



Written by [Warren Mass](#) on January 14, 2015

House Votes to Defund DACA and Other Obama Actions

The House of Representatives voted on January 14 to approve an amendment to the Department of Homeland Security's funding bill that would deny funds for new or renewed applications for the Deferred Action for Child Arrivals (DACA) program. It was one of five amendments passed to limit the Obama administration's grants of amnesty to illegal immigrants by executive actions.



The Washington-based newspaper *The Hill* reported that the amendment was passed 218-209, largely along party lines. However, 26 Republicans, many of whom represent districts with large Hispanic populations, voted against the amendment.

Representative Marsha Blackburn (R-Tenn.), the amendment's sponsor, defended the measure. "The Democrats like to say that this is radical. Let me ask you a question," *The Hill* quoted Blackburn. "Is it radical to support the rule of law? Is it radical to fight for American workers who are going to lose their jobs to illegal aliens?"

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Republicans have maintained that the DACA program has enticed children from Central America to make the dangerous trek through Mexico to the U.S. border, thinking that they will be allowed to stay. "Make no mistake about it: this program has become a magnet for drawing children from Central America," said Representative Tom Marino (R-Pa.).

In an interview on *Fox News Sunday* last November 23, Texas Attorney General and Governor-elect Greg Abbott talked about the effects of DACA in Texas, the state that has the longest border with Mexico:

In the aftermath of the 2012 DACA is when we [began] to see 1,000 people a day coming across the border, often telling border patrol agents the reason why they were coming across the border, and not hiding when they got here, but actually turning them in into border patrol agent, was because they believed the 2012 DACA allowed them to come here.

We believe also that in the aftermath of this presidential order, we're going to face the same challenges in Texas that we did after the 2012 DACA.

DACA began with an executive action ordered by President Obama and was prompted by his frustration with the failure of Congress to pass the Development, Relief, and Education for Alien Minors Act (DREAM Act). DREAM was first introduced in the Senate in 2001 and reintroduced in the 107th through 111th Congresses. It never passed both houses, but Obama was determined to implement it anyway, and on June 15, 2012, he announced that his administration would stop deporting young illegal immigrants who met certain criteria previously proposed under the DREAM Act.

DACA was formally initiated by a policy memorandum sent from Secretary of Homeland Security Janet Napolitano in 2012 to the heads of U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and U.S. Immigration and Customs Enforcement (ICE), ordering them to



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practice “prosecutorial discretion” toward some individuals who were brought to this country illegally as children and have remained in the country illegally.

The House previously voted to defund DACA last August 31.

However, the defunding did not prevent the Obama administration from continuing DACA. It instead expanded it. Homeland Security Secretary Jeh Johnson sent an executive action memorandum on November 20 to the heads of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection, the subject of which was: “Exercising Prosecutorial Discretion With Respect to Individuals Who Came to the United States as Children and With Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents.”

The memorandum expands DACA by removing its age cap and extends work authorization to three years. Johnson’s order also expanded “deferred action” (another name for amnesty) by directing USCIS [U.S. Citizenship and Immigration Services] to establish a process, similar to DACA, for exercising prosecutorial discretion through the use of deferred action, on a case-by-case basis, to those individuals who:

- have, on the date of this memorandum, a son or daughter who is a U.S. citizen or lawful permanent resident;
- have continuously resided in the United States since before January 1, 2010; and,
- are physically present in the United States on the date of this memorandum, and at the time of making a request for consideration of deferred action with USCIS.

Republican members of the House added four other amendments to a bill funding the Homeland Security Department through the rest of the budget year. The previous temporary funding for DHS passed in the last session of Congress runs out on February 27. The House passed the amended funding bill on a 236-191 vote. Two Democrats voted for the bill and 10 Republicans joined 181 Democrats in voting against it.

Speaking to the media after the votes, House Speaker John Boehner (R-Ohio) said: “This executive overreach is an affront to the rule of law and to the Constitution itself. The people made clear that they wanted more accountability from this president, and by our votes here today we will heed their will and we will keep our oath to protect and defend the Constitution.”

Democrats have accused Republicans of playing politics with national security during a time when national security is a major concern, in the wake of the January 7 attack by three Islamic gunmen on the *Charlie Hebdo* satirical newspaper office in Paris. President Obama has also threatened to veto any DHS funding legislation that attempts to limit his agenda. House Appropriations Committee Chairman Harold Rogers (R-Ky.) recently commented on this strong possibility, noting that if Obama “sees fit to veto that, he has to take on the onus of the being the one that shut down Homeland Security.”

House Republicans face another obstacle in getting their legislation passed, however. Though Republicans now control the Senate, they are six votes shy of the 60-vote majority needed to cut off debate and advance most legislation in the upper house. “They’re not going to pass this bill,” Representative Charlie Dent (R-Pa.) said of the Senate’s likelihood to pass the DHS funding bill passed by the House.

Senate Minority Leader Harry Reid (D-Nev.) accused Republicans of “picking an unnecessary political fight” and predicted the House bill “will not pass the Senate.”



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If the bill manages to pass the Senate and is vetoed by Obama, DHS will have no funding beyond February. In that event, it will be interesting to see which side blinks first.

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