

December 5, 2017

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Senator Mitch McConnell Majority Leader United States Senate Room S-230, The Capitol Washington, DC 20510 Representative Nancy Pelosi Minority Leader United States House of Representatives Room H-204, The Capitol Washington, DC 20515

Senator Chuck Schumer Minority Leader United States Senate Room S-221, The Capitol Washington, DC 20510

Dear Speaker Ryan, Leader Pelosi, Leader McConnell and Leader Schumer:

We write to you as former federal employees who have administered or observed the nation's immigration system for many years and understand both its complexities and its challenges. For the reasons given below, we urge you to bring the Dream Act (S. 1615, H.R. 3440) to the floor for a vote without amendments or qualifications of any kind. A decisive vote, unfettered by additional enforcement provisions or attempts to restrict future legal immigration, is the best solution to resolving the undocumented status of a generation of young people.

Collectively, we have implemented, enforced, adjudicated, and regulated aspects of our immigration system or worked in areas of the government that rely on a functioning immigration system for over 50 years. We have worked in the executive, legislative and judicial branches of the government and have experienced the widening gap between the objectives of our immigration system and the ability to deliver services to those who merit them. As the years have gone by with no significant reforms to our immigration system, the federal workforce has been put in an impossible situation. Our immigration laws have not kept pace with the rapidly changing nature of migration to the United States and around the world, leaving many public servants with no choice but to deny well-deserved or much needed benefits and protections to non-citizens.

Perhaps nowhere is this more evident than in the case of undocumented youth brought to this country as children, frequently known as the Dreamers. Despite their complete identification with American culture and values, the legal options available for them to "get right with the law" have become fewer with each passing year. Prior to 1996, many of these individuals, their parents, and other family members, might have become eligible for adjustment of status through relief mechanisms built into the law, such as suspension of deportation, that were designed to allow for individual balancing of equities and responsibilities. Since 1996, however, the trend in immigration law has been to strip away these balancing mechanisms,

limiting the authority of federal adjudicators and enforcers to make individualized decisions and to exercise any grace in enforcing the law. The Deferred Action for Childhood Arrivals (DACA) program was born out of that frustration, as an effort to marshal whatever remaining discretion was available to limit, but not fix, the consequences of a failing immigration system.

Today, Congress has the opportunity to restore balance to a small part of the system by enacting the Dream Act. There has been much talk of the need to attach immigration enforcement measures, such as appropriating funds to build a wall or to add more layers of security at the border, as a necessary condition for authorizing legal status for Dreamers, but such talk ignores the long history of legislation and appropriations that have funded major expansions of border and interior enforcement and toughened numerous immigration laws. During the span of the last 20 years, virtually every effort to address immigration that has passed Congress has been aimed at strengthening enforcement. While we support thoughtful and innovative measures to maintain the security of our country – and have devoted our lives to its service – we respectfully suggest that our immigration system is broken not because we don't have enough enforcement mechanisms and funding, but because we have inadequate options for legal migration, including options to address the situation of individuals who have been in the country unlawfully but have earned a chance, through their hard work and contributions, to reside legally in the United States.

The debate over how to fully reform our immigration system – how to find that right balance between legal immigration and enforcement, how to support our businesses and schools, how to ensure that our citizens have equal opportunities – is for another day. But we can begin the process of restoring balance by addressing the discrete and compelling situation of the Dreamers.

We support the Dream Act not only because it provides relief to a group of young people who call America home, but because it offers clear guidance and eligibility requirements that will allow the federal workforce to do its job. It makes use of existing adjudications, such as DACA determinations, to reduce redundancies in adjudication. It establishes clear procedures and reasonable timelines for completing decisions. It gives the adjudicator and the law enforcement official clear priorities and guidance with respect to allocating our limited government resources. In short, it will make it easier for immigration officials across the board to do their jobs. The more the decision to "fix DACA" is tied to enforcement measures, efforts to limit future migration, or otherwise complicate the solution, the more likely it is to be caught up in uncertainty and ultimately to fail.

We urge you to act swiftly and decisively to help the Dreamers. A vote for a "clean" Dream Act is not only a vote for these young people, but a vote to improve the quality of service that federal workers seek to provide to everyone.

Sincerely*,

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