

# What now, America?

An Independence Day reflection on political obstructionism and people power | BY R. MARK FREY

At the time of this writing, the 4th of July (Independence Day) is fast approaching and President Obama has announced that House Speaker John Boehner (R-OH) notified him that the House will not tackle immigration legislation this year.



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This from the leader of the legislative body formed to most directly respond and represent the people's will, with representatives facing election every two years, and being the only "branch of federal government elected directly by the citizens of the United States since its founding in 1789."

Speaker Boehner has affectionately referred to this body as the People's House, and yet, if opinion polls are any indicator of public sentiment, his lack of commitment to immigration reform seems strangely out-of-touch. The polls clearly show that the U.S. electorate wants reform. It's anybody's guess why the House majority has persisted in its obstructionism, but in light of its refusal to act, notwithstanding people's desire for change, what is to be done?

President Obama recently announced his intention to do something about immigration reform through executive action in view of the House's unwillingness to act through legislation. "While I will continue to push House Republicans to drop the excuses and act — and I hope their constituents will, too — America cannot wait forever for them to act," Obama said. "I'm beginning a new effort to fix as much of our immigration system as I can on my own, without Congress."

To that end, the president has said that he will work with officials in the Departments of Justice and Homeland Security to review and make recommendations for improving immigration enforcement and relief by the end of the summer. As Rep. Luis Gutiérrez (D-IL), a strong supporter of immigration reform, observed, "the antidote for do-nothingism is doing something, and the president is doing for the American people what the Republican-controlled Congress refused to do."

It is indeed a sad commentary on American politics and government

today when we must rely on the Executive Branch to implement change in our woefully inadequate immigration system.

What is to be done if Congress refuses to act on immigration reform and other sorely needed

legislation? As the president has said in recent days, "it's not like they've been busy with other stuff." In fact he points out that "So far this year, Republicans in Congress have blocked or voted down every serious idea to strengthen the middle class — not ideas unique to me." If he employs executive action, it's safe to say that litigation over its constitutionality will likely take place in the months to come.

Indeed, Speaker Boehner's recent announcement of his intention to sue President Obama over his use of executive action to tackle issues associated with federal minimum wage, federal pay discrimination, and Environmental Protection Agency regulations suggests as much. But, weren't the president and Congress elected to do the people's business? Weren't certain specific duties restricted to each branch? In short, wasn't Congress charged with passing our nation's laws and the president with executing them?

If one branch fails to carry out its duties, however, doesn't that threaten the well-being of the nation? According to the president, up to 700,000 jobs are at risk if Congress fails to replenish the funding for the Highway Trust Fund. If that's the case, it's reasonable to expect the economy to take a hit as well.

It's anybody's guess what action President Obama will take later this year, but I think it safe to say he is concerned about the presence of up to 11 million out-of-status people living in the shadows in this country. (A good number of those out-of-status individuals are awaiting approval of an immigration petition so they can apply for permanent residency in the U.S. Action allowing them to remain here in the U.S. while going through the process of permanent residency would go far in resolving the issue facing many of "those people" living in the shadows). From both a humanitarian and security standpoint, it

seems critical to do something about this issue, all the while employing a more strategic and precise approach to enforcement.

It's also likely that President Obama will address the growing throngs of young people attempting entry into the U.S. while examining the factors responsible for the sudden surge in their numbers. What events are taking place now in Central American to prompt this movement of young people? For all of their declarations about enforcement, security, and get-tough policies, it seems odd that House Republicans prefer to leave things as they are rather than to address and resolve these problems.

So what is it all about? Just politics to obstruct the Obama administration's efforts to sort out some of the problems facing our nation? It's ironic that these same individuals turn around and claim the president is ineffective in finding solutions to the country's problems.

At this time of the year when the

nation celebrates Independence Day, the fundamental principles of our government, and what unites us, I can't help but think about the founders, the risks they took in forging a new nation, and their great American experiment to give the people, "We the People," control of their destiny, and placing their hands on the levers of political power.

Sadly, the people of our country feel increasingly powerless as an obstructionist Congress does nothing while the president threatens executive action in order to get something done. What would the founders think? Dismay for sure, consternation without a doubt, but I still think that they would be hopeful that the nation can get it right. Why? Because they developed a tripartite system, which, because of a built-in separation of powers with checks and balances, allows for more than one political avenue to get things done and keep the country on track.

The words found in the Declaration of Independence continue to

inspire and be relevant today. As the founders proclaimed:

*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.*

And, our consent, or lack thereof, is expressed through our vote come election time. Remember these trying times when you vote several months from now. We, as a nation and a people, can do better than this. ●

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