



Congress exerts itself

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According to Department of Homeland Security's (DHS) own reports, the unauthorized immigrant population in the United States is at a 10-year low. Apprehensions of illegal immigrants has dropped 90% in the past 15 years. The Cato Institute has found that American citizens are more likely to commit crimes than either legal or illegal immigrants.

Notwithstanding the campaign sloganeering and hysteria of politicians who would have you believe that Mexicans are "rapists and murderers," there simply is no border crisis. We are not being "invaded" by "caravans" of drug dealers and criminals.

Like any large country with miles and miles of borders, the US has the challenge of enforcing rational and humane immigration policies. This is why we spend \$20 billion per year on immigration enforcement agencies. The U.S. Customs and Border Protection (CBP), alone had a budget of \$14.4 billion in fiscal year 2018 with 59,000 agents and support staff.

Gen. Joseph F. Dunford, Chairman of the Joint Chiefs of staff said recently: "It's a security challenge – not a military threat" as he announced that he was beginning to withdraw the 6,000 troops who have been sitting idle on the Mexican border.

A few more facts: first – there are fences and some walls that block about 700 miles of the US-Mexico border. To replace those barriers and to complete a wall project would cost not \$5 billion or \$10 billion; but about \$22 billion of US tax dollars.

Finally, the wall – Trumps' vanity project and rallying cry – would have little or no effect on drug traffic. The overwhelming majority of drugs are smuggled through legal ports of entry.

The United States Congress is aware of these realities. They put together a bipartisan budget for border security that included some barrier construction and state-of-the-art technology and enforcement techniques that amounted to \$3 billion in new funding.

President Trump said that was not good enough. After a tantrum that shut the government down for 35 days, and despite the facts, the President, for the first time in our history, made a unilateral declaration against the leadership of both parties in both Houses of Congress that he would declare an "emergency" and simply take another \$6 or \$7 billion from other sources.

Here's where the rhetoric must stop, and the American Constitution must prevail. This debate is no longer about "border security;" it is about whether a President can spend whatever revenues he wants simply by invoking emergency powers.

Article 1 of the Constitution is quite clear: "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House Of

Representatives.” And “all bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments...”

The House overwhelmingly passed a resolution prohibiting the President’s overreach. The Senate followed suit with 12 Republican members defying the President and defending the Constitution. This is the first time that a Congress has voted to block a Presidential emergency declaration.

Said Senator Lamar Alexander, Republican of Tennessee: “Our nation’s founders gave to Congress the power to approve all spending so that the president would not have too much power. This check on the executive is a crucial source of our freedom.”

Even strong border security advocates understand what’s at stake here:

GOP Senator Rob Portman of Ohio said:

"Declaring a national emergency to access different funds ... opens the door for future presidents to implement just about any policy they want."

In Profiles in Courage, John Kennedy wrote:

“Compromise need not mean cowardice. Indeed, it is frequently the compromisers and conciliators who are faced with the severest test of political courage as they oppose the extreme voices of their constituents.”

The 59-to-41 vote in the Senate means that 12 Republicans had the courage to face the wrath of a President who has shown that he can be vindictive. Some withered under the threat of a primary challenge (see Gardner, Sasse, and Tillis) but let’s give laurels to those who supported their Country over their party.

Senator Pat Toomey, you did the right thing and your voters know it.

This victory over a misguided President and his near maniacal obsession with a “big beautiful wall” will be short lived. His veto of the Congress’s effort to reign him in will spark a string of new legislative challenges and even fiercer partisan battles.

But for now, let us remember a brief, shining moment when the US Congress rose to its Constitutional duty.