

**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/>

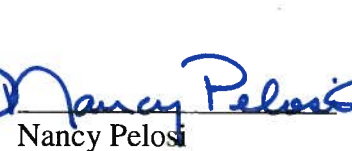
<sup>8</sup> Jose Magaña-Salgado, *Money on the Table: The Economic Cost of Ending DACA*, Immigrant Legal Resource Center, Dec. 2016, available at <https://www.ilrc.org/report-daca-economic-cost>.

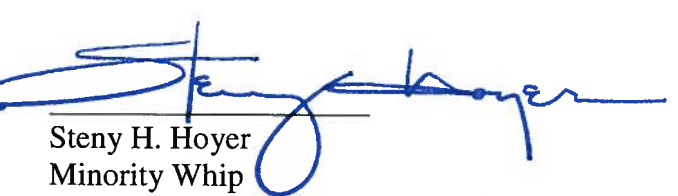
Ultimately, you set the government's immigration policy, including your Administration's position in regards to DACA. We urge you to respond to Texas's threat to your executive authority by directing the Attorney General to use all legal options to defend DACA and ensure that nearly one million DREAMers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

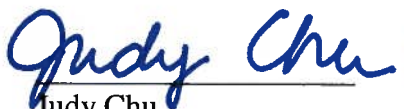
Thank you for your time and consideration. We look forward to your response.

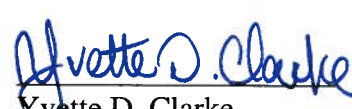
Sincerely,


  
Raúl M. Grijalva  
Member of Congress

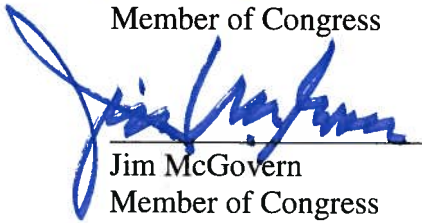
  
Nancy Pelosi  
Democratic Leader


  
Steny H. Hoyer  
Minority Whip


  
Judy Chu  
Member of Congress

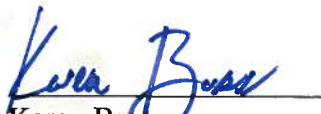
  
Yvette D. Clarke  
Member of Congress


  
Michelle Lujan Grisham  
Member of Congress

  
Jim McGovern  
Member of Congress

  
Pete Aguilar  
Member of Congress

  
Nanette Diaz Barragán  
Member of Congress

  
Karen Bass  
Member of Congress


  
Ami Bera  
Member of Congress


  
Donald S. Beyer Jr.  
Member of Congress


  
Sanford D. Bishop, Jr.  
Member of Congress


  
Earl Blumenauer  
Member of Congress


  
Suzanne Bonamici  
Member of Congress

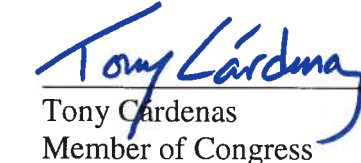
  
Brendan F. Boyle  
Member of Congress


  
Anthony G. Brown  
Member of Congress

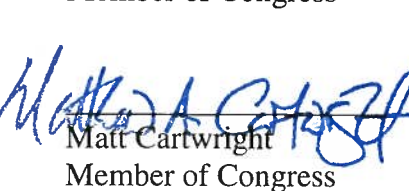
  
Julia Brownley  
Member of Congress

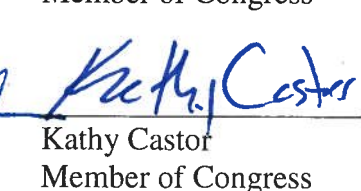
  
Michael E. Capuano  
Member of Congress

  
Salud O. Carbajal  
Member of Congress

  
Tony Cardenas  
Member of Congress

  
André Carson  
Member of Congress

  
Matt Cartwright  
Member of Congress

  
Kathy Castor  
Member of Congress

Joaquin Castro  
Joaquin Castro  
Member of Congress

David N. Cicilline  
David N. Cicilline  
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Alma Adams  
Alma Adams  
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Katherine M. Clark  
Katherine Clark  
Member of Congress

Wm. Lacy Clay  
Wm. Lacy Clay  
Member of Congress

Steve Cohen  
Steve Cohen  
Member of Congress

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John Conyers, Jr  
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Jim Cooper  
Jim Cooper  
Member of Congress

Lou Correa  
Lou Correa  
Member of Congress

Jim Costa  
Jim Costa  
Member of Congress

Joe Courtney  
Joe Courtney  
Member of Congress

Charlie Crist  
Charlie Crist  
Member of Congress

Joe Crowley  
Joe Crowley  
Member of Congress

Elijah E. Cummings  
Elijah E. Cummings  
Member of Congress

Josh Gottheimer  
Josh Gottheimer  
Member of Congress

Danny K. Davis  
Danny K. Davis  
Member of Congress

Susan A. Davis  
Susan A. Davis  
Member of Congress

Peter A. DeFazio  
Peter A. DeFazio  
Member of Congress

Diana DeGette  
Diana DeGette  
Member of Congress

Rosa L. DeLauro  
Rosa L. DeLauro  
Member of Congress

Suzan K. DelBene  
Suzan K. DelBene  
Member of Congress

Val Butler Demings  
Val Butler Demings  
Member of Congress

Mark DeSaulnier  
Mark DeSaulnier  
Member of Congress

Ted Deutch  
Ted Deutch  
Member of Congress

Debbie Dingell  
Debbie Dingell  
Member of Congress

Lloyd Doggett  
Lloyd Doggett  
Member of Congress

Keith Ellison  
Keith Ellison  
Member of Congress

Eliot L. Engel

Eliot L. Engel  
Member of Congress

Anna G. Eshoo

Anna G. Eshoo  
Member of Congress

Adriano Espaillat

Adriano Espaillat  
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Dwight Evans

Dwight Evans  
Member of Congress

Bill Foster

Bill Foster  
Member of Congress

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Lois Frankel  
Member of Congress

Marcia L. Fudge

Marcia L. Fudge  
Member of Congress

Tulsi Gabbard

Tulsi Gabbard  
Member of Congress

Ruben Gallego

Ruben Gallego  
Member of Congress

Jimmy Gomez

Jimmy Gomez  
Member of Congress

Vicente Gonzalez

Vicente Gonzalez  
Member of Congress

Al Green

Al Green  
Member of Congress

Gene Green

Gene Green  
Member of Congress

Luis V. Gutierrez

Luis V. Gutierrez  
Member of Congress

Colleen Hanabusa

Colleen Hanabusa  
Member of Congress

Denny Heck

Denny Heck  
Member of Congress

Jared Huffman

Jared Huffman  
Member of Congress

Pramila Jayapal

Pramila Jayapal  
Member of Congress

Hakeem Jeffries

Hakeem Jeffries  
Member of Congress

Eddie Bernice Johnson

Eddie Bernice Johnson  
Member of Congress

Marcy Kaptur

Marcy Kaptur  
Member of Congress

William R. Keating

William R. Keating  
Member of Congress

Joseph P. Kennedy, III

Joseph P. Kennedy, III  
Member of Congress

Ro Khanna

Ro Khanna  
Member of Congress

Rubén J. Kihuen

Rubén J. Kihuen  
Member of Congress

James R. Langevin

James R. Langevin  
Member of Congress

Rick Larsen

Rick Larsen  
Member of Congress

John B. Larson

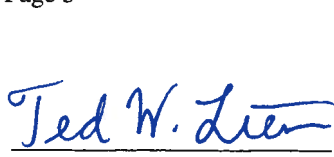
John B. Larson  
Member of Congress

Barbara Lee

Barbara Lee  
Member of Congress

Sander Levin

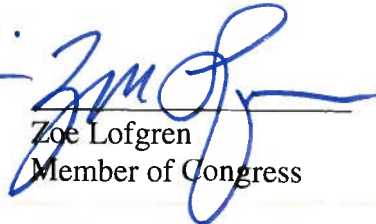
Sander Levin  
Member of Congress



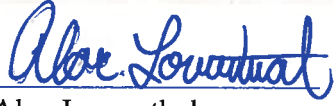
Ted W. Lieu  
Member of Congress



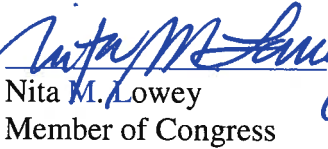
Daniel W. Lipinski  
Member of Congress



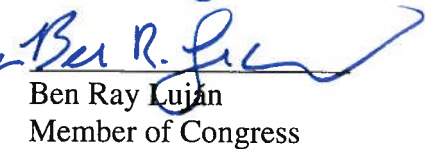
Zoe Lofgren  
Member of Congress



Alan Lowenthal  
Member of Congress



Nita M. Lowey  
Member of Congress



Ben Ray Lujan  
Member of Congress



Alice L. Hastings  
Member of Congress



Carolyn Maloney  
Member of Congress



Sean Patrick Maloney  
Member of Congress



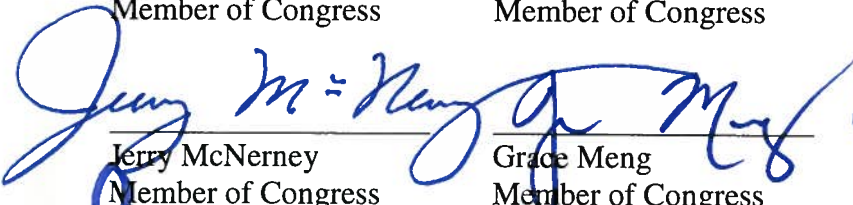
Doris Matsui  
Member of Congress



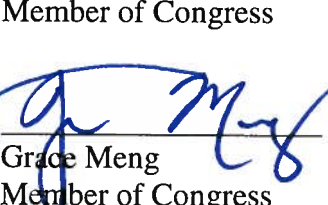
Betty McCollum  
Member of Congress



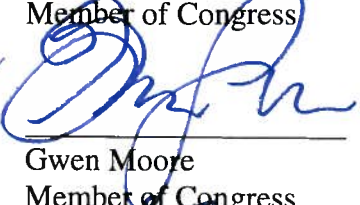
A. Donald McEachin  
Member of Congress



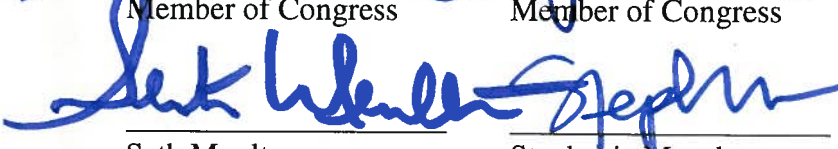
Jerry McNerney  
Member of Congress



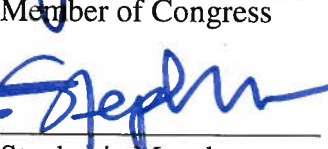
Grace Meng  
Member of Congress




Gwen Moore  
Member of Congress



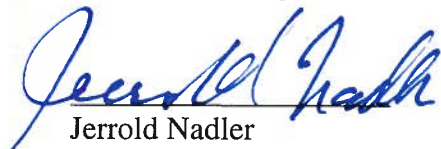
Seth Moulton  
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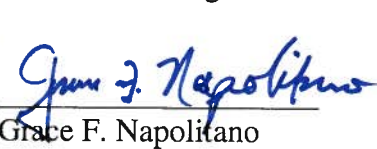
Stephanie Murphy  
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Ann McLane Kuster  
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Jerrold Nadler  
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Grace F. Napolitano  
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Donald Norcross  
Member of Congress



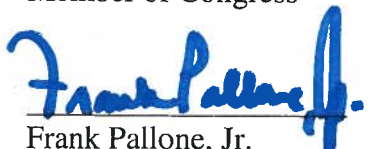
Eleanor Holmes Norton  
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Tom O'Halleran  
Member of Congress



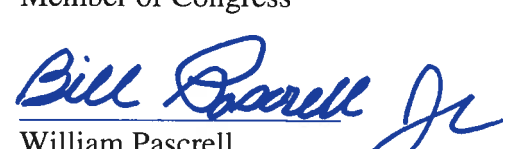
Beto O'Rourke  
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Frank Pallone, Jr.  
Member of Congress





Jimmy Panetta  
Member of Congress




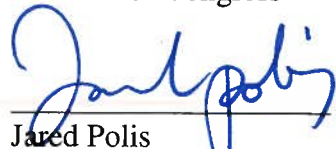
William Pascrell  
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Donald M. Payne, Jr.  
Member of Congress

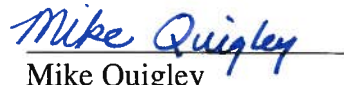
  
Ed Perlmutter  
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Chellie Pingree  
Member of Congress

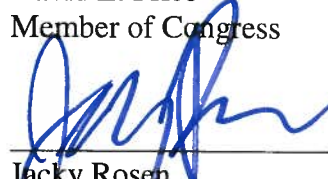
  
Mark Pocan  
Member of Congress


  
Jared Polis  
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David E. Price  
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Mike Quigley  
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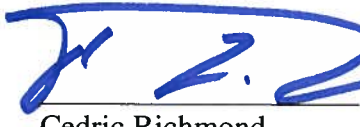
  
Jamie Raskin  
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Jacky Rosen  
Member of Congress

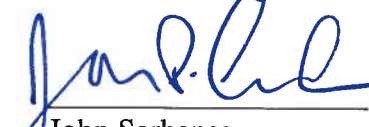
  
Lucille Roybal-Allard  
Member of Congress

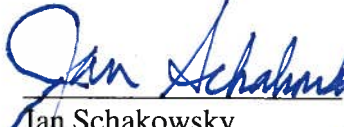
  
Dutch Ruppersberger  
Member of Congress

  
Tim Ryan  
Member of Congress


  
Cedric Richmond  
Member of Congress


  
Linda T. Sánchez  
Member of Congress

  
John Sarbanes  
Member of Congress

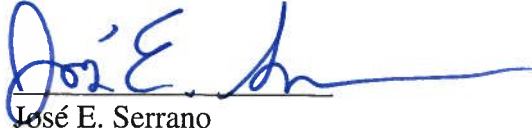
  
Jan Schakowsky  
Member of Congress

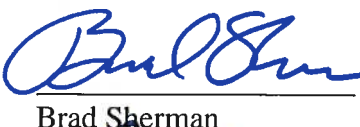
  
Adam Schiff  
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Bradley S. Schneider  
Member of Congress


  
Kurt Schrader  
Member of Congress

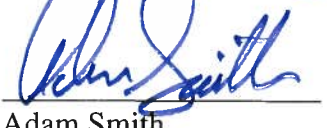
  
Bobby Scott  
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José E. Serrano  
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Brad Sherman  
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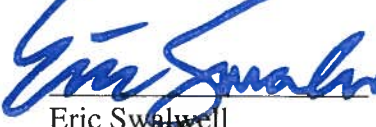
  
Albio Sires  
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Louise Slaughter  
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Darren Soto  
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Jackie Speier  
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Norma J. Torres  
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Juan Vargas  
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Marc Veasey  
Member of Congress



Filemon Vela  
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Nydia M. Velázquez  
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Tim Walz  
Member of Congress



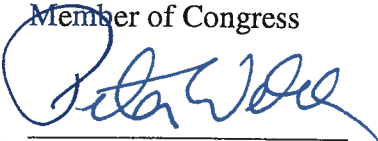
Gregorio Kilili Camacho Sablan  
Member of Congress



Debbie Wasserman Schultz  
Member of Congress



Bonnie Watson Coleman  
Member of Congress



Peter Welch  
Member of Congress



John Yarmuth  
Member of Congress



Gregory Meeks  
Member of Congress



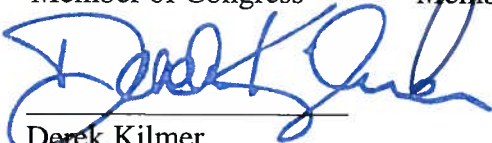
Sheila Jackson Lee  
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James E. Clyburn  
Member of Congress



Scott Peters  
Member of Congress



Derek Kilmer  
Member of Congress