



Written by [Jack Kenny](#) on February 4, 2015

## Senate at Impasse Over Funding for Homeland Security

Senate Democrats Tuesday blocked a Republican bill that would fund the Department of Homeland Security while also repealing executive actions by President Obama to shield an estimated five million illegal immigrants from deportation. Funding for the department runs out at the end of this month, and each side is blaming the other for a potential shutdown of the mammoth federal agency responsible for border and transportation security, immigration and naturalization services, and defense against terrorism.



“If they’re going to dig their heels in and say, ‘We’re going to refuse to fund the Department of Homeland Security,’ I think they’re going to be held accountable for that,” said John Cornyn of Texas, the No. 2 Senate Republican, after Democrats used a parliamentary procedure to block the bill from coming to the floor. “Democracy doesn’t work if you don’t debate,” agreed Roy Blunt of Missouri, also of the Republican leadership team. Democrats contended that the obstacle is Republican insistence on overturning the president’s 2012 order blocking the deportation of immigrants brought here as children, and his order last November, extending the same protection to millions of non-criminal adults.

“That’s like haggling over the price of the ransom with hostage takers,” declared Charles Schumer (D-N.Y.). “We’re not going to do it.”

Republicans were unable to gain the 60 votes needed to bring the bill to the floor, managing only a 51-48 vote in favor. Congress agreed to only partially fund Homeland Security in the \$1.1-trillion spending bill passed in December, postponing the battle over the president’s immigration orders. The \$39.7-billion bill blocked on Tuesday was intended to fund the agency through the end of the fiscal year on September 30.

But Democrats objected to two amendments to the measure, which the House passed last month. One would block the use of any fees and fines collected from immigrants to pay for the deferred deportation plan Obama announced last fall. The other, and more controversial, provision would also block funding for the 2012 action that permits more than half a million young immigrants who came here as children to remain in school or apply for work permits without fear of deportation. Senator Barbara Mikulski of Maryland, the top Democrat on the Appropriations Committee, was among those demanding a “clean” bill to fund the department, without the troublesome amendments.

“The program is to protect America, not to protect a political party and its partisan points on immigration,” Mikulski said.

Homeland Security Secretary Jeh Johnson, meanwhile, was at the Capitol to impress upon lawmakers the urgent need to fund the department. “We’re in trying times right now, and we need a clean appropriations bill for Homeland Security,” Johnson said before joining a Senate Democratic lunch. “I’m



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here to talk to any senators on both sides of the aisle who are willing to listen to me and engage in a discussion about getting what we need for the budget for Homeland Security for this nation.”

The stalemate came on the same day Islamic State militants released a video purporting to show the slaying of a Jordanian hostage by burning him alive. At the White House, President Obama blamed congressional Republicans for the funding delay. “The notion that we would risk the effectiveness of the department that is charged with preventing terrorism and patrolling our borders, making sure the American people are safe, makes absolutely no sense,” Obama said.

It was, however, Senate Democrats who blocked the funding bill, just as it was House Republicans who refused to vote on the bipartisan comprehensive immigration reform bill the Senate passed in 2013. An angry Obama said last summer that it was because of House refusal to “pass a darn bill” that he would act unilaterally to alter the enforcement of immigration laws.

The Obama administration is now directing immigration agents to ask illegal immigrants they encounter if they qualify for protection under one of Obama’s executive orders, the Associated Press reported. Directives from the Homeland Security Department also instruct the agents to identify people currently in immigration jails who may qualify for release. The directives, along with training materials, “provide clear guidance on immigration enforcement operations so that both time and resources are allocated properly,” Carlos Diaz, a spokesman for Customs and Border Protection, told the AP. Diaz said the effort is to prioritize immigration enforcement to “move criminals and new arrivals to the front of the deportation line.”

“Just because it’s a change doesn’t mean it’s anything particularly radical,” said Crystal Williams, executive director for the American Immigration Lawyers Association in Washington.

A compromise on the spending bill, proposed by Senator Susan Collins (R-Maine), would repeal the president’s immigration order of last fall but leave untouched his 2012 order granting legal protection to immigrants brought here illegally as children.

“The 2014 order is an extraordinary broad executive order that flies in the face of congressional action,” Collins [told the New York Times](#). The 2012 order, though not as broad, also “flies in the face of congressional action.” The action incorporated provisions of a bill known as the DREAM Act (for Development, Relief and Education for Alien Minors), first introduced in 2001. Despite being brought up several times since, Congress refused to pass the measure.

House Speaker John Boehner (R-Ohio) said last week he is considering possible litigation against the president over his immigration orders, a move that could give the Republicans cover for passing a “clean” funding bill for Homeland Security, while leaving the fate of Obama’s executive actions to be fought over in court. Boehner last year filed suit over Obama’s executive action in postponing the employer mandate in the Patient Protection and Affordable Care Act (ObamaCare) beyond the deadline specified in the law.

While the Department of Homeland Security remains unfunded beyond February 28, it surely is not being ignored. “We cannot shut down the Department of Homeland Security,” insisted Senator John McCain. The Arizona Republican and former presidential nominee told the *New York Times* he had been in at least 20 discussions on funding the agency during the previous 72 hours.

“Nobody really has a strategy yet, I’m sorry to say,” McCain added.



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