

Democrats drop DACA recipients from budget talks

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Congressional Democratic leaders have decided that there will be no protection for DACA recipients—the young undocumented immigrants brought to this country as children—in the omnibus budget bill that must pass the House and Senate by midnight Friday night.

The budget bill, appropriating funds for all major federal agencies for the rest of the current fiscal year, which ends September 30, is the last piece of major legislation that Congress must pass before the November 6 election. It is widely expected that there will be no significant legislative action after that, as all members of the House of Representatives and one-third of the members of the Senate concentrate on their renomination and reelection campaigns.

That means if no legal protection for DACA recipients is attached to the budget bill, the issue is likely dead until after the election. President Trump rescinded the executive order establishing the DACA program last year, with the action taking effect two weeks ago, on March 5. But two federal district courts, one in California and one in New York, have blocked this action at least temporarily, issuing orders to the US Customs and Immigration Services to continue renewing two-year work permits for DACA recipients.

The Trump administration sought emergency review by the Supreme Court, but the court refused to take the matter up outside the normal appeals process. The Ninth Circuit Court of Appeals is already taking up the California case, and an appeal of the New York decision is likely to be heard by the Second Circuit Court of Appeals.

The delayed action on Trump's rescinding of DACA has given the Democrats a certain political cover, as they can pretend that the issue no longer has the same urgency, since ICE agents are not currently rounding up

DACA recipients and deporting them. But an unfavorable appeals court ruling or a change of mind by the Supreme Court could put hundreds of thousands of DACA recipients in immediate danger.

Democratic leaders made statements indicating they had decided that it was impossible to reach agreement with the White House over the terms of an extension of DACA protection, and that they had given up trying.

Last week a group of 84 House Democrats sent a letter to both the Democratic and Republican leaders arguing for inclusion of protection for DACA recipients in the budget. The small size of the group—only a minority of the minority in the House—testifies to the general indifference to the plight of these young immigrants on the part of the US political establishment. They are viewed as a useful prop for electoral purposes—for the Democrats, to pretend to be sympathetic to the concerns of Hispanic and Asian-American voters, for most Republicans, to demonstrate “toughness” in their appeals to anti-immigrant bigotry.

House Minority Leader Nancy Pelosi summed up the position most cynically Thursday, saying, “There’s not a whole lot of reason to negotiate—to do anything that is not already covered by the court decision.” She defended proceeding with a “clean” budget bill—i.e., one that funds the federal government, and particularly the military machine, without any additional non-budgetary provisions like protection for DACA recipients. She argued, “It is necessary for us to pass [the omnibus] to defend our country, to invest in our children’s future, to keep America number one in every respect, to do so in a way that creates jobs.”

On the Senate side, Minority Leader Chuck Schumer rejected one White House proposal, \$25 billion for Trump’s wall along the US-Mexico border in return for a 30-month extension of DACA protection. While

saying he wouldn't negotiate in public, Schumer said, "I don't think the wall is border security. We will fight for real border security, not fake border security."

Appearing on Fox News Sunday, Schumer's deputy, Senate Minority Whip Richard Durbin, was asked whether Democrats were abandoning DACA recipients by not using their leverage in the budget talks—the bill requires the support of at least 10 Democrats in the Senate, and many more than that in the House because of expected defections by ultra-right Republicans.

Durbin equated any fight for DACA recipients with shutting down the federal government, and rejected that course. "We're not going to have a shutdown," he said, "but I'm urging leaders to come together and understand there's an emergency here. We have to move on a bipartisan basis."

By Monday morning, the well-connected Capitol publication *The Hill* was reporting that the Democratic leadership had rejected any strategy based on insisting that protection for DACA recipients must be incorporated into the budget bill: "The apparent change in strategy has angered immigrant rights advocates in and out of Congress, who want the minority Democrats to use their rare leverage on the enormous government funding package—among the last must-pass bills of the year—to secure protections for the hundreds of thousands of young immigrants who came to the country illegally as children."

Congressional negotiators were expected to release the final text of the budget bill late Monday night, in time for the House to vote final passage on Wednesday, and giving the Senate just two more days to pass the bill and avoid a government shutdown at midnight on Friday night.

Typical of Democratic Party thinking was this comment by Representative John Yarmuth of Kentucky, the top Democrat on the House Budget Committee and a key participant in the talks. "We got about 80 percent of what we were trying to get, and if you can't accept 80 percent, then the system can't function," he said.

The budget bill is more likely to be delayed by right-wing Republican efforts to add provisions to the legislation extending the Hyde Amendment—which bars the use of federal funds to pay for abortions—to cover subsidies for people who buy individual health care policies under the Affordable Care Act. In effect, such

language would prohibit those buying policies on the ACA exchanges from purchasing abortion coverage.

Meanwhile a second group of endangered immigrants faced a deadline Monday. The 195,000 Salvadoran immigrants covered by Temporary Protected Status had until Monday to obtain their last renewal of protected status before the program is shut down by the Trump administration in September 2019. The Salvadoran government said only about 125,000 immigrants had filed for renewals, meaning that as many as 70,000 could become subject to immediate deportation. Most immigrants covered by TPS have been living in the United States for more than 20 years and have US citizen children.



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