

United States Senate

WASHINGTON, DC 20510

June 19, 2020

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

Dear President Trump:

Following the Supreme Court's landmark decision on Deferred Action for Childhood Arrivals (DACA), today you tweeted, "We will be submitting enhanced papers shortly in order to properly fulfill the Supreme Court's ruling & request of yesterday." We strongly urge you to change course and use your executive authority to protect, not deport, the young immigrants who are eligible for DACA.

Eight years ago, following bipartisan requests from Congress, President Obama used his legal authority to establish DACA. DACA provides temporary protection from deportation on an individualized basis to immigrants who arrived in the United States as children if they register with the government, pay a fee, and pass criminal and national security background checks. The young people who are eligible for DACA, known as Dreamers, are American in every way except for their immigration status. More than 800,000 Dreamers have come forward and received DACA. DACA has been vital for Dreamers, who are contributing to our country as soldiers, nurses, teachers, and small business owners, and in many other ways.

In the midst of the COVID-19 pandemic, more than 200,000 DACA recipients are working in occupational areas that your Administration's Department of Homeland Security (DHS) identifies as part of the "essential critical infrastructure workforce." This includes an estimated 41,700 DACA recipients working in the health care industry, including physicians and physicians in training, intensive care nurses, paramedics, respiratory therapists, nursing assistants, and health technicians. It makes no sense to continue your efforts to deport these essential workers to countries they barely remember even as our nation grapples with the COVID-19 pandemic.

When you announced your repeal of DACA, you called on Congress to "legalize DACA," and today you tweeted, "I have wanted to take care of DACA recipients better than the Do Nothing Democrats, but for two years they refused to negotiate." In fact, you have rejected numerous bipartisan deals to protect Dreamers. For example, on January 11, 2018, in a meeting in the Oval Office, you rejected a bipartisan immigration agreement that included protection for Dreamers. On February 15, 2018, the Senate considered a bipartisan amendment offered by Senators Mike Rounds (R-SD) and Angus King (I-ME) which included a path to citizenship for Dreamers. A bipartisan majority supported the amendment, but it failed to reach the 60 votes needed to pass because your Administration issued a statement of opposition. On the same day, the Senate rejected your immigration proposal by a bipartisan supermajority of 39-60.

On June 4, 2019, the House of Representatives passed H.R. 6, the American Dream and Promise Act, legislation that would give Dreamers a path to citizenship, on a strong bipartisan vote of 237-187. The American Dream and Promise Act has now been pending in the Senate for more than a year.

Mr. President, it is not too late for you to do the right thing. Specifically, we call on you to immediately:

1. Publicly announce that you will not make another attempt to repeal DACA;
2. Direct DHS to reopen DACA to eligible individuals who have been unable to apply due to your decision to terminate DACA; and.
3. Endorse the American Dream and Promise Act, which would pass the Senate on a strong bipartisan vote if you simply called on Leader McConnell to bring it to a vote.

As the Supreme Court has recognized, it is well within your executive authority to protect Dreamers. By contrast, going ahead with your Administration's efforts to deport DACA recipients would be needlessly cruel and would weaken our nation's essential workforce. Only Congress can provide a pathway to citizenship for Dreamers, but it is up to you whether to use your Administration's authority to allow these young immigrants who have benefitted America in countless ways to continue contributing to our nation, or to continue your efforts to deport them.

It would be an American tragedy to deport DACA recipients who are saving lives in the midst of this pandemic. We must ensure these talented young immigrants are not forced to stop working when the need for their public service has never been greater. And we must give them the chance they deserve to become American citizens.

We, and hundreds of thousands of Dreamers, await your response.

Sincerely,



RICHARD J. DURBIN
United States Senator

CHARLES E. SCHUMER
United States Senator

PATRICK LEAHY
United States Senator

DIANNE FEINSTEIN
United States Senator

PATTY MURRAY
United States Senator

RON WYDEN
United States Senator

JACK REED
United States Senator

THOMAS R. CARPER
United States Senator

DEBBIE STABENOW
United States Senator

MARIA CANTWELL
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ROBERT MENENDEZ
United States Senator

BENJAMIN L. CARDIN
United States Senator

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ROBERT P. CASEY, JR.
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CATHERINE CORTEZ MASTO
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TINA SMITH
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JACKY ROSEN
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