

INS v. CHADHA

Case Basics

Docket No.

80-1832

Petitioner

Chadha

Respondent

Immigration and Naturalization Service (INS)

Consolidation

United States House of Representatives v. Immigration and Naturalization Service (INS), No. 80-2170

United States Senate v. Immigration and Naturalization Service (INS), No. 80-2171

Decided By

[Burger Court \(1981-1986\)](#)

Opinion

[462 U.S. 919 \(1983\)](#)

Argued

[Monday, February 22, 1982](#)

Reargued:

[Tuesday, December 7, 1982](#)

Decided

[Thursday, June 23, 1983](#)

Location: [Congress](#)

Facts of the Case

In one section of the Immigration and Nationality Act, Congress authorized either House of Congress to invalidate and suspend deportation rulings of the United States Attorney General. Chadha had stayed in the U.S. past his visa deadline. Though Chadha conceded that he was deportable, an immigration judge suspended his deportation. The House of Representatives voted without debate or recorded vote to deport Chadha. This case was decided together with United States House of Representatives v. Chadha and United States Senate v. Chadha.

Question

Did the Immigration and Nationality Act, which allowed a one-House veto of executive actions, violate the separation of powers doctrine?

Conclusion

Decision: 7 votes for Chadha, 2 vote(s) against

Legal provision: Immigration and Naturalization, Immigration, Nationality, or Illegal Immigration Reform and Immigrant Responsibility Acts, as amended

The Court held that the particular section of the Act in question did violate the Constitution. Recounting the debates of the Constitutional Convention over issues of bicameralism and separation of powers, Chief Justice Burger concluded that even though the Act would have enhanced governmental efficiency, it violated the "explicit constitutional standards" regarding lawmaking and congressional authority.