



Written by [R. Cort Kirkwood](#) on July 23, 2012

U.S. Rep. Steve King Will Sue Obama on Amnesty

Rep. [Steve King](#) (R-Iowa) says he will sue President Obama because of the president's illegal order to stop the deportation of illegal aliens under a certain age, and that the lawsuit is within weeks of being filed. King is ready to proceed with the legal action he has been planning against Obama, [The Daily Caller reported](#) last week. He announced his plans to sue Obama during an interview with the *Des Moines Register* in June.



"I think we're talking weeks rather than months," [King told](#) *The Daily Caller* of the lawsuit, which seeks to stop President Obama from unilaterally changing immigration laws passed by Congress to suit the ideological demands of the radical Left and the electoral demands of the "Latinos" in his party.

Obama made the move just 10 days before his administration partly prevailed against Arizona in the U.S. Supreme Court, which struck down parts of Arizona's tough immigration law. Now, King is one man in Congress ready to fight back.

Obama Opens the Borders

Obama invited the lawsuit when he decided on his own authority not to enforce U.S. immigration law. In mid June, [he announced](#) that his administration would stop deporting "young" illegal aliens and that they may legally work in the United States. The amnesty could apply to as many as 800,000 border jumpers, the *New York Times* reported. According to the *Times*,

Under the change, the Department of Homeland Security will no longer initiate the deportation of illegal immigrants who came to the United States before age 16, have lived here for at least five years, and are in school, are high school graduates or are military veterans in good standing.

The immigrants must also be not more than 30 and have clean criminal records.

Young people, who have been highly visible and vocal activists despite their undocumented status, have been calling on Mr. Obama for more than a year to stop deporting them and allow them to work. Many of them were elated and relieved on Friday.

Obama, whose own citizenship [is also](#) in question, ordered the deportation stay, [he said](#), because these illegals are Americans and because Republicans blocked the passage of the [DREAM Act](#), an amnesty for those "Americans" who meet a long list of criteria. [The DREAM Act failed](#) in the U.S. Senate in December 2010. Indeed, he made clear in his remarks in the Rose Garden that he is circumventing Congress precisely because the GOP had "blocked" the amnesty.

"Put yourself in their shoes," [Obama said](#). "Imagine you've done everything right your entire life — studied hard, worked hard, maybe even graduated at the top of your class — only to suddenly face the threat of deportation to a country that you know nothing about, with a language that you may not even speak."

Then Obama admitted the real reason he acted. "That's what gave rise to the DREAM Act," [he continued](#), adding,



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It says that if your parents brought you here as a child, if you've been here for five years, and you're willing to go to college or serve in our military, you can one day earn your citizenship. And I have said time and time and time again to Congress that, send me the DREAM Act, put it on my desk, and I will sign it right away.

Now, both parties wrote this legislation. And a year and a half ago, Democrats passed the DREAM Act in the House, but Republicans walked away from it. It got 55 votes in the Senate, but Republicans blocked it. The bill hasn't really changed. The need hasn't changed. It's still the right thing to do. The only thing that has changed, apparently, was the politics.

Of course, Obama reassured Americans concerned about immigration that his order is not what it appears to be:

Now, let's be clear — this is not amnesty, this is not immunity. This is not a path to citizenship. It's not a permanent fix. This is a temporary stopgap measure that lets us focus our resources wisely while giving a degree of relief and hope to talented, driven, patriotic young people.

A week or so later, after the [U.S. Supreme Court upheld](#) the [most controversial provision](#) of [Arizona's tough immigration law](#), which requires police, upon reasonable suspicion, to check the citizenship of those with whom they come into a lawful contact, the Obama administration [flatly told Arizona](#) it would not cooperate with its law enforcement agencies in the deportation of illegals.

Obama's Rose Garden speech was no surprise. As [The New American has been reporting](#) for a year, the DREAM Act has, for all intents and purposes, been the law of the land since Homeland Security Secretary Janet Napolitano and her deputy John Morton, the director of Immigration and Customs and Enforcement, declared that they would not deport illegals who meet DREAM Act criteria. Last year, Morton [published a memorandum](#) giving his underlings "prosecutorial discretion" in deportations, after which [Obama halted](#) the deportation of 300,000 illegals.

In June, [he raised](#) the stakes again in the Rose Garden.

King Fires Back

Right after Obama announced his executive amnesty, King took action, the [Des Moines Register reported](#). "I expect to bring a lawsuit against the president of the United States to suspend his executive order," he told the newspaper, noting that Obama is violating his oath to uphold the Constitution.

King is no stranger to suing chief executives, the [Register noted](#), reminding readers of King's lawsuit against Democrat Gov. [Tom Vilsack](#) in 1999. Vilsack had unilaterally forbidden "discrimination against gays, lesbians and transgender individuals in state government employment," as the newspaper put it. But a judge struck down the order because the governor does not have such authority.

"It's a very, very similar case," [King told](#) the newspaper. "It's no longer about what policy you might prefer and it's whether you uphold the Constitution and rule of law," said the congressman, who is one of the most vocal opponents of illegal immigration in the nation. "I've taken an oath to uphold the Constitution," he declared.

Two weeks ago, The [Daily Caller reported](#), King met with a group of supporters who back his lawsuit. [He told](#) the Internet publication that "the challenge is to meet the requirement for standing, but said the consensus of those at the meeting was that, 'If the case is heard on the merits, we're in an excellent position to succeed.'" The Daily Caller continued,



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He said there are at least four possible legal components to the lawsuit, including seeking a writ of mandamus, which would direct Obama to enforce the law.

“There is an effort that might simply invalidate his executive edict,” King explained, “and there’s also a federal statute that requires them — law enforcement officers — to place illegals into deportation proceedings.”

“Another component of it,” King said, “is the violation of the administrative procedures that the president appears to have ordered [US Citizen and Immigration Services] to engage in.”

Proponents of the Law React

Unsurprisingly, proponents of the law think King is doing exactly what Obama and the Democrats want. “Already, at least one Republican has fallen right into President Obama’s hands,” [wrote Rachel Weiner](#) of the *Washington Post*.

The lawsuit is a “fight the White House undoubtedly wants — between an administration attempting to help young immigrants who were raised in the United States and a Republican Party bent on stopping him,” [she wrote](#), adding,

Republicans will argue that it’s an abuse of executive power, but Obama and his supporters can easily point out that George W. Bush [used the same power](#) frequently.

By taking a high-profile stance on immigration, Obama draws out lawmakers like King, who [recently compared](#) immigrants to dogs.

As both parties look to [woo Hispanic voters](#), Obama’s policy shift will likely give him a boost not just because of what he did but because of how the other side reacts.

Also, unsurprisingly, the *Post* found leftist legal experts to claim the lawsuit is without merit.

The left [has been pushing](#) the idea that King thinks immigrants are like dogs since he used an analogy in May that compared selecting worthy immigrants for citizenship to selecting a good bird dog for hunting. King said one takes the “pick of the litter,” meaning the “friskiest” pup, not the one “sleeping in the corner” of the kennel.

While King did indeed use the bird-dog analogy, his point was clear: Traditionally, because of American immigration policy, immigrants have typically represented the “cream of the crop” and the “most vigorous” from every country that has donated immigrants to the United States of America.”

Photo of Rep. Steve King (R-Iowa)

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