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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To deny asylum to members of a Communist or other totalitarian party,  
and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. NEHLS introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To deny asylum to members of a Communist or other  
totalitarian party, 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 “No Asylum for CCP  
5 Spies Act”.

6 **SEC. 2. DENIAL OF ASYLUM TO MEMBERS OF A COMMUNIST**  
7 **OR OTHER TOTALITARIAN PARTY.**

8 Section 208(b)(2) of the Immigration and Nationality  
9 Act (8 U.S.C. 1158(b)(2)) is amended—

1 (1) in subparagraph (A)—

2 (A) in clause (v), by striking “or” at the  
3 end;

4 (B) in clause (vi), by striking the period at  
5 the end and inserting “; or”; and

6 (C) by adding at the end the following:

7 “(vii) the alien is described in section  
8 212(a)(3)(D)(i), except as provided in sub-  
9 paragraph (B)(iii) and subject to”; and

10 (2) in subparagraph (B), by adding at the end  
11 the following:

12 “(iii) EXCEPTION TO PARTY MEMBER-  
13 SHIP.—Notwithstanding subparagraph  
14 (A)(vii), an alien who is described in sec-  
15 tion 212(a)(3)(D)(i) may be granted asy-  
16 lum pursuant to paragraph (1) if—

17 “(I) the alien—

18 “(aa) has, before applying  
19 for asylum and through a service  
20 approved by the Federal Govern-  
21 ment, publicly renounced his or  
22 her membership in the Com-  
23 munist or totalitarian party of  
24 which the alien was a member or  
25 with which the alien was affili-

1 ated and denounces such party  
2 during the asylum adjudication  
3 process; and

4 “(bb) establishes, to the sat-  
5 isfaction of the Attorney General  
6 or the Secretary of Homeland Se-  
7 curity, that the membership or  
8 affiliation of the alien with a  
9 Communist or totalitarian party  
10 is or was involuntary, limited to  
11 a period when the alien was  
12 younger than 16 years of age,  
13 automatic, by operation of law,  
14 without the alien’s personal ac-  
15 quiescence, or solely for the pur-  
16 pose of obtaining employment,  
17 food rations, or other living es-  
18 sentials; and

19 “(II) the Attorney General or the  
20 Secretary of Homeland Security, in  
21 consultation with the Director of Na-  
22 tional Intelligence, determines that  
23 the alien is not a danger to the secu-  
24 rity of the United States.

25 “(iv) WAIVER.—

1                   “(I) IN GENERAL.—In the case  
2 of an alien described in section  
3 212(a)(3)(D)(i) who is not eligible for  
4 asylum under clause (iii), the Attor-  
5 ney General or the Secretary of  
6 Homeland Security may waive the ap-  
7 plication of such section if the Attor-  
8 ney General or the Secretary, in con-  
9 sultation with the Director of Na-  
10 tional Intelligence, determines that  
11 such alien has significant information  
12 relating to national security.

13                   “(II) CONDITIONS.—An alien  
14 may only be granted a waiver under  
15 this clause if—

16                   “(aa) the alien, through a  
17 service approved by the Federal  
18 Government, publicly renounces  
19 his or her membership in the  
20 Communist or totalitarian party  
21 of which the alien was a member  
22 or with which the alien was affili-  
23 ated and denounces such party  
24 during the asylum adjudication  
25 process; and

1                   “(bb) the Attorney General  
2 or the Secretary of Homeland Se-  
3 curity, in consultation with the  
4 Director of National Intelligence,  
5 determines that the alien is not a  
6 danger to the security of the  
7 United States.”.