HR 4038

American SAFE Act of 2015

Congress: 114 (2015–2017, Ended)
Chamber: House
Policy Area: Immigration
Introduced: Nov 17, 2015
Current Status: Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 55 - 43. Reco
Latest Action: Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 55 - 43. Record Vote Number: 4. (consideration: CR S111; text: CR S111) (Jan 20, 2016)
Official Text: https://www.congress.gov/bill/114th-congress/house-bill/4038

Sponsor

Name: Rep. McCaul, Michael T. [R-TX-10]
Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (103 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Hudson, Richard [R-NC-8]	R · NC		Nov 17, 2015
Rep. Abraham, Ralph Lee [R-LA-5]	R · LA		Nov 18, 2015
Rep. Ashford, Brad [D-NE-2]	D · NE		Nov 18, 2015
Rep. Barr, Andy [R-KY-6]	R · KY		Nov 18, 2015
Rep. Barton, Joe [R-TX-6]	R · TX		Nov 18, 2015
Rep. Benishek, Dan [R-MI-1]	R · MI		Nov 18, 2015
Rep. Bilirakis, Gus M. [R-FL-12]	R · FL		Nov 18, 2015
Rep. Bishop, Mike [R-MI-8]	R · MI		Nov 18, 2015
Rep. Black, Diane [R-TN-6]	R · TN		Nov 18, 2015
Rep. Bost, Mike [R-IL-12]	R · IL		Nov 18, 2015
Rep. Boustany, Charles W., Jr. [R-LA-3]	R · LA		Nov 18, 2015
Rep. Brady, Kevin [R-TX-8]	R · TX		Nov 18, 2015
Rep. Bucshon, Larry [R-IN-8]	R · IN		Nov 18, 2015
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Nov 18, 2015
Rep. Calvert, Ken [R-CA-42]	R · CA		Nov 18, 2015
Rep. Carter, Earl L. "Buddy" [R-GA-1]	R · GA		Nov 18, 2015
Rep. Carter, John R. [R-TX-31]	R · TX		Nov 18, 2015
Rep. Clawson, Curt [R-FL-19]	R · FL		Nov 18, 2015
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Nov 18, 2015
Rep. Costello, Ryan A. [R-PA-6]	R · PA		Nov 18, 2015
Rep. Cramer, Kevin [R-ND-At Large]	R · ND		Nov 18, 2015
Rep. Crenshaw, Ander [R-FL-4]	R · FL		Nov 18, 2015
Rep. Culberson, John Abney [R-TX-7]	R · TX		Nov 18, 2015
Rep. Emmer, Tom [R-MN-6]	R · MN		Nov 18, 2015
Rep. Farenthold, Blake [R-TX-27]	R · TX		Nov 18, 2015
Rep. Fleischmann, Charles J. "Chuck" [R-TN-3]	R · TN		Nov 18, 2015
Rep. Flores, Bill [R-TX-17]	R · TX		Nov 18, 2015
Rep. Frelinghuysen, Rodney P. [R-NJ-11]	R · NJ		Nov 18, 2015
Rep. Gibson, Christopher P. [R-NY-19]	R · NY		Nov 18, 2015
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Nov 18, 2015
Rep. Gowdy, Trey [R-SC-4]	R · SC		Nov 18, 2015
Rep. Granger, Kay [R-TX-12]	R · TX		Nov 18, 2015
Rep. Graves, Sam [R-MO-6]	R · MO		Nov 18, 2015
Rep. Grothman, Glenn [R-WI-6]	R · WI		Nov 18, 2015
Rep. Guinta, Frank C. [R-NH-1]	R · NH		Nov 18, 2015
Rep. Guthrie, Brett [R-KY-2]	R · KY		Nov 18, 2015
Rep. Harper, Gregg [R-MS-3]	R · MS		Nov 18, 2015
Rep. Hartzler, Vicky [R-MO-4]	R · MO		Nov 18, 2015
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Nov 18, 2015
Rep. Hill, J. French [R-AR-2]	R · AR		Nov 18, 2015
Rep. Holding, George [R-NC-13]	R · NC		Nov 18, 2015

Cosponsor	Party / State	Role	Date Joined
Rep. Jenkins, Evan H. [R-WV-3]	R · WV		Nov 18, 2015
Rep. Kline, John [R-MN-2]	R · MN		Nov 18, 2015
Rep. LaMalfa, Doug [R-CA-1]	R · CA		Nov 18, 2015
Rep. Lamborn, Doug [R-CO-5]	R · CO		Nov 18, 2015
Rep. Lance, Leonard [R-NJ-7]	R · NJ		Nov 18, 2015
Rep. Loudermilk, Barry [R-GA-11]	R · GA		Nov 18, 2015
Rep. Luetkemeyer, Blaine [R-MO-3]	R · MO		Nov 18, 2015
Rep. Meadows, Mark [R-NC-11]	R · NC		Nov 18, 2015
Rep. Meehan, Patrick [R-PA-7]	R · PA		Nov 18, 2015
Rep. Messer, Luke [R-IN-6]	R · IN		Nov 18, 2015
Rep. Mica, John L. [R-FL-7]	R · FL		Nov 18, 2015
Rep. Mullin, Markwayne [R-OK-2]	R · OK		Nov 18, 2015
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Nov 18, 2015
Rep. Newhouse, Dan [R-WA-4]	R · WA		Nov 18, 2015
Rep. Noem, Kristi L. [R-SD-At Large]	R · SD		Nov 18, 2015
Rep. Nunes, Devin [R-CA-22]	R · CA		Nov 18, 2015
Rep. Olson, Pete [R-TX-22]	R · TX		Nov 18, 2015
Rep. Pittenger, Robert [R-NC-9]	R · NC		Nov 18, 2015
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Nov 18, 2015
Rep. Poe, Ted [R-TX-2]	R · TX		Nov 18, 2015
Rep. Pompeo, Mike [R-KS-4]	R · KS		Nov 18, 2015
Rep. Ratcliffe, John [R-TX-4]	R · TX		Nov 18, 2015
Rep. Reed, Tom [R-NY-23]	R · NY		Nov 18, 2015
Rep. Rooney, Thomas J. [R-FL-17]	R · FL		Nov 18, 2015
Rep. Roskam, Peter J. [R-IL-6]	R · IL		Nov 18, 2015
Rep. Rouzer, David [R-NC-7]	R · NC		Nov 18, 2015
Rep. Royce, Edward R. [R-CA-39]	R · CA		Nov 18, 2015
Rep. Sanford, Mark [R-SC-1]	R · SC		Nov 18, 2015
Rep. Sessions, Pete [R-TX-32]	R · TX		Nov 18, 2015
Rep. Shimkus, John [R-IL-15]	R · IL		Nov 18, 2015
Rep. Shuster, Bill [R-PA-9]	R · PA		Nov 18, 2015
Rep. Smith, Adrian [R-NE-3]	R · NE		Nov 18, 2015
Rep. Thornberry, Mac [R-TX-13]	R · TX		Nov 18, 2015
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Nov 18, 2015
Rep. Turner, Michael R. [R-OH-10]	R · OH		Nov 18, 2015
Rep. Valadao, David G. [R-CA-21]	R · CA		Nov 18, 2015
Rep. Wagner, Ann [R-MO-2]	R · MO		Nov 18, 2015
Rep. Walker, Mark [R-NC-6]	R · NC		Nov 18, 2015
Rep. Walorski, Jackie [R-IN-2]	R · IN		Nov 18, 2015
Rep. Weber, Randy K., Sr. [R-TX-14]	R · TX		Nov 18, 2015
Rep. Westerman, Bruce [R-AR-4]	R · AR		Nov 18, 2015
Rep. Williams, Roger [R-TX-25]	R · TX		Nov 18, 2015

Cosponsor	Party / State	Role	Date Joined
Rep. Wilson, Joe [R-SC-2]	R · SC		Nov 18, 2015
Rep. Wittman, Robert J. [R-VA-1]	R · VA		Nov 18, 2015
Rep. Womack, Steve [R-AR-3]	R · AR		Nov 18, 2015
Rep. Woodall, Rob [R-GA-7]	R · GA		Nov 18, 2015
Rep. Zeldin, Lee M. [R-NY-1]	R · NY		Nov 18, 2015
Rep. Zinke, Ryan K. [R-MT-At Large]	R · MT		Nov 18, 2015
Rep. Chabot, Steve [R-OH-1]	R · OH		Nov 19, 2015
Rep. Collins, Chris [R-NY-27]	R · NY		Nov 19, 2015
Rep. Comstock, Barbara [R-VA-10]	R · VA		Nov 19, 2015
Rep. DesJarlais, Scott [R-TN-4]	R · TN		Nov 19, 2015
Rep. Ellmers, Renee L. [R-NC-2]	R · NC		Nov 19, 2015
Rep. Fitzpatrick, Michael G. [R-PA-8]	R · PA		Nov 19, 2015
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Nov 19, 2015
Rep. Gibbs, Bob [R-OH-7]	R · OH		Nov 19, 2015
Rep. Graves, Garret [R-LA-6]	R · LA		Nov 19, 2015
Rep. Johnson, Bill [R-OH-6]	R · OH		Nov 19, 2015
Rep. Long, Billy [R-MO-7]	R · MO		Nov 19, 2015
Rep. Miller, Jeff [R-FL-1]	R · FL		Nov 19, 2015
Rep. Palazzo, Steven M. [R-MS-4]	R · MS		Nov 19, 2015
Rep. Stivers, Steve [R-OH-15]	R · OH		Nov 19, 2015

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Nov 17, 2015

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
114 HR 6071	Related bill	**Sep 20, 2016:** Referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
114 HR 3999	Related bill	**Dec 4, 2015:** Referred to the Subcommittee on Immigration and Border Security.
114 HR 4086	Related bill	**Dec 4, 2015:** Referred to the Subcommittee on Immigration and Border Security.
114 HRES 531	Procedurally related	**Nov 19, 2015:** Motion to reconsider laid on the table Agreed to without objection.
114 S 2300	Related bill	**Nov 18, 2015:** Read twice and referred to the Committee on the Judiciary.

Summary (as of Nov 19, 2015)

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

American Security Against Foreign Enemies Act of 2015 or the American SAFE Act of 2015

(Sec. 2) This bill requires that, in addition to the Department of Homeland Security (DHS) screening, the Federal Bureau of Investigation (FBI) shall take all actions necessary to ensure that each covered alien receives a background investigation before U.S. refugee admission.

A "covered alien" is any alien applying for U.S. refugee admission who:

- is a national or resident of Iraq or Syria,
- has no nationality and whose last habitual residence was in Iraq or Syria, or
- has been present in Iraq or Syria at any time on or after March 1, 2011.

A covered alien:

- may not be admitted as a refugee until the FBI certifies to DHS and the Director of National Intelligence (DNI) that he or she has received a background investigation sufficient to determine whether the alien is a U.S. security threat; and
- may only be admitted to the United States after DHS, with the unanimous concurrence of the FBI and the DNI, certifies to Congress that he or she is not such a threat.

The Inspector General of DHS shall conduct annual risk-based reviews of all certifications.

DHS shall report monthly to Congress on the total number of admission applications for which a certification was made and the number of covered aliens for whom such a certification was not made for the preceding month. The report shall include for each covered alien for whom a certification was not made the concurrence or nonconcurrence of each person whose concurrence was required by the certification.

Actions Timeline

- **Jan 20, 2016:** Motion to proceed to measure considered in Senate. (consideration: CR S111)
- **Jan 20, 2016:** Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 55 - 43. Record Vote Number: 4. (consideration: CR S111; text: CR S111)
- **Jan 12, 2016:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S63)
- **Jan 12, 2016:** Cloture motion on the motion to proceed to the measure presented in Senate. (consideration: CR S63; text: CR S63)
- **Nov 19, 2015:** Rule H. Res. 531 passed House.
- **Nov 19, 2015:** Considered under the provisions of rule H. Res. 531. (consideration: CR H8381-8400)
- **Nov 19, 2015:** Rule provides for consideration of H.R. 4038 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
- **Nov 19, 2015:** DEBATE - The House proceeded with one hour of debate on H.R. 4038.
- **Nov 19, 2015:** The previous question was ordered pursuant to the rule. (consideration: CR H8397)
- **Nov 19, 2015:** Mr. Thompson (MS) moved to recommit with instructions to the Committee on the Judiciary. (consideration: CR H8397-8399; text: CR H8397-8398)
- **Nov 19, 2015:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Thompson (MS) motion to recommit with instructions pending a reservation of a point of order. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment requiring the Department of Homeland Security to have procedures in place to ensure that it has requisite information to confirm the identity of refugee applicants; authorizing a comprehensive review of refugees to identify security threats; requiring DHS to certify that a comprehensive review was undertaken; and providing for monthly DHS reports on refugee applications from Syria and Iraq and DHS Inspector General reviews of DHS certifications. Subsequently, the reservation of a point of order was withdrawn.
- **Nov 19, 2015:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H8399)
- **Nov 19, 2015:** On motion to recommit with instructions Failed by the Yeas and Nays: 180 - 244 (Roll no. 642).
- **Nov 19, 2015:** Passed/agreed to in House: On passage Passed by recorded vote: 289 - 137 (Roll no. 643).(text: CR H8381)
- **Nov 19, 2015:** On passage Passed by recorded vote: 289 - 137 (Roll no. 643). (text: CR H8381)
- **Nov 19, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 19, 2015:** Received in the Senate. Read the first time. Deemed read the second time, pursuant to the order of November 19, 2015. Placed on Senate Legislative Calendar under General Orders. Calendar No. 300.
- **Nov 18, 2015:** Rules Committee Resolution H. Res. 531 Reported to House. Rule provides for consideration of H.R. 4038 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
- **Nov 17, 2015:** Introduced in House
- **Nov 17, 2015:** Referred to the House Committee on the Judiciary.
- **Nov 17, 2015:** Referred to the Subcommittee on Immigration and Border Security.

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