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;\(^1\) (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.\(^2\) We are further disturbed by Secretary Kelly’s comments that he does not believe DACA is legally or constitutionally defensible.\(^3\) 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.\(^4\) Furthermore, as you are aware, there is substantial legal support for the constitutionality of DACA.\(^5\) 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.\(^6\) 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.\(^7\) 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.\(^8\)

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\(^1\) Texas v. United States, 86 F. Supp. 3d 591 (S.D. Tex. 2015).
Cc: The Honorable Jeff Sessions, Attorney General, U.S. Department of Justice