

June 8, 2012

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President,

I write to express UNITE HERE's concern about the situation of potential beneficiaries of the Development, Relief and Education for Alien Minors (DREAM) Act, a talented group of young people who stand to contribute greatly to our nation's economy. Despite their tremendous potential to enrich our nation, these young people face severe limits on their ability to reach their dreams. We believe that passage of the DREAM Act is within reach. In the meantime, however, the failure of Congress to act has left potential future beneficiaries extremely vulnerable. We urgently call on the Administration to exercise its substantial and undisputed discretionary authority to grant these young people temporary administrative relief, and provide them with a small measure of security that they will be able to remain in the place they call home.

Providing young people with access to education and a path towards good jobs is critical to our economic future. Although your administration has persistently sought to expand such opportunities for many hardworking youth, it could do more to eliminate the legal barriers to success that many talented young new Americans currently face. Fear of deportation continues to keep many undocumented students and young people in the shadows, preventing them from developing the skills they need to access higher-paying work and forcing them to work off the books. The segregation of these students into a marginalized sector of the workforce, regardless of their talent and work ethic, is both deeply unjust to these young people individually and harmful to our workforce as a whole.

The members of UNITE HERE have long understood that the creation of an underclass of undocumented immigrants effectively reduces working standards for all working people. Our broken immigration system has allowed unscrupulous employers to undermine the enforcement of our nation's labor and employment laws by stifling workers' claims of legal violations with the threat of deportation. Only Congress can implement a full solution to this persistent problem. However, the Administration can



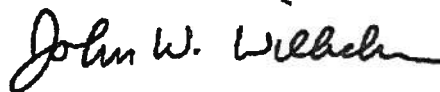
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take an important intermediate step to protect a class of individuals whose cases are particularly compelling. DREAM Act beneficiaries merit particular attention because many were brought here as children and have no other place to call home. Providing temporary administrative relief and employment authorization to these young people will ensure that they do not sink further into the underclass while we wait for Congress to act.

The executive branch has a number of tools at its disposal to grant such relief to DREAM Act beneficiaries, and has utilized these tools in the past to grant relief to other groups. As a group of law professors recently outlined in a letter to you, your Administration could choose to grant deferred action, parole in place, or deferred enforced departure to protect this vulnerable group.¹ Deferred action is an exercise of the administration's prosecutorial discretion authority that can prevent an individual from being placed in removal proceedings, suspend any proceedings that have commenced, or stay the enforcement of any existing removal order. Deferred enforced departure is a form of prosecutorial discretion that is closely related to deferred action. Similarly, parole in place permits individuals to remain in the United States temporarily for reasons of significant public benefit. Recipients of these forms of administrative relief would also be eligible to apply for employment authorization. Adopting a program to grant any of these forms of administrative relief to DREAM Act beneficiaries would give great hope to our nation's youth, and UNITE HERE strongly urges your Administration to do so immediately.

UNITE HERE is grateful for your attention to this matter. We are prepared to stand with your Administration as we, together, seek to protect the interests of our children and all working people. Please do not hesitate to contact me with any questions.

Sincerely,



John W. Wilhelm
President

JWW/rcf

cc: Janet Napolitano, Secretary, Department of Homeland Security

¹ See Editorial, *A Start on the DREAM Act*, N.Y. TIMES (Jun. 3, 2012), <http://www.nytimes.com/2012/06/04/opinion/a-start-on-the-dream-act.html>.