



Written by [Warren Mass](#) on February 11, 2015

## McConnell Says House Must Amend DHS Funding Bill

Senate Majority Leader Mitch McConnell (shown, R-Ky.) said on February 10 that because the House-passed legislation to fund the Department of Homeland Security (DHS) is “stuck” in the Senate, the only alternative is for the House to amend the bill.



“The next move obviously is up to the House,” *The Hill* quoted McConnell’s statement as saying to the press following a Senate GOP conference lunch.

“It’s clear we can’t get on [with] the bill. We can’t offer amendments to the bill. And I think it would be pretty safe to say we’re stuck because of Democratic obstruction on the Senate side,” said McConnell.

Michael Steel, a spokesman for House Speaker John Boehner (R-Ohio), said it is up to Senate Democrats to stop blocking the Republican-drafted bill, stating:

The House has passed a bill to fund the Department of Homeland Security and block the president’s unilateral executive action on immigration. Now, the pressure is on Senate Democrats who claim to oppose the president’s action but are filibustering a bill to stop it. Until there is some signal from those Senate Democrats what would break their filibuster, there’s little point in additional House action.

The House passed the Department of Homeland Security Appropriations Act, 2015 (H.R. 240) on January 14 by a vote of 236-191. It was received in the Senate on January 16.

The bill’s language (cited below) de-funds President Obama’s and Homeland Secretary Jeh Johnson’s executive action for new or renewed applications for the Deferred Action for Child Arrivals (DACA) program. Other amendments to the bill further limit the Obama administration’s grants of amnesty to illegal immigrants by executive actions:

No funds, resources or fees made available to the Secretary of Homeland Security, or to any other official of a Federal agency, by this Act or any other Act for any fiscal year ... may be used to consider or adjudicate any new, renewal or previously denied application for any alien requesting consideration of deferred action for childhood arrivals [DACA], as authorized by the Executive memorandum dated June 15, 2012, ... (or any substantially similar policy changes issued or taken on or after January 9, 2015, whether set forth in memorandum, Executive order, regulation, directive, or by other action).

After the House passed the bill, 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.”

Senate Democrats have done their best to fulfill Reid’s prediction. Under Senate rules, a supermajority of 60 votes is needed to invoke cloture (end debate to permit a vote on legislation). Since Republicans hold just 54 Senate seats, they must vote unanimously and convince six Democrats to join them in stopping any filibuster.



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On several votes in the Senate last week to invoke cloture and bring the House-passed bill to a vote, the motion fell short of the required 60 votes. (Record vote number 51 on February 3 was 51-48; Record vote number 52 on February 4 was 53-47; and Record vote number 53 on February 5 was 52-47.)

Attendees at the Senate GOP conference lunch apparently decided that it was futile to try further and, instead, to ask Republicans in the House to pass a bill to fund DHS that was acceptable to Senate Democrats. *The Hill* reported that at a press conference following the lunch, Senate Majority Whip John Cornyn (R-Texas) was asked whether Congress will ultimately pass a “clean” DHS spending bill that excludes riders that would reverse President Obama’s executive orders on immigration.

“I have no doubt that the Department of Homeland Security will be funded,” Cornyn said simply.

Cornyn was quoted by the *Fiscal Times* as saying: “Unless you can find me six votes, that’s it. We’ve done the best we can. At some time, the arithmetic is the reality.”

The *New York Times* quoted a statement from Senator Jeff Flake (R-Ariz.) saying: “We’ve brought it up, what, three times now and the same result, so I just don’t know what else we’re supposed to do over here. All we can do is say we tried, and the House will have to pass something else.”

Flake was a member of the Senate’s bipartisan “Gang of Eight” that drafted an immigration bill that passed the Senate in 2013 but was never brought up for a vote in the House because conservative representatives objected to its amnesty provisions.

Funding for the DHS will expire on February 27 unless Congress acts. One possibility is another short-term extension of current funding levels by means of a continuing resolution, as was combined with the Omnibus Appropriations Act for 2015 passed last December (hence the term “cromnibus”).

During a February 8 interview with Dana Bash on CNN’s *State of the Union*, Senator Ted Cruz (R-Texas) — one of the Senate’s strongest opponents of the Obama administration’s executive actions providing “deferred action” (amnesty) to delay the deportations of millions of illegal immigrants — was critical not only of Senate Democrats but also of his own party’s faltering strategy on stopping the administration’s actions. Said Cruz:

If you’ll recall I fought tooth and nail against cromnibus in December because I said ... this gives up our leverage and it puts us into effectively a boxed canyon. So I would say it’s now up to [the Republican] leadership to lay out their strategy. I told them this was not a winning strategy and they went down this road anyway....

What we saw last week was stunning irresponsibility from the Senate Democrats. The Senate Democrats three times filibustered funding for the Department of Homeland Security. We have a bill on the floor to fund DHS....

And three times the Democrats stood together filibustered and said, we will not allow the Senate to take up this bill.... At a time of growing national security threats across the world, that’s irresponsible.

*Photo of Senate Majority Leader Mitch McConnell (R-Ky.): AP Images*

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