



The Nation Reacts to Obama Executive Order Immigration Plan

Soon after President Obama delivered his plan on November 20 to use executive actions to grant protection from deportation to millions of illegal immigrants, Republicans and other Americans offered their reactions. Under the Obama plan, two groups of illegal immigrants would qualify for executive amnesty — those who have been in the United States for more than five years, and those who have children who are American citizens or legal residents.



Obama told those who fit his criteria, “If you register, pass a criminal background check, and you’re willing to pay your fair share of taxes — you’ll be able to apply to stay in this country temporarily, without fear of deportation. You can come out of the shadows and get right with the law.”

Knowing full well that his plan amounted to amnesty — though he and his like-minded colleagues, including some Republicans, prefer the term “path to citizenship,” the president said in his speech:

I know some of the critics of this action call it amnesty. Well, it’s not. Amnesty is the immigration system we have today — millions of people who live here without paying their taxes or playing by the rules while politicians use the issue to scare people and whip up votes at election time.

The plan drew immediate criticism from Republican members of Congress, led by House Speaker John Boehner (R-Ohio). “That’s just not how our democracy works,” Boehner said in a statement after the White House unveiled 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,” Boehner continued.

When President Obama took to the Sunday talk-show circuit on November 23 to defend his planned actions on ABC’s *This Week*, news anchor George Stephanopoulos asked the president to comment on Boehner’s charge that he was acting like an emperor. Obama replied that his solution was for Congress to “pass a bill.... The truth is that the Senate did a good job in crafting a bipartisan [“Gang of Eight”] bill that would have greatly improved our immigration system, and my preference is for a legislative solution to this problem.”

When Stephanopoulos noted that the passage of the Senate bill didn’t happen, Obama immediately threw the ball back into John Boehner’s court by stating: “It didn’t happen because the Speaker would not call the bill for a vote in the House.”

Stephanopoulos then quoted from a statement Obama made on a Google Hangout, when he was asked, “‘What can you do to prevent families from being broken apart’ and his reply, ‘I’m not an emperor, I am out of administrative flexibility.’” When Stephanopoulos asked Obama what had changed, he replied:

George, what is absolutely true is that we couldn’t solve the entire problem and still can’t solve the entire problem. But what we can do is to prioritize felons, criminals, recent arrivals, folks who are coming right at the border, and acknowledge that if somebody’s been here for over five years, they



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may have an American child or a legal permanent resident child, it doesn't make sense for us to prioritize them when we know that we need more resources.

When Stephanopoulos asked Obama if he has the right to make that decision on his own, Obama replied:

Absolutely. If you look, every president — Democrat and Republican — over decades has done the same thing as I mentioned in my remarks today. George H.W. Bush, about 40 percent of the undocumented persons, at the time, were provided a similar kind of relief as a consequence of executive action.

A trio of Texans also took the president to task on the Sunday talk shows for his plan to use executive actions to grant amnesty to illegal immigrants. Chris Wallace, host of *Fox News Sunday*, played a video of Obama stating that he's using his "prosecutorial discretion" to go after the bad guys and not to go after parents of people who are in this country legally and asked guest Sen. Ted Cruz (R-Texas), "whats wrong with that policy?"

Cruz responded:

Well, the notion that this is just prosecutorial discretion is simply nonsense. The Constitution gives Congress the authority to establish our immigration laws. What the president announced this week is a wholesale refusal to follow our immigration laws, to enforce our immigration laws. Number one, for 4 million to 5 million people here illegally, he's promising to print up and give work authorization. Essentially, he's gotten in the job of counterfeiting immigration papers, because there's no legal authority to do what he's doing. He's simply giving work authorization and claiming unilateral authority.

Wallace afterwards interviewed Texas Attorney General and Governor-elect Gregg Abbott, asking him on what grounds he intended to sue President Obama. Abbott replied that there were several grounds:

One is what the president has done violates the Take Care Clause under Article 2, Section 3 of the Constitution, requiring that the president take care to faithfully execute the laws.

Now, understand this is no little trinket in the Constitution. At the constitutional convention itself, they considered whether or not the president should have the authority to dispense with enforcing certain laws, and they decided, no, they didn't want to give the president that authority. They wanted to ensure the president would be limited in his authority and ensure that the president would take care to execute the laws passed by Congress.

In this case, the president is violating that Take Care Clause.

A third Texan appearing on a Sunday talk show who was critical of the Obama plan is Republican Representative Mike McCaul, chairman of the House Homeland Security Committee. On the CBS News program *Face the Nation*, moderator Bob Schieffer asked McCaul, "It seems to me that the president has drawn a line in the sand or whatever you want to call it here. Is that going to help or hurt the situation?"

McCaul replied,

I think it hurts the situation. It poisons the well, going into a new Congress. The American people spoke in the elections and one of the first things out of the box is he grants amnesty to five million people. You know, in your clip, he says that members of Congress question [his] legal authority to do this. Well, he himself said 22 times that he did not have the legal authority to do this....



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regardless of where you stand on this issue ... there is a right way to do this and a wrong way to do it. And I think the right way to do it is to work with Congress to get real results and solutions.

When asked about what options Republicans have to stop the Obama plan, McCaul answered, in part: "We are not going to shut the government down, but we are going to shut down this president and his actions."

Photo of President Barack Obama: AP Images

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