

INS v. Chadha

APPELLANT

Chadha

APPELLEE

Immigration and Naturalization Service (INS)

LOCATIONCongress

DOCKET NO.

80-1832

DECIDED BYBurger Court (/courts?court=Burger Court)**LOWER COURT**

United States Court of Appeals for the Ninth Circuit

CITATION

462 US 919 (1983)
(<https://supreme.justia.com/cases/federal/us/462/919>).

ADVOCATES

Alan B. Morrison (advocates/alan_b_morrison)
Reargued the cause for Jagdish Rai Chadha in all cases

ARGUED

Feb 22, 1982

Michael Davidson (advocates/michael_davidson)
Reargued the cause for the petitioner in No. 80-2171

REARGUED

Dec 7, 1982

Eugene Gressman (advocates/eugene_gressman)
Reargued the cause for the petitioner in No. 80-2170

DECIDED

Jun 23, 1983

Rex E. Lee (advocates/rex_e_lee)
Reargued the cause for the Immigration and Naturalization Service in all cases

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

Sort: [by seniority](#) [by ideology](#).

7 – 2 DECISION

William Rehnquist



Variable

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.

Cite this page

[APA](#) [Bluebook](#) [Chicago](#) [MLA](#)

"INS v. Chadha." Oyez, 2 Oct. 2018, www.oyez.org/cases/1981/80-1832.