

118TH CONGRESS
1ST SESSION

H. R. 1337

To authorize States to request that the Secretary of Homeland Security enforce the Immigration and Nationality Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2023

Mr. POSEY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize States to request that the Secretary of Homeland Security enforce the Immigration and Nationality Act, 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. SHORT TITLE.**

4 This Act may be cited as the “Immigration Enforce-
5 ment Partnership Act of 2023”.

6 **SEC. 2. AUTHORIZING STATES TO REQUEST THE ENFORCE-**
7 **MENT OF THE IMMIGRATION LAWS.**

8 (a) REQUEST TO FULFILL DUTIES.—If a State at-
9 torney general finds that the Secretary of Homeland Secu-
10 rity is not adequately fulfilling his non-discretionary duties

1 under title II of the Immigration and Nationality Act (8
2 U.S.C. 1151 et seq.), such as the arrest, detention, and
3 removal of criminal aliens and arriving aliens, such officer
4 may request in writing that the Secretary do so.

5 (b) REQUIREMENT TO FULFILL DUTIES.—Not later
6 than 30 days after receiving a request under subsection
7 (a), the Secretary shall either—

8 (1) ensure that any such duties are adequately
9 fulfilled by officers and employees of the Department
10 of Homeland Security; or

11 (2) exercise his authority under section 287(g)
12 of the Immigration and Nationality Act (8 U.S.C.
13 1357) to authorize officials in the State to perform
14 functions of an immigration officer related to the in-
15 vestigation, apprehension, or detention of aliens in
16 that State, and fulfill such duties on behalf of the
17 Secretary.

18 (c) CIVIL ACTION.—If the Secretary does not comply
19 with subsection (b), the State attorney general may file
20 a civil action in an appropriate district court of the United
21 States to enforce the requirements under such subsection.
22 The court shall advance on the docket and expedite the
23 disposition of a civil action filed under this subsection to
24 the greatest extent practicable.

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