



Republicans Oppose Cruz Quest to Block Loretta Lynch Confirmation

Senator Ted Cruz (R-Texas), a steadfast opponent of the Obama administration's use of executive actions to grant amnesty to illegal aliens, is facing opposition from members of his own party in his attempt to delay a Senate vote to confirm Loretta Lynch — President Obama's nominee for attorney general — until the White House reverses itself on the executive actions.



Cruz explained his position in a statement made to *Politico* in the Capitol on February 3:

For several months now, I have called on the Senate majority leader to halt confirmations of every nominee executive and judicial, other than vital national security positions, unless or until the president rescinds his unconstitutional amnesty. We have an opportunity in front of us right now with Loretta Lynch — a nominee for attorney general — who has fully embraced and flat-out promised to implement the unconstitutional amnesty.

Politico reported the following day that Cruz's proposal has been rejected by several influential GOP senators, including his Texas colleague, Senate Majority Whip John Cornyn.

The *Dallas News* quoted a statement made by Cornyn in a call with Texas reporters on February 4, explaining that although he opposes Lynch as a nominee for attorney general, unlike Cruz, he wants the nomination brought to a vote:

I will oppose that nomination. While [Lynch] has an impressive record as a United States attorney, as you know she will become the chief advocate for the president's policies as attorney general. And her testimony, expressing support for the president's unconstitutional executive action and her support for a number of the president's other policies, make it impossible for me to vote for her nomination.

Up to that point, Cornyn and Cruz are in agreement. However, reported both the *Dallas Morning News* and *Politico*, Cornyn said that he rejected Cruz's proposed strategy. "I don't think [the Lynch nomination and the Obama executive actions] should be coupled together, no," he said.

Last week, Cruz said in a statement to *CQ Roll Call* that the success or failure of the Lynch nomination would be determined by Majority Leader Mitch McConnell (R-Ky.) noting that McConnell could refuse to bring her nomination to the floor.

Cruz also asked his fellow Republicans on the Judiciary Committee to vote against Lynch. "If every Republican on the Judiciary Committee votes 'no,' Ms. Lynch's confirmation will be defeated," said Cruz. "Likewise, if Republican leadership chooses not to report the nomination to the floor, Ms. Lynch's nomination will be defeated."

However, despite Cruz's plea, McConnell has said that Lynch will "absolutely" get a vote in the Senate,



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but declined to comment further.

Other influential Republicans are also opposed to Cruz's plan. Senator Orrin Hatch (R-Utah), who is the president pro tempore of the Senate, has said he intends to vote to approve the Lynch nomination, offering justification for his position based on the "at least she's not Holder" argument. "Republicans have been complaining about Eric Holder for a long time; this is an opportunity to make that change," said Hatch. "I don't think we should delay it at all. I think we ought to get her over there and get her working."

When Senator Jeff Flake (R-Ariz.), was asked about Cruz's strategy, he responded: "That's not my position."

Like Hatch, Flake has also said that he will support Lynch's confirmation, saying: "The president ought to get his people as long as there's no disqualifying substance there, and I don't think there is with her."

Flake's stand is not surprising, considering that he was one of the bipartisan "Gang of Eight" that drafted Border Security, Economic Opportunity, and Immigration Modernization Act of 2013 that passed the Senate but was never voted on by the House.

Obama used the House's failure to pass the Senate bill as justification to turn to the executive order route to accomplish the failed legislation's objectives, saying 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."

The "Gang of Eight Bill" (which granted amnesty to many illegal immigrants) was not Flake's first venture into drafting amnesty-based legislation. Back in 2007, when he was still a representative, he joined Representative Luis Guitierrez (D-Ill.), one of the House's most outspoken advocates of amnesty for illegal aliens, in sponsoring legislation that included a "path to legalization" (amnesty) for "undocumented" (illegal) immigrants.

"I applaud my friends Rep. Flake and Gutierrez for moving forward on immigration reform," the late former Senator Edward Kennedy said in a statement in advance of the bill's introduction. "They are our valued partners in this effort to forge a tough but fair bill that strikes the right balance between protecting our security, strengthening our economy, and enacting laws that uphold our humanity."

Kennedy had partnered with Senator John McCain (R-Ariz.), who would go on to become another "Gang of Eight" member, in drafting a Senate bill that also provided amnesty for illegal immigrants.

Not surprisingly, McCain also opposes Cruz's strategy, saying: "I don't think [Cruz's plan] works. I don't think [Lynch's confirmation and the Obama executive orders are] connected. I think we have an advise and consent role, and she should be judged on her merits or demerits."

Republicans are now engaged in an uphill battle in the Senate to bring up a vote on a House-passed funding bill for the Department of Homeland Security that would repeal President Obama's executive actions granting amnesty to five million illegal immigrants. While Republicans control the Senate, with 54 members, they are short of the 60 votes needed to end a Democratic filibuster and bring legislation to the floor for a vote. A recent vote to advance the Homeland Security funding bill got only 51 votes, showing that Senate Republicans are not even unified on that measure.

With Cruz's proposal meeting so much resistance from members of his own party, it is apparent that the GOP lacks the unified resolve necessary to stop the Obama program to grant amnesty to millions of



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illegal immigrants.

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