

# US Senate's DACA deal derailed



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**Emma Kilheeny** looks at the failure of the US Senate to pass a law protecting undocumented migrants

In September 2017 President Trump overturned the Deferred Action for Childhood Arrivals (DACA) deal introduced by President Obama in 2012. Congress had until 5 March this year to find a solution.

On 16 February 2018 the US Senate failed to pass any of the four proposals on immigration that would have provided security for the 690,000 young undocumented migrants, known as 'Dreamers'. Their status under DACA remains uncertain.

## What were the four proposals?

### The first proposal

This was a bipartisan bill put forward by moderate Republican Senator Susan Collins from Maine. It offered protection for DACA recipients in exchange for \$25 billion for extra border security and funds for

Trump's wall along the border of Mexico, which the Republicans want. However, Trump threatened to veto the bill, claiming that it would encourage more illegal immigration and would weaken the enforcement of current law. The bill failed to get the necessary 60 votes to avoid the filibuster, with support from only 54 senators. Forty-five senators voted against it.

### The second proposal

This measure was put forward by Republican Senator Chuck Grassley and was backed by Trump. It supported sweeping changes to legal immigration and border security, including the Mexican wall, but it received support from only 39 senators.

### The third proposal

This proposal focused on DACA and border security, and was a bipartisan piece of legislation put forward by Republican Senator John McCain and Democrat Senator Chris Coons. It also failed to secure the 60 votes needed, with support from 52 senators and opposition from 47.

## The fourth proposal

The final measure also failed. It had concentrated on punishing 'sanctuary cities' — those that refuse to cooperate with federal immigration laws.

The House will put forward its own immigration bill but the similarities to Grassley's make it unlikely to get the necessary support in the House. It is even less likely to pass in the Senate.

## Previous attempts to arrive at a deal

A number of immigration deals have failed in recent months. In September 2017 Trump met House Minority Leader Nancy Pelosi and Senate Minority Leader Chuck Schumer. Trump agreed to support an alternative deal that would protect the undocumented migrants in exchange for Democrat support over the Republican budget.

On 23 January 2018, after 3 days of government shutdown when Congress failed to agree on a budget deal, Senate Democrats agreed to support a spending bill that would fund the federal government, in exchange for assurances from the Senate Majority Leader Mitch McConnell that a deal on immigration would follow. Although the spending bill passed in the Senate 81–18 and in the House 266–150, 16 Democrat senators refused to support the measure because there was no guarantee that Republicans would help 'Dreamers'.

## What happens next?

A short-term deal to extend protection for DACA recipients may be put forward, to avoid the possibility of another government shutdown on 23 March. Congress has already passed five temporary spending measures since October last year, primarily because the Democrats are reluctant to agree to a longer-term budget while the status of DACA recipients remains uncertain.

## Why is this significant?

The frequent government shutdowns and the inability of Congress to pass legislation (not just in relation to

immigration) suggests that Congress is struggling to be effective in this current era of hyper-partisanship. It also highlights the vulnerability of the Republicans from within their own party — especially in the Senate, where they only have 51 seats.

Table 1 lists the government shutdowns over the last 38 years.

Table 1 Government shutdowns since 1980

Date	Total days	President
May 1980	1	Jimmy Carter
November 1981	1	Ronald Reagan
October 1984	1	Ronald Reagan
October 1986	1	Ronald Reagan
October 1990	2	George H. W. Bush
November 1995	5	Bill Clinton
December 1995– January 1996	22	Bill Clinton
October 2013	16	Barack Obama
January 2018	3	Donald Trump
February 2018	1	Donald Trump

## Questions

- 1 Why is it so difficult for Congress to pass legislation on immigration?
- 2 Do the recent government shutdowns suggest that President Trump is weak or that Congress is ineffective?

## Weblinks to follow up

Find out more and watch what Nancy Pelosi said in her filibuster in defence of the 'Dreamers' in February 2018: [www.tinyurl.com/y8m9donk](http://www.tinyurl.com/y8m9donk)

Discover how Congress became so partisan: [www.tinyurl.com/ydhvvh9](http://www.tinyurl.com/ydhvvh9)

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