



Written by [Jack Kenny](#) on May 24, 2014

Reid: Stop Deportations if House Blocks Immigration Reform

The top Democrat in the U.S. Senate said President Obama will have to act to stop deportations if the House doesn't pass immigration reform legislation by the end of summer.

"We've waited 329 days," Senate Majority Leader Harry Reid (D-Nev., shown) said in a press conference May 22, referring to the time elapsed since the Senate passed a comprehensive immigration reform bill. "But at the end of six weeks, if something hasn't been done, then there's gonna have to be a move made. And it's too bad we have to do that, because we all know things can be done administratively, but it's better to change the law."



Six weeks gives the House until about mid-July to pass the bill or the president must act unilaterally, according to Reid. The Obama administration already exempted an estimated 800,000 illegal aliens from deportation under a policy announced by former Secretary of Homeland Security Janet Napolitano in 2012. The "deferred action" policy halted deportation actions for two years against illegal immigrants who were brought to the United States at age 16 or younger, have lived in the country for at least five years with no criminal history, and have graduated from a U.S. high school, earned a GED, or have served in the military. That, along with the administration's postponement of various provisions of the Affordable Care Act (ObamaCare), passed by the Congress at the president's urging in 2010, has sparked charges by Republicans that Obama is acting like a one-man legislature in the White House, suspending and rewriting laws instead of faithfully executing them as the Constitution requires.

Testifying before a Senate panel last week, Rep. Luis Gutierrez (D-Ill.) said the Deferred Action for Childhood Arrivals should be expanded to include family members as well.

"DACA is an important first step in implementing modern immigration policies that reflect our values and strengthen our nation," Gutierrez said. "Next we must fully incorporate DACA recipients and their families and the millions of immigrants who live among us into our society." The Illinois Democrat said that "every institution in America, including our military, must work around the inability of our federal government and the U.S. House of Representatives to fix our immigration system."

Gutierrez made his comments at a Senate Defense Appropriations Subcommittee hearing on "Immigration Enlistment" held at a military academy in Chicago. Senate Majority Whip Dick Durbin (D-Ill.), who chairs the subcommittee, called on the Defense Department to accept enlistments of those who are here illegally if they qualify under the terms of the proposed DREAM Act, a bill first introduced by Durbin and Sen. Orrin Hatch (R-Utah). The bill, though never been passed by Congress, would make permanent the provisions of the Deferred Action policy adopted by Homeland Security.



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“If the House Republicans refuse to move immigration reform, the Defense Department should use its authority under current law to authorize the enlistment of ‘DREAMers,’” Durbin said at the hearing. Enlisting “DREAMers” is vital to the national interest, he said, “because it would make the Armed Forces more diverse and inclusive, and it would allow the Armed Forces to access a well-qualified, educated, homegrown talent pool.”

The administration seems to need little encouragement to pursue what Obama has dubbed his “pen and phone” strategy — using the pen to advance legislative goals by executive order and the phone to urge compliance with bills the Congress doesn’t pass. Since the Republican-controlled House won’t pass the president’s proposed increase in the federal minimum wage from \$7.50 to \$10.10, he has imposed the higher wage on federal contractors by executive order and urged businesses and states to adopt it as well. After the federal Environmental Protection Agency determined that carbon dioxide — something every human being exhales with each breath — endangers human health, Obama suggested that executive orders and regulatory rulings may be a way to impose the restrictions on carbon emissions that Congress has refused to pass through “cap and trade” legislation.

“Cap and trade was just one way of skinning the cat; it was not the only way,” the president said at a November 2010 press conference. “It was a means, not an end. And I’m going to be looking for other means to address this problem.”

“President Obama is putting his pen and his phone to work, making measurable progress on the Opportunity Agenda laid out in the State of the Union,” senior presidential advisor Dan Pfeiffer wrote in a recent *Huffington Post* blog. “Since the start of 2014, he’s taken more than 20 executive actions — from launching high-tech manufacturing hubs to creating retirement programs that makes it easier to save — that will help create jobs, while broadening opportunity for millions of Americans. And there are more on the way.”

While the Obama administration has given Republicans ample reason to sound the alarm about an overreaching executive branch usurping legislative powers, liberal columnist Joel Mathis recalled that “the George W. Bush administration unilaterally chose to ignore Congress and its legal obligations, pretty much whenever it chose.” Warrantless wiretapping, ignoring treaties banning torture and the issuing of signing statements indicating which provisions of a new law the president would ignore were all regular occurrences at the Bush White House.

“All of this.” Mathis wrote, “happened with the near-total acquiescence of congressional Republicans throughout the Bush administration. (Ron Paul, as always, was the exception.) Much like their love of fiscal austerity and the filibuster, the GOP rediscovered its fidelity to the rule of law with alacrity in 2009, when President Obama took office.”

A similar partisan silence came over Democrats who raised no objection when Obama intervened militarily in Libya’s civil war without congressional authorization, or when it became known that the president was using drones to target and kill terror suspects, including at least one American, far from any field of battle. Perhaps Democrats will remember their former opposition to an “imperial presidency” if and when a Republican enters the White House in 2017.

Photo of Sen. Harry Reid: AP Images



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