



## Obama and Republicans Spar Over Immigration Executive Action Plans

Responding to a question from host Bob Schieffer on *Face the Nation* on November 9, President Obama repeated his past statement to Speaker of the House John Boehner: “John, if you don’t do it, I’ve got legal authority to make improvements on the system.”

Schieffer had asked the president: “Why not give [the Republicans] a chance to see what they can do [first] on [immigration] and then take the executive order?”



Obama’s response included many of the stock phrases he has used countless times. For example:

- “Everybody agrees the immigration system is broken. And we’ve been talking about it for years now in terms of fixing it.”
- “We need to make [a] legal immigration system that is more efficient.... We need to make sure that the millions of people, who are here, many have been here for a decade or more, and have American kids, and for all practical purposes are part of our community, that they pay a fine, they pay any penalties, they learn English, they get to the back of the line but they have a capacity to legalize themselves here because ... we don’t have the capacity to deport eleven million people. Everybody agrees on that.”
- “I presided over a process in which the Senate produced a bipartisan bill. I then said to John Boehner, John, let’s get this passed through the House.”
- “I prefer and still prefer to see it done through Congress, but [as I told John [Boehner]: ‘If you can’t get it done before the end of the year, I’m going to have to take the steps that I can to improve the system.’”

Attempting to project magnanimity and a spirit of bipartisan cooperation, Obama said: “The minute they pass a bill that addresses the problems with immigration reform, I will sign it and it supersedes whatever actions I take.”

But, warned Obama: “On parallel track, we’re going to be implementing an executive action.... If, in fact, a bill gets passed, nobody is going to be happier than me to sign it because that means it will be permanent rather than temporary.”

In short, Obama’s position states: *I’m implementing the policy I want through executive action, and Congress is free to duplicate my action, or not. If they give me what I want, their policy (which would be the same as my policy) will prevail. If they don’t give me what I want, my policy will still prevail.*

While Obama was speaking on *Face the Nation* on Sunday, Republicans were providing their views. “I believe [presidential unilateral action] would hurt cooperation on every issue,” Senator John Barrasso (R-Wy.), said on *Fox News Sunday*. “It would be like the president pulling the pin out of the hand



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grenade and throwing in as we're trying to actually work together."

Also speaking on *Fox News Sunday* was Representative Cory Gardner, (R-Colo.), who defeated Senator Mark Udall in last Tuesday's senatorial election. Gardner said he hopes Obama "will change his mind" and allow Congress to pass its own immigration legislation. "If he [acts unilaterally], then I'm concerned that he won't be doing the right thing," Gardner said, "and that would hurt our ability to move forward the next two years."

Speaking on NBC's *Meet the Press* on Sunday, former House Majority Leader Eric Cantor (who resigned from Congress this year following his loss in the GOP primary) said: "We've heard a lot about the president saying he's going to unilaterally act on this question of an executive order for immigration. If he does that, that's incendiary."

Later in the program, Cantor continued: "[Republicans are] going to work together and the president cannot sign that executive order. He's going to light a fuse."

Some political analysts believe that the president's high-pressure stance with congressional Republicans has already prompted resistance among GOP senators to approving Obama's nominee to replace Attorney General Eric Holder, federal prosecutor Loretta Lynch.

Senators Ted Cruz (R-Texas) and Mike Lee (R-Utah) have expressed their view that they want the upper house to wait until the new Republican-majority Senate is in January before considering the Lynch nomination. They also issued a statement asking Lynch to state publicly whether she believes that the president's plan to offer amnesty to some illegal immigrants by means of executive action are legitimate.

"The Attorney General is the President's chief law enforcement officer. As such, the nominee must demonstrate full and complete commitment to the law," the senators said. "Loretta Lynch deserves the opportunity to demonstrate those qualities, beginning with a statement whether or not she believes the President's executive amnesty plans are constitutional and legal."

Furthermore, reports *National Review*, Representative Matt Salmon (R-Ariz.) has been sharing with his congressional colleagues a letter he sent to House Appropriations Committee Chairman Rogers (R-Ky.) and Ranking Member Nita Lowey (D-N.Y.). The letter said, in part:

As the House continues to deliberate and draft appropriations legislation before the current continuing resolution expires on December 12, 2014, we write to encourage you to include language that would prohibit funding for the President's reported intentions to create work permits and green cards for undocumented immigrants currently in the United States.

There are currently millions of undocumented immigrants living within our borders. Recently, the United States Citizenship and Immigration Services (USCIS) issued a procurement request for 34 million work permits and green cards over the next five years. President Obama has spoken publicly and privately about his intentions to use executive action to create these work permits for those who are here illegally. This would be in direct violation of U.S. law. As you know, the Congress has the power of the purse and should use it as a tool to prevent the President from implementing policies that are contrary to our laws and the desire of the American people.

Congress does indeed have the power of the purse, if it has the will to use it. Whether it holds President Obama accountable and chooses to defund any actions that he takes that are of questionable constitutionality remains to be seen.



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