



PRESS RELEASE

Attorney General Frosh Joins DACA Lawsuit Against Trump Administration

Maine, Maryland and Minnesota Join California in Lawsuit Standing up for DREAMers

BALTIMORE, MD (September 11, 2017) – Maryland Attorney General Brian E. Frosh announced today that Maryland has joined California, Maine and Minnesota in filing a [lawsuit](#) against the Trump Administration over its decision to end the Deferred Action for Childhood Arrivals initiative (DACA). The four states filed the suit in the U.S. District Court for the Northern District of California arguing that the Trump Administration violated the Constitution and federal laws when it rescinded DACA.

“The DACA initiative has allowed more than 800,000 DREAMers to attend school, serve in our armed forces, and contribute to our communities,” said Attorney General Frosh. “The callous and cavalier action taken by the Trump Administration will destroy the lives of many immigrants who were brought here as infants and toddlers, who love the United States of America, who pay taxes and abide by the law. In Maryland alone, there are nearly 10,000 current DACA recipients working and going to school. Ending the program would constitute a \$509.4 million loss to the state’s annual GDP. My office will stand with and defend Maryland’s DREAMers and the nearly one-million DREAMers across America.”

In the [complaint](#), Attorney General Frosh, along with Minnesota Attorney General Lori Swanson, Maine Attorney General Janet Mills, and California Attorney General Xavier Becerra describe the several violations by the federal government of the Constitution and federal laws designed to ensure that our government treats everyone fairly and transparently. The complaint alleges:

- The Trump Administration’s termination of DACA and the associated Department of Homeland Security (DHS) memo and FAQs may lead to the untenable outcome that the Administration will renege on the promise it made to Dreamers and their employers that information they gave to the government for their participation in the program will not be used to deport them or prosecute their employers. The risk DACA grantees face is compounded by DHS’s earlier imposition of boundless enforcement “priorities” that sweep in most immigrants. The threatened misuse of sensitive information provided in good faith by DACA grantees to the government is fundamentally unfair, violating the Fifth Amendment’s due process guarantee.

- The federal *Regulatory Flexibility Act* also requires the government to analyze the effects of a proposed change on small businesses, many of which are owned by, or employ, Dreamers, and to take comments on the proposed change. The Administration completely ignored these legal requirements.
- The termination of DACA directly affects the substantive rights of almost 800,000 people and indirectly affects millions more, as well as small and large businesses, non-profits, and the towns, cities and states that these individuals call home. The federal *Administrative Procedure Act* requires such a change to be made for sound reasons, and for the public to be able to make formal comments on it before it's made into law. Whether or not the initiative was implemented through notice and comment rulemaking, it cannot be terminated without it.

In July, Attorney General Frosh joined 20 attorneys general in [sending a letter](#) to President Trump urging him to maintain and defend DACA. In the letter, the attorneys general stated DACA has benefited their states and the nation as a whole and called on President Trump to fulfill his public commitment to DREAMers, whom he called “incredible kids” who should be treated “with heart.”