

Feinstein: If Obama Acts Unilaterally on Immigration, It 'Will Be Challenged'

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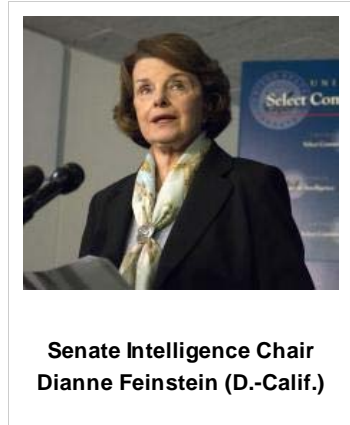
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(CNSNews.com) - Sen. Dianne Feinstein (D.-Calif.), the chairman of the Senate Select Committee on Intelligence, said on CNN's "State of the Union" on Sunday that if President Barack Obama bypasses Congress and takes unilateral action on immigration "it would be legally challenged."

On Friday, at a press conference in Wales, Obama said that if Congress did not pass the sort of immigration reform he wants, he would take unilateral action that would include allowing foreign nationals now illegally in the United States to "be legal."



"What I'm unequivocal about is that we need immigration reform; that my overriding preference is to see Congress act," said Obama. "We had bipartisan action in the Senate. The House Republicans have sat on it for over a year. That has damaged the economy, it has held America back. It is a mistake. And in the absence of congressional action, I intend to take action to make sure that we're putting more resources on the border, that we're upgrading how we process these cases, and that we find a way to encourage legal immigration and give people some path so that they can start paying taxes and pay a fine and learn English and be able to not look over their shoulder but be legal, since they've been living here for quite some time."

The next day, the Associated Press reported, citing unnamed White House officials, that Obama had decided to put off taking unilateral executive action until after the mid-term elections. On NBC's "Meet the Press" on Sunday, Obama said the he was not delaying unilateral action because he was worried about the impact it might have on the midterm elections but because he wanted to "make sure the T's are crossed and the I's dotted" and that, in the wake of the surge of unaccompanied children who came across the border this summer, people understand why the action he is contemplating is necessary.

"Not only do I want to make sure that the T's are crossed and the I's are dotted. But here is the other thing, Chuck, and I'm being honest now, about the politics of it," Obama told "Meet the Press" host Chuck Todd. "This problem with unaccompanied children that we saw a couple weeks ago, where you had from Central America a surge of kids who were showing up at the border got a lot of attention, and a lot of Americans started thinking, we've got this immigration crisis on our hands. And what I want to do is, when I take executive action, I want to make sure that it's sustainable."

"What I'm saying," Obama said a moment later, "is that I'm going to act because it's the right thing for the country, but it's going to be more sustainable and more effective if the public understands what the facts are on immigration, what we've done on unaccompanied children and why it's necessary."

On CNN's "State of the Union" on Sunday, host Candy Crowley asked Sen. Feinstein if Obama damaged his credibility with the Latino community by delaying executive action on immigration.

"Well, I have no knowledge of what he can do legally under an executive order," said Feinstein. "I also believe it would be legally challenged. The Senate has spent, under the leadership of Pat Leahy, the chairman of the Judiciary Committee, literally months on a bill, a comprehensive bill, 100 amendments, week after week after week. It is a good bill."

"All the House would have to do is pass one part of that bill," said Feinstein. "We could conference it, work out the differences, and we would have an immigration bill which would be strong."

Crowley followed up: "But the president says, look, I'm going to do this after the election. Politics are at play here, yes? Can we state the obvious?"

"Well," said Feinstein, "I'm of the opinion that the way this should be done is legislatively, because anything else will be challenged, and probably will not be nearly the bill that is actually needed to solve the problems."

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