

**NATIONAL  
IMMIGRANT  
JUSTICE CENTER**  
A HEARTLAND ALLIANCE PROGRAM

December 4, 2014

Dear Representative:

Heartland Alliance's National Immigrant Justice Center (NIJC) writes to express our opposition to H.R. 5759, the "Executive Amnesty Prevent Act of 2014," introduced by Rep. Ted Yoho, which is a misguided effort to prohibit the President from taking executive action on immigration.

Attempts to strip the executive branch of authority to defer the removal of certain noncitizens places individuals and communities at greater risk of harm. One such effort, H.R. 5759, is grossly overbroad and if passed, would sweep into its wide net many vulnerable individuals in compelling circumstances who rely on protection from removal for their safety and well-being. For example, those fleeing armed conflict, humanitarian disasters and domestic violence are eligible under existing law to have their deportation deferred until a more permanent solution becomes available. In addition, the ability to protect from removal those victims of crime who cooperate with criminal investigations and prosecutions is a critical law enforcement tool. Protection of vulnerable individuals has always been a bipartisan value and longstanding American tradition that should not be up-ended by divisive politics.

As a direct legal service provider to thousands of noncitizens annually, NIJC cannot understate the importance of the executive branch's authority to defer removal for many of the clients we serve. One NIJC client, Alicia, was 13 when she was raped by a 33-year-old man in Mexico. She became pregnant and was forced to live with him when she was still a child and eventually marry him when she was of legal age. The man is a lawful permanent resident in the United States and compelled Alicia to come live in the U.S. with him. He sexually and physically abused her and beat their children for the duration of their marriage. About one year ago, Alicia finally escaped him and is now seeking protection under the Violence Against Women Act (VAWA). Once her VAWA petition is approved, she will have to wait several years for an immigrant visa to become available. Until then, Alicia's VAWA approval will enable her to receive deferred action so she can be protected from removal and legally work to provide for her children while she awaits permanent protection in the United States.

The President acted within his established legal authority when taking recent executive actions on immigration. Public opinion supports these steps, with an approval rate of over 60 percent of the general public and 89 percent of Latino voters recently polled. The President's actions, however, are only a limited and temporary fix. If Congress prefers a legislative solution over executive action, it should bring to the floor a bill like H.R. 15 that seeks to address the wide range of challenges in our broken immigration system.

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NIJC stands in opposition to H.R. 5759 and hopes you will join us. If you have any questions about the impact and unintended consequences of this bill, please contact Royce Murray, NIJC's director of policy, at (312) 718-5021 or [rmurray@heartlandalliance.org](mailto:rmurray@heartlandalliance.org).

Sincerely,

A handwritten signature in black ink that reads "Mary Meg McCarthy". The signature is written in a cursive, flowing style.

Mary Meg McCarthy  
Executive Director