



H.R. 4038, the American Security Against Foreign Enemies (SAFE) Act

- America has a proud tradition of welcoming refugees into our country, and we lead the world in humanitarian assistance. However, we also must put proper measures in place to ensure our country's safety.
- We have long feared that refugee flows might be exploited by ISIS to conduct attacks in the West, and the group has vowed to do so. Sadly, our fears appear to be confirmed with the news that at least one of Paris attackers reportedly infiltrated Europe posing as a Syrian refugee. There are also worrying signs that more have done the same.
- Senior U.S. law enforcement and intelligence officials have expressed concern here at home that we do not have the information needed to confidently vet Syrian refugees to make sure they do not have ties to terrorism.
- Accordingly, this bill puts important measures in place to ensure our refugee process is not exploited by terrorists and foreign fighters while also facilitating the resettlement of individuals who are not a threat to the United States.
- This bill effectively suspends the admission of Syrian and Iraqi refugees into the United States until the nation's top security officials can certify the integrity of the background checks and are able to declare each refugee, individually, does not pose a threat to the United States.
- This bill places a moratorium on the admission of these refugees until following conditions are met:
 - the FBI Director certifies the background investigation of each refugee; and
 - the Secretary of Homeland Security, along with the FBI Director and the Director of National Intelligence, certifies to Congress that each refugee is not a security threat to the U.S.
 - It also creates an additional layer of protection by requiring the DHS Inspector General to independently assess the refugee approvals—making sure that high-risk individuals do not slip through the cracks.
- It makes sure the FBI has a direct role in validating that the background checks are thorough enough to keep dangerous individuals out of the country.
- **Ultimately, this legislation would put in place the most robust national-security vetting process in history for any refugee population, and it gives the American people the assurances needed that we will do everything possible to prevent terrorists and foreign fighters from reaching our shores.**



Congress of the United States
House of Representatives
Washington, DC 20515-4302
December 16, 2015

Cosponsor H.R. 4197, The State Refugee Security Act of 2015

Cosponsors: (35) Abraham, Babin, Barton, Black, Blum, Bridenstine, Burgess, Carter, Collins, Conaway, Culberson, Duncan, Farenthold, Flores, Gowdy, Harris, Hice, Jones, King, Latta, Loudermilk, Marchant, Mica, Neugebauer, Olson, Palmer, Pittenger, Posey, Ratcliff, Rogers, Salamon, Sessions, Smith, Weber, and Zinke.

Dear Colleague,

I urge your support for H.R. 4197, The State Refugee Security Act of 2015. H.R. 4197 is a companion to S. 2363 introduced by Senator Cruz.

This important states right bill guarantees that states have the right to refuse to participate in the Refugee Resettlement program if their Governor chooses to opt out. Under H.R. 4197, the federal government is required to notify a state at least 21 days prior to resettling a refugee there. During that period, if a state governor certifies that the federal government has not provided adequate assurances that the refugee does not present a security risk, the federal government is prohibited from resettling that refugee in the state.

Currently, the Refugee Resettlement Act only permits consultation with the states. It is unclear if it gives the states the right to refuse. If Congress does not act, this situation will most likely end up in the courts and it is possible that states could be forced to participate.

Given that more than half of the US states (31 and counting) have already indicated their desire to opt out, it is imperative that Congress ensures our states have this option. This is especially important given that the Director of the FBI himself stated that he does not believe we have the resources to adequately screen these refugees.

If you have any questions, or would like to cosponsor this legislation, please contact

Sincerely,

TED POE

Member of Congress

Dear Leader McConnell and Speaker Ryan:

As Governors, our foremost obligation is safeguarding our citizens' security. In the face of recent revelations that ISIS is actively seeking to infiltrate refugee programs in order to gain entry to the United States, new laws are needed to protect our citizens. We write to urge the House and Senate to move swiftly to enact recently proposed legislation that provides Governors increased authority to oversee the placement of refugees in their states—and that strengthens background checks for our nation's refugee program. Specifically, we urge the Senate to promptly consider and pass the American SAFE Act of 2015 (H.R. 4038) that was overwhelmingly passed by the House, and that both chambers pass the recently filed State Refugee Security Act of 2015 (S. 2363).

The threat that ISIS will use the refugee program to import terrorism into the United States is neither hypothetical nor remote. National security leaders have already acknowledged both the reality of this threat and the federal government's inability to adequately address it. The F.B.I. Director testified that the federal government lacks the background information to effectively conduct security checks on Syrian nationals. And U.S. House Homeland Security Chairman Michael McCaul reported that individuals tied to terrorist groups in Syria have already attempted to infiltrate the U.S. refugee program.

Rather than strengthening security screenings for refugees from countries overrun by ISIS, the Obama Administration is expanding the program—despite its failings. As you know, until recently the United States was unable to accept more than a few hundred Syrian refugees per year because any refugees who had provided material support to a terrorist organization were prohibited from entering the United States. President Obama unilaterally “exempted” Syrian refugees from that prohibition in order to increase the number of Syrian refugees accepted into the country. . The Administration's goal of admitting 10,000 Syrian refugees this year appears incompatible with its promise that the refugees will be thoroughly vetted over a period of many months.

The American SAFE Act strengthens the vetting requirements for the nation's refugee programs by requiring that the FBI Director, the Director of National Intelligence, and the Secretary of Homeland Security certify that refugees from Iraq and Syria do not represent a threat to the security of the United States. And the State Refugee Security Act would strengthen States' authority to protect our citizens by allowing Governors to reject refugees who have not received adequate security assurances. Together, these two bills would strengthen both the security of the nation's refugee vetting processes and the safety of our citizens.

As Governors, we are on the front line of protecting our citizens. The American SAFE Act and State Refugee Security Act provide a targeted response to the specific threat that ISIS is actively seeking to import terrorism through the federal government's refugee resettlement program. These two bills would ensure that the humanitarian goals of the refugee program do not come at the expense of the safety of Americans. There is no greater threat to our states, communities and families than inaction. We strongly urge the House and Senate to swiftly consider and adopt the American SAFE Act and the State Refugee Security Act.

Sincerely,