



Written by [Warren Mass](#) on January 24, 2018

## Schumer Withdraws Offer to Fund Trump's Wall in Exchange for DACA Deal

Senate Minority Leader Chuck Schumer (D-N.Y.) sent a message to the White House through an aide on January 22, informing President Trump that he was retracting the offer he made on January 19 to approve more than \$1.6 billion for construction of a wall along the southern border with Mexico.

Schumer "took it off," Senator Dick Durbin (D-Ill.), the assistant Democratic leader said on January 23. "He called the White House yesterday and said it's over."



The offer was made during negotiations to end a government shutdown by approving a temporary funding measure through February 8. Senators voted 81-18 on January 22 to pass the temporary funding measure in exchange for assurances from Senate Majority Leader Mitch McConnell (R-Ky.) to work on a deal to grant legal status to roughly 700,000 youthful aliens protected under the Deferred Action for Childhood Arrivals (DACA) program.

"The wall offer is off the table," Schumer told reporters on January 23. "That was part of a package that's now defunct."

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"It was the first thing the president and I talked about. The thought was that we could come to an agreement that afternoon [of the 19th], the president would announce his support, and the Senate and the House would get it done and it would be on the president's desk," Schumer continued. "He didn't do that. So we're going to have to start on a new basis and so the wall offer is off the table."

Later that day, Trump responded by tweeting: "Cryin' Chuck Schumer fully understands, especially after his humiliating defeat, that if there is no Wall, there is no DACA. We must have safety and security, together with a strong Military, for our great people!"

Trump also tweeted that day: "Nobody knows for sure that the Republicans & Democrats will be able to reach a deal on DACA by February 8, but everyone will be trying....with a big additional focus put on Military Strength and Border Security. The Dems have just learned that a Shutdown is not the answer!"

*USA Today* reported that the White House provided a different account of the January 19 meeting, stating that Schumer offered legislative approval for the wall, but not actual funding.

Hogan Gidley, a White House spokesman, said on January 23 that the Schumer offer "never existed." "You can't rescind money you never really offered in the first place," Gidley said on Fox News.

Senator Tom Cotton (R-Ark.) disputed Schumer's recollection of the meeting wherein the border wall offer was discussed. "They claim that some crazy deal was made," Cotton said of Democrats. "And then when we say no deal was made, they accuse Republicans and the president of reneging."

After the talks between the president and the Senate minority leader broke down, the Senate rejected a



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short-term spending bill, creating a partial government shutdown. Senate Democrats voted against the measure because it did not include protections for the “Dreamers,” young people brought into the country by illegal-alien parents, who now have temporary legal status under the Obama-era DACA program.

A report from NPR noted that last week, White House Chief of Staff John Kelly told a caucus of Hispanic lawmakers that he had persuaded the president that his long-promised border wall was unnecessary. As a candidate, Kelly said, Trump was not “fully informed” of the border situation when he pledged to build the wall and since then, the president’s views on the subject had “evolved.”

The chief of staff reiterated those same points during an interview on Fox News, NPR reported.

With Republicans holding a slim majority in the Senate (51 out of 100 senators), one may wonder why all of these extensive negotiations are necessary in order to approve a budget. It is true that not every Republican was on board with the recent budget deal. In a recent article, we quoted Senator Rand Paul’s explanation for why he could not vote for the continuing resolution: “I’m just not voting to exceed the spending caps, and I’m not voting for \$700 billion deficits annually.” However, even if the budget bill could have been improved to the point where Paul and two other Republicans who were opposed to it could have voted for it, Democrats still would have been able to sustain a filibuster to stop it.

Under current Senate rules, a majority of 51 senators is not enough to pass legislation that the minority party wants to filibuster. It is for this reason that journalist Art Harman contributed an opinion article to *The Hill* on January 24 in which he raised the following points:

Why on earth is the Senate minority leader in the loop at all in a Republican Senate, much less effectively sitting in the driver’s seat? It’s because of the charred remnants of the old Senate tradition, still called the “filibuster,” long after the requirement to demonstrate rhetorical stamina was eliminated.

Until the rules were changed in 1970, use of the filibuster was incredibly rare, but today, every bill is effectively held hostage to a 60-vote majority found nowhere in the Constitution. The effect has been to neuter the Senate and thereby the House. To force Republicans to write bills for Senator Schumer’s approval rather than for Americans who want to [secure](#) our border, restore our nation’s defense, bring home our jobs and repeal and replace ObamaCare.

After providing several examples of how the filibuster has obstructed the Trump administration’s efforts to accomplish its objectives, including eliminating ObamaCare and obtaining Senate confirmation for some of Trump’s appointees, Harman observed:

There’s lots of talk about a return to regular order and passing real budgets, but as long as the legislative filibuster survives, there is little chance we will ever see anything but perpetual continuing resolutions.

Harman noted that had not the Senate eliminated the filibuster for votes on Supreme Court nominees, Neil Gorsuch would never have been confirmed as an associate justice on the U.S. Supreme Court. (Gorsuch’s nomination received 54 votes of approval.)

Harman quoted one of Trump’s tweets expressing support for exercising what is called “the nuclear option” (eliminating the filibuster): If the “stalemate continues, Republicans should go 51% (Nuclear Option) and vote on real, long-term budget, no C.R.s!”

The article concluded by admonishing members of Congress: “If the Senate ends the legislative



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filibuster, Congress had better pass a budget that includes full funding for the wall, and then pass actual budgets by September 30 in regular order.”

Photo: U.S. Border Patrol

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