

116TH CONGRESS  
1ST SESSION

# S. 246

To block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 28, 2019

Mr. MURPHY (for himself, Mrs. FEINSTEIN, Mrs. MURRAY, Ms. HARRIS, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MARKEY, Mr. COONS, Ms. WARREN, Mr. WHITEHOUSE, Mr. DURBIN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. CARPER, Mr. UDALL, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BENNET, Mr. CARDIN, Mr. MERKLEY, Mr. BOOKER, Mr. REED, Mr. WYDEN, Mr. SANDERS, Mr. BROWN, Ms. KLOBUCHAR, and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States.

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. FINDINGS.**

4 Congress finds that Executive Order 13780 and the  
5 presidential proclamation issued on September 24, 2017—

6 (1) contravene the intent of Congress in enact-  
7 ing section 202(a)(1) of the Immigration and Na-

1        tionality Act (8 U.S.C. 1152(a)(1)), which states,  
2        “no person shall receive any preference or priority or  
3        be discriminated against in the issuance of an immi-  
4        grant visa because of the person’s race, sex, nation-  
5        ality, place of birth, or place of residence”; and

6            (2) violate the Establishment Clause of the  
7        First Amendment to the United States Constitution  
8        and the equal protection component of the Due  
9        Process Clause of the Fifth Amendment to the  
10       United States Constitution.

11 **SEC. 2. PROHIBITION AGAINST USE OF FUNDS.**

12        No funds, resources, or fees made available to the  
13        Secretary of Homeland Security, or to any other official  
14        of a Federal agency by any Act of Congress for any fiscal  
15        year, may be used to implement or enforce—

16            (1) Executive Order 13780, signed on March 6,  
17        2017; or

18            (2) Presidential Proclamation 9645, issued on  
19        September 24, 2017.

○