

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To establish a new ground for inadmissibility for close relatives of foreign terrorists.

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IN THE SENATE OF THE UNITED STATES

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Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish a new ground for inadmissibility for close relatives of foreign terrorists.

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 “No Safe Haven for  
5 Terrorist Families Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The United States has a sovereign right  
9 and duty to protect its national security by denying  
10 safe haven to individuals whose close family ties to

1 enemies of the United States create unacceptable  
2 risks.

3 (2) Current inadmissibility provisions related to  
4 terrorism are too narrow and discretionary to sys-  
5 tematically evaluate the inadmissibility of—

6 (A) family members of designated terror-  
7 ists;

8 (B) senior officials of state sponsors of ter-  
9 rorism and other foreign adversaries; and

10 (C) sanctioned kleptocrats.

11 (3) Close family members of active threats  
12 often share access to networks, resources, and influ-  
13 ence that can harm the United States.

14 (4) Providing visas, lawful permanent residence,  
15 or other immigration benefits to close relatives of in-  
16 dividuals referred to in paragraph (2) undermines  
17 our national security and emboldens our foreign ad-  
18 versaries.

19 **SEC. 3. INADMISSIBILITY AND DEPORTABILITY OF COV-**  
20 **ERED FAMILY MEMBERS OF COVERED FOR-**  
21 **EIGN THREAT ACTORS.**

22 (a) INADMISSIBILITY.—Section 212(a) of the Immi-  
23 gration and Nationality Act (8 U.S.C. 1182(a)) is amend-  
24 ed—

1           (1) in paragraph (3)(B), by adding at the end  
2           the following: “This subparagraph may not be con-  
3           strued to limit the application of paragraph (11)”;  
4           and

5           (2) by adding at the end the following:

6           “(11) COVERED FAMILY MEMBERS OF COVERED  
7           FOREIGN THREAT ACTORS.—

8                   “(A) IN GENERAL.—Any alien who is a  
9                   covered family member of a covered foreign  
10                  threat actor is inadmissible.

11                  “(B) DEFINITIONS.—In this paragraph:

12                          “(i) COVERED FAMILY MEMBER.—The  
13                          term ‘covered family member’ means any  
14                          alien who is—

15                                  “(I) the spouse or former spouse  
16                                  of a covered foreign threat actor;

17                                  “(II) a parent or parent-in-law of  
18                                  a covered foreign threat actor;

19                                  “(III) a child or stepchild of a  
20                                  covered foreign threat actor (whether  
21                                  or not such relationship is current);

22                                  “(IV) a sibling (including a half-  
23                                  blood sibling) of a covered foreign  
24                                  threat actor;

1 “(V) a grandparent or grandchild  
2 of a covered foreign threat actor; or

3 “(VI) a niece or nephew of a cov-  
4 ered foreign threat actor.

5 “(ii) COVERED FOREIGN THREAT  
6 ACTOR.—The term ‘covered foreign threat  
7 actor’ means any individual who—

8 “(I) is or was designated as a  
9 Specially Designated Global Terrorist  
10 under Executive Order 13224 (50  
11 U.S.C. 1701 note; relating to blocking  
12 property and prohibiting transactions  
13 with persons who commit, threaten to  
14 commit, or support terrorism) or any  
15 successor authority;

16 “(II) is or was a senior leader or  
17 official (at the director level or higher)  
18 of a foreign terrorist organization so  
19 designated under section 219(a);

20 “(III) is or was a senior official  
21 (at the deputy minister level or high-  
22 er, or equivalent) of the government  
23 of—

24 “(aa) a state sponsor of ter-  
25 rorism so designated under sec-

1 tion 1754(c) of the Export Con-  
2 trol Reform Act of 2018 (50  
3 U.S.C. 4813(c)) or any successor  
4 provision; or

5 “(bb) any country that is a  
6 foreign adversary (as defined in  
7 section 8(c) of the Secure and  
8 Trusted Communications Net-  
9 works Act of 2019 (47 U.S.C.  
10 1607(c)), including the Islamic  
11 Republic of Iran, the People’s  
12 Republic of China, the Russian  
13 Federation, the Democratic Peo-  
14 ple’s Republic of Korea, and the  
15 Republic of Cuba; or

16 “(IV) is or was sanctioned under  
17 the Global Magnitsky Human Rights  
18 Accountability Act (22 U.S.C. 10101  
19 et seq.), the International Emergency  
20 Economic Powers Act (50 U.S.C.  
21 1701 et seq.), or any other Federal  
22 law for significant corruption,  
23 kleptocracy, or human rights abuses  
24 directly tied to a hostile foreign gov-  
25 ernment or regime.

1           “(C) RETROACTIVE APPLICATION.—This  
2           paragraph shall apply to any alien regardless of  
3           when the family relationship was formed or  
4           when the covered foreign threat actor was so  
5           designated.”.

6           (b) DEPORTABILITY.—Section 237(a) of the Immi-  
7           gration and Nationality Act (8 U.S.C. 1227(a)) is amend-  
8           ed by adding at the end the following:

9           “(8) COVERED FAMILY MEMBERS OF COVERED  
10          FOREIGN THREAT ACTORS.—Any alien described in  
11          section 212(a)(11)(A) is deportable.”.

12   **SEC. 4. MANDATORY VISA REVOCATION AND REMOVAL.**

13          (a) VISA REVOCATION.—Section 221(i) of the Immi-  
14          gration and Nationality Act (8 U.S.C. 1201(i)) is amended  
15          by adding at the end the following: “The Secretary of  
16          State shall revoke any visa or other documentation pre-  
17          viously issued to any alien who is inadmissible under sec-  
18          tion 212(a)(11) not later than 30 days after such alien’s  
19          inadmissibility has been determined.”.

20          (b) REMOVAL PROCEEDINGS.—Any alien within the  
21          United States who is inadmissible under section  
22          212(a)(11) of the Immigration and Nationality Act, as  
23          added by section 3, shall be subject to removal proceedings  
24          in accordance with section 240 of such Act (8 U.S.C.

1 1229a). The Secretary of Homeland Security shall  
2 prioritize the removal of all such aliens.

3 (c) NO DISCRETIONARY RELIEF.—Aliens who are in-  
4 admissible under section 212(a)(11) of the Immigration  
5 and Nationality Act, as added by section 3, are not eligible  
6 for cancellation of removal, adjustment of status, or any  
7 other form of discretionary relief from removal, except as  
8 expressly provided in this Act.

9 **SEC. 5. IMPLEMENTATION AND REPORTING.**

10 (a) SCREENING REQUIREMENTS.—Not later than  
11 180 days after the date of the enactment of this Act, the  
12 Secretary of State and the Secretary of Homeland Secu-  
13 rity shall implement enhanced screening procedures to  
14 identify covered family relationships using all available in-  
15 telligence, law enforcement, and sanctions databases.

16 (b) ANNUAL REPORT.—Not later than 1 year after  
17 the date of the enactment of this Act, and annually there-  
18 after, the Secretary of Homeland Security, in consultation  
19 with the Secretary of State, shall submit a report to the  
20 appropriate congressional committees that includes, with  
21 respect to the reporting period—

22 (1) the number of aliens who were determined  
23 to be inadmissible under section 212(a)(11) of the  
24 Immigration and Nationality Act, as added by sec-  
25 tion 3;

1           (2) the number of visas issued to aliens de-  
2           scribed in paragraph (1) that were revoked;

3           (3) the number of removals of aliens described  
4           in paragraph (1) that were carried out; and

5           (4) a summary of any waivers granted to aliens  
6           described in paragraph (1), including a justification  
7           for each such waiver.

8   **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9           There are authorized to be appropriated such sums  
10          as may be necessary to carry out this Act.

11   **SEC. 7. EFFECTIVE DATE.**

12          This Act shall—

13           (1) take effect on the date of the enactment of  
14          this Act; and

15           (2) apply to—

16           (A) all applications for visas, admissions,  
17           and adjustments of status pending on or after  
18           such date; and

19           (B) all aliens who were previously admitted  
20           to the United States or granted lawful status in  
21           the United States.