



| Amendment | Policy/Programs Targeted | Possible Impacts |
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| <p><i>Aderholt Amendment (co-sponsors: Mulvaney, Barletta):</i> Passed, 237-190.</p> <p>Prohibits the use of any funds or fees made available to DHS or any Federal Agency under any Act to “implement, administer, enforce or carry out” any policy changes set out in the specific listed memoranda “or any substantially similar policy changes issued or taken on or after January 9, 2015 whether set forth in memorandum, Executive order, regulation, directive or by any other action.”</p> | <ul style="list-style-type: none">• The “Morton memos” of 2011 and 2012, which established enforcement priorities for US Immigration and Customs Enforcement (ICE), outlined the use of “prosecutorial discretion” in various enforcement activities, and provided guidance on the issuance of ICE “detainers” requesting continued detention of individuals pending ICE action, consistent with the enforcement priorities. (Note: These memos were rescinded by Secretary Johnson’s memo of November 20, 2014.)• December 2012 Memo from the ICE Principal Legal Advisor outlining review of new and pending removal cases consistent with the Morton Memos.• All of the DHS memoranda issued by Secretary Johnson to implement the programs announced by President Obama on November 20, 2014, including<ul style="list-style-type: none">○ Expanded Deferred Action for Childhood Arrivals program and new Deferred Action for Parental Accountability program○ Prioritizing removals of certain serious offenders and criminals.○ Termination of Secure Communities○ Southern Border and Approaches Campaign○ Expanding provisional waivers for undocumented spouses and children of US citizens to allow them to apply for permanent residence○ Reforms to employment-based and student visa programs to promote high- | <ul style="list-style-type: none">• While the amendment would prohibit the expansion of the DACA program to undocumented immigrants who arrived before January 2010 and over age 31 (which was part of the November 20th announcement), it would not remove protections from those already granted deferred action under the 2012 order.• The undoing of the various memoranda on use of prosecutorial discretion and the prevention of any future similar policies will remove one of the major areas of executive discretion in enforcing immigration law and could require all immigrants in enforcement and removal proceedings to be treated equally regardless of their circumstance (e.g., a criminal record or family ties).• Depending on how broadly the phrase “any substantially similar policy changes” is interpreted, by including in the precluded list the memo on Southern Border enforcement could undermine some border security efforts supported by the proponents of this amendment.• The amendment would undo some administrative actions for business visas supported by many in the business and high-tech sector. |



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| | <ul style="list-style-type: none"> ○ skill workforce and entrepreneurs ○ Parole for family members of U.S. military and veterans ○ Allowing advance parole for certain unlawful immigrants ○ Policies to increase and promote U.S. citizenship ● Two Presidential Memoranda issued November 20: <ul style="list-style-type: none"> ○ Requesting a report on additional administrative actions to “streamline and modernize the immigrant visa system.” ○ Creating a White House Task Force on New Americans to promote welcoming and integration initiatives for immigrants. | |
| <p><i>Blackburn Amendment:</i> Passed: 218-209 (All D’s and 26 R’s vote no)</p> <p>Would prevent any “agency or instrumentality of the Federal Government” from using “Federal funding or resources” on or after January 9, 2015 to consider or adjudicate any “new, renewal, or previously denied application” under the DACA program as currently in effect (or any other succeeding program).</p> | <ul style="list-style-type: none"> ● Deferred Action for Childhood Arrivals (DACA) program. <ul style="list-style-type: none"> ○ Unlike the Aderholt amendment, which prevents only the DACA expansion, this amendment effectively terminates DACA programs as of January 9, 2015. ○ No new applications for status may be considered. ○ Individuals already granted deferred action may maintain that status, but will not be able to extend or renew it upon expiration. ○ Individuals previously denied may not reapply. | <ul style="list-style-type: none"> ● As of Sept. 30, 2014, DHS had accepted over 700,000 applications for initial DACA status and over 115,000 applications for renewals since the inception of the program. Over 610,000 initial applications were approved, and over 22,000 renewal applications were approved, with over 150,000 applications (new and renewals) pending as of that date. ● Persons granted DACA before the date of the President’s announcement were granted 2 year deferred action, so more recent recipients may have status through 2016. |
| <p><i>DeSantis Amendment: (co-sponsor Roby)</i> Passed: 278-149 (35 D’s voted yes; 1 R voted no)</p> | <ul style="list-style-type: none"> ● Would require DHS agencies to ensure that persons convicted of any of the listed offenses are prioritized for enforcement actions. | <p>The effect of this amendment is unclear. A broad reading of the Aderholt amendment could prevent DHS from issuing <i>any</i> policy of prioritization of enforcement resources since it prohibits resources</p> |



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| <p>Would prevent any funds or fees being used to implement, administer, enforce, or carry out any policy on apprehension, detention or removal of aliens that does not prioritize persons convicted of domestic violence, sexual abuse, child molestation or child exploitation “as within the categories of aliens subject to [DHS]’s highest civil immigration enforcement priorities.”</p> | | <p>to implement any “substantially similar” policy in the future. If the agencies consider the Aderholt amendment narrowly, it would require any person convicted to be prioritized for removal, regardless of any mitigating circumstances.</p> |
| <p><i>Salmon Amendment (co-sponsor Thompson)</i> Passed: 253-171 (14 D’s voted yes; 2 Rs voted no)</p> <p>A “sense of Congress” amendment that businesses may have incentives under the Affordable Care Act to hire persons granted deferred action because they are not subject to the mandatory requirements under the ACA for health insurance or penalties, and therefore “the Executive Branch should refrain from pursuing policies, such as granting deferred action and work authorization...that disadvantage” the hiring of United States citizens and lawful workers.</p> | <ul style="list-style-type: none">• DACA, DAPA and any other deferred action grantees with work authorization | <p>As a “Sense of Congress” amendment, this language would not be binding on the executive branch.</p> |
| <p><i>Schock Amendment</i> Passed: 260-167 (17 D’s voted yes, 1 R</p> | <ul style="list-style-type: none">• DACA, DAPA and other programs that would permit unlawful aliens to apply for any benefit under the Immigration and | <p>As a “Sense of Congress” amendment this language is not binding on the executive branch.</p> |



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| <p>Voted no)</p> <p>“sense of Congress” amendment that the Director of USCIS should “stop putting the interests of aliens who are unlawfully present” ahead of aliens following proper immigration laws, by adjudicating petitions filed by aliens unlawfully present, diverting resources and creating backlogs for other petitions and applications. The amendment also states that it is “unfair” to use fees paid by other aliens to cover the costs of adjudicating petitions and applications for aliens unlawfully present in the United States.</p> | <p>Nationality Laws.</p> <ul style="list-style-type: none">• The amendment also infers that the fees charged by USCIS for the acceptance and processing of applications for DACA are not sufficient to cover its costs (contrary to statutory requirements) and that fees from other applications and petitions are being diverted to cover those costs. | |