



Written by [Warren Mass](#) on January 9, 2015

House Republicans Plan Strategy to Block Obama Executive Amnesty

In a closed-door meeting on January 7, House Republicans discussed the best strategy to prevent President Obama from implementing his administration's executive action on immigration policy. That policy, put into effect by Obama's presidential memorandum on November 21 and Homeland Security Secretary Jeh Johnson's executive action memorandum on November 20, would provide for "deferred action" — or amnesty — to delay the deportations of millions of illegal aliens.



A group of GOP House members met with House Majority Leader Kevin McCarthy (R-Calif.) to plan their legislative response to the administration's unilateral immigration policies.

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A reporter from *The Hill* (a Washington newspaper specializing in coverage of Congress) quoted several statements made by representatives as they left the meeting.

The congressmen said that though they had not agreed on a policy or a strategy for moving legislation through the House, they made enough progress that they hope to vote on an anti-amnesty measure next week. Their current strategy calls for inserting anti-executive order amnesty language into a bill funding the Department of Homeland Security (DHS) after its current funding expires on February 27.

"We have to deal with the president's unlawful activity," *The Hill* quoted Representative Michael McCaul (R-Texas), chairman of the House Homeland Security Committee. "We also need to keep this department open — it's very important."

"The goal is to ... undo the president's unconstitutional actions," said Representative Mick Mulvaney (R-S.C.). "I don't think we've settled on the specific technicalities. I think what you saw in [the meeting] was an agreement on the goal, and that's important."

ABC News quoted Representative Martha Roby (R-Ala.) who attended the meeting with McCarthy and said afterward: "We are not going to allow taxpayer dollars to be used to fund those unlawful orders."

The Hill reported that it is still unclear if the Republican legislators will include the immigration language in the original DHS spending bill, or introduce it as a separate amendment later on, quoting Representative Hal Rogers (R-Ky.), head of the House Appropriations Committee, who said: "Those are things that are being discussed. No conclusion yet."

From the moment Obama announced his intentions to use executive actions to shield illegal aliens from deportation, Republican criticism was based as much on the president's violation of the separation of powers as it was on the amnesty, itself.

"[The president's] actions are not only unconstitutional and in defiance of the American people who said they did not want amnesty in the 2014 elections, but they are also unfair to every immigrant who has



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come to our nation legally,” Senator Ted Cruz (R-Texas) posted on his Facebook profile.

Senator Rand Paul (R-Ky) said he “will not sit idly by and let the President bypass Congress and our Constitution.”

“That’s just not how our democracy works,” House Speaker John Boehner said in a statement after the White House released the details of Obama’s plan.

“The president has said before that he’s ‘not king’ and he’s ‘not an emperor,’ but he’s sure acting like one.”

However, Republican efforts to defund the Obama executive actions by removing them from Homeland Security’s budget have been complicated by the January 7 attack by three Islamic gunmen on the *Charlie Hebdo* satirical newspaper office in Paris, in which 12 people died. The attack has heightened concerns about terrorism worldwide, and few in Congress want to defund Homeland Security entirely, since the department is seen by many as the nation’s front line of defense against terrorist attacks.

“I’m against the executive order, and we should stop it, fine, but we cannot in any way weaken our homeland security funding when it comes to counterterrorism,” Reuters quoted Representative Peter King, a senior Republican member of the House Homeland Security committee. “You can’t afford to cut back one dollar.”

A report in the online Huffington Post quoted a statement from House Appropriations Committee Chairman Harold Rogers (R-Ky.) who said he hopes to introduce a bill on Friday that would meet the Obama administration’s DHS funding request completely, while blocking implementation of the immigration order. Rogers acknowledged that such a bill might be vetoed by President Obama, noting: “We’re going to pass a bill here that very adequately funds Homeland Security. If Obama “sees fit to veto that, he has to take on the onus of the being the one that shut down Homeland Security.”

The *Post* also quoted Representative Trey Gowdy, (R-S.C.), who said the *Charlie Hebdo* office attack demonstrated the need for Homeland Security funding, but Congress should still “send a message” to Obama on his immigration actions. “I don’t think the two are mutually exclusive,” he added.

While the legislative search functions for the 114th Congress are still being updated, we did find this legislation introduced in the new Congress that is geared to restrict the Obama overreach of executive authority with regard to immigration law:

- H.R. 38: “To prohibit the executive branch from exempting from removal categories of aliens considered under the immigration laws to be unlawfully present in the United States, and for other purposes.” This bill was sponsored by Representative Ted Yoho (R-Fla.) and introduced on January 6.
- H.R. 191: “To repeal executive immigration overreach, to clarify that the proper constitutional authority for immigration policy belongs to the legislative branch, and for other purposes.” This bill was sponsored by Representative Robert Aderholt (R-Ala.) and introduced on January 4.
- H. Res. 11: “Providing for authority to initiate litigation for actions by the President or other executive branch officials inconsistent with their duties under the Constitution of the United States with respect to the implementation of the immigration laws.” This resolution was sponsored by Representative Mo Brooks (R-Ala.) and introduced on January 6.
- S. 11: “A bill to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes.” This bill was introduced by Senator Roy Blunt (R-Mo.) on January 6.



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• S. 129: “A bill to repeal executive immigration overreach, to clarify that the proper constitutional authority for immigration policy belongs to the legislative branch, and for other purposes.” This bill was introduced by Senator Ron Johnson (R-Wis.) on January 8.

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