, but I am committed to working with my colleagues on both sides of the aisle to find common ground.

THE SCREENING PROCESS FOR ENTRY TO THE UNITED STATES FOR SYRIAN REFUGEES

Applicants register with the U.N. High Commissioner for Refugees, or UNHCR, which collects identifying documents; biodata, such as name, date of birth, and

place of birth; and biometrics, most commonly an iris scan.

UNHCR interviews applicants to confirm refugee status and the need for resettlement. Biodata, biometrics, and identifying documents are checked again.

Applicants fulfill criteria to be considered a refugee under U.S. law and processing priority qualifications.

Applicants meet UNHCR resettlement requirements and are referred to the United States for resettlement.

Applicants are received and interviewed by a Resettlement Support Center, or RSC, operated by the U.S. Department of State's Bureau of Population, Refugees, and Migration. The RSC compiles information for the security clearance process conducted by the U.S. Department of Homeland Security, or DHS.

Biographic and biometric checks: Refugee applicants are vetted against law enforcement, intelligence community, and other relevant databases to help confirm the applicants' identity and check for any criminal or other derogatory information.

First biographic check: Applicants are checked against the U.S. State Department's Consular Lookout and Support System, initiated at the time of prescreening by the RSC. Enhanced interagency security checks also take place at this time.

Second biographic check: If applicants meet certain criteria, the RSC requests Security Advisory Opinions from the law enforcement and intelligence communities.

Third biographic check: If applicants are within a designated age range, the National Counterterrorism Center conducts an interagency check, or IAC. Initially, the IAC was required only for Iraqi applicants but is now required for all qualified refugee applicants.

First biometric check: Applicants' fingerprints and photographs are taken by a trained U.S. government employee. Fingerprints are screened against the FBI's Next Generation Identification system.

Second biometric check: Applicants' fingerprints are screened against the DHS Automated Biometric Identification System, which contains watch-list information and previous immigration encounters in the United States and overseas.

Third biometric check: If applicants are within a designated age range, fingerprints are screened against the U.S. Department of Defense Automated Biometric Identification System, which includes fingerprint records captured in Iraq.

Syrian refugee applications are reviewed at U.S. Citizenship and Immigration Services, or USCIS, headquarters by a Refugee Affairs Division officer.

Applicants that meet certain criteria are referred to the USCIS Fraud Detection and National Security Directorate for additional review and research that is used by the interviewing officer to inform lines of inquiry related to applicants' eligibility and credibility.

USCIS interviews applicants in person while abroad to determine whether or not they can be approved for resettlement to the United States.

USCIS approves applicants for resettlement in the United States.

Applicants undergo health screening to ensure that those with a contagious disease do not enter the United States.

Applicants complete cultural orientation classes.

Applicants are matched with a U.S.-based resettlement agency, a process called sponsorship assurance.

Applicants under a second interagency security check to make sure no new information disqualifies them for admittance to the United States.

Prior to entry to the United States, applicants are subject to screening from the U.S.

Customs and Border Protection National Targeting Center Passenger and the Transportation Security Administration's Secure Flight program.

The SPEAKER pro tempore (Mr. HOLDING). All time for debate has expired.

Pursuant to House Resolution 531, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. THOMPSON of Mississippi. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of Mississippi. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of Mississippi moves to recommit the bill H.R. 4038 to the Committee on Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Strike all that follows after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Secure Refugee Process Act of 2015".

**SEC. 2. SUPPLEMENTAL LIMITATIONS ON ADMISSION OF REFUGEES.**

(a) **IDENTITY VERIFICATION REQUIRED.**—No refugee applicant of special interest shall be admitted as a refugee, until the refugee applicant of special interest has satisfactorily established his or her identity pursuant to procedures established by the Secretary of Homeland Security, which shall address any insufficient, conflicting, or unreliable information, including biographic and biometric data that has not been resolved at the time of admission.

(b) **COMPREHENSIVE REVIEW OF REFUGEES TO IDENTIFY SECURITY THREATS TO THE UNITED STATES.**—No refugee applicant of special interest shall be admitted as a refugee, if, by the time of admission, the identity of the refugee applicant of special interest's identity has not been checked against all relevant records or databases maintained by the Secretary of Homeland Security, the Attorney General (including the Federal Bureau of Investigation), the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, criminal, or other grounds on which the refugee applicant of special interest may be inadmissible to the United States.

(c) **CERTIFICATION REQUIRED.**—A refugee applicant of special interest may only be admitted to the United States as a refugee after the Secretary of Homeland Security certifies that all provisions of this Act have been complied with and that the refugee applicant of special interest has not been firmly resettled in a safe third country as described in section 208(b)(2)(A)(vi) of the Immigration and Nationality Act.

(d) **MONTHLY REPORT TO CONGRESS.**—The Secretary of Homeland Security shall submit to the appropriate Congressional Committees a monthly report on, for the month preceding the date of the report, the total

number of refugee applicants of special interest and the number of refugee applicants of special interest whose applications were denied.

(e) INSPECTOR GENERAL REVIEW.—The Inspector General of the Department of Homeland Security shall conduct an annual risk-based review of a statistically valid sampling of certifications and provide an annual report detailing its findings to the appropriate Congressional Committees.

(f) DEFINITION.—In this Act:

(1) The term “appropriate Congressional Committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Permanent Select Committee on Intelligence of the House of Representatives;

(I) the Committee on the Judiciary of the House of Representatives;

(J) the Committee on Homeland Security of the House of Representatives;

(K) the Committee on Appropriations of the House of Representatives; and

(L) the Committee on Foreign Affairs of the House of Representatives.

(2) The term “refugee applicant of special interest” means any alien applying for admission to the United States as a refugee who—

(A) is a national or resident of Iraq or Syria;

(B) has no nationality and whose last habitual residence was in Iraq or Syria; or

(C) has been present in Iraq or Syria at any time on or after March 1, 2011.

Mr. GOWDY (during the reading). Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

Mr. THOMPSON of Mississippi (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi is recognized for 5 minutes in support of his motion.

Mr. THOMPSON of Mississippi. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, my motion to recommit will do several things:

The first thing it will do is require the Secretary of Homeland Security to verify the identity of refugee applicants. Any application that contains insufficient, conflicting, or unreliable information would be denied.

The second point of my motion to recommit is that this motion will require at least five Federal agencies—the De-

partment of Homeland Security, the Attorney General and the Federal Bureau of Investigation, the Secretary of State, the Secretary of Defense, the Director of National Intelligence—all together to check refugee applicants against their records. Any application that indicates a national security or criminal threat would be denied.

In addition, Mr. Speaker, my motion would also require that the Secretary of Homeland Security would certify that all relevant Federal immigration laws have been complied with and that the applicant has not been resettled in a safe third-party country, and has the Department of Homeland Security inspector general’s review as a sample of the certifications.

Fourthly, Mr. Speaker, my motion to recommit would require the Department of Homeland Security inspector general to submit monthly reports to Congress on refugee applications from Syria and Iraq. The Secure Refugee Process Act of 2015 is a pro-security, pro-compassion bill that would ensure the U.S. continues to maintain the most extensive interagency security screening process in the world to vet all people who seek safe harbor in our great Nation.

Mr. Speaker, the people we are talking about in this particular motion really don’t have a country. Many of them have been tortured. The women have been raped. The children, for lack of a better term, are destitute.

□ 1315

We are a Nation of values. My bill speaks to those values.

It does not pause the process. It does not create a moratorium on the process. It adds an additional layer of security without stopping the refugee program.

It is not an immigration bill. It is a refugee program. As I said earlier, we had 23,000 individuals apply for status under this particular program who were Iraqi or Syrian citizens. Of that number, 7,000 received interviews. Of that number, around 2,000 were approved. So it takes time. My motion to recommit is a prudent approach to recognizing the values of this country.

Mr. Speaker, I yield back the balance of my time.

Mr. GOWDY. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. GOWDY. I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Mr. Speaker, national security and public safety are the preeminent functions of government. National security and public safety are not simply factors to be considered in the administration of some broader policy objective. National security and public safety are the ultimate policy

objectives. And the safety and security of our fellow citizens should be the driving force behind every decision that we make.

This country, Mr. Speaker, has a long, proud, rich history of welcoming those fleeing persecution and liberating those suffering under oppression. We are the most welcoming, generous country in the world, having taken in over 3 million refugees since 1975.

We are generous and compassionate, Mr. Speaker, because we are free. And we are free because we are a country rooted in the law and public safety and standards of decency protected by a fundamental commitment to national security.

The world we currently find ourselves in, Mr. Speaker, is imperfect—and becoming more imperfect. So, rather than address the underlying pathology that results in displaced people, this administration is focused on the symptoms.

There are refugees from the Middle East and northern Africa because those regions are on fire and riddled with chaos. Our bright lines and policies of containment, smart power, or whatever we call it today, have failed.

Mr. Speaker, terrorists took the lives of over 100 innocent people in France and injured many more because they could. They killed a hundred only because they could not kill a thousand. Their objective is evil for the sake of evil, murder for the sake of murder; wanton and willful violence and premeditated depravity calculated to take innocent lives.

The terrorists have been very open about their present and future objectives. We should, therefore, be equally clear about our objectives.

Administration officials responsible for national security and public safety, Mr. Speaker, have repeatedly warned us they cannot vet failed nation-states. They cannot do background investigations where there is no database.

ISIS will use any means available to harm us. What this administration needs to tell the American people, Mr. Speaker, is how much risk is acceptable. Given the consequences of reconciling the risk wrongly, how much risk is this administration willing to take?

When it comes to public safety, we have to be successful all of the time. And those who seek to do us harm have to be successful just once. So how much risk are you willing to take with your own safety? How much risk are you willing to take with the safety of those you swore an oath to represent? Have you done everything in your power to mitigate that risk? Have you done everything in your power to explore alternatives other than resettlement here?

Mr. Speaker, every decision we make as elected officials should be with the safety and security of our fellow citizens as the preeminent objective. Unless and until those in charge of security and public safety can provide assurances, the aid we render to those in

need should be rendered where they are.

In conclusion, Mr. Speaker, let me say this. The President is the Commander in Chief. He should help us make this, our home, safer. He should help us make the homeland of the refugees safer. He should restore order to the region. That would be the very best and most humane thing we could all do: provide a better, safer life for those who aspire for one where they are.

Mr. Speaker, I oppose the motion to recommit and support the underlying bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 180, nays 244, not voting 9, as follows:

[Roll No. 642]

YEAS—180

Adams	DeLauro	Kilmer
Aguilar	DelBene	Kind
Bass	DeSaulnier	Kirkpatrick
Beatty	Deuth	Kuster
Becerra	Dingell	Langevin
Bera	Doggett	Larsen (WA)
Beyer	Doyle, Michael	Larson (CT)
Bishop (GA)	F.	Lawrence
Blumenauer	Duckworth	Lee
Bonamici	Edwards	Levin
Boyle, Brendan	Engel	Lewis
F.	Eshoo	Lieu, Ted
Brady (PA)	Esty	Lipinski
Brown (FL)	Farr	Loebsack
Brownley (CA)	Fattah	Lofgren
Bustos	Foster	Lowenthal
Butterfield	Frankel (FL)	Lowe
Capps	Fudge	Lujan Grisham
Capuano	Gabbard	(NM)
Cárdenas	Gallego	Lujan, Ben Ray
Carney	Garamendi	(NM)
Carson (IN)	Graham	Lynch
Cartwright	Grayson	Maloney
Castor (FL)	Green, Al	Carolyn
Castro (TX)	Green, Gene	Maloney, Sean
Chu, Judy	Grijalva	Matsui
Cicilline	Gutiérrez	McCollum
Clark (MA)	Hahn	McDermott
Clarke (NY)	Hastings	McGovern
Clay	Heck (WA)	McNerney
Cleaver	Higgins	Meeks
Clyburn	Himes	Meng
Cohen	Honda	Moore
Connolly	Hoyer	Moulton
Conyers	Huffman	Murphy (FL)
Cooper	Israel	Nader
Costa	Jackson Lee	Napolitano
Courtney	Jeffries	Neal
Crowley	Johnson (GA)	Nolan
Cuellar	Johnson, E. B.	Norcross
Cummings	Kaptur	O'Rourke
Davis (CA)	Keating	Pallone
Davis, Danny	Kelly (IL)	Pascarell
DeGette	Kennedy	Payne
Delaney	Kildee	Pelosi

Perlmutter	Sarbanes	Titus
Peters	Schakowsky	Tonko
Peterson	Schiff	Torres
Pingree	Schrader	Tsongas
Pocan	Scott (VA)	Van Hollen
Polis	Scott, David	Vargas
Price (NC)	Serrano	Veasey
Quigley	Sewell (AL)	Vela
Rangel	Sherman	Velázquez
Rice (NY)	Sinema	Visclosky
Richmond	Sires	Walz
Roybal-Allard	Slaughter	Wasserman
Ruiz	Smith (WA)	Schultz
Rush	Speier	Waters, Maxine
Ryan (OH)	Swalwell (CA)	Welch
Sánchez, Linda	Takano	Yarmuth
T.	Thompson (CA)	
Sanchez, Loretta	Thompson (MS)	

NAYS—244

Abraham	Granger	Neugebauer
Aderholt	Graves (GA)	Newhouse
Allen	Graves (LA)	Noem
Amash	Graves (MO)	Nugent
Amodei	Griffith	Nunes
Ashford	Grothman	Olson
Babin	Guinta	Palazzo
Barletta	Guthrie	Palmer
Barr	Hanna	Paulsen
Barton	Hardy	Pearce
Benishek	Harper	Perry
Bilirakis	Harris	Pittenger
Bishop (MI)	Hartzler	Pitts
Bishop (UT)	Heck (NV)	Poe (TX)
Black	Black	Hensarling
Blackburn	Herrera Beutler	Pompeo
Blum	Hice, Jody B.	
Bost	Hill	Price, Tom
Boustany	Holding	Ratcliffe
Brady (TX)	Hudson	Reed
Brat	Huelskamp	Reichert
Bridenstine	Huizenga (MI)	Renacci
Brooks (AL)	Hultgren	Ribble
Brooks (IN)	Hunter	Rice (SC)
Buchanan	Hurd (TX)	Rigell
Buck	Hurt (VA)	Roby
Bucshon	Issa	Roe (TN)
Burgess	Jenkins (KS)	Rogers (AL)
Byrne	Jenkins (WV)	Rogers (KY)
Calvert	Johnson (OH)	Rohrabacher
Carter (GA)	Johnson, Sam	Rokita
Carter (TX)	Jolly	Rooney (FL)
Chabot	Jones	Ros-Lehtinen
Chaffetz	Jordan	Roskam
Clawson (FL)	Joyce	Ross
Coffman	Katko	Rothfus
Cole	Kelly (MS)	Rouzer
Collins (GA)	Kelly (PA)	Royce
Collins (NY)	King (IA)	Russell
Comstock	King (NY)	Salmon
Conaway	Kinzinger (IL)	Sanford
Cook	Kline	Scalise
Costello (PA)	Knight	Schweikert
Cramer	Labrador	Scott, Austin
Crawford	LaHood	Sensenbrenner
Crenshaw	LaMalfa	Sessions
Culberson	Lamborn	Shimkus
Curbelo (FL)	Lance	Shuster
Davis, Rodney	Latta	Simpson
Delaney	LoBiondo	Smith (MO)
Denham	Long	Smith (NE)
Dent	Loudermilk	Smith (NJ)
DeSantis	Love	Smith (TX)
DesJarlais	Lucas	Stefanik
Diaz-Balart	Lucas	Stewart
Dold	Luetkemeyer	Stivers
Donovan	Lummis	Stutzman
Duffy	MacArthur	Thompson (PA)
Duncan (SC)	Marchant	Thornberry
Duncan (TN)	Marino	Tiberi
Ellmers (NC)	Masters	Tipton
Emmer (MN)	McCarthy	Trott
Emmer (MN)	McCaul	Turner
Farenthold	McClintock	Upton
Fincher	McHenry	Valadao
Fitzpatrick	McKinley	Wagner
Fleischmann	McMorris	Walberg
Fleming	Rodgers	Walden
Flores	McSally	Walker
Forbes	Meadows	Walorski
Fortenberry	Fox	Walters, Mimi
Fox	Meehan	Weber (TX)
Fox	Messer	Webster (FL)
Franks (AZ)	Mica	Wenstrup
Frelinghuysen	Miller (FL)	Westerman
Garrett	Miller (MI)	Whitfield
Gibbs	Moolenaar	Wilson (SC)
Gibson	Mooney (WV)	Wittman
Gohmert	Mullin	Womack
Goodlatte	Mulvaney	
Gohmert	Murphy (PA)	
Goodlatte		
Gosar		
Gowdy		

Woodall	Young (AK)	Zeldin
Yoder	Young (IA)	Zinke
Yoho	Young (IN)	

NOT VOTING—9

DeFazio	Ruppersberger	Westmoreland
Ellison	Takai	Williams
Hinojosa	Watson Coleman	Wilson (FL)

□ 1345

Mr. AUSTIN SCOTT of Georgia changed his vote from "yea" to "nay."

Ms. EDWARDS, Mr. BUTTERFIELD, Ms. GABBARD, Messrs. CROWLEY, HONDA, and LARSEN of Washington changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Mr. SENSENBRENNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 289, yeas 137, not voting 8, as follows:

[Roll No. 643]

AYES—289

Abraham	Courtney	Hahn
Aderholt	Cramer	Hanna
Aguilar	Crawford	Hardy
Allen	Crenshaw	Harper
Amash	Cuellar	Harris
Amodei	Culberson	Hartzler
Ashford	Curbelo (FL)	Heck (NV)
Babin	Davis, Rodney	Hensarling
Barletta	Delaney	Herrera Beutler
Barr	Denham	Hice, Jody B.
Barton	Dent	Hill
Benishek	DeSantis	Himes
Bera	DesJarlais	Holding
Bilirakis	Diaz-Balart	Hudson
Bishop (GA)	Doggett	Huelskamp
Bishop (MI)	Dold	Huizenga (MI)
Bishop (UT)	Donovan	Hultgren
Black	Duffy	Hunter
Blackburn	Duncan (SC)	Hurd (TX)
Blum	Duncan (TN)	Hurt (VA)
Bost	Ellmers (NC)	Israel
Boustany	Emmer (MN)	Issa
Brady (TX)	Farenthold	Jenkins (KS)
Brat	Fincher	Jenkins (WV)
Bridenstine	Fitzpatrick	Johnson (OH)
Brooks (AL)	Fleischmann	Johnson, Sam
Brooks (IN)	Fleming	Jolly
Brownley (CA)	Flores	Jordan
Buchanan	Forbes	Joyce
Buck	Fortenberry	Kaptur
Bucshon	Fox	Katko
Burgess	Franks (AZ)	Keating
Bustos	Frelinghuysen	Kelly (MS)
Byrne	Gabbard	Kelly (PA)
Calvert	Garamendi	Kind
Carney	Garrett	King (NY)
Carter (GA)	Gibbs	Kinzinger (IL)
Carter (TX)	Gibson	Kline
Chabot	Gohmert	Knight
Chaffetz	Goodlatte	Kuster
Clawson (FL)	Gosar	Labrador
Coffman	Gowdy	LaHood
Cole	Graham	LaMalfa
Collins (GA)	Granger	Lamborn
Collins (NY)	Graves (GA)	Lance
Comstock	Graves (LA)	Langevin
Conaway	Graves (MO)	Latta
Connolly	Green, Gene	Lipinski
Cook	Griffith	LoBiondo
Cooper	Grothman	Loebsack
Costa	Guinta	Long
Costello (PA)	Guthrie	Loudermilk

Love	Pittenger	Simpson
Lucas	Pitts	Sinema
Luetkemeyer	Poe (TX)	Slaughter
Lummis	Poliquin	Smith (MO)
Lynch	Polis	Smith (NE)
MacArthur	Pompeo	Smith (NJ)
Maloney, Sean	Posey	Smith (TX)
Marchant	Price, Tom	Stefanik
Marino	Ratcliffe	Stewart
Massie	Reed	Stivers
McCarthy	Reichert	Stutzman
McCaul	Renacci	Thompson (PA)
McClintock	Ribble	Thornberry
McHenry	Rice (NY)	Tiberi
McKinley	Rice (SC)	Tipton
McMorris	Rigell	Trott
Rodgers	Roby	Turner
McSally	Roe (TN)	Upton
Meadows	Rogers (AL)	Valadao
Meehan	Rogers (KY)	Veasey
Messer	Rohrabacher	Vela
Mica	Rokita	Wagner
Miller (FL)	Rooney (FL)	Walberg
Miller (MI)	Ros-Lehtinen	Walden
Moolenaar	Roskam	Walker
Mooney (WV)	Ross	Walorski
Mullin	Rothfus	Walters, Mimi
Mulvaney	Rouzer	Walz
Murphy (FL)	Royce	Weber (TX)
Murphy (PA)	Ruiz	Webster (FL)
Neugebauer	Russell	Wenstrup
Newhouse	Ryan (OH)	Westerman
Noem	Ryan (WI)	Whitfield
Nolan	Salmon	Wilson (SC)
Norcross	Sanford	Wittman
Nugent	Scalise	Womack
Nunes	Schrader	Woodall
Olson	Schweikert	Yoder
Palazzo	Scott, Austin	Yoho
Palmer	Scott, David	Young (AK)
Paulsen	Sensenbrenner	Young (IA)
Pearce	Sessions	Young (IN)
Perry	Sewell (AL)	Zeldin
Peters	Shimkus	Zinke
Peterson	Shuster	

## NOES—137

Adams	Frankel (FL)	Moulton
Bass	Fudge	Nadler
Beatty	Gallego	Napolitano
Becerra	Grayson	Neal
Beyer	Green, Al	O'Rourke
Blumenauer	Grijalva	Pallone
Bonamici	Gutiérrez	Pascrell
Boyle, Brendan	Hastings	Payne
F.	Heck (WA)	Pelosi
Brady (PA)	Higgins	Perlmutter
Brown (FL)	Honda	Pingree
Butterfield	Hoyer	Pocan
Capps	Huffman	Price (NC)
Capuano	Jackson Lee	Quigley
Cárdenas	Jeffries	Rangel
Carson (IN)	Johnson (GA)	Richmond
Cartwright	Johnson, E. B.	Roybal-Allard
Castor (FL)	Jones	Rush
Castro (TX)	Kelly (IL)	Sánchez, Linda
Chu, Judy	Kennedy	T.
Cicilline	Kildee	Sanchez, Loretta
Clark (MA)	Kilmer	Sarbanes
Clarke (NY)	King (IA)	Schakowsky
Clay	Kirkpatrick	Schiff
Cleaver	Larsen (WA)	Scott (VA)
Clyburn	Larson (CT)	Serrano
Cohen	Lawrence	Sherman
Conyers	Lee	Sires
Crowley	Levin	Smith (WA)
Cummings	Lewis	Speier
Davis (CA)	Lieu, Ted	Swalwell (CA)
Davis, Danny	Lofgren	Takano
DeGette	Lowenthal	Thompson (CA)
DeLauro	Lowe	Thompson (MS)
DelBene	Lujan Grisham	Titus
DeSaulnier	(NM)	Tonko
Deutch	Luján, Ben Ray	Torres
Dingell	(NM)	Tsongas
Doyle, Michael	Maloney,	Van Hollen
F.	Carolyn	Vargas
Duckworth	Matsui	Velázquez
Edwards	McCollum	Vislosky
Engel	McDermott	Wasserman
Eshoo	McGovern	Schultz
Farr	McNerney	Waters, Maxine
Fattah	Meeks	Welch
Foster	Meng	Wilson (FL)
	Moore	Yarmuth

## NOT VOTING—8

DeFazio	Ruppersberger	Westmoreland
Ellison	Takai	Williams
Hinojosa	Watson Coleman	

□ 1355

Mr. RUSSELL changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. WATSON COLEMAN. Mr. Speaker, I was, unfortunately, unable to vote today due to a personal matter. Had I been present I would have voted the following ways: rollcall 641—H.R. 3189, the FORM Act of 2015—"nay;" rollcall 643—H.R. 4038, the American SAFE Act of 2015—"nay."

## PERSONAL EXPLANATION

Mr. TAKAI. Mr. Speaker, on Thursday, November 19, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "no" on rollcall 638, the Motion on Ordering the Previous Question on the American SAFE Act of 2015.

I would have voted "yes" on rollcall 639, providing for consideration of the American SAFE Act of 2015.

I would have voted "yes" on rollcall 640, the Democratic Motion to Recommit the FORM Act of 2015.

I would have voted "no" on rollcall 641, the FORM Act of 2015.

I would have voted "yes" on rollcall 642, the Democratic Motion to Recommit the American SAFE Act of 2015.

I would have voted "no" on rollcall 643, the American SAFE Act of 2015.

## PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons.

Had I been present on rollcall vote 638, I would have voted "no."

Had I been present on rollcall vote 639, I would have voted "no."

Had I been present on rollcall vote 640, I would have voted "yes."

Had I been present on rollcall vote 641, I would have voted "no."

Had I been present on rollcall vote 642, I would have voted "yes."

Had I been present on rollcall vote 643, I would have voted "no."

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 3996. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

H. CON. RES. 93. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

## COMMUNICATION FROM CHAIR OF COMMITTEE ON WAYS AND MEANS

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Ways and Means:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
*Washington, DC, November 18, 2015.*

Hon. PAUL D. RYAN,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to Section 8002 of the Internal Revenue Code of 1986, in order to fill the House majority vacancy on the Joint Committee on Taxation created by your resignation from the Committee, Mr. Devin Nunes has been designated to serve on the Committee. Thus, those serving on the Joint Committee on Taxation for the House are: Kevin Brady, Sam Johnson, Devin Nunes, Sander Levin and Charles Rangel.

Sincerely,  
KEVIN BRADY,  
*Chairman, Committee on Ways and Means.*

## NATIONAL RURAL HEALTH DAY

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to honor the fifth annual National Rural Health Day. The third Thursday in November is set aside each year by the National Organization of State Offices of Rural Health to recognize the unique healthcare needs of and challenges facing rural Americans and their communities.

These challenges include fewer healthcare providers and longer travel distances. The hospitals serving rural communities continue to be burdened by arbitrary regulations such as physician supervision regulations as well as the 96-hour certification rules which we certainly need to address.

Mr. Speaker, this year, rural consumers in 12 States also face the challenge of finding a new insurance plan because the so-called Consumer Oriented and Operated Plan, or CO-OP, created by ObamaCare, from which they purchase coverage, has failed. This includes 120,000 Nebraskans and Iowans who bought coverage through CoOpportunity Health.

Mr. Speaker, consumers and taxpayers deserve to know what went wrong with the CO-OPs and whether the \$2.4 billion in Federal loans to this failing program will be repaid. I will continue to fight for these answers.