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FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest



July 20, 2017

The Honorable John Kelly
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Kelly,

On behalf of the Federation for American Immigration Reform's (FAIR) nearly 1.5 million members and supporters nationwide, I applaud your decision to cancel the unconstitutional Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program. Ending DAPA responsibility upholds the Rule of Law, maintains the integrity of the U.S. immigration system, discourages additional illegal immigration, and protects job opportunities for American workers.

Likewise, we urge you to immediately cancel the Deferred Action for Childhood Arrivals (DACA) amnesty program because it violates the United States Constitution for all of the same reasons you concluded DAPA should end. President Trump promised on the campaign trail to "immediately terminate President Obama's illegal executive order on immigration." This statement clearly refers to both DACA and DAPA. However, the U.S. Citizenship and Immigration Services (USCIS), which you oversee, continues to give illegal aliens privileges under DACA at the exact same rate as the Obama administration.

President Obama exceeded his power as president when he unilaterally created the DACA program in the summer of 2012 after Congress repeatedly rejected amnesty legislation for individuals who entered the country unlawfully as minors, known as the *Development, Relief, and Education for Alien Minors Act*, or more commonly the *DREAM Act*. Under the guise of "prosecutorial discretion," President Obama not only exempted a large subset of the illegal alien population from immigration enforcement but went further by providing them Social Security Numbers, work authorization, and the ability to receive a number of taxpayer benefits like driver's licenses and in-state tuition.

Then-candidate Trump was spot-on to call DACA "illegal" on the campaign trail. The DREAM Act has failed at least six times because it lacks Congressional support and is widely opposed by the American people. There is no "inaction" clause that allows a president to change the law when Congress refuses to do so. Our Constitution gives Congress plenary authority over immigration and every day DACA continues to exist is an affront to the separation of powers and the Rule of Law.



The administration's failure to end DACA exacerbates the problem—sending a signal to the world that our laws will not be uniformly enforced. Since its implementation, the program has proven to encourage more illegal immigration into the United States even though new arrivals are ineligible. Clearly they expect that if they unlawfully remain in the United States long enough, eventually the federal government will reward them. President Trump can send no clearer signal that illegal immigration will not be tolerated if he follows through with his campaign promise to end DACA.

Worse, rogue elements within the president's political party are using White House inaction to provide DACA even more benefits. Just last week, the Republican-controlled House Appropriations Committee approved language in a funding bill that would allow DACA to take jobs in the federal government. This outrageous move to let illegal aliens, who are citizens of other countries, take respected jobs in our government is just the beginning. The silence out of the White House on this issue only encourages pro-amnesty Members of Congress to continue to find ways to reward illegal aliens at the expense of American workers.

President Trump won the election because of his strong stance against illegal immigration. The American people expect him to fulfill his campaign promises of opposing amnesty and instituting an immigration system that serves the national interest. DACA was an unconstitutional power grab by President Obama that unfairly rewards certain illegal aliens at the expense of young Americans seeking to recover from the Obama economy. As the Rule of Law president, DACA hinders the Trump agenda because it is poor policy and undermines the integrity of our immigration system. Thus, for the reasons above, FAIR and its members urge you to rescind DACA.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Stein', written in a cursive style.

Dan Stein
President