Congress of the United States
Washington, DC 20515

July 2, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20500

Dear Mr. President:

As our country faces an unprecedented surge in the arrival of unaccompanied alien children (UACs) at our southwestern border, we call on you to immediately end the failed policies that encourage young individuals to put themselves in peril, leave their home countries, and make a long and dangerous journey to enter our country illegally. Instead, you must work with Congress to expeditiously end this unsustainable course.

In recent years, your Administration has vowed to circumvent Congress, ignore immigration law, and act outside the scope of Executive powers to implement your desired immigration practices. Now, our Border Patrol agents, Immigration and Customs Enforcement (ICE) officials, health and education services, and communities along the southwestern border are overwhelmed by a crisis that must be addressed immediately.

On June 23, 2014, the Department of Homeland Security promoted an opinion editorial by Secretary of Homeland Security Jeh Johnson that attempted to dissuade young foreign nationals from entering the United States illegally by pointing out that they will not receive preferential status under any one of your promised programs.[1] As the written piece suggests, the current surge is far more than a humanitarian crisis resulting from violence and economic failures in Central America. The perception of eventual legal status has been generated through your Administrative actions. To counter these

[1] U.S. Department of Homeland Security, "An Open Letter to the Parents of Children Crossing Our Southwest Border," http://www.dhs.gov/news/2014/06/23/open-letter-parents-children-crossing-our-southwest-border?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+dhs%2FzOAi+(DHS+News+Releases+Feed)

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perceptions, you must take concrete action beyond editorials and press releases- you must end the failed policies that stimulated this unmanageable situation.

Firstly, we call on you to end the Deferred Action for Childhood Arrivals (DACA) program created, without congressional support, by your Administration in June, 2012.[2] While the current program only applies to arrivals prior to 2007, the very existence of the program contradicts present law and violates the Constitutional principle of a separation of powers which grants primary law making authority to the Congress. The Executive does not get to pick and choose which laws must be enforced and which can be selectively ignored. Further, DACA rewards families and individuals who have broken our laws, further encouraging others to seek similar benefits. The DACA program must be immediately ended to send a clear signal to all individuals that our immigration laws will be enforced.

Secondly, you must make an explicit public commitment that you will not support legislation that extends legal status to newly arriving illegal aliens no matter the age. Secretary Johnson's statement that S. 744, the Senate's immigration proposal, would not confer benefits to the newly arriving UACs is insufficient to mitigate the popular belief that a pathway to citizenship will be available to any individual in the United States. We request that you remove from consideration any preferential treatment for individuals who have recently illegally crossed our borders.

Additionally, on March 13, 2014, you directed Secretary Johnson to conduct a review of the Department of Homeland Security's deportation procedures.[3] In May, you requested that the findings of this review be delayed until the end of the summer, suggesting that at that time you would once again be willing to act on immigration policy without Congressional approval. Your continued commitment to circumvent Congress and implement policies contrary to the intent of immigration law sends foreign nationals the false hope that administrative amnesty is possible. By refusing to disclose the nature of the DHS review and the scope of policy considerations, your Administration has encouraged UACs to enter the United States sooner rather than later, and we ask that you immediately clarify the intent of this review and ensure that no special treatment for any illegal alien, including UACs, will be attempted through the DHS review.

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[2] U.S. Department of Homeland Security, "Secretary Napolitano Announces Deferred Action Process for Young People Who Are Low Enforcement Priorities," http://www.dhs.gov/files/enforcement/deferred-action-process-for-young-people-who-are-low-enforcement-priorities.shtm

[3] The White House Office of the Press Secretary, "Readout of the President's Meeting with Congressional Hispanic Caucus Leadership," http://www.whitehouse.gov/the-press-office/2014/03/13/readout-presidents-meeting-congressional-hispanic-caucus-leadership

Following the end of these three destructive efforts, you should work with legislators to ensure vigorous oversight of our generous asylum system to avoid fraud and abuse. The National Security Subcommittee of the House Oversight and Government Reform Committee has conducted oversight of fraud and abuse in the existing asylum process.[4] As Congress considers legislative proposals to ensure our system is reserved for deserving applicants, we urge you to cooperate with Congressional leaders to provide accurate data on the recent surge and work for legislative reforms that ensure the safe repatriation of these minor children to family members in their home countries and provide the commitment necessary to secure our border.

Sincerely,

Darrell Issa
Member of Congress

Pete Sessions
Member of Congress

Sam Graves
Member of Congress

Lamar Smith
Member of Congress

Blake Farenthold
Member of Congress

Gus Bilirakis
Member of Congress

Marsha Blackburn
Member of Congress

Tom McClintock
Member of Congress

[4] The Committee on Oversight on Government Reform, Subcommittee on National Security, "Border Security Oversight Part II: Examining Asylum Requests," http://oversight.house.gov/hearings/

John Duncan
Member of Congress

Tom Cotton
Member of Congress

Jim Bridenstine
Member of Congress

Alan Nunnelee
Member of Congress

Gregg Harper
Member of Congress

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Lynn Jenkins
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Markwayne Mullin
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Virginia Foxx
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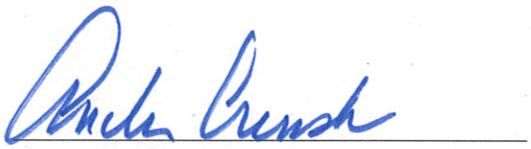

Ander Crenshaw
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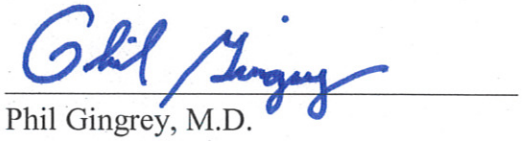

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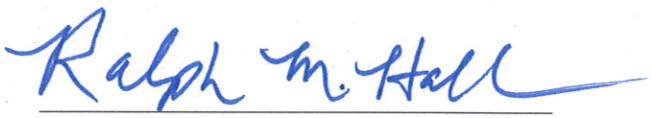
Rob Wittman
Member of Congress



Ralph Hall
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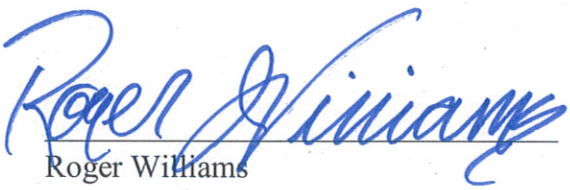

Roger Williams
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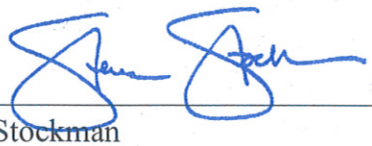
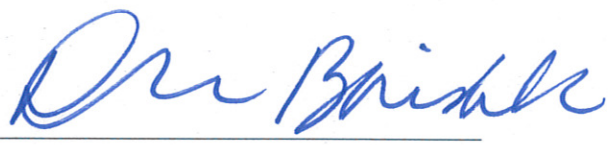
John Campbell
Member of Congress



Steve Stockman
Member of Congress



Dan Benishek, M.D.
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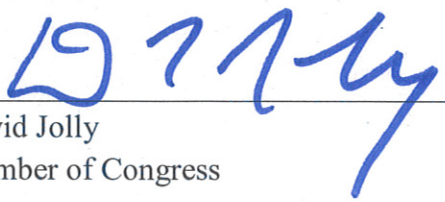
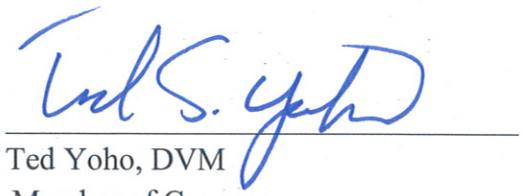


David Jolly
Member of Congress



Ted Yoho, DVM
Member of Congress

Tim Griffin
Member of Congress