

116TH CONGRESS
1ST SESSION

H. R. 517

To close loopholes in the immigration laws that serve as incentives to aliens to attempt to enter the United States unlawfully, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2019

Mr. JOHNSON of Louisiana introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To close loopholes in the immigration laws that serve as incentives to aliens to attempt to enter the United States unlawfully, 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 “Closing Asylum Loop-
5 holes Act”.

6 **SEC. 2. CREDIBLE FEAR INTERVIEWS.**

7 Section 235(b)(1)(B)(v) of the Immigration and Na-
8 tionality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by
9 striking “claim” and all that follows, and inserting “claim,
10 as determined pursuant to section 208(b)(1)(B)(iii), and

1 such other facts as are known to the officer, that the alien
2 could establish eligibility for asylum under section 208,
3 and it is more probable than not that the statements made
4 by, and on behalf of, the alien in support of the alien's
5 claim are true.".

6 **SEC. 3. JURISDICTION OF ASYLUM APPLICATIONS.**

7 Section 208(b)(3) of the Immigration and Nationality
8 Act (8 U.S.C. 1158) is amended by striking subparagraph
9 (C).

10 **SEC. 4. RECORDING EXPEDITED REMOVAL AND CREDIBLE**
11 **FEAR INTERVIEWS.**

12 (a) IN GENERAL.—The Secretary of Homeland Secu-
13 rity shall establish quality assurance procedures and take
14 steps to effectively ensure that questions by employees of
15 the Department of Homeland Security exercising expe-
16 dited removal authority under section 235(b) of the Immi-
17 gration and Nationality Act (8 U.S.C. 1225(b)) are asked
18 in a uniform manner, to the extent possible, and that both
19 these questions and the answers provided in response to
20 them are recorded in a uniform fashion.

21 (b) FACTORS RELATING TO SWORN STATEMENTS.—
22 Where practicable, any sworn or signed written statement
23 taken of an alien as part of the record of a proceeding
24 under section 235(b)(1)(A) of the Immigration and Na-
25 tionality Act (8 U.S.C. 1225(b)(1)(A)) shall be accom-

1 panied by a recording of the interview which served as the
2 basis for that sworn statement.

3 (c) INTERPRETERS.—The Secretary shall ensure that
4 a competent interpreter, not affiliated with the govern-
5 ment of the country from which the alien may claim asy-
6 lum, is used when the interviewing officer does not speak
7 a language understood by the alien.

8 (d) RECORDINGS IN IMMIGRATION PROCEEDINGS.—
9 There shall be an audio or audio visual recording of inter-
10 views of aliens subject to expedited removal. The recording
11 shall be included in the record of proceeding and shall be
12 considered as evidence in any further proceedings involv-
13 ing the alien.

14 (e) NO PRIVATE RIGHT OF ACTION.—Nothing in this
15 section shall be construed to create any right, benefit,
16 trust, or responsibility, whether substantive or procedural,
17 enforceable in law or equity by a party against the United
18 States, its departments, agencies, instrumentalities, enti-
19 ties, officers, employees, or agents, or any person, nor does
20 this section create any right of review in any administra-
21 tive, judicial, or other proceeding.

○