



**ALABAMA ATTORNEY GENERAL STEVE MARSHALL ONE OF SEVEN ATTORNEYS
GENERAL FILING LAWSUIT AGAINST DACA PROGRAM**

(MONTGOMERY) – Alabama Attorney Steve Marshall is one of a coalition of seven attorneys general who filed a lawsuit Tuesday calling for the halt of the unconstitutional Deferred Action for Childhood Arrivals (DACA) program which was implemented by an Obama administration memo without the legal consent of Congress. On Wednesday, Attorney General Marshall joined the same multi-state coalition in filing a preliminary injunction against DACA.

Since the Obama administration’s unilateral creation of the DACA program in 2012, nearly one million unlawful aliens have been given legal presence and work eligibility in the United States.

“The U.S. Constitution is quite clear that Congress alone has the legal authority to write U.S. immigration law, not the President through an executive branch memo, said Attorney General Marshall. “We are a nation of laws and when those laws are ignored by a branch of the federal government, as we have witnessed with the creation of DACA without Congressional approval, the proper response is to take legal action as our coalition of seven states has done. This purpose of this pursuit has never been to steer immigration policy, but to rightfully return policymaking to the legislative branch of government.”

Last September, after Alabama and nine other states first threatened to sue the federal government to end the lawful DACA program, the Trump administration agreed to phase it out by March 2018. Since then, activist judges in at least three separate federal courts have issued rulings blocking the dismantling of DACA.

The multi-state lawsuit asks a federal court to declare DACA unlawful and prevent the federal government from issuing or reviewing any additional DACA permits in the future. Furthermore, the lawsuit does not call on the federal government to deport any unlawful aliens presently protected by DACA or rescind DACA permits already issued.

The preliminary injunction filed today asks the federal court to halt the issuance or renewal of any DACA permits while the seven-state coalition’s lawsuit is under court review.

The lawsuit was filed May 1, 2018, in U.S. District Court for the Southern District of Texas by Alabama, Arkansas, Louisiana, Nebraska, South Carolina, Texas and West Virginia.

[Link to the multi-state lawsuit](#)

[Link to the preliminary injunction motion](#)

501 Washington Avenue • Montgomery, AL 36104 • (334) 242-7300

www.ago.alabama.gov

