

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE H.R. 1526
OFFERED BY M. Johnson**

Page 1, insert after line 3 the following (and redesignate succeeding sections accordingly):

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Since taking office, the Trump Administra-
4 tion has sought to tear apart our democratic institu-
5 tions through unlawful and unconstitutional execu-
6 tive actions. Because federal courts keep ruling
7 against the Administration, Republicans in Congress
8 are seeking to change the laws to help the Trump
9 Agenda.

10 (2) The court in *CASA v. Trump*, when impos-
11 ing injunctive relief, found that “The Executive
12 Order flouts the plain language of the Fourteenth
13 Amendment to the United States Constitution, con-
14 flicts with binding Supreme Court precedent, and
15 runs counter to our nation’s 250-year history of citi-
16 zenship by birth... The President does not have the
17 authority to strip them of their constitutional right
18 to citizenship by birth”.

1 (3) The court in *Nat'l Council of Nonprofits v.*
2 *OMB*, when imposing injunctive relief, found that
3 the “Defendants’ actions in this case potentially run
4 roughshod over a ‘bulwark of the Constitution’ by
5 interfering with Congress’s appropriation of federal
6 funds . . . And it attempted to wrest the power of
7 the purse away from the only branch of government
8 entitled to wield it”.

9 (4) The court in *Washington v. Trump*, when
10 imposing injunctive relief, found that “The United
11 States Constitution exclusively grants the power of
12 the purse to Congress, not the President, and ‘the
13 President does not have unilateral authority to
14 refuse to spend the funds’ Congress appropriates
15 . . . The Executive Order thus amounts to an end-
16 run around the separation of powers. ‘Not only has
17 the Administration claimed for itself Congress’s ex-
18 clusive spending power, it has also attempted to
19 coopt Congress’s power to legislate’”.

20 (5) And the court in *New York v. Trump*, when
21 imposing injunctive relief, found that “The Execu-
22 tive’s statement that ‘the Executive Branch has a
23 duty to align Federal spending and action with the
24 will of the American people as expressed through
25 Presidential priorities’, is a constitutionally flawed

1 statement. The Executive Branch has a duty to
2 align federal spending and action with the will of the
3 people as expressed through congressional appropria-
4 tions, not through ‘Presidential priorities’”.

