

114TH CONGRESS
1ST SESSION

H. R. 227

To prohibit the use of funds for certain immigration-related policies, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2015

Mr. KING of Iowa (for himself, Mr. BYRNE, Mr. DUNCAN of South Carolina, Mr. McCLINTOCK, Mr. GOSAR, Mr. PALAZZO, Mr. BROOKS of Alabama, Mr. ROGERS of Alabama, Mr. SMITH of Texas, Mr. BARLETTA, and Mr. DUNCAN of Tennessee) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit the use of funds for certain immigration-related
policies, 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. PROHIBITION ON USE OF FUNDS FOR CERTAIN**
4 **IMMIGRATION INITIATIVES.**

5 (a) SPECIFIED MEMORANDA.—In fiscal year 2015
6 and each fiscal year thereafter, none of the funds made
7 available to, or funds or fees collected by, any Executive
8 agency (as that term is defined in section 105 of title 5,

1 United States Code) in any fiscal year may be used to
2 implement, enforce, or otherwise carry out—

3 (1) the immigration policy as authorized by Ex-
4 ecutive memorandum dated June 15, 2012, and ef-
5 fective on August 15, 2012 (or by any other suc-
6 ceeding memorandum or policy of the Executive
7 branch authorizing a similar program);

8 (2) the Memorandum of November 17, 2011,
9 from the Principal Legal Advisor of United States
10 Immigration and Customs Enforcement pertaining
11 to “Case-by-Case Review of Incoming and Certain
12 Pending Cases”;

13 (3) the Memorandum of December 21, 2012,
14 from the Director of United States Immigration and
15 Customs Enforcement pertaining to “Civil Immigra-
16 tion Enforcement: Guidance on the Use of Detainers
17 in the Federal, State, Local, and Tribal Criminal
18 Justice Systems”;

19 (4) Policy Number 10072.1, published on
20 March 2, 2011;

21 (5) Policy Number 10075.1, published on June
22 17, 2011;

23 (6) Policy Number 10076.1, published on June
24 17, 2011; or

1 (7) the policies described in the following
2 memoranda issued on November 20, 2014, by the
3 Secretary:

4 (A) Policies for the Apprehension, Deten-
5 tion and Removal of Undocumented Immig-
6 grants.

7 (B) Secure Communities.

8 (C) Exercising Prosecutorial Discretion
9 with Respect to Individuals Who Came to the
10 United States as Children and with Respect to
11 Certain Individuals Who Are the Parents of
12 U.S. Citizens or Permanent Residents.

13 (D) Expansion of the Provisional Waiver
14 Program.

15 (E) Policies Supporting U.S. High-Skilled
16 Businesses and Workers.

17 (F) Families of U.S. Armed Forces Mem-
18 bers and Enlistees.

19 (G) Directive to Provide Consistency Re-
20 garding Advance Parole.

21 (b) GENERALLY.—

22 (1) PROHIBITION ON USE OF FUNDS.—In fiscal
23 year 2015 and each fiscal year thereafter, none of
24 the funds made available to, or funds or fees col-
25 lected by, any Executive agency (as that term is de-

1 fined in section 105 of title 5, United States Code)
2 may be used to implement, administer, carry out, or
3 enforce any Executive orders or rules, regulations,
4 actions, directives, memoranda, or any other policy
5 of the Executive branch that has the effect of pro-
6 viding for parole, employment authorization, de-
7 ferred action, or any other immigration benefit or
8 form of relief for individuals who are unlawfully
9 present in the United States (as such term is used
10 in the immigration laws), and any benefit or relief
11 so provided shall be deemed not to have effect.

12 (2) APPLICABILITY.—Paragraph (1) shall apply
13 in the case of any Executive order, action, directive,
14 memorandum, or other executive policy issued on
15 March 1, 2011, or any date thereafter, except in the
16 case of an alien who receives status under the immi-
17 gration laws including asylum, temporary protected
18 status, or cancellation of removal by an immigration
19 judge.

20 (3) DEFINITION.—The term “immigration
21 laws” has the meaning given such term in section
22 101 of the Immigration and Nationality Act.

23 (c) ADMISSION AND LAWFUL PRESENCE REQUIRED
24 FOR EMPLOYMENT AUTHORIZATION.—Section

1 274A(h)(3) of the Immigration and Nationality Act (8
2 U.S.C. 1324a(h)(3)) is amended—

3 (1) by inserting before “authorized to be so em-
4 ployed by this Act” the following: “an alien other-
5 wise admitted to and lawfully present in the United
6 States, and’ ”; and

7 (2) by inserting at the end the following: “An
8 alien without lawful status shall be considered to be
9 an unauthorized alien for purposes of this Act.’ ”.

○