

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To prevent the entry of extremists into the United States under the refugee program, and for other purposes.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**H. R. 3762**

To provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PAUL to the amendment (No. 2874) proposed by Mr. MCCONNELL

Viz:

1 At the end of the amendment, add the following:

2 **TITLE III—HOMELAND**  
3 **SECURITY**

4 **SEC. 301. SHORT TITLE.**

5 This title may be cited as the “Stop Extremists Com-  
6 ing Under Refugee Entry Act” or the “SECURE Act”.

7 **SEC. 302. ENHANCED REFUGEE SECURITY SCREENING.**

8 (a) REGISTRATION.—The Secretary of Homeland Se-  
9 curity shall notify each alien admitted as a refugee under  
10 section 207 of the Immigration and Nationality Act (8  
11 U.S.C. 1157) or granted asylum under section 208 of such

1 Act (8 U.S.C. 1158) that the alien, not later than 30 days  
2 after the date of the enactment of this Act—

3 (1) shall register with the Department of  
4 Homeland Security as part of the enhanced screen-  
5 ing process described in section 303; and

6 (2) shall be interviewed and fingerprinted by an  
7 official of the Department of Homeland Security.

8 (b) BACKGROUND CHECK.—The Secretary of Home-  
9 land Security shall screen and perform a security review  
10 on all individuals seeking asylum or refugee status under  
11 section 207 or 208 of the Immigration and Nationality  
12 Act (8 U.S.C. 1157 and 1158) to ensure that such individ-  
13 uals do not present a national security risk to the United  
14 States.

15 (c) MONITORING.—The Secretary of Homeland Secu-  
16 rity shall monitor individuals granted asylum or admitted  
17 as refugees for indications of terrorism.

18 (d) REPORTS AND CERTIFICATIONS.—

19 (1) ANNUAL SCREENING EFFECTIVENESS RE-  
20 PORTS.—Not later than 25 days after the date of  
21 the enactment of this Act, and annually thereafter,  
22 the Secretary of Homeland Security shall submit a  
23 report to Congress that—

1 (A) describes the effectiveness with which  
2 the Department is screening applicants for asy-  
3 lum and refugee status;

4 (B) identifies the number of aliens seeking  
5 asylum or refugee status who were screened  
6 and registered during the past fiscal year, bro-  
7 ken down by country of origin;

8 (C) identifies the number of unfinished or  
9 unresolved security screenings for aliens de-  
10 scribed in subparagraph (B);

11 (D) identifies the number of refugees ad-  
12 mitted to the United States under section 207  
13 or 208 of the Immigration and Nationality Act  
14 (8 U.S.C. 1157 and 1158) who—

15 (i) have not yet participated in the en-  
16 hanced screening process required under  
17 section 303(a); or

18 (ii) have not been notified by the Sec-  
19 retary pursuant to subsection (a);

20 (E) identifies the number of aliens seeking  
21 asylum or refugee status who were deported as  
22 a result of information gathered during inter-  
23 views and background checks conducted pursu-  
24 ant to subsections (a)(2) and (b), broken down  
25 by country of origin; and

1 (F) indicates whether the enhanced screen-  
2 ing process has been implemented in a manner  
3 that is overbroad or results in the deportation  
4 of individuals who pose no reasonable national  
5 security threat.

6 (2) CERTIFICATION AND NATIONAL SECURITY  
7 REPORT.—Not later than 30 days after the date of  
8 the enactment of this Act, the Secretary of Home-  
9 land Security shall certify to Congress that—

10 (A) the requirements described in sub-  
11 sections (a) through (e) have been completed;

12 (B) the report required under paragraph  
13 (1) was timely submitted; and

14 (C) all necessary steps have been taken to  
15 improve the refugee screening process to pre-  
16 vent terrorists from threatening national secu-  
17 rity by gaining admission to the United States  
18 by claiming refugee or asylee status and refugee  
19 status.

20 (e) TEMPORARY MORATORIUM ON REFUGEE ADMIS-  
21 SION.—

22 (1) IN GENERAL.—The Secretary of State may  
23 not approve an application for refugee status under  
24 section 207 of the Immigration and Nationality Act  
25 (8 U.S.C. 1157) and the Secretary of Homeland Se-

1           curity may not approve an application for asylum  
2           under section 208 of such Act (8 U.S.C. 1158) to  
3           any national of a high-risk country.

4           (2) HIGH-RISK COUNTRY.—In this subsection,  
5           the term “high-risk country” means any of the fol-  
6           lowing countries or territories:

- 7                   (A) Afghanistan.
- 8                   (B) Algeria.
- 9                   (C) Bahrain.
- 10                  (D) Bangladesh.
- 11                  (E) Egypt.
- 12                  (F) Eritrea.
- 13                  (G) Indonesia.
- 14                  (H) Iran.
- 15                  (I) Iraq.
- 16                  (J) Jordan.
- 17                  (K) Kazakhstan.
- 18                  (L) Kuwait.
- 19                  (M) Kyrgyzstan.
- 20                  (N) Lebanon.
- 21                  (O) Libya.
- 22                  (P) Mali.
- 23                  (Q) Morocco.
- 24                  (R) Nigeria.
- 25                  (S) North Korea.

- 1 (T) Oman.
- 2 (U) Pakistan.
- 3 (V) Qatar.
- 4 (W) Russia.
- 5 (X) Saudi Arabia.
- 6 (Y) Somalia.
- 7 (Z) Sudan.
- 8 (AA) Syria.
- 9 (BB) Tajikistan.
- 10 (CC) Tunisia.
- 11 (DD) Turkey.
- 12 (EE) United Arab Emirates.
- 13 (FF) Uzbekistan.
- 14 (GG) Yemen.
- 15 (HH) The Palestinian Territories.

16 (f) CONDITIONS FOR RESUMPTION OF APPROVALS.—

17 The moratorium under subsection (e) may be lifted  
18 after—

19 (1) the Secretary of Homeland Security—

20 (A) submits the reports required under  
21 subsection (d)(1);

22 (B) makes the certifications required in  
23 subsection (d)(2); and

24 (C) certifies to Congress that any backlog  
25 in screening existing cases from those aliens al-

1 ready approved, or pending approval, has been  
2 eliminated; and

3 (2) Congress enacts a law to reinstate, based  
4 upon the information provided, the approval of ap-  
5 plications for refugee or asylee status.

6 **SEC. 303. ADDITIONAL WAITING PERIODS AND SECURITY**  
7 **SCREENINGS FOR NEW VISA APPLICANTS.**

8 (a) **ENHANCED SECURITY SCREENINGS.**—The Sec-  
9 retary of Homeland Security, in cooperation with the Sec-  
10 retary of State, shall ensure that a new application for  
11 a visa to enter the United States is not approved until—

12 (1) at least 30 days after such application is  
13 submitted; and

14 (2) after the completion of an enhanced security  
15 screening with respect to the applicant.

16 (b) **VISA WAIVER PROGRAM COUNTRIES.**—Unless  
17 otherwise permitted under this title, the Secretary of  
18 Homeland Security, in cooperation with the Secretary of  
19 State, shall ensure that no alien enters the United States  
20 until after 30 days of security assessments have been con-  
21 ducted on such alien, regardless of whether the alien’s  
22 country of origin is participating in the Visa Waiver Pro-  
23 gram established under section 217 of the Immigration  
24 and Nationality Act (8 U.S.C. 1187).

25 (c) **TRUSTED TRAVELER EXCEPTION.**—

1           (1) IN GENERAL.—Notwithstanding subsections  
2           (a) and (b) or section 4(a), the Secretary of Home-  
3           land Security shall accept applications, and may ap-  
4           prove qualified applicants, for enrollment in the  
5           Global Entry trusted traveler program described in  
6           section 235.12 of title 8, Code of Federal Regula-  
7           tions, regardless of the nationality or country of ha-  
8           bitual residence of the applicant.

9           (2) PRIORITY.—In review applications for en-  
10          rollment in the Global Entry trusted traveler pro-  
11          gram, the Secretary shall assign priority status in  
12          the following order:

13                   (A) United States citizens.

14                   (B) United States legal permanent resi-  
15                   dents.

16                   (C) Citizens of any country that is des-  
17                   ignated as a Visa Waiver Program country  
18                   under section 217(e) of the Immigration and  
19                   Nationality Act (8 U.S.C. 1187(c)).

20                   (D) Aliens that have a documented fre-  
21                   quent travel history to and from the United  
22                   States.

23                   (E) Applicants not described in subpara-  
24                   graphs (A) through (D).



1           (3) USE OF FEES.—Fees collected from appli-  
2           cants for the Global Entry trusted traveler program  
3           shall be used to pay for the cost of enhanced screen-  
4           ing required under this title.

5           (4) RULE OF CONSTRUCTION.—Nothing in this  
6           title may be construed as requiring the Secretary of  
7           Homeland Security to approve an unqualified or  
8           high-risk applicant for enrollment in the Global  
9           Entry trusted traveler program.

10 **SEC. 304. ENHANCED SECURITY SCREENING FOR HIGHER-**  
11 **RISK VISA APPLICANTS.**

12           (a) MORATORIUM ON HIGH-RISK VISAS.—

13           (1) IN GENERAL.—Except as provided in para-  
14           graph (2), the Secretary of Homeland Security may  
15           not approve any application for entry to the United  
16           States from an alien who is a national of, or who is  
17           applying from, a high-risk country (as defined in  
18           section 302(e)) until after—

19                   (A) the completion of the congressional re-  
20                   view process described in subsection (b); and

21                   (B) the enactment of a law that authorizes  
22                   the termination of the visa moratorium under  
23                   this subsection.

24           (2) EXCEPTION.—The visa moratorium under  
25           paragraph (1) shall not apply to individuals who are

1 enrolled in the Global Entry trusted traveler pro-  
2 gram.

3 (b) CONGRESSIONAL REVIEW OF SCREENING POLI-  
4 CIES.—

5 (1) CERTIFICATION.—The Secretary of Home-  
6 land Security, the Secretary of State, and the Direc-  
7 tor of National Intelligence shall jointly submit a re-  
8 port to Congress certifying that—

9 (A) a national security screening process  
10 has been established and implemented that sig-  
11 nificantly improves the Federal Government’s  
12 ability to identify security risks posed by aliens  
13 from high-risk countries who—

14 (i) seek to travel to the United States;

15 or

16 (ii) have been approved for entry to  
17 the United States;

18 (B) the process identified in subparagraph  
19 (A) requires a 30-day security assessment for  
20 each applicant from high-risk countries;

21 (C) the national security screening process  
22 for aliens from high-risk countries will be used  
23 to assess the risk posed by applicants from such  
24 countries, including a description of such pro-  
25 cess;

1 (D) the screening process identified in sub-  
2 paragraph (A) will be used to assess national  
3 security risks posed by aliens who are already  
4 in the United States or have been approved to  
5 enter the United States;

6 (E) the complete biometric entry-exit con-  
7 trol system required under section 110 of the  
8 Illegal Immigration Reform and Immigrant Re-  
9 sponsibility Act of 1996 (division C of Public  
10 Law 104–208; 8 U.S.C. 1221 note) has been  
11 fully implemented;

12 (F) all necessary steps have been taken to  
13 prevent the national security vulnerability of al-  
14 lowing individuals to overstay a temporary legal  
15 status in the United States; and

16 (G) a policy has been implemented to re-  
17 move aliens that are identified as having over-  
18 stayed their period of lawful presence in the  
19 United States.

20 (2) CONDITIONS FOR RESUMPTION OF APPROV-  
21 ALS.—After the certifications required under para-  
22 graph (1) have been made, Congress may enact a  
23 law, based on the information provided, to lift the  
24 moratorium described in subsection (a).

1 **SEC. 305. ONE HUNDRED PERCENT EXIT TRACKING FOR**  
2 **ALL UNITED STATES VISITORS.**

3 (a) RECORDING EXITS AND CORRELATION TO ENTRY  
4 DATA.—The Secretary of Homeland Security shall inte-  
5 grate the records collected through the automated entry-  
6 exit control system referred to in section 304(b)(1)(E) into  
7 an interoperable data system and any other database nec-  
8 essary to correlate an alien’s entry and exit data.

9 (b) PROCESSING OF RECORDS.—Before the depar-  
10 ture of outbound aliens at each point of entry, the Sec-  
11 retary shall provide for cross-reference capability between  
12 databases designated by the Secretary under subsection  
13 (a) to determine and record whether an outbound alien  
14 has been in the United States without lawful immigration  
15 status.

16 (c) RECORDS INCLUSION REQUIREMENTS.—The Sec-  
17 retary shall maintain readily accessible entry-exit data  
18 records for immigration and other law enforcement and  
19 improve immigration control and enforcement by including  
20 information necessary to determine whether an outbound  
21 alien without lawful presence in the United States entered  
22 the country through—

- 23 (1) unauthorized entry between points of entry;  
24 (2) visa or other temporary authorized status;  
25 (3) fraudulent travel documents;  
26 (4) misrepresentation of identity; or

1 (5) any other method of entry.

2 (d) PROHIBITION ON COLLECTING EXIT RECORDS  
3 FOR UNITED STATES CITIZENS AT LAND POINTS OF  
4 ENTRY.—

5 (1) PROHIBITION.—While documenting the de-  
6 parture of outbound individuals at each land point  
7 of entry along the Southern or Northern border, the  
8 Secretary may not—

9 (A) process travel documents of United  
10 States citizens;

11 (B) log, store, or transfer exit data for  
12 United States citizens;

13 (C) create, maintain, operate, access, or  
14 support any database containing information  
15 collected through outbound processing at a  
16 point of entry that contains records identifiable  
17 to an individual United States citizen.

18 (2) EXCEPTION.—The prohibition set forth in  
19 paragraph (1) does not apply to the records of an  
20 individual if an officer processing travel documenta-  
21 tion in the outbound lanes at a point of entry along  
22 the Southern or Northern border—

23 (A) has a strong suspicion that the indi-  
24 vidual has engaged in criminal or other prohib-  
25 ited activities; or

1           (B) needs to verify an individual's identity  
2           because the individual is attempting to exit the  
3           United States without travel documentation.

4           (3) VERIFICATION OF TRAVEL DOCUMENTS.—  
5           Subject to the prohibition set forth in paragraph (1),  
6           the Secretary may provide for the confirmation of a  
7           United States citizen's travel documentation validity  
8           in the outbound lanes at a point of entry along the  
9           Southern border.

10          (e) REPORT ON INFRASTRUCTURE REQUIREMENTS  
11 TO CARRY OUT 100 PERCENT LAND EXIT TRACKING.—  
12 Not later than 60 days after the date of the enactment  
13 of this Act, the Secretary shall submit a report to the  
14 Committee on Homeland Security and Governmental Af-  
15 fairs of the Senate and the Committee on Homeland Secu-  
16 rity of the House of Representatives that assesses the in-  
17 frastructure needs for each point of entry along the South-  
18 ern border to fulfill the requirements under this section,  
19 including—

20           (1) a description of anticipated infrastructure  
21           needs within each point of entry;

22           (2) a description of anticipated infrastructure  
23           needs adjacent to each point of entry;

24           (3) an assessment of the availability of sec-  
25           ondary inspection areas at each point of entry;

1           (4) an assessment of space available at or adja-  
2           cent to a point of entry to perform processing of  
3           outbound aliens;

4           (5) an assessment of the infrastructure de-  
5           mands relative to the volume of outbound crossings  
6           for each point of entry; and

7           (6) anticipated wait times for outbound individ-  
8           uals during processing of travel documents at each  
9           point of entry, relative to possible improvements at  
10          the point of entry.

11          (f) LIMITATIONS ON OUTBOUND SECONDARY IN-  
12          SPECTIONS.—The Secretary may not designate an out-  
13          bound United States citizen for secondary inspection or  
14          collect biometric information from a United States citizen  
15          under outbound inspection procedures unless criminal or  
16          other prohibited activity has been detected or is strongly  
17          suspected.

18          (g) OUTBOUND PROCESSING OF PERSONS IN THE  
19          UNITED STATES WITHOUT LAWFUL PRESENCE.—

20                 (1) PROCESS FOR RECORDING UNLAWFUL  
21          PRESENCE.—If the Secretary determines, at a point  
22          of entry along the Southern border, that an out-  
23          bound alien has been in the United States without  
24          lawful presence, the Secretary shall—

1 (A) collect and record biometric data from  
2 the individual;

3 (B) combine data related to the individ-  
4 ual's unlawful presence with any other informa-  
5 tion related to the individual in the interoper-  
6 able database, in accordance with subsection  
7 (b); and

8 (C) except as provided in subparagraph  
9 (B), permit the individual to exit the United  
10 States.

11 (2) EXCEPTION.—An individual shall not be  
12 permitted to leave the United States if, during out-  
13 bound inspection, the Secretary detects previous un-  
14 resolved criminal activity by the individual.

15 (h) RULE OF CONSTRUCTION.—Nothing in this title,  
16 or in the amendments made by this title, may be construed  
17 as replacing or repealing the requirements for biometric  
18 entry-exit capture required under section 110 of the Illegal  
19 Immigration Reform and Immigrant Responsibility Act of  
20 1996 (division C of Public Law 104–208; 8 U.S.C. 1221  
21 note).

22 **SEC. 306. REQUIREMENTS TO ENSURE LEGAL VOTING.**

23 (a) RESTRICTIONS.—

24 (1) AFFIDAVIT REQUIRED.—Any individual in  
25 asylum status, refugee status, legal permanent resi-



1       dent status, or any other permanent or temporary  
2       visa status who intends to remain in the United  
3       States in such status for longer than 6 months shall  
4       submit to the Secretary, during the period specified  
5       by the Secretary, a signed affidavit that states that  
6       the alien—

7               (A) has not cast a ballot in any Federal  
8               election in the United States; and

9               (B) will not register to vote, or cast a bal-  
10              lot, in any Federal election in the United States  
11              while in such status.

12       (2) PENALTY.—If an alien described in para-  
13       graph (1) fails to timely submit the affidavit de-  
14       scribed in paragraph (1) or violates any term of  
15       such affidavit—

16              (A) the Secretary shall immediately—

17                      (i) revoke the legal status of such  
18                      alien; and

19                      (ii) deport the alien to the country  
20                      from which he or she originated; and

21              (B) the alien will be permanently ineligible  
22              for United States citizenship.

23       (3) BARS TO LEGAL STATUS.—Any individual  
24       in asylum status, refugee status, legal permanent  
25       resident status, or any other permanent or tem-

1       porary visa status who illegally registers to vote or  
2       who votes in any Federal election after receiving  
3       such status or visa—

4               (A) shall not be eligible to apply for per-  
5       manent residence or citizenship; and

6               (B) if such individual has already been  
7       granted permanent residence, shall lose such  
8       status and be subject to deportation pursuant  
9       to section 237(a)(6) of the Immigration and  
10       Nationality Act (8 U.S.C. 1227(a)(6)).

11       (b) RESPONSIBILITIES OF THE SECRETARY OF  
12       HOMELAND SECURITY.—

13               (1) ELIGIBILITY DETERMINATION.—In deter-  
14       mining whether an individual described in subsection  
15       (a)(1) is eligible for legal status, including natu-  
16       ralization, under the Immigration and Nationality  
17       Act (8 U.S.C. 1101 et seq.), the Secretary of Home-  
18       land Security shall verify that the alien has not reg-  
19       istered to vote, or cast a ballot, in a Federal election  
20       in the United States.

21               (2) VERIFICATION OF CITIZENSHIP.—The Sec-  
22       retary shall provide the election director of each  
23       State, and such local election officials as may be des-  
24       ignated by such State directors, with access to rel-  
25       evant databases containing information about aliens

1       who have been granted asylum, refugee status, or  
2       any other permanent or temporary visa status au-  
3       thorized under the Immigration and Nationality Act  
4       or by executive action, for the sole purpose of  
5       verifying the citizenship status of registered voters  
6       and all individuals applying to register to vote.

7               (3) ANNUAL REPORT.—The Secretary shall  
8       submit an annual report to Congress that identifies  
9       all jurisdictions in the United States that have reg-  
10      istered individuals who are not United States citi-  
11      zens to vote in a Federal election.

12      (c) RESPONSIBILITIES OF STATES.—

13              (1) PROOF OF CITIZENSHIP.—Notwithstanding  
14      the Voting Rights Act of 1965 (52 U.S.C. 10301 et  
15      seq.), the National Voter Registration Act of 1993  
16      (52 U.S.C. 20501 et seq.), and any other Federal  
17      law, all States and local governments—

18              (A) shall require individuals registering to  
19      vote in Federal elections to provide adequate  
20      proof of citizenship;

21              (B) may not accept an affirmation of citi-  
22      zenship as adequate proof of citizenship for  
23      voter registration purposes; and

24              (C) may require identification information  
25      from all such voter registration applicants.

1           (2) COOPERATION WITH DEPARTMENT OF  
2           HOMELAND SECURITY.—All States and local govern-  
3           ments shall provide the Department of Homeland  
4           Security with the registration and voting history of  
5           any alien seeking registered provisional status, natu-  
6           ralization, or any other immigration benefit, upon  
7           the request of the Secretary.

8           (3) CONSEQUENCE OF NONCOMPLIANCE.—

9           (A) FIRST YEAR.—If any State is not in  
10          compliance with the proof of citizenship require-  
11          ments set forth in paragraph (1) on or before  
12          the date that is 1 year after the date of the en-  
13          actment of this Act, the Secretary of Transpor-  
14          tation shall reduce the apportionment calculated  
15          under section 104(c) of title 23, United States  
16          Code, for that State for the following fiscal year  
17          by 10 percent.

18          (B) SUBSEQUENT YEARS.—For each sub-  
19          sequent year in which any State is not in com-  
20          pliance with the proof of citizenship require-  
21          ments set forth in paragraph (1), the Secretary  
22          of Transportation shall reduce the apportion-  
23          ment calculated under section 104(c) of title  
24          23, United States Code, for that State for the

1 following fiscal year by an additional 10 per-  
2 cent.

3 **SEC. 307. SECURE THE TREASURY.**

4 (a) NO WELFARE FOR REFUGEES OR ASYLEES BE-  
5 GINNING 1 YEAR AFTER DATE OF ADMISSION.—Notwith-  
6 standing any other provision of law, an alien admitted to  
7 the United States as a refugee under section 207 of the  
8 Immigration and Nationality Act (8 U.S.C. 1157) or  
9 granted asylum under section 208 of such Act (8 U.S.C.  
10 1158), beginning 1 year after the date of such admis-  
11 sion—

12 (1) is not be eligible for any assistance or bene-  
13 fits from a Federal means-tested benefit program  
14 listed in subsection (c); and

15 (2) may not claim the earned income tax credit  
16 under section 32 of the Internal Revenue Code of  
17 1986.

18 (b) NO CITIZENSHIP FOR ALIENS WHO APPLY FOR  
19 AND RECEIVE WELFARE.—Any alien granted refugee sta-  
20 tus or asylee admission to the United States under a per-  
21 manent or temporary visa, and who is prohibited under  
22 subsection (a) from applying for, or receiving, assistance  
23 or benefits described in subsection (c) or from claiming  
24 the earned income tax credit under section 32 of the Inter-  
25 nal Revenue Code of 1986, or any other credit allowed

1 by subpart C of part IV of subchapter A of chapter 1 of  
2 such Code shall be permanently prohibited from becoming  
3 naturalized as a citizen of the United States if the alien—

4 (1) applies for and receives any such assistance  
5 or benefits; or

6 (2) claims and is allowed any such credit.

7 (c) FEDERAL MEANS-TESTED BENEFIT PRO-  
8 GRAMS.—The Federal means-tested benefit programs list-  
9 ed in this subsection are—

10 (1) the temporary assistance for needy families  
11 program under part A of title IV of the Social Secu-  
12 rity Act (42 U.S.C. 601 et seq.)

13 (2) the Medicaid program under title XIX of  
14 the Social Security Act (42 U.S.C. 1396 et seq.);

15 (3) the State children’s health insurance pro-  
16 gram authorized under title XXI of the Social Secu-  
17 rity Act (42 U.S.C. 1397aa et seq.);

18 (4) the supplemental nutrition assistance pro-  
19 gram established under the Food and Nutrition Act  
20 of 2008 (7 U.S.C. 2011 et seq.); and

21 (5) the program of block grants to States for  
22 social services under subtitle A of title XX of the So-  
23 cial Security Act (42 U.S.C. 1397 et seq.).

24 (d) VERIFICATION PROCEDURES.—In order to com-  
25 ply with the limitation under subsection (a)—

1           (1) proof of citizenship shall be required as a  
2           condition for receipt of assistance or benefits under  
3           the Federal means-tested benefit programs listed in  
4           subsection (c);

5           (2) proof of citizenship shall be verified as a  
6           condition for receiving assistance or benefits under  
7           the Federal means-tested benefit programs listed in  
8           subsection (c), including by using the Systematic  
9           Alien Verification for Entitlements Program of the  
10          U.S. Citizenship and Immigration Services to con-  
11          firm that an individual who has presented proof of  
12          citizenship as a condition for receipt of assistance or  
13          benefits under any such program is not an alien;  
14          and

15          (3) officers and employees of State agencies  
16          that administer a Federal means-tested benefit pro-  
17          gram listed in subsection (c) shall report to any sus-  
18          picious or fraudulent identity information provided  
19          by an individual applying for assistance or benefits  
20          to the Secretary of Homeland Security.

21          (e) NONAPPLICATION OF THE PRIVACY ACT.—Not-  
22          withstanding any other provision of law, section 552a of  
23          title 5, United States Code (commonly referred to as the  
24          “Privacy Act”) may not be construed as prohibiting an  
25          officer or employee of a State from verifying a claim of

- 1 citizenship for purposes of eligibility for assistance or ben-
- 2 efits under a Federal means-tested benefit program listed
- 3 in subsection (c).