



Written by [Jack Kenny](#) on August 6, 2014

Washington Post to Obama: Don't Act on Own in Amnesty to Illegals

The *Washington Post* has added its editorial voice to those warning President Obama away from reported plans to act on his own in granting legal status to millions of immigrants now living in the United States illegally.

In an August 5 editorial, [the Post insisted](#) that the president's "understandable" frustration at being "stymied by congressional paralysis" does not give him license to exceed his constitutional authority by invading the domain of the legislative body.



"Obstinate, hopelessly partisan and incapable of problem-solving, Congress is a mess," the *Post* declared. "But that doesn't grant the president license to tear up the Constitution." The editorial board quoted Obama's words of nearly a year ago in rebuttal to his more recent claim that he would have to act to fix the nation's immigration laws "on my own, without Congress." Regarding what he often describes as a "broken immigration system," the president said last fall: "If, in fact, I could solve all these problems without passing laws in Congress, then I would do so. But we're also a nation of laws."

That was then. Now the president seems less inhibited by laws, the *Post* observed:

Mr. Obama now seems to be jettisoning that stance in the name of rallying his political base. He is considering extending temporary protection from deportation to millions of illegal immigrants, including the parents of U.S.-born children and others who have lived in the United States for years. Conceivably, this would give Democrats a political boost in 2016. Just as conceivably, it would trigger a constitutional showdown with congressional Republicans, who could make a cogent argument that Mr. Obama had overstepped his authority.

Obama is no stranger to the charge of exceeding his constitutional authority — a complaint often heard in the past few years from Republicans voicing alarm at actions the president has taken on his own without authorization by Congress. They include conducting an air war against the Libyan government in 2011, and ordering an increase in the minimum paid by federal contractors. In June, the Supreme Court ruled 9-0 that the president had exceeded his constitutional authority in making a "recess appointment" to the National Labor Relations Board when the Senate was not in recess. Last week the House of Representatives voted to sue the president over twice postponing the implementation of the employer mandate in ObamaCare, though the effective date is in the law that Congress passed and Obama signed in 2010.

But the most contentious of the issues on which the president has decided to go it alone has been the policy he announced in June of 2012, making an estimated 550,000 young illegal immigrants immune from prosecution if they were brought here by their parents before their 16th birthday and prior to 2007. Those who were eligible could also apply for work permits. While immigration activists have



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called on the president to extend that order to cover adults here illegally, Obama said in a White House interview with the Spanish-language network Telemundo last September that “ignoring the law in a way that would be very difficult to defend legally.”

But at a June 30 Rose Garden event, Obama vented his anger at the Republican House leadership for refusing to act on a bipartisan immigration reform bill the Senate passed a year earlier. “America can’t wait forever,” Obama said at the time, announcing that he had directed the attorney general and the secretary of Homeland Security to identify areas within the president’s “existing legal authorities to do what Congress refuses to do and fix as much of our immigration system as we can.”

With Congress gone on recess until September, presidential aide Dan Pfeiffer has said Obama intends to act by the end of summer. Sen. Jeff Sessions (R-Ala.), Rep. Steve King (R-Iowa), and other Republicans have warned Obama against trying to implement the bill’s provisions without authority of both houses of Congress. The *Post* editorial makes it clear that it’s more than a partisan issue.

“The president should think twice,” the *Post* said. “Some of the same Democrats and pro-immigrant advocates urging him to protect millions of undocumented immigrants from deportation would be outraged if a Republican president took a similarly selective approach to enforcing the laws — say, those that guarantee voting rights or prohibit employment discrimination. Mr. Obama’s instincts — ‘we’re also a nation of laws’ — were and remain correct.”

The *Post* endorsed Obama in both 2008 and 2012, though in recent years the Washington daily has moved away from its former reputation as a bastion of the political Left. Once disdained by conservatives as “*Pravda* on the Potomac,” the *Post* has moved somewhat to the Right — by some accounts in order to better compete with the conservative *Washington Times*. In 1988, the paper specifically declined to endorse Massachusetts Governor Michael Dukakis over then-Vice President George Bush. In the 2007 PBS documentary *Buying the War*, host Bill Moyers counted 27 *Post* editorials endorsing President George W. Bush’s plan to invade Iraq.

The *Post* may sympathize with Obama’s “understandable” frustration with current immigration law and the House’s refusal to take up the reform bill. “But it does not follow,” the editorial points out, “that Congress can be ignored based on its failure to act.” Whether that inaction is a “failure” is surely debatable. It might also be seen as a judgment by House leadership that further grants of either full or partial amnesty would likely encourage yet another wave of immigrants to match or exceed the one that has lately overwhelmed and overtaxed both security and humanitarian resources at our southern border.

Photo of President Obama: AP Images



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