At the end of division B (before the short title), insert the following:

1 SEC. II. None of the funds made available by this division under the heading “Department of Justice—Office of Justice Programs—State and Local Law Enforcement Assistance” may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

At the end of the division relating to Department of Homeland Security Appropriations (before the short title), insert the following:

1 SEC. III. (a) No funds, resources, or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this division or any other Act, including any deposits into the “Immigration Examinations Fee Account” established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to implement, administer, enforce, or carry out (including through the issuance of any regulations) any of the policy changes set forth in the following memoranda (or any substantially similar policy changes issued or taken on or after December 16, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action):


3 (2) The memorandum from the Director of U.S. Immigration and Customs Enforcement entitled “Exercising Prosecutorial Discretion Consistent
6 with the Civil Immigration Enforcement Priorities of
7 the Agency for the Apprehension, Detention, and
8 Removal of Aliens” dated June 17, 2011.
9 (3) The memorandum from the Principal Legal
10 Advisor of U.S. Immigration and Customs Enforce-
11 ment entitled “Case-by-Case Review of Incoming
12 and Certain Pending Cases” dated November 17,
13 2011.
14 (4) The memorandum from the Secretary of
15 Homeland Security entitled “Exercising Prosecu-
16 torial Discretion with Respect to Individuals Who
17 Came to the United States as Children” dated June
18 15, 2012.
19 (5) The memorandum from the Director of
20 U.S. Immigration and Customs Enforcement enti-
21 tled “Civil Immigration Enforcement: Guidance on
22 the Use of Detainers in the Federal, State, Local,
23 and Tribal Criminal Justice Systems” dated Decem-
1 (6) The memorandum from the Secretary of
2 Homeland Security entitled “Southern Border and
3 Approaches Campaign” dated November 20, 2014.
4 (7) The memorandum from the Secretary of
5 Homeland Security entitled “Policies for the Appre-
6 hension, Detention and Removal of Undocumented
7 Immigrants” dated November 20, 2014.
8 (8) The memorandum from the Secretary of
9 Homeland Security entitled “Secure Communities”
10 dated November 20, 2014.
11 (9) The memorandum from the Secretary of
12 Homeland Security entitled “Exercising Prosecu-
13 torial Discretion with Respect to Individuals Who
14 Came to the United States as Children and with Re-
15 spect to Certain Individuals Who Are the Parents of
16 U.S. Citizens or Permanent Residents” dated No-
17 vember 20, 2014.
18 (10) The memorandum from the Secretary of
19 Homeland Security entitled “Expansion of the Pro-
20 visional Waiver Program” dated November 20,
21 2014.


(16) The memorandum from the President entitled “Creating Welcoming Communities and Fully Integrating Immigrants and Refugees” dated November 21, 2014.

(b) The memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after December 16, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action) have no statutory or constitutional basis and therefore have no legal effect.

c) No funds or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this division or any other Act, including any deposits into the “Immigration Examinations Fee Account” established under section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), may be used to grant any Federal benefit to any alien pursuant to any of the policy changes set forth in the memoranda referred to in subsection (a) (or any substantially similar policy changes issued or taken on or after December 16, 2015,
whether set forth in memorandum, Executive order, regulation, directive, or by other action).

(d) The budgetary effects of this section shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(e) Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

1 (1) for purposes of section 251 of the such Act;
2 and

3 (2) for purposes of paragraph 4(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.