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## IMMIGRATION RULING OPENS POTENTIAL PATH TO HOMELAND SECURITY FUNDING

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A federal judge's order temporarily blocking President Barack Obama's immigration actions opened a potential path for easing the congressional impasse over immigration that has jeopardized funding for the Homeland Security Department, aides and lawmakers said Tuesday.

Republicans who have opposed Mr. Obama's immigration moves claimed vindication after U.S. District Judge Andrew Hanen of Brownsville, Texas, issued an injunction freezing the actions, which Texas and 25 other states had challenged as unconstitutional. GOP lawmakers and aides said the judge's order late Monday could also build support for a short-term extension for Homeland Security funding, set to expire on Feb. 27, while the matter is considered by the courts.

"That would open the door to at least the possibility of some kind of short-term funding," Rep. Luke Messer of Indiana, a member of House Republican leadership, said Tuesday. Mr. Messer cautioned, however, that support for a short extension of current funding could depend on the status of the states' lawsuit and whether a higher court allows the executive actions to proceed. The Obama administration has said it would appeal Judge Hanen's ruling.

"My hope would be that this ruling encourages Senate Democrats to reassess their opposition to allowing debate on the House-passed [Homeland Security funding] bill," Mr. Messer said.

Many Republicans in both chambers don't want to see the agency's funding lapse at a time of national security threats around the world and the injunction could provide a reason to keep the agency operating while courts address the issue.

When asked about the possibility of a court ruling, Rep. Mick Mulvaney (R., S.C.) said last week that conservatives were divided over what its implications would be. "If a court issues an injunction, I think it would be appropriate for us to consider the possibility of funding appropriations" while the judicial system considers it, he said.

But other Republicans said Tuesday the court order should increase pressure on Democrats to drop their objections to GOP efforts to block the White House immigration policies.

With lawmakers out of Washington for a week-long recess, House and Senate GOP aides said it was hard to predict how the federal judge's decision would affect the Capitol Hill impasse over immigration.

GOP leaders want to confer with their rank-and-file, and are unlikely to announce a decision on how they will proceed until they are pressed against the Feb. 27 funding deadline. And the injunction could embolden Republicans opposed to the president's immigration policies

to hold the line against extending national-security funding unless Mr. Obama's executive action is reversed.

"The good news is we had a judge that ruled to stop the president's activities, so I think that helps buttress our argument that the president's activity is unlawful, but I don't think it changes things," said Rep. Bill Flores (R., Texas), chairman of the conservative Republican Study Committee. While some people will suggest the injunction means a short-term funding extension makes sense, "I'm less positive about that. I think we need to continue to work on multiple fronts to stop the president's unlawful activities," he said.

Lawmakers will have less than a week after they return to try to break the gridlock over immigration that has stymied efforts to extend Homeland Security's funding before the deadline. The House last month passed a bill keeping the agency running through September that rolls back several of Mr. Obama's immigration policies, including his November executive action.

Senate Democrats who object to the effort to thwart the president's immigration moves have blocked the House bill using repeated procedural votes. Senate Minority Leader Harry Reid (D., Nev.) has said Democrats will only support a funding bill without contentious immigration provisions. Democrats and some Senate Republicans have said they would prefer to consider immigration legislation separately.

"Courts are only involved in the first place because Republicans have spent years blocking Congress from fixing our broken immigration system," Mr. Reid said in a statement Tuesday. "Democrats' offer to first fund Homeland Security and then debate immigration stands. All Republicans have to do is say yes."

Some Democratic senators who had been critical of Mr. Obama's decision to bypass Congress with his immigration executive action remained opposed to the House bill in the wake of the federal judge's injunction. Democratic Sens. Heidi Heitkamp of North Dakota and Joe Manchin of West Virginia continued to support taking up a funding bill stripped of immigration measures, their offices confirmed Tuesday.

House Speaker John Boehner (R., Ohio) said Sunday that he would "certainly" be willing to let the agency's funding lapse if Democrats don't drop their objections to overturning Mr. Obama's executive action. Mr. Boehner praised the injunction Tuesday, but didn't indicate how it could factor into leadership's decisions about how to resolve the impasse imperiling national security funding.

"The president said 22 times he did not have the authority to take the very action on immigration he eventually did, so it is no surprise that at least one court has agreed," Mr. Boehner said in a statement.

Meanwhile, Mr. Boehner has told Republicans he plans to take legal action against the White House over its immigration policies. It isn't yet clear if he will file a lawsuit challenging Mr. Obama's executive action or join the states' lawsuit.

Mr. Messer said House Republicans were deliberating over the best way to make their case in the judicial system. "It's really not a question of if – it's a question of how best," he said.