

**Congress of the United States**  
**Washington, DC 20515**

August 1, 2017

President Donald J. Trump  
The White House  
1600 Pennsylvania Ave., NW  
Washington, D.C. 20500

Dear Mr. President:

We respectfully request that you continue Deferred Action for Childhood Arrivals (DACA) and engage in a vigorous legal defense of DACA in light of the renewed threat of litigation. Along with continuing to accept requests for DACA, we ask that you direct your administration to: (a) oppose any efforts to challenge DACA in the ongoing *Texas v. United States* litigation;<sup>1</sup> (b) ask the court to dismiss the complaint in *United States v. Texas*; and (c) refuse any settlement that would end DACA.

On June 29, the Texas Attorney General, along with nine other attorney generals, in an attempt to usurp your authority, delivered to you an ultimatum threatening a legal challenge to DACA unless you ended the program by September 5, 2017. DOJ has already made problematic decisions in choosing not to oppose Texas' request to stay the proceedings.<sup>2</sup> We are further disturbed by Secretary Kelly's comments that he does not believe DACA is legally or constitutionally defensible.<sup>3</sup> Finally, we are concerned that Attorney General Jeff Sessions, who has historically opposed DACA, is now trying to abrogate your authority and set the Administration's immigration policies, when, ultimately, you hold that authority. You have stated, you "understand the situation very well" and that the future of DACA is "a decision that [you] make," not your subordinates.<sup>4</sup> Furthermore, as you are aware, there is substantial legal support for the constitutionality of DACA.<sup>5</sup> We commend your Administration's continuation of DACA and encourage you to keep DACA in place until Congress enacts a permanent legislative solution for this population.

As you know, over 787,000 individuals currently possess a grant of DACA, all of whom were thoroughly vetted for national security and criminal backgrounds.<sup>6</sup> Ending DACA would increase the nation's undocumented population, profoundly and negatively impact our nation's economy, contracting the nation's GDP by \$ 460.3 billion.<sup>7</sup> Additionally, this reduces federal tax contributions to Social Security and Medicare by \$24.6 billion over a decade, and costs businesses \$3.4 billion in unnecessary turnover costs.<sup>8</sup>

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<sup>1</sup> *Texas v. United States*, 86 F. Supp. 3d 591 (S.D. Tex. 2015).

<sup>2</sup> Motion to Stay Merits Proceedings, *Texas v. United States*, No. 14-CV-00254 (S.D. Tex. July 7, 2017).

<sup>3</sup> Ted Hesson, *Kelly won't commit to defending DACA in court*, Politico, July 12, 2017, available at <http://www.politico.com/story/2017/07/12/john-kelly-daca-legal-challenge-240470>.

<sup>4</sup> David Lauter, *Trump says he'll make the final call on DACA, not subordinates*, L.A. Times, July 13, 2017, available at

<http://www.latimes.com/politics/washington/la-na-essential-washington-updates-president-trump-says-he-not-1499977334-htmistory.html>.

<sup>5</sup> Letter from Hiroshi Motomura, Professor of Law, University of California, Los Angeles School of Law, et. al. to Barack H. Obama, President, United States, Nov. 25, 2014, available at <https://pennstatelaw.psu.edu/sites/default/files/documents/pdfs/Immigrants/executive-action-law-prof-letter.pdf>.

<sup>6</sup> U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security, Number of I-821D, Consideration of Deferred Action for Childhood Arrivals by Fiscal Year, Quarter, Intake, Biometrics and Case Status: 2012-2017, 1 (March 31, 2017), available at <https://www.uscis.gov/tools/reports-studies/immigration-forms-data/data-set-form-i-821d-deferred-action-childhood-arrivals>.


<sup>7</sup> Nicole Prchal Svajlenka, Tom Jawetz, and Angie Bautista-Chavez, *A New Threat to DACA Could Cost States Billions of Dollars*, Center for American Progress, July 21, 2017, <https://www.americanprogress.org/issues/immigration/news/2017/07/21/436419/new-threat-daca-cost-states-billions-dollars/>

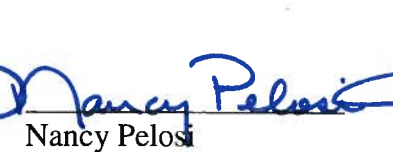
<sup>8</sup> Jose Magaña-Salgado, *Money on the Table: The Economic Cost of Ending DACA*, Immigrant Legal Resource Center, Dec. 2016, available at <https://www.ilrc.org/report-daca-economic-cost>.


Ultimately, you set the government's immigration policy, including your Administration's position in regards to DACA. We urge you to respond to Texas's threat to your executive authority by directing the Attorney General to use all legal options to defend DACA and ensure that nearly one million DREAMers continue to contribute to our nation.


Thank you for your time and consideration. We look forward to your response.

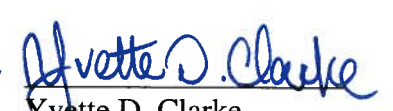
Sincerely,


  
Raúl M. Grijalva  
Member of Congress

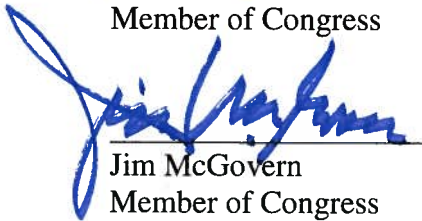
  
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Democratic Leader

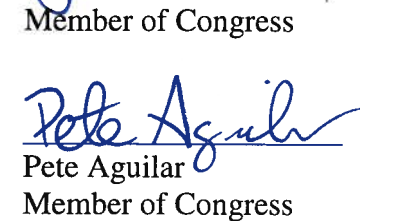
  
Steny H. Hoyer  
Minority Whip

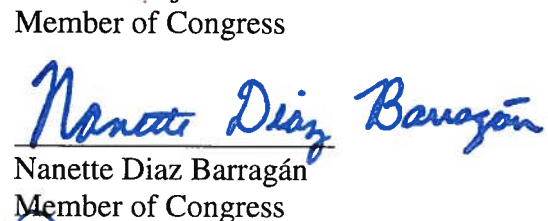
  
Judy Chu  
Member of Congress

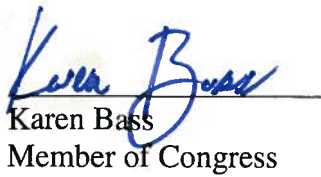
  
Yvette D. Clarke  
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Member of Congress

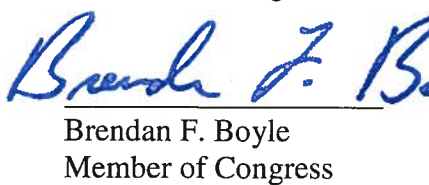
  
Ami Bera  
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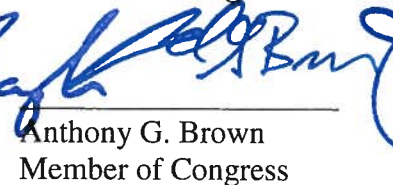
  
Donald S. Beyer Jr.  
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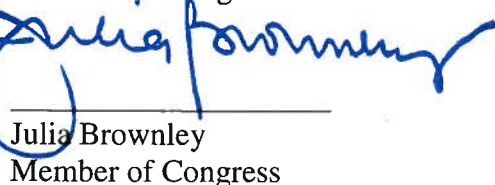
  
Sanford D. Bishop, Jr.  
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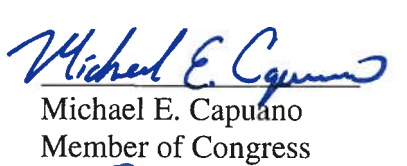
  
Earl Blumenauer  
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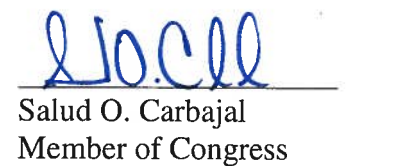
  
Suzanne Bonamici  
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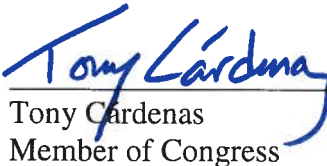
  
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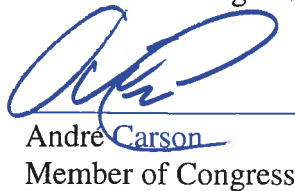
  
Anthony G. Brown  
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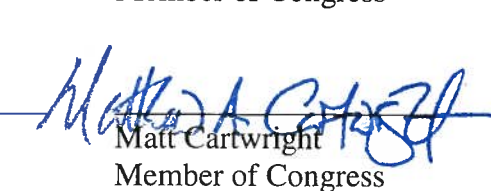
  
Julia Brownley  
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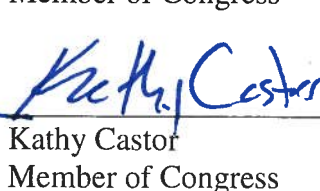
  
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Katherine Clark      Wm. Lacy Clay      Steve Cohen  
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John Conyers, Jr      Jim Cooper      Lou Correa  
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Jim Costa      Joe Courtney      Charlie Crist  
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Joe Crowley      Elijah E. Cummings      Josh Gottheimer  
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Danny K. Davis      Susan A. Davis      Peter A. DeFazio  
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Diana DeGette      Rosa L. DeLauro      Suzan K. DelBene  
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Val Butler Demings Mark DeSaulnier Ted Deutch  
Val Butler Demings      Mark DeSaulnier      Ted Deutch  
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Debbie Dingell Lloyd Doggett Keith Ellison  
Debbie Dingell      Lloyd Doggett      Keith Ellison  
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Pramila Jayapal  
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Joseph P. Kennedy, III  
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Ro Khanna  
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Rubén J. Kihuen

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Member of Congress

James R. Langevin

James R. Langevin  
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Rick Larsen

Rick Larsen  
Member of Congress

John B. Larson

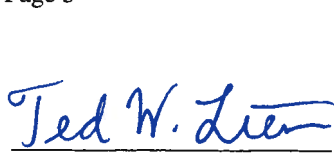
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Barbara Lee

Barbara Lee  
Member of Congress

Sander Levin

Sander Levin  
Member of Congress



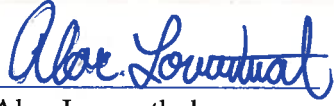
Ted W. Lieu  
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Daniel W. Lipinski  
Member of Congress



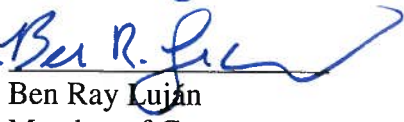
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Alan Lowenthal  
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Nita M. Lowey  
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Ben Ray Lujan  
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Alice L. Hastings  
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Carolyn Maloney  
Member of Congress



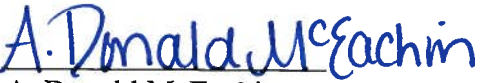
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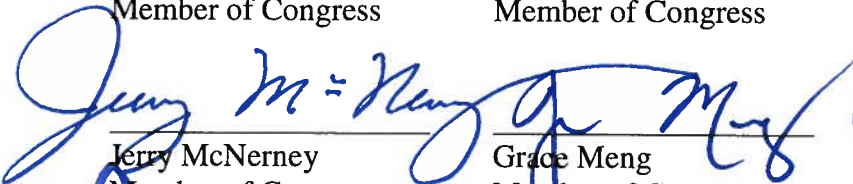
Doris Matsui  
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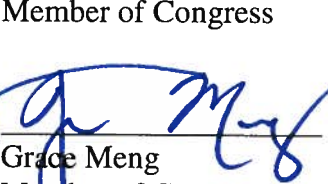
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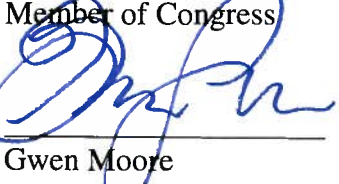
A. Donald McEachin  
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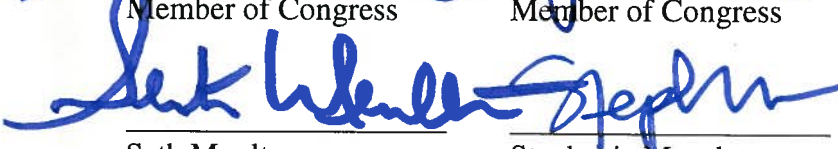
Jerry McNerney  
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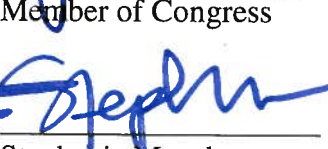
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Gwen Moore  
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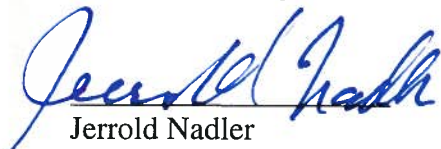
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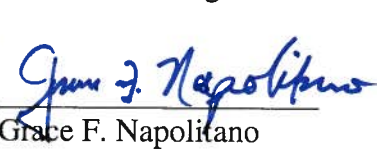
Stephanie Murphy  
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Ann McLane Kuster  
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Jerrold Nadler  
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Grace F. Napolitano  
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Donald Norcross  
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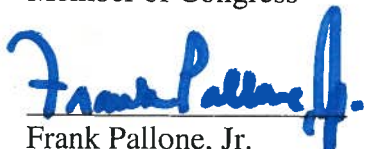
Eleanor Holmes Norton  
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Tom O'Halleran  
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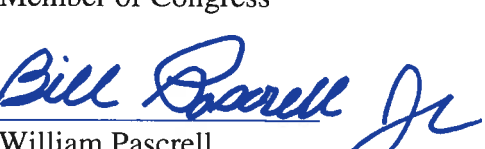
Beto O'Rourke  
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Frank Pallone, Jr.  
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Jimmy Panetta  
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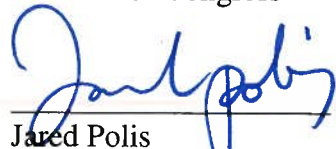
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Donald M. Payne, Jr.  
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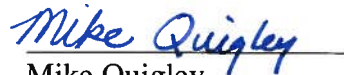
  
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Chellie Pingree  
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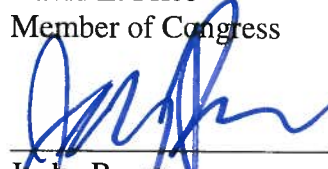
  
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Mike Quigley  
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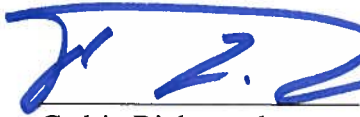
  
Jamie Raskin  
Member of Congress

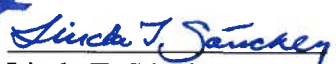
  
Jacky Rosen  
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Lucille Roybal-Allard  
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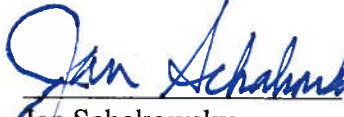
  
Dutch Ruppersberger  
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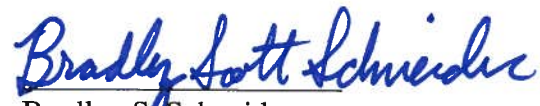
  
Cedric Richmond  
Member of Congress


  
Linda T. Sánchez  
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John Sarbanes  
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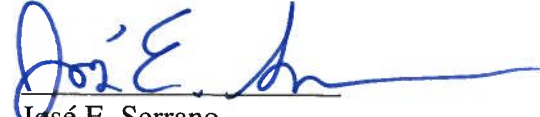
  
Jan Schakowsky  
Member of Congress


  
Adam Schiff  
Member of Congress


  
Bradley S. Schneider  
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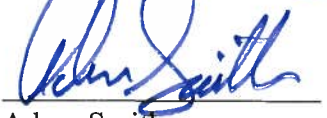
  
Bobby Scott  
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Brad Sherman  
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Albio Sires  
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Louise Slaughter  
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Darren Soto  
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Paul D. Tonko  
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Juan Vargas  
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Marc Veasey  
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Filemon Vela  
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Nydia M. Velázquez  
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Tim Walz  
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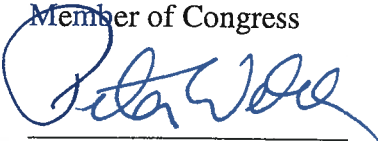
Gregorio Kilili Camacho Sablan  
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Gregory Meeks  
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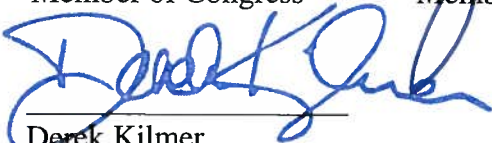
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