

# Exhibit K

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## The GOP's War On Obama's Executive Action Lasted About 5 Minutes

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By [Sahil Kapur](#) Published December 3, 2014, 6:00 AM EST 85870 views

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Five months ago, conservative were so livid over President Barack Obama's upcoming "executive amnesty" that incoming House Majority Whip Steve Scalise (R-LA) [couldn't bring himself to rule out](#) impeaching the president as punishment.

Now, even firebrand Rep. Steve King (R-IA) and Sen. Jeff Sessions (R-AL), Obama's chief immigration foes, have ruled that out. GOP leaders were never seriously considering the idea, but they've successfully tamped down any talk of it.

What's more, Republicans [may be on the brink](#) of avoiding a government shutdown fight, at least until March, and effectively permitting the [executive actions](#) by "Emperor Obama," as Speaker John Boehner's (R-OH) office has dubbed him, with [no pushback other than a symbolic vote](#) of disapproval.

Republicans don't have the votes for [this watered down plan](#) yet, and it could still collapse. But it has significant GOP support, a sign that the fury has calmed quite a bit.

How did things change so much?

Many Republicans gradually realized that they have [no realistic chance of stopping Obama](#), at least while they control only one chamber of Congress before January, and have heeded calls from leadership to put off the fight until they take over the Senate and expand their House majority in January.

"You need to utilize every political means that you can in the environment that you're in. We have limited capabilities now politically, with one house of government," freshman Rep. Robert Pittenger (R-NC) said.

"We're not going to take that bait," Rep. Dennis Ross (R-FL) said of a potential shutdown. "We learned from what happened last time. We also learned that no matter what we do until we get a dance partner in the Senate ... we've got to be realistic. And shutting down the government is not a realistic alternative at this juncture."

And for all their fighting words, many Republican members never had much of an appetite for another government shutdown in less than two years.

"Almost no members want to get back into what happened last year," Rep. Devin Nunes (R-CA), a vocal GOP critic of the 2013 shutdown, told TPM. "If you find some, let me know. They're an endangered species."

Even if Congress manages to pass the "CRonmibus" bill to keep the government running while funding the Department of Homeland Security only through March, Boehner is raising expectations for a major fight early next year that could spin out of his control, much as the 2013 battle over Obamacare did. The conservatives who were talked out of a fight this time may feel the need to wage one early next year when they have a larger presence in Congress.

"This is a serious breach of our Constitution, it's a serious threat to our system of governing," Boehner told reporters. "And frankly, we have limited options, limited ability to deal with it directly."

The chief advocates demanding that Republicans act to thwart Obama now, not later, at the risk of a shutdown are King, Sessions, the tea party group Heritage Action (which [called](#) the Boehner plan "a blank check for amnesty") and RedState editor Erick Erickson (who called on Boehner to "[p]ut up or shut up").

"Symbolic protest votes are a move that lacks the testicular fortitude of real conviction," Erickson [wrote](#).

Republican leaders also privately worry that an all-out brawl against an immigration policy that Hispanic voters strongly support could damage their party's hopes in the 2016 presidential election.

With House Minority Leader Nancy Pelosi (D-CA) staunchly opposed to the CRomnibus, Boehner may not be able to rely on many Democratic votes to help pass the proposal. If it passes the House, Senate Majority Leader Harry Reid (D-NV) signaled that the upper chamber will take it up. (But he said he won't allow a vote on the House measure to disapprove of Obama's moves.)

The deadline to fund the government is Dec. 11. Boehner's plan is not yet a done deal, but if he pulls it off it will be a sign of restraint by a party whose third-ranking House leader, Scalise, just weeks ago called Obama a "go-it-alone president hell-bent on forcing his radical agenda via subterfuge."

## About The Author



[Sahil Kapur](#)

Follow @sahilkapur

Sahil Kapur is TPM's senior congressional reporter and Supreme Court correspondent. His articles have been published in the Huffington Post, The Guardian and The New Republic. Email him at [sahil@talkingpointsmemo.com](mailto:sahil@talkingpointsmemo.com) and follow him on Twitter at @sahilkapur.

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