

HR 391

Asylum Reform and Border Protection Act of 2017

Congress: 115 (2017–2019, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Jan 10, 2017

Current Status: Ordered to be Reported (Amended) by the Yeas and Nays: 19 - 11.

Latest Action: Ordered to be Reported (Amended) by the Yeas and Nays: 19 - 11. (Jul 26, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/house-bill/391>

Sponsor

Name: Rep. Chaffetz, Jason [R-UT-3]

Party: Republican • **State:** UT • **Chamber:** House

Cosponsors (26 total)

| Cosponsor | Party / State | Role | Date Joined |
|---------------------------------------|---------------|------|--------------|
| Rep. Black, Diane [R-TN-6] | R · TN | | Jan 10, 2017 |
| Rep. Brooks, Mo [R-AL-5] | R · AL | | Jan 10, 2017 |
| Rep. Carter, Earl L. "Buddy" [R-GA-1] | R · GA | | Jan 10, 2017 |
| Rep. Carter, John R. [R-TX-31] | R · TX | | Jan 10, 2017 |
| Rep. Chabot, Steve [R-OH-1] | R · OH | | Jan 10, 2017 |
| Rep. Duncan, Jeff [R-SC-3] | R · SC | | Jan 10, 2017 |
| Rep. Farenthold, Blake [R-TX-27] | R · TX | | Jan 10, 2017 |
| Rep. Gosar, Paul A. [R-AZ-4] | R · AZ | | Jan 10, 2017 |
| Rep. Gowdy, Trey [R-SC-4] | R · SC | | Jan 10, 2017 |
| Rep. Hice, Jody B. [R-GA-10] | R · GA | | Jan 10, 2017 |
| Rep. Hudson, Richard [R-NC-8] | R · NC | | Jan 10, 2017 |
| Rep. Lance, Leonard [R-NJ-7] | R · NJ | | Jan 10, 2017 |
| Rep. Pittenger, Robert [R-NC-9] | R · NC | | Jan 10, 2017 |
| Rep. Smith, Lamar [R-TX-21] | R · TX | | Jan 10, 2017 |
| Rep. Webster, Daniel [R-FL-11] | R · FL | | Jan 10, 2017 |
| Rep. Zeldin, Lee M. [R-NY-1] | R · NY | | Jan 10, 2017 |
| Rep. Barletta, Lou [R-PA-11] | R · PA | | Jan 12, 2017 |
| Rep. Rooney, Francis [R-FL-19] | R · FL | | Feb 1, 2017 |
| Rep. Brat, Dave [R-VA-7] | R · VA | | Feb 13, 2017 |
| Rep. Graves, Tom [R-GA-14] | R · GA | | Feb 27, 2017 |
| Rep. Hensarling, Jeb [R-TX-5] | R · TX | | Mar 15, 2017 |
| Rep. Sessions, Pete [R-TX-32] | R · TX | | Jun 7, 2017 |
| Rep. Banks, Jim [R-IN-3] | R · IN | | Oct 12, 2017 |
| Rep. Perry, Scott [R-PA-4] | R · PA | | Nov 13, 2017 |
| Rep. DesJarlais, Scott [R-TN-4] | R · TN | | May 11, 2018 |
| Rep. Posey, Bill [R-FL-8] | R · FL | | Nov 28, 2018 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------------|---------|-------------|--------------|
| Foreign Affairs Committee | House | Referred To | Jan 10, 2017 |
| Judiciary Committee | House | Referred to | Feb 6, 2017 |

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Asylum Reform and Border Protection Act of 2015

This bill amends the Immigration and Nationality Act to:

- prohibit the government from bearing any expense of counsel for any person in a removal or related appeal proceedings,
- add a requirement to establish a credible fear of persecution claim in an asylum interview,
- limit humanitarian and public interest parole authority, and
- prohibits the Department of Homeland Security (DHS) from using parole authority for an alien who is ineligible for refugee status.

The bill amends the Homeland Security Act of 2002 to revise the definition of "unaccompanied alien child" (UAC).

The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 is amended to extend the period for a federal agency to: (1) notify the Department of Health and Human Services (HHS) that it has apprehended or discovered a UAC or an alien who is under 18 years old, and (2) transfer a UAC to HHS custody.

The bill: (1) provides for HHS-DHS information sharing concerning UACs, (2) prohibits UAC from applying for asylum if such child may be removed to a safe third country, and (3) provides for additional immigration judges and U.S. Immigration and Customs Enforcement attorneys.

The Department of State is directed to: (1) suspend all foreign assistance to certain countries that refuse to negotiate a child repatriation agreement or accept from the United States repatriated UACs who are nationals or residents of the sending country, and (2) provide certain foreign assistance for repatriation and reintegration purposes.

The bill places the burden of proof on an alien to establish that: (1) the alien's life or freedom would be threatened in a country to which he or she is scheduled to be removed to from the United States; and (2) that race, religion, nationality, membership in a particular social group, or political opinion would be at least one central reason for such threat.

An alien who has committed acts of torture, extrajudicial killings, war crimes, systematic attacks on civilians, persecution, or enforced disappearance of persons shall be inadmissible. The President may make such alien's visa records public.

The bill terminates the refugee or asylee status of an alien who: (1) without a compelling reason returns to the country of such alien's nationality or, in the case of an alien having no nationality, returns to the country in which such alien last habitually resided; and (2) applied for such status because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Such provision shall not apply to an alien who is eligible for adjustment to lawful permanent resident status pursuant to the Cuban Adjustment Act of 1966.

The bill allows up to 500 grants of asylum per fiscal year to families fleeing home school persecution.

A written warning must be included in an asylum application advising the alien of the consequences of filing a frivolous application.

If an alien's asylum status is subject to termination, the immigration judge shall determine whether the termination conditions have been met and, if so, terminate the alien's asylum status before considering whether the alien is eligible for adjustment of status.

Actions Timeline

- **Jul 26, 2017:** Committee Consideration and Mark-up Session Held.
- **Jul 26, 2017:** Ordered to be Reported (Amended) by the Yeas and Nays: 19 - 11.
- **Jul 25, 2017:** ASSUMING FIRST SPONSORSHIP - Mr. Johnson (LA) asked unanimous consent that he may hereafter be considered as the first sponsor of H.R. 391, a bill originally introduced by Representative Chaffetz, for the purpose of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII. Agreed to without objection.
- **Feb 6, 2017:** Referred to the Subcommittee on Immigration and Border Security.
- **Jan 10, 2017:** Introduced in House
- **Jan 10, 2017:** Referred to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.