



22 Times President Obama Said He Couldn't Ignore or Create His Own Immigration Law

November 19, 2014 | [Matt Wolking](#)

With the White House poised to [grant executive amnesty](#) any day now despite the American people's [staunch opposition](#), on Sunday President Obama was asked about the many, many statements he made in the past about his inability to unilaterally change or ignore immigration law. **His response was astonishingly brazen:** "Actually, my position hasn't changed. When I was talking to the advocates, their interest was in me, through executive action, duplicating the legislation that was stalled in Congress."

This is a flagrant untruth: "In fact, most of the questions that were posed to the president over the past several years were about **the very thing that he is expected to announce** within a matter of days," [reported](#) *The New York Times*. "[T]he questions actually **specifically addressed the sorts of actions that he is contemplating** now," *The Washington Post*'s Fact Checker [agreed](#), awarding President Obama the rare "Upside-Down Pinocchio," which signifies "[a major-league flip-flop](#)." Even *FactCheck.org* [piled on](#).

President Obama is once again trying to mislead Americans, but he can't run from what he's said over and over (and over) again. Not only are Americans [not stupid](#) – they can read:

1. "I take the Constitution very seriously. **The biggest problems** that we're facing right now have to do with [the president] trying to bring more and more power into the executive branch and **not go through Congress at all**. And that's what I intend to reverse when I'm President of the United States of America." ([3/31/08](#))
2. "We've got a government designed by the Founders so that there'd be checks and balances. **You don't want a president who's too powerful** or a Congress that's too powerful or a court that's too powerful. Everybody's got their own role. **Congress's job is to pass legislation. The president can veto it or he can sign it.** ... I believe in the Constitution and I will obey the Constitution of the United States. We're not going to use signing statements as a way of doing **an end-run around Congress**." ([5/19/08](#))

3. “Comprehensive reform, that's how we're going to solve this problem. ... Anybody who tells you it's going to be easy or that **I can wave a magic wand** and make it happen hasn't been paying attention to how this town works.” ([5/5/10](#))
4. “[T]here are those in the immigrants’ rights community who have argued passionately that we should simply provide those who are [here] illegally with legal status, or at least ignore the laws on the books and put an end to deportation until we have better laws. ... **I believe such an indiscriminate approach would be both unwise and unfair.** It would suggest to those thinking about coming here illegally that there will be no repercussions for such a decision. **And this could lead to a surge in more illegal immigration.** And it would also ignore the millions of people around the world who are waiting in line to come here legally. Ultimately, our nation, like all nations, has the right and obligation to control its borders and set laws for residency and citizenship. And no matter how decent they are, no matter their reasons, **the 11 million who broke these laws should be held accountable.**” ([7/1/10](#))
5. “I do have an obligation to make sure that I am following some of the rules. **I can't simply ignore laws** that are out there. I've got to work to make sure that they are changed.” ([10/14/10](#))
6. “**I am president, I am not king. I can't do these things just by myself.** We have a system of government that requires the Congress to work with the Executive Branch to make it happen. I'm committed to making it happen, but **I've got to have some partners** to do it. ... The main thing we have to do to stop deportations is to change the laws. ... [T]he most important thing that we can do is to change the law because the way the system works – again, I just want to repeat, **I'm president, I'm not king.** If Congress has laws on the books that says that people who are here who are not documented have to be deported, then I can exercise some flexibility in terms of where we deploy our resources, to focus on people who are really causing problems as a opposed to families who are just trying to work and support themselves. **But there's a limit to the discretion that I can show because I am obliged to execute the law.** That's what the Executive Branch means. **I can't just make the laws up by myself.** So the most important thing that we can do is focus on changing the underlying laws.” ([10/25/10](#))
7. “America is a nation of laws, which means I, as the President, am obligated to enforce the law. **I don't have a choice about that.** That's part of my job. But I can advocate for changes in the law so that we have a country that is both respectful of the law but also continues to be a great nation of immigrants. ... **With respect to the notion that I can**

just suspend deportations through executive order, that's just not the case, because there are laws on the books that Congress has passed [W]e've got three branches of government. **Congress passes the law. The executive branch's job is to enforce and implement those laws.** And then the judiciary has to interpret the laws. There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that **for me to simply through executive order ignore those congressional mandates would not conform with my appropriate role as President.**" ([3/28/11](#))

8. "I can't solve this problem by myself. ... [W]e're going to have to have bipartisan support in order to make it happen. ... **I can't do it by myself. We're going to have to change the laws in Congress**, but I'm confident we can make it happen." ([4/20/11](#))
9. "I know some here wish that I could **just bypass Congress** and change the law myself. But that's not how democracy works. See, democracy is hard. But it's right. **Changing our laws means doing the hard work of changing minds and changing votes, one by one.**" ([4/29/11](#))
10. "Sometimes when I talk to immigration advocates, **they wish I could just bypass Congress and change the law myself. But that's not how a democracy works.** What we really need to do is to keep up the fight to pass genuine, comprehensive reform. That is the ultimate solution to this problem. That's what I'm committed to doing." ([5/10/11](#))
11. "I swore an oath to uphold the laws on the books Now, I know some people want me to bypass Congress and change the laws on my own. **Believe me, the idea of doing things on my own is very tempting.** I promise you. Not just on immigration reform. **But that's not how our system works. That's not how our democracy functions. That's not how our Constitution is written.**" ([7/25/11](#))
12. "So what we've tried to do is within the constraints of the laws on the books, we've tried to be as fair, humane, just as we can, recognizing, though, that the laws themselves need to be changed. ... **The most important thing for your viewers and listeners and readers to understand is that in order to change our laws, we've got to get it through the House of Representatives, which is currently controlled by Republicans, and we've got to get 60 votes in the Senate.** ... Administratively, we can't ignore the law. ... I just have to continue to say this notion that somehow I can just change the laws

unilaterally is just not true. **We are doing everything we can administratively.** But the fact of the matter is there are laws on the books that I have to enforce. And I think there's been a great disservice done to the cause of getting the DREAM Act passed and getting comprehensive immigration passed by **perpetrating the notion that somehow, by myself, I can go and do these things. It's just not true. ... We live in a democracy. You have to pass bills through the legislature, and then I can sign it.** And if all the attention is focused away from the legislative process, then that is going to lead to a constant dead-end. We have to recognize how the system works, and then apply pressure to those places where votes can be gotten and, ultimately, we can get this thing solved.” ([9/28/11](#))

[In June 2012](#), President Obama unilaterally granted deferred action for childhood arrivals (DACA), allowing “eligible individuals who do not present a risk to national security or public safety ... to request temporary relief from deportation proceedings and apply for work authorization.” He then argued that he had already done everything he could legally do on his own:

13. “Now, what I’ve always said is, as the head of the executive branch, **there’s a limit to what I can do.** Part of the reason that deportations went up was Congress put a whole lot of money into it, and when you have a lot of resources and a lot more agents involved, then there are going to be higher numbers. What we’ve said is, let’s make sure that you’re not misdirecting those resources. **But we’re still going to, ultimately, have to change the laws** in order to avoid some of the heartbreaking stories that you see coming up occasionally. And that’s why this continues to be a top priority of mine. ... And we will continue to make sure that how we enforce is done as fairly and justly as possible. But until we have a law in place that provides a pathway for legalization and/or citizenship for the folks in question, **we’re going to continue to be bound by the law.** ... And so part of the challenge as President is constantly saying, ‘what authorities do I have?’” ([9/20/12](#))
14. “We are a nation of immigrants. ... But we're also a nation of laws. So what I've said is, we need to fix a broken immigration system. And **I've done everything that I can on my own[.]**” ([10/16/12](#))
15. “**I’m not a king.** I am the head of the executive branch of government. I'm required to follow the law. And that's what we've done. But what I've also said is, let's make sure that we're applying the law in a way that takes into account people's humanity. That's the reason that we moved forward on deferred action. Within the confines of the law we said, we have some discretion in terms of how we apply this law.” ([1/30/13](#))
16. “**I’m not a king.** You know, my job as the head of the executive branch ultimately is to carry out the law. And, you know, when it comes to enforcement of our immigration laws, we’ve got some discretion. We can prioritize what we do. **But we can’t simply**

ignore the law. When it comes to the dreamers, we were able to identify that group and say, ‘These folks are generally not a risk. They’re not involved in crime. ... And so let’s prioritize our enforcement resources.’ But to sort through all the possible cases of everybody who might have a sympathetic story to tell is very difficult to do. **This is why we need comprehensive immigration reform. To make sure that once and for all, in a way that is, you know, ratified by Congress,** we can say that there is a pathway to citizenship for people who are staying out of trouble, who are trying to do the right thing, who’ve put down roots here. ... My job is to carry out the law. And so Congress gives us a whole bunch of resources. They give us an order that we’ve got to go out there and enforce the laws that are on the books. ... **If this was an issue that I could do unilaterally I would have done it a long time ago. ... The way our system works is Congress has to pass legislation. I then get an opportunity to sign it and implement it.”** ([1/30/13](#))

17. “This is something I’ve struggled with throughout my presidency. **The problem is that I’m the president of the United States, I’m not the emperor of the United States.** My job is to execute laws that are passed. And Congress right now has not changed what I consider to be a broken immigration system. And what that means is that **we have certain obligations to enforce the laws that are in place** even if we think that in many cases the results may be tragic. ... **[W]e’ve kind of stretched our administrative flexibility as much as we can[.]”** ([2/14/13](#))
18. “I think that it is very important for us to recognize that **the way to solve this problem has to be legislative.** I can do some things and have done some things that make a difference in the lives of people by determining how our enforcement should focus. ... And we’ve been able to provide help through deferred action for young people **But this is a problem that needs to be fixed legislatively.”** ([7/16/13](#))
19. “**My job in the executive branch is supposed to be to carry out the laws that are passed.** Congress has said ‘here is the law’ when it comes to those who are undocumented, and they’ve allocated a whole bunch of money for enforcement. And, what I have been able to do is to make a legal argument that I think is absolutely right, which is that given the resources that we have, we can’t do everything that Congress has asked us to do. What we can do is then carve out the DREAM Act folks, saying young people who have basically grown up here are Americans that we should welcome. ... **But if we start broadening that, then essentially I would be ignoring the law in a way that I think would be very difficult to defend legally. So that’s not an option. ... What I’ve said is there is a there’s a path to get this done, and that’s through Congress.”** ([9/17/13](#))

20. “[I]f, in fact, I could solve all these problems without passing laws in Congress, then **I would do so**. But we’re also a nation of laws. That’s part of our tradition. And so the easy way out is to try to yell and pretend like I can do something by violating our laws. And what I’m proposing is the harder path, which is to use our democratic processes to achieve the same goal that you want to achieve. ... **It is not simply a matter of us just saying we’re going to violate the law**. That’s not our tradition. The great thing about this country is we have this wonderful process of democracy, and sometimes it is messy, and sometimes it is hard, but ultimately, justice and truth win out.” ([11/25/13](#))
21. “I am the Champion-in-Chief of comprehensive immigration reform. But what I’ve said in the past remains true, which is **until Congress passes a new law, then I am constrained in terms of what I am able to do**. What I’ve done is to use my prosecutorial discretion, because you can’t enforce the laws across the board for 11 or 12 million people, there aren’t the resources there. What we’ve said is focus on folks who are engaged in criminal activity, focus on people who are engaged in gang activity. Do not focus on young people, who we’re calling DREAMers **That already stretched my administrative capacity very far**. But I was confident that that was the right thing to do. But at a certain point the reason that these deportations are taking place is, Congress said, ‘you have to enforce these laws.’ They fund the hiring of officials at the department that’s charged with enforcing. **And I cannot ignore those laws any more than I could ignore, you know, any of the other laws that are on the books**. That’s why it’s so important for us to get comprehensive immigration reform done this year.” ([3/6/14](#))
22. “I think that I never have a green light [to push the limits of executive power]. I’m bound by the Constitution; I’m bound by separation of powers. **There are some things we can’t do. Congress has the power of the purse, for example. ... Congress has to pass a budget and authorize spending. So I don’t have a green light**. ... My preference in all these instances is to work with Congress, because not only can Congress do more, but it’s going to be longer-lasting.” ([8/6/14](#))

President Obama should listen to President Obama, drop his plan to “[expand the authority of the executive branch into murky, uncharted territory](#),” and work with Congress rather than insisting on his stubborn, “my way or the highway” approach.

A photograph of Barack Obama, President of the United States, smiling and speaking at a podium. He is wearing a dark suit, white shirt, and blue tie. The background is dark and out of focus.

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