

AMENDMENT TO H.J. RES. 124

OFFERED BY MR. KING OF IOWA

At the end of the joint resolution (before the short title), insert the following:

1 SEC. _____

2 (a) Not later than 7 days after the President takes
3 executive action that would result in a change regarding
4 immigration policy, the Secretary of Homeland Security
5 and the Attorney General shall certify to Congress that
6 such action does not have the effect of providing more leni-
7 ency for individuals who are in violation of the immigra-
8 tion laws (as such term is defined in section 101(a) of
9 the Immigration and Nationality Act (8 U.S.C. 1101(a))).
10 In the case that the Secretary and the Attorney General
11 fail to certify such an action—

12 (1) the action shall have no force or effect;

13 (2) none of the funds made available in this Act
14 may be used to finalize, implement, administer, or
15 enforce the documents described in subsection (b);
16 and

17 (3) the provisions of the bills listed in sub-
18 section (c) shall be hereby enacted into law.

1 (b) For purposes of this section, the documents de-
2 scribed in this subsection are the following:

3 (1) Policy Number 10072.1, published on
4 March 2, 2011.

5 (2) Policy Number 10075.1, published on June
6 17, 2011.

7 (3) Policy Number 10076.1, published on June
8 17, 2011.

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

14 (5) The Memorandum of June 15, 2012, from
15 the Secretary of Homeland Security pertaining to
16 “Exercising Prosecutorial Discretion with Respect to
17 Individuals Who Came to the United States as Chil-
18 dren”.

19 (6) The Memorandum of December 21, 2012,
20 from the Director of United States Immigration and
21 Customs Enforcement pertaining to “Civil Immigra-
22 tion Enforcement: Guidance on the Use of Detainers
23 in the Federal, State, Local, and Tribal Criminal
24 Justice Systems”.

1 (c) For purposes of this section, the bills listed in this
2 subsection are the following:

3 (1) Division B of H.R. 5230 of the 113th Con-
4 gress, as passed in the House of Representatives on
5 August 1, 2014.

6 (2) H.R. 5272 of the 113th Congress, as passed
7 in the House of Representatives on August 1, 2014.

8 (d) A Member of Congress whose Article I
Constitutional authority is usurped by Article II persons
in violation of this section shall be deemed to have been
injured and have standing in a civil action to obtain
appropriate relief.

