

EXECUTIVE AMNESTY



by [MATTHEW BOYLE](#)

2 Mar 2015

Washington, DC

AP

1271

House Speaker John Boehner is under fire on Capitol Hill, as Democrats are poised to take control of the House floor to fund President Barack Obama's executive amnesty.

Even though Republicans have solid majorities in both chambers of Congress, a little known and seldom used House rule seems likely to become the vehicle through which a so-called "clean" Department of Homeland Security (DHS) funding bill—meaning one that would have no language blocking Obama's executive amnesty—would pass the House of Representatives.

Senate Republicans already caved last week, passing a clean DHS funding bill for the full rest of the fiscal year after Senate Minority Leader Harry Reid and Sen. Chuck Schumer (D-NY) held Senate Democrats together in blockading the House-passed DHS funding bill that contained language blocking it.

The House, under Boehner's leadership, tried last week to pass a three-week clean funding bill, but more than 50 conservative Republicans held together to block its passage. Shortly thereafter, the Senate passed a one-week bill via voice vote—after Senate Majority Leader Mitch McConnell had told members to go home, meaning that even if they wanted to block the voice vote, most couldn't get there in time to do so—and then the House passed it shortly thereafter. The president signed the one week DHS continuing resolution into law just moments before the deadline for current DHS funding, meaning DHS narrowly avoided a partial shutdown.

Now, Republicans in the House face yet another crucial deadline this week—but a series of chicanery-type votes and rules may help Congress fund all of DHS including Obama's executive amnesty through the end of the fiscal year. But doing so could jeopardize Boehner's speakership, as there's definitely talk about yet another coup attempt against him should executive amnesty end up getting funded at the end of this process.

As Roll Call [reported](#) late last week:

With rumblings about a full-scale revolt from within the ranks should Boehner put a funding bill on the floor that doesn't explicitly block implementation of President Barack Obama's immigration executive actions, there was talk Friday night from senior House Democratic aides of Republicans having found a face-saving procedural gambit that would ultimately end in full funding for Department of Homeland Security for the remainder of the fiscal year.

The bottom line is any House Democrat could have the power next week to force a vote on a clean DHS funding measure. Here's how: The Senate voted to amend the House-passed DHS funding bill — with immigration policy riders — and replace it with a 'clean,' six-month spending bill. The House, in turn, voted to 'disagree' with the Senate's amendment to the House's proposal, thereby sending the bill back across the Rotunda and requesting a conference committee (the theory being that, in that scenario, the House could negotiate with the Senate to reinsert some of the immigration riders back into a final product).

Reid has already rejected any plans for a conference between the chambers, and the Senate is expected early this week to fail to pass a measure to go to conference. Then the House Democrats could use a little-known House rule to get around Boehner.

"Clause four of House Rule XXII (not to be confused with the more-often cited Senate Rule XXII) provides: 'When the stage of disagreement has been reached on a bill or resolution with House or Senate amendments, a motion to dispose of any amendment shall be privileged,'" Roll Call wrote. "As the Congressional Research Service explains, 'A chamber enters the stage of disagreement by formally agreeing to a motion or a unanimous consent request that it disagrees to the position of the other chamber, or that it insists on its own position.'"

Roll Call further explained the scenario by writing that "any House lawmaker, arguing that a conference scenario is moot and won't be resolved before the clock runs out on the current extension of DHS funding, could take to the floor and move that the House recedes from its previous position and concurs in the Senate amendment."

"Because such a motion is 'privileged' that would then trigger a vote on sending the Senate-amended full year Homeland Security appropriations bill to Obama's desk without any of those riders designed to block his executive actions on immigration," Roll Call wrote.

Roll Call wrote that Democrats are pushing this as a way to prevent Boehner from having to be blamed for caving on DHS funding, but it turns out Boehner would still take the blame in the end.

Rep. Steve King (R-IA) [moved swiftly](#) to try to block such a scenario.

"If we let Nancy Pelosi execute a privileged motion that would force a vote on the Senate version of DHS approps, it would pass and Obama's lawless amnesty would be funded until Sept 30th," King wrote in an email to 160 House GOP members. "There is a way to block that motion."

King, who has already drafted a bill that would do this, wrote to his colleagues that Republicans can amend the House rule in question with their majority—and thereby block any efforts by Democrats to fund Obama's amnesty, and stop Boehner from eschewing blame from himself

if that's what happens.

Politico [reported over the weekend](#) that close allies of Boehner are worried about a coup attempt that may happen against him if Boehner caves in the end.

"Close allies of Speaker John Boehner are worried that his conservative rivals could move to oust him as soon as next week," Politico wrote. "Removing a sitting speaker is exceedingly difficult, and such an effort would almost certainly fall short. Yet growing speculation about the possibility of it — coming after Friday's embarrassing defeat at the hands of conservatives and House Democrats on the homeland security battle — shows how vulnerable the speaker has become."

Politico detailed exactly what would have to happen for Boehner to be removed in the middle of a Congress, since he was barely re-elected at the beginning of this Congress.

"To remove Boehner from the speaker's chair, a lawmaker would introduce a 'motion to vacate,' which an overwhelming majority of GOP lawmakers would have to back," Politico wrote. "Republicans say that would never happen in the conference right now."

While there aren't any ongoing discussions among members right now about attempting to take down Boehner, that could easily change if the political environment around Obama's amnesty—and the DHS funding bill that could either block it, or enable its implementation—gets murkier and bloodier, something very likely to happen in the coming days.

"Some of these 52 [Republicans who voted against the 3-week clean DHS funding deal] are more worried about protecting their own careers than protecting their constituents from ISIL," one Republican lawmaker "close to Boehner" anonymously told Politico. "They are more worried about primaries than they are about the country. This is all aimed at Boehner. They want to take Boehner out."

"It would take a big uprising to do something and right now, I mean, I think really, truly Boehner is a stabilizing force," Rep. Lynn Westmoreland (R-GA), another member close to Boehner, told Politico. "We'll see what happens. Next Friday will be a big day. Next week will be a big week. We'll see what he can do."

Boehner's closest allies have been attempting to lay blame for the eventual funding of Obama's executive amnesty on everyone from House Democrats to Senate Democrats to Senate Republicans—but it's clear to everyone involved that all of this fight at the beginning of this year has all been for show, and the real cave happened when the so-called "cromnibus" passed the House in December.

With the Senate still under Democratic control in that lame duck session, Boehner and his allies including House Appropriations Committee chairman Hal Rogers forced through a 1,771-page \$1.1 trillion spending bill that funded all of government except for DHS through the end of September.

Not one member of Congress read that bill before voting on it, as it was impossible to do so based on the length of it in the short time frame they had to do so. But giving up leverage of the full government's funding back then set the stage for this fight, and moving forward it's going to be difficult for Boehner to explain that surrender when there were enough votes at the time for a clean CR until the beginning of the new Congress for the full government. The real question when all this is said and done is whether Boehner successfully prevents himself from being blamed—and whether he avoids accountability for enabling Obama's executive amnesty.

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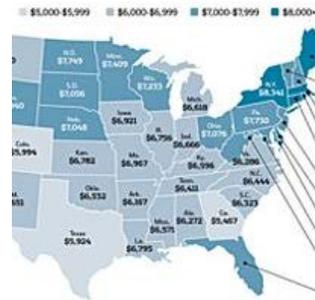


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Archie Bunker · 18 hours ago

How many chances does Boehner get to do the right thing?

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guest > Archie Bunker · 18 hours ago

I heard today, that they had a meeting and the outcome of that meeting was that they feared how the MSM would portray them. They have never been given good press and if they fear the MSM, what do they think their base thinks of them? I predict they'll find out. Nobody likes chickenshi*s. Our Founders are probably spinning in their graves at the fecklessness of our gov't. I'd rather have the respect of my base, than even hope for good press, that will never come. Will they ever learn?

39 | · Reply · Share ›

□ □



That Guy > guest · 18 hours ago

If they go though with this crap, recall every last f**ker we put in there last November!

Replace them with a third party - the GOP cannot be trusted.

37 □ | □ · Reply · Share ›



snapperman > That Guy · 17 hours ago

They can't be recalled. once elected they stay through the term unless removed by their peers [which means members of the House/Senate.]

Agree about a new party but for that to work the GOP has to be decimated; personally i think I'm voting D at every opportunity come 2016 as the only way to clean the stables.

5 □ | □ · Reply · Share ›



EndofEvil > snapperman · 17 hours ago

I won't vote D, but I will vote otherwise

9 □ | □ · Reply · Share ›



Dickn52 > EndofEvil · 17 hours ago

I'm voting like Obama....Present.

2 □ | □ · Reply · Share ›



Frantic_human > EndofEvil · 4 hours ago

Constitution Party?

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Mikey > snapperman · 17 hours ago

But the stables are full of donkeys that don't know how to wipe their butts. They stink really bad too.

1 □ | □ · Reply · Share ›



josebear5 > Mikey · 16 hours ago

It's not only the republicans it's the democrats to. Both party's are screwing the people. We need to take the old ones out they have out live their use fullness..

2 □ | □ · Reply · Share ›



Mikey > josebear5 · 14 hours ago

True, but you expect to be double-crossed by a Democrat, it goes without saying. The Democrat "LIE" is the basis of all politics. Its the Donkey pen, they want us all in. They are all about wanting control of people.

1 □ | □ · Reply · Share ›



Jymmi > Mikey · 13 hours ago

Hopefully the Freedom Caucus holds their ground. To the rest of you worthless irrelevant cowardly Republicans, Election Day is coming.

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Guest > Jymmi · 13 hours ago

Freedom caucus? From the party that created the kkk. You've got to be insane. The demokkkrat party has never been for freedom since its inception

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The 1hyperborean > Jymmi · 12 hours ago

judgment day will be way more fun....

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Mikey > Jymmi · 5 hours ago

Go F**kyourself troll

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J to the S > snapperman · 17 hours ago

If they want to be democrats you might as well vote for the real thing.

7 · Reply · Share ›



Teachem > J to the S · 16 hours ago

Not one member of Congress read that bill before voting on it, as it was impossible to do so based on the length of it in the short time frame they had to do so.

With this reasoning, they may also sign for shipments without knowing the contents. The possibilities are endless for their assured destruction.!!

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J to the S > Teachem · 16 hours ago

One thing is for certain. The Republican party as it is now cannot be allowed to win in 2016. Ideally, we would have someone as Ted Cruz or the like win the Republican primary. If that fails maybe then we could have a viable third party. If that fails we have to use the nuclear option and make sure the Democratic party wins. Nothing will ever change if we keep kicking the can down the road by electing these RINOs into office. This has to end now.

5 · Reply · Share ›



Vic Ferarri > J to the S · 5 hours ago

So to defeat the Democrats we should vote for the Democrats ?

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LOUFONTINATO > J to the S · 12 hours ago

No. Write in your vote for the third party conservative.

| · Reply · Share ›



J to the S > LOUFONTINATO · 12 hours ago

What if he/she has no shot at winning?

| · Reply · Share ›



sanity > J to the S · 12 hours ago

So be it. Draw that line - NO MORE RINO'S.

1 | · Reply · Share ›



LOUFONTINATO > J to the S · 11 hours ago

Well if conservative people vote D as you are suggesting then he would have no shot at winning. But if conservative people vote for the third party conservative he may well have a good shot at winning. Wouldn't you rather vote for a candidate who shares your ideology instead of one who you know doesn't?

There is nothing to be gained by voting for a democrat or a republican. We need to support third party candidates. The ultimate good that can come from voting third party is that it demonstrates to independents that third party conservatives are viable choices and worthy of their votes.

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Doug W > LOUFONTINATO · an hour ago

I've never seen a 3rd party conservative where I live. I might just say the hell with it. Move to Colorado and take up smoking weed and quit worrying about politics.

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Frantic_human > J to the S · 4 hours ago

I know what you're saying, but I believe the GOP needs to be taught a lesson. Be REAL conservatives instead of Democrat lite, or get spanked.

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That Guy > snapperman · 17 hours ago

Well technically there is nothing in the Constitution that proscribes their being recalled. The mechanisms to do it do not exist primarily because it has never been done.

The federal government is barred from telling the states if they can recall a rep/senator.

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Giney Newport > That Guy · 15 hours ago



People. Excuse me for pointing out the common sense lacking in this discussion. "All things repugnant to the constitution are null and void"

Marbury Vs. Madison, 5 US (2 Cranch) 137, 174, 176, (1803). "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." Miranda Vs. Arizona, 384 US 436 p. 491. " An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed." Norton Vs. Shelby County 118 US 425 p. 442.

Now go to City hall tomorrow and demand to know whether your local elected officials are shaking hands with you, their neighbor and constituent, or with Washington. Make it a public affair by..., say..., alerting the local newspaper and news stations that you intend to make clear these allegiances and would like it on record. Then ask your neighbors to go too. Oh, and you may have to demand the press release.

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Kent Straith > That Guy • 15 hours ago

Actually, there is. A federal officer cannot be recalled because the Constitution states that a Congressman's term of office "shall be" two years, and a Senator's term "shall be" six years. There is no Constitutional provision for a recall. Should a state hold a recall election, any Federal court would invalidate/ignore it based on a clear reading of the Constitution. The election would be completely invalid because of the "shall be" language.

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Ron Cole > snapperman • 17 hours ago

How about a good old fashioned tar and feather session followed by tossing them in the drink.

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Paul > Ron Cole • 17 hours ago

Mr. Cole, you are on to something. If there was ever a time to bring back the practice it would be now.

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Leonard Corwin > snapperman • 15 hours ago

"D" for die? Really?

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Gary Barber > snapperman • 13 hours ago

The only way to really clean things out is to get a Constitutional Amendment for Term Limits. People are too stupid and just vote for party or a familiar name most of the time.

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LOUFONTINATO > snapperman • 12 hours ago

Why vote D. You achieve the same effect by writing in your vote for a bona fide conservative. If enough people write in votes for the write in candidate then the conservative can win.

1 |  • Reply • Share ›



Reno Rivera > That Guy • 17 hours ago

So the Republicans win big in November and won't even take the steps necessary to stop the partial lack of funding for Department of Homeland Security.

And when the Democrats run around and say, "See, this is evidence the Republicans can't govern," that's the last thing people hear.

It just further tarnishes the GOP brand, and then the GOP as an alternative to this failure is not even considered an option. Except it was.....Rush Limbaugh

5 |  • Reply • Share ›



Kathleen3 > Reno Rivera • 17 hours ago

I often wonder how long and what it will take before Americans realize there is no difference between the Parties, their goals or their insatiable appetites for power other than the letter "D" or "R" following their names.

8 |  • Reply • Share ›



Felix Rodkin > Kathleen3 • 17 hours ago

you should combine the insatiable appetite for power with appetite for big bucks and total lack of morals. Like gangsters. For some reason we don't want to accept that American politicians have the same personalities as fascist/commie politicians.

9 |  • Reply • Share ›



Kathleen3 > Felix Rodkin • 16 hours ago

I agree. My frustration mounts when I comment on the lack of morals and ethics that exist in the majority of our elected reps and the common refrain is: "They're all a bunch of crooks." If we know this, why do we allow the behavior to continue - in perpetuity.

6 |  • Reply • Share ›



Felix Rodkin > Kathleen3 • 14 hours ago

Personally to you (you might categorically disagree): Rush is self-aggrandizing prick (pardon my Portuguese), elected republicans seem to me as Kabuki performers serving the purpose of semblance of democracy, Levin is chasing his tail with 5th Amendment (I respect him the most, but it will never happen) and the worst - we don't have ONE person as brave and honest as, for instance, Russian Nemtsov. That's why all conversations about 3rd party are moot - no leaders.

1 |  • Reply • Share ›



Buttercup > Felix Rodkin • 14 hours ago

I strongly disagree. The reason the 3rd party option isn't pursued more, is because it is SO DIFFICULT to get a 3rd party ON THE BALLOT in most of the states.

Typically, unless the 3rd party gets X% of the vote, usually EVERY CANDIDATE THEY HAVE, has to get SEPARATE petitions signed, for each and EVERY candidate that runs.

This is prohibitively difficult. Can you imagine getting petition signatures, in the thousands, for every city council seat, every county commission seat, every sheriff, every state senator, every state representative, every federal elected official and on and on? It is simply shockingly difficult.

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Felix Rodkin > Buttercup • 10 hours ago

ok, disagree as much as you want, but the fact remains: no leadership. BTW, UK and Netherlands overcame the hurdle. And I don't get this X% vote mumbo-jumbo. I would expect conservative leaders to tell America in plain English that they are sick and tired of boehners, mcconnells, romneys and bushes and they will simply not support their shenanigans. Instead of that this pathetic Kabuki spectacle continues... And who are the winners: welfare recipients and crony state monopoly "capitalists".

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Buttercup > Felix Rodkin • 3 hours ago

In Europe, they have a TOTALLY different system of ballot access.

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Kathleen3 > Felix Rodkin • 13 hours ago

Can't argue with you re the lack of leadership here in the U.S. We desperately need our version of Russia's Nemtsov, Israel's Netanyahu and Great Britain's Nigel Farage (UKIP).

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Guest > Reno Rivera • 12 hours ago

CryBoehner at it again. Man, this guy caves on everything. The only time he seems to fight passionately for anything is when he's attacking the Tea Party.

Who does he work for? I mean, really work for?

Anyone starting to wonder whether the White House (NSA / CIA / FBI / DOJ / IRS) has something on this drunk? Or does he collect weekly paychecks and retirement promises at the Chamber of Cronies?

Or both?

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i took the red pill > Reno Rivera • 12 hours ago

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Or both?.

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Felix Rodkin > That Guy • 17 hours ago

the only hitch to this is with whom? You and me? They are lapping from the trough filled with fat pottage and don't let

outsiders join.

□ | □ • Reply • Share ›



Liberius > That Guy • 15 hours ago

Nailed it. It's far past third party time. The immigration sellout proves that both parties are playing a "heads I win, tails you lose" game with us. It's rigged. They're on the same side, playing for the same objective. All we can do is change the game.

4 □ | □ • Reply • Share ›



mamasue54 > Liberius • 15 hours ago

What they are doing is changing the game for all of us. By 2016 , the illegals will be deciding who our legislators will be .

4 □ | □ • Reply • Share ›



MrSnuggles2k2 > mamasue54 • 11 hours ago

And they are fine with this because they think they will maintain their positions. They are too stupid to see the democrats are liars and will have them hanged or shot at the first chance.

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