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Opinions

Obama has already won the immigration fight



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Republicans from the House of Representatives spoke out Tuesday ahead of a vote this week to go on record as disapproving President Obama's executive actions on illegal immigration. (AP)



By **Dana Milbank** Opinion writer December 2

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Among the many ways Republican members of Congress are contemplating to punish President Obama for his executive actions on immigration is a proposal of elegant

simplicity: They would [refuse to invite him to the Capitol to give his State of the Union address](#).

Yes, that should do the job. And if this doesn't force Obama to back down from his executive orders, Republican lawmakers can escalate by unfriending him on Facebook and unfollowing him on Twitter. If even this fails, they can take the extreme step of having their Christmas cards from the Obamas returned to sender. Surely, the president then would have no choice but to relent.

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The State of the Union dis-invitation, in other words, would be precisely as effective as all the [other ideas](#) [Republicans are contemplating](#), which is to say entirely ineffective. There will be more spluttering and stomping and shouting about Obama's illegal and unconstitutional activities, but pay no attention. In the immigration stare-down, Republicans have already blinked.

Unwilling to squander their new majority and public support by risking a government shutdown, they are quickly falling in line behind symbolic protests.

My Post colleague [Robert Costa has heard](#) Republican lawmakers floating no fewer than nine possible responses, from the frivolous (the State of the Union snub) to the outrageous (impeachment). But all signs indicate Republicans have abandoned attempts to defund Obama's executive actions under the threat of a shutdown — at least for now. Instead, they plan to keep the government running through Sept. 30, probably allowing immigration-

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related spending to lapse earlier next year. This would be paired with a symbolic vote blocking Obama's executive actions.

Even the author of that token bill, Rep. Ted Yoho (R-Fla.), admits it would be useless unless the still-Democratic Senate passes it and Obama signs it. Why would either do that?

"Well, you brought up a great point," Yoho acknowledged as he emerged from a meeting with Republican colleagues in the Capitol basement Tuesday. "It can be a symbolic message . . . I'm relying on you to get this message out to the American people so that it is not a lame-duck message."

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Message delivered, congressman. But it won't help.

Rep. Steve King (R-Iowa), perhaps the most outspoken immigration hard-liner in the House, left the meeting criticizing his colleagues for going soft. "We need to shut off the funding to this president's lawless act, nothing else, but I don't know if there's enough will in that room to defend the Constitution yet," he said.

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And how many share this view? “I think that there’s a majority that agree with me but there’s not yet a majority that are ready to fight.”

If the will to fight is not there now, when Republicans’ anger about immigration is fresh, it’s not clear why they think they’d have better luck threatening a shutdown next year. That may be why Heritage Action, a powerful conservative group, [issued a statement](#) while House Republicans met Tuesday declaring: “The fight is now, not next year. Americans expect real action, not a show vote.”

John Boehner was unpersuaded. After his caucus meeting, which ran a half-hour over schedule, the House speaker [acknowledged to reporters](#) that his members “understand that it’s going to be difficult to take meaningful action as long as we’ve got Democratic control of the Senate.”

ABC News’s Jeff Zeleny asked him if he was, as Heritage claimed, holding a “show vote.”

“Frankly, we have limited options and limited abilities to deal with it directly,” Boehner conceded.

“Is a shutdown off the table?” NBC’s Luke Russert called after Boehner as he left. The speaker didn’t reply — but the answer was obvious, as rank-and-file Republicans, even faithful conservatives, left the meeting almost uniformly disavowing interest in a shutdown.

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That leaves symbolic protest.

Michael McCaul (R-Tex.), chairman of the House Homeland Security Committee, [hailed in Homeland Security Secretary Jeh Johnson](#) Tuesday for a tongue-lashing about the executive orders. “Unprecedented executive power-grab,” [McCaul fumed](#). “The president has deliberately and willfully broken the trust that is needed between our branches of government.” The chairman demanded that Johnson reconcile the actions with Obama’s previous statements indicating such orders would be illegal.

Johnson was calm and mild in his response. “I do not believe that what we have done is inconsistent,” [he said](#). “We spent a lot of time with lawyers.”

Republican members of the panel continued to rail against the policy (Utah’s Jason Chaffetz played a gotcha video of Obama, to which the secretary replied, “very nice”) but Johnson declined to be drawn into an argument. He didn’t have to: Obama had already won.

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