

117TH CONGRESS
1ST SESSION

S. 1135

To amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 15, 2021

Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mr. LEAHY, Ms. WARREN, Mr. WHITEHOUSE, Ms. SMITH, Ms. KLOBUCHAR, Mr. REED, Mr. WYDEN, Mrs. SHAHEEN, Mr. CASEY, Mr. BOOKER, Mr. SANDERS, Mr. BROWN, Mrs. MURRAY, Ms. HIRONO, Mr. WARNER, Mr. KAINE, Mr. COONS, Mrs. FEINSTEIN, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Guaranteed Refugee
5 Admission Ceiling Enhancement Act” or the “GRACE
6 Act”.

1 **SEC. 2. ADMISSION OF REFUGEES.**

2 Section 207 of the Immigration and Nationality Act
3 (8 U.S.C. 1157) is amended—

4 (1) in subsection (a)—

5 (A) by striking paragraphs (1) and (2) and
6 inserting the following:

7 “(1) IN GENERAL.—Except as provided in sub-
8 section (b), the number of refugees who may be ad-
9 mitted under this section in any fiscal year shall be
10 such number as the President determines is—

11 “(A) justified by humanitarian concerns or
12 otherwise in the national interest; and

13 “(B) not fewer than 125,000.

14 “(2) ABSENCE OF DETERMINATION.—If the
15 President does not issue a determination under
16 paragraph (1) before the beginning of a fiscal year,
17 the number of refugees who may be admitted under
18 this section shall be 125,000.”;

19 (B) by redesignating paragraphs (3) and
20 (4) as paragraphs (4) and (7), respectively;

21 (C) by inserting after paragraph (2) the
22 following:

23 “(3) NUMERICAL GOALS.—Each officer of the
24 Federal Government responsible for refugee admis-
25 sions or refugee resettlement shall treat as the nu-

merical goals for refugee admissions under this section for the applicable fiscal year—

“(A)(i) a determination under paragraph (1); or

“(ii) in the absence of a determination under paragraph (1), the number under paragraph (2); and

“(B) a determination under subsection (b).”; and

(D) by inserting after paragraph (4), as redesignated, the following:

“(5) CONSIDERATION OF RESETTLEMENT NEEDS.—In making a determination under paragraph (1), the President shall consider the number of refugees who, during the calendar year beginning immediately after the beginning of the applicable fiscal year, are in need of resettlement in a third country, as determined by the United Nations High Commissioner for Refugees in the most recently published projected global resettlement needs report.

“(6) REGIONAL ALLOCATIONS.—The President shall determine regional allocations for admissions under this subsection, which shall—

“(A) consider the projected needs identified by the United Nations High Commissioner

for Refugees in the projected global resettlement needs report for the calendar year beginning immediately after the beginning of the applicable fiscal year; and

“(B) include an unallocated reserve that the Secretary of State, after notifying the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives, may use for 1 or more regions in which the need for additional refugee admissions arises.”; and

(2) by adding at the end the following:

“(g) QUARTERLY REPORTS ON ADMISSIONS.—Not later than 15 days after the last day of each quarter, the President shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

“(1) REFUGEES ADMITTED.—

“(A) The number of refugees admitted to the United States during the preceding quarter.

“(B) The number of refugees admitted to the United States during the preceding quarter, expressed as a percentage of the number of refugees authorized to be admitted in accordance

1 with the determinations under subsections (a)
2 and (b) for the applicable fiscal year.

3 “(C) The cumulative number of refugees
4 admitted to the United States during the appli-
5 cable fiscal year, as of the last day of the pre-
6 ceding quarter.

7 “(D) The number of refugees to be admit-
8 ted to the United States during the remainder
9 of the applicable fiscal year so as to achieve the
10 numerical goals set forth in the determinations
11 under subsections (a) and (b) for such fiscal
12 year.

13 “(E) The number of refugees from each
14 region admitted to the United States during the
15 preceding quarter, expressed as a percentage of
16 the allocation for each region under subsection
17 (a)(6) for the applicable fiscal year.

18 “(2) ALIENS WITH SECURITY ADVISORY OPIN-
19 IONS.—

20 “(A) The number of aliens, by nationality,
21 for whom a Security Advisory Opinion has been
22 requested who were security-cleared during the
23 preceding quarter, expressed as a percentage of
24 all cases successfully adjudicated by the Direc-

tor of the U.S. Citizenship and Immigration
Services in the applicable fiscal year.

“(B) The number of aliens, by nationality,
for whom a Security Advisory Opinion has been
requested who were admitted to the United
States during the preceding quarter.

“(3) CIRCUIT RIDES.—

“(A) For the preceding quarter—

“(i) the number of Refugee Corps of-
ficers deployed on circuit rides, expressed
as a percentage of the overall number of
Refugee Corps officers;

“(ii) the number of individuals inter-
viewed—

“(I) on each circuit ride; and

“(II) at each circuit ride location;

“(iii) the number of circuit rides; and

“(iv) for each circuit ride—

“(I) the duration of the circuit
ride;

“(II) the average number of
interviews conducted daily on the cir-
cuit ride; and

“(III) the percentages of inter-
views conducted for—

1 “(aa) individuals who re-
2 quire Security Advisory Opinions;
3 and

4 “(bb) individuals who do not
5 require Security Advisory Opin-
6 ions.

7 “(B) For the subsequent quarter—

8 “(i) the number of circuit rides sched-
9 uled; and

10 “(ii) the number of circuit rides
11 planned.

12 “(4) PROCESSING.—For the preceding quar-
13 ter—

14 “(A) the average number of days be-
15 tween—

16 “(i) the date on which an individual is
17 identified by the United States Govern-
18 ment as a refugee; and

19 “(ii) the date on which such individual
20 is interviewed by the Secretary of Home-
21 land Security;

22 “(B) the average number of days be-
23 tween—

24 “(i) the date on which an individual
25 identified by the United States Govern-

1 ment as a refugee is interviewed by the
2 Secretary of Homeland Security; and

3 “(ii) the date on which such individual
4 is admitted to the United States; and

5 “(C) with respect to individuals identified
6 by the United States Government as refugees
7 who have been interviewed by the Secretary of
8 Homeland Security, the approval, denial, and
9 hold rates for the applications for admission of
10 such individuals, by nationality.

11 “(5) PLAN AND ADDITIONAL INFORMATION.—

12 “(A) A plan that describes the procedural
13 or personnel changes necessary to ensure the
14 admission of the number of refugees authorized
15 to be admitted to the United States in accord-
16 ance with determinations under subsections (a)
17 and (b), including a projection of the number of
18 refugees to be admitted to the United States
19 each month so as to achieve the numerical goals
20 set forth in such determinations.

21 “(B) Additional information relating to the
22 pace of refugee admissions, as determined by
23 the President.

24 “(h) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion may be construed—

1 “(1) to inhibit the expeditious processing of ref-
2 ugee and asylum applications; or

3 “(2) to restrict the authority of the Secretary of
4 Homeland Security to admit aliens to the United
5 States under any other Act.”.

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