



Written by [Warren Mass](#) on March 10, 2015

## Boehner and Pelosi Reportedly Had “Secret” Talks Before DHS Vote

Prior to the House voting on March 3 to fund the Department of Homeland Security through September 30 — with no restrictions on executive amnesty attached — House Speaker John Boehner (R-Ohio) and House Minority Leader Nancy Pelosi (D-Calif.) reportedly had a series of private discussions to arrange a vote on a “clean” DHS funding bill.



In a report on March 5, *Politico*’s Lauren French wrote that starting on February 27 (the day the House approved a measure to fund DHS for one week), Pelosi and Boehner had several days of secret negotiations and maneuvering “to push the measure through the House over the objections of a cadre of conservatives in Boehner’s conference who scuttled a three-week funding bill in a dramatic showdown last week.”

A *CQ Roll Call* report on March 3, based on conversations that *Roll Call* had with “staffers working both sides of the talks,” described Boehner’s and Pelosi’s clever use of a little-known procedure called Rule XXII to allow a House vote on a long-term funding bill for DHS that was “clean” of any restrictions on executive amnesty.

After Boehner refused several requests from Pelosi to bring up a “clean” DHS funding bill for a vote, Pelosi called the Republican back and began: “Here’s what I’m thinking in interest of saving face.” Pelosi agreed to support the one-week temporary funding bill to avoid a DHS shutdown, and Boehner agreed not to oppose the “clean” spending bill passed by the Senate 68-31 on February 27 from coming to the floor under Rule XXII, which allows any member of the House to bring up the Senate measure. By agreement, it was decided that a Republican be allowed to fulfill this role and the motion was made by Representative Mike Simpson (R-Idaho).

The vote was seen as a victory for Democrats, in general, and Pelosi, in particular. So much so that a reporter asked Pelosi at a March 3 press conference: “Do you feel, in some ways, that Democrats are holding all the cards or that you are, in fact, the de facto Speaker these days.” Pelosi brushed off the label with a laugh and replied: “Let me tell you something: if there’s ever an oxymoron, it’s ‘de facto Speaker.’ You’re either Speaker or you’re not.”

Pelosi also congratulated Democrats in the Senate for ensuring the victory:

Our strength sprang from the unity of House Democrats. It’s also important to acknowledge the Senate. In a bipartisan way, they didn’t give cloture to the motion to go to conference, and they also defeated a motion to table, which enabled the bill to come back here, when we were in



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disagreement — House and Senate — to enable ... Congresswoman [Nita] Lowey [D-N.Y.] and Congressman Simpson to call the bill forward. And that was what we were depending on.

The 257-167 vote on March 3 in favor of the Department of Homeland Security Appropriations Act, 2015 (H.R. 240) was beyond partisan. It garnered undivided support from 182 Democrats, but just 75 Republicans voted for the bill, with 167 opposed. In contrast, the February 27 vote to temporarily fund DHS for one week passed by a larger margin of 357-60. (Fifty-five of the 60 no votes came from Republicans.)

An earlier version of H.R. 240 was passed by the House on January 14 along partisan lines, with 234 Republicans and only two Democrats in favor and 181 Democrats and 10 Republicans opposed. That version had been amended before passage to de-fund 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 and further limited the administration's grants of amnesty to illegal immigrants by executive actions.

However, Senate Democrats successfully filibustered the House-passed bill and Republicans failed, by four votes, to get the 60 votes needed to end debate. Finally, on February 10, Senate Majority Leader Mitch McConnell proclaimed, "The next move obviously is up to the House. 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."

In a move to force "moderate" Democrats who opposed the Obama grants of amnesty through executive actions a chance to vote against the restrictions, McConnell proposed separating overall DHS funding from the prohibitions on funding implementation of the amnesty-granting programs. The Senate passed an amended version of H.R. 240 so "clean" of restrictions on executive amnesty orders that Democrats were willing to support it. But since conservatives in the House found the Senate version unacceptable, it went to a conference committee to iron out the differences.

The stalemate then moved from the Senate to the House and no funding bill was passed until just two hours before last December's continuing resolution funding DHS until February 27 was set to expire. By a vote of 357-60, the House approved an amendment that funded DHS for one more week.

Pelosi supported the temporary DHS funding, and her support was responsible for the very large margin by which it passed. In fact, 55 of the 60 votes against the bill came from Republicans.

That apparent motivation for Pelosi's and her fellow Democrats' support for the one-week stopgap measure was their anticipation that Congress would soon approve a "clean" DHS funding measure that does not include restrictions on the Obama administration's executive actions on immigration found in the House's original legislation.

"Your vote tonight will assure that we will vote for full funding next week," the *New York Times* quoted from a letter Pelosi sent to House Democrats on February 27 urging them to support the seven-day funding measure offered by Representative Harold "Hal" Rogers (R-Ky.).

Speaker Boehner's and Majority Leader McConnell's willingness to compromise by removing the tough anti-amnesty provisions from the DHS funding bill merely gave the Democrats what they have asked for all along. A White House official issued a statement in January, noting, "The president will join the Democrats in Congress in vehemently opposing that dangerous view [opposing executive amnesty] and calling for a clean funding bill to ensure we are funding our national security priorities in the face of cybersecurity and security threats abroad."



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Republicans offered Democrats a bill that is so “clean” of restrictions on the administration’s executive amnesty orders that they were willing to support it, speaking volumes about the GOP’s congressional role as the “opposition” party to the Obama White House.

*Photo of House Speaker John Boehner (R-Ohio) and House Minority Leader Nancy Pelosi (D-Calif.): AP Images*

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