

113TH CONGRESS
1ST SESSION

H. R. 692

To provide protection for certain Federal employees with respect to implementation of the June 15, 2012, memorandum from Janet Napolitano, Secretary of Homeland Security, regarding the exercise of prosecutorial discretion with respect to individuals who came to the United States as children.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2013

Mr. BARLETTA introduced the following bill; which was referred to the
Committee on Homeland Security

A BILL

To provide protection for certain Federal employees with respect to implementation of the June 15, 2012, memorandum from Janet Napolitano, Secretary of Homeland Security, regarding the exercise of prosecutorial discretion with respect to individuals who came to the United States as children.

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 “Protecting Department
5 of Homeland Security Personnel Act of 2013”.

1 **SEC. 2. PROTECTION FOR INDIVIDUALS WHO REFUSE TO**
2 **CARRY OUT UNLAWFUL PROVISIONS OF THE**
3 **MEMORANDUM.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, no adverse personnel action, including em-
6 ployee termination, may be taken against a protected indi-
7 vidual which is based, in whole or in part, on the refusal
8 of such individual to carry out a provision of the memo-
9 randum described in subsection (b) that has been deter-
10 mined by the Congress to be in violation of the Immigra-
11 tion and Nationality Act (8 U.S.C. 1101 et seq.).

12 (b) MEMORANDUM DESCRIBED.—This Act applies
13 with respect to the June 15, 2012, memorandum from
14 Janet Napolitano, Secretary of Homeland Security, re-
15 garding the exercise of prosecutorial discretion with re-
16 spect to individuals who came to the United States as chil-
17 dren.

18 (c) PROTECTED INDIVIDUALS.—For purposes of this
19 Act, the term “protected individual” means an individual
20 employed in or under any of the following:

21 (1) U.S. Immigration and Customs Enforce-
22 ment.

23 (2) U.S. Customs and Border Protection.

24 (3) U.S. Citizenship and Immigration Services.

25 (d) ADVERSE ACTIONS INCLUDE DENIAL OF BENE-
26 FITS.—The personnel actions prohibited by this Act in-

- 1 include the withholding or denial of a promotion, an increase
- 2 in pay, or other similar benefit.

