

Opposition Mounts Against President Trump's National Emergency to Build a Border Wall

Following President Trump's decision to declare a national emergency at the southern border, opposition is building to his hypocritical decision to circumvent the Constitution in order to build a border wall that Congress has refused to fund.

In 2014, President Trump publically opposed the Executive taking action to subvert Congress:



Donald J. Trump 
@realDonaldTrump

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Repubs must not allow Pres Obama to subvert the Constitution of the US for his own benefit & because he is unable to negotiate w/ Congress.

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A majority of the American people disapprove of President Trump's declaration. Polling from NPR/PBS/Marist [released](#) today found:

- Nearly 6-in-10 Americans don't believe there is an emergency at the southern border.
- 60% think his decision should be challenged in the courts, including 60% of independents.
- 57 % think Trump is misusing his presidential power.
- 54 % say this decision makes them less likely to vote for Trump in 2020.

Lee Miringoff, Director of the Marist Institute for Public Opinion, said: "All things related to the declaring of a national emergency, the president is striking out in the court of public opinion." [NPR, [2/19/19](#)]

Members of the President's party have immediately expressed opposition to the President's plan:

Senator Chuck Grassley (R-IA): "I wish he wouldn't have done it...If [Trump] figures that Congress didn't do enough and he's got to do it, then I imagine we'll find out whether he's got the authority to do it by the courts." [Politico, [2/14/19](#)]

Senator Susan Collins (R-ME): "I don't believe that the National Emergencies Act contemplated a president repurposing billions of dollars outside the normal appropriations process. I also believe it will be challenged in court and is of dubious constitutionality. It undermines the role of Congress." [Tweet, [2/14/19](#)]

Senator Rand Paul (R-KY): "I'm not in favor of operating government by national emergency... We have a government that has a constitution that has a division of power, and revenue raising and spending power was given to Congress." [Tweet, [2/14/19](#)]

Senator Thom Tillis (R-NC): "I always kind of take pause to the assertion of executive power... it could detract attention away from the long-term solution that can only occur through an act of Congress." [Politico, [2/14/19](#)]

Senator Lisa Murkowski (R-AK): “I don’t think this is a matter that should be declared a national emergency.” [Tweet, [2/14/19](#)]

Senator Lamar Alexander (R-TN): He “lambasted Trump’s emergency declaration as ‘unnecessary, unwise and inconsistent with the U.S. Constitution.’” [The Hill, [2/16/19](#)]

Senator Ben Sasse (R-NE): “If we get used to presidents just declaring an emergency any time they can’t get what they want from Congress, it will be almost impossible to go back to a Constitutional system of checks and balances. Over the past decades, the legislative branch has given away too much power and the executive branch has taken too much power.” [National Review, [2/15/19](#)]

Senator Pat Toomey (R-PA): “I never thought that was a good idea. I still don’t. My view is that this is better to be resolved through the legislative process.” [Tweet, [2/14/19](#)]

Senator Marco Rubio (R-FL): “I don’t think it’s a good idea to do it this way. I don’t believe that’s the way we should do these sorts of things. I actually think there’s a real constitutional question about it.” [Tweet, [2/14/19](#)]

Senator Mike Lee (R-UT): “Whether or not it should be legal is a different matter. Congress has been ceding far too much power to the exec. branch for decades. We should use this moment as an opportunity to start taking that power back.” [Tweet, [2/15/19](#)]

Sen. James Lankford (R-OK): “[Senator Lankford] voiced his concern with President Donald Trump declaring a national emergency at the border, citing the possibility it gets ‘caught up in the courts.’” [Breitbart, [2/13/19](#)]

Senator Ron Johnson (R-WI): “It would be a pretty dramatic expansion of how this was used in the past.” [Tweet, [2/14/19](#)]

Senator Rob Portman (R-OH): “As I have said before, I would prefer we work together to find a legislative solution instead of declaring a national emergency that will likely be tied up in the courts.” [Statement, [2/14/19](#)]

Senator Jerry Moran (R-KS): “I’m worried that if it gets used this time, what’s the next instance in which it becomes used?” [Washington Times, [2/17/19](#)]

Senator Pat Roberts (R-KS): Roberts said he worries about ‘government by fiat’ in the future.” [Washington Times, [2/17/19](#)]

Rep. Greg Walden (R-OR): “Congress has granted the executive branch certain spending authorities. I strongly object to any president acting outside of those explicit authorities to spend money that Congress has not appropriated for specific initiatives.” [The Hill, [2/16/19](#)]

Rep. Herrera Butler (R-WA): “An emergency declaration would set a dangerous precedent... Declaring an emergency in such a situation would undermine that system [of checks and balances] in a way that even those who support strong border security may later deeply regret.” [Statement, [2/14/19](#)]

Rep. Chris Stewart (R-UT): “I think President Trump is making a mistake by declaring a national emergency in order to increase border funding...” [Statement, [2/14/19](#)]

Governor Ricardo Rosselló (PR): “Is it now Puerto Rico and California (American Citizens) that will pay for the wall? If this is the case, we’ll see you in court.” [Tweet, [2/14/19](#)]

For months, Republicans have publically urged President Trump not to declare a national emergency:

Senate Majority Leader Mitch McConnell (R-KY): “I don’t think much of that idea [to declare a national emergency]...I hope he doesn’t go down that path.” [New York Times, [1/22/19](#)]

Senate Republican Whip John Thune (R-SD): “He hoped a unilateral move by the president would be a ‘last resort... We don’t think that’s necessary... There are concerns and our members are conveying those.’” [Politico, [2/4/19](#)]

Senator Marco Rubio (R-FL): “It’s just not a good precedent to set in terms of action. It doesn’t mean that I don’t want border security. I do. I just think that’s the wrong way to achieve it...” [NBC News, [1/27/19](#)]

Senator John Cornyn (R-TX): “The president’s going to get sued and it won’t succeed in accomplishing his goal ... Pelosi will introduce a resolution of disapproval that will pass the House and come over here and divide Republicans...It strikes me as not a great strategy.” [Politico, [2/4/19](#)]

Senator Roy Blunt (R-MO): “While I’m in favor of what this president wants to do [on the border wall], I think it sets a dangerous precedent and I hope he doesn’t do it.” [Politico, [2/4/19](#)]

Senator Susan Collins (R-ME): “‘...I in general am opposed,’ said Sen. Susan Collins (R-Maine), who said a broad declaration to shift billions around to fund the border wall ‘taken to an extreme would rend the appropriations process meaningless and it also is in my judgment of dubious constitutionality.’” [Politico, [2/4/19](#)]

Senator Mitt Romney (R-UT): “My strong preference would be to follow the legislative process to secure the border in the normal [way]...” [Politico, [2/4/19](#)]

Senator Thom Tillis (R-NC): “I’m here to stand up for this institution, keep the powers separate...” [Politico, [2/4/19](#)]

There is not a crisis at our southern border. House Democrats will look at every legislative and legal tool to challenge this irresponsible declaration.