



Attorney General Doug Peterson

News Release

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Contact: Suzanne Gage
402-471-2656
suzanne.gage@nebraska.gov

On March 28, 2011, President Obama stated at the Univision Town Hall:

“There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system, that for me to simply, through executive order, ignore those Congressional mandates, would not conform with my appropriate role as President.”

Nevertheless, on June 15, 2012, President Obama issued the executive order known as DACA. The impact of DACA was to improperly expand immigration law created by Congress.

Today, Attorney General Sessions announced that the DACA Executive Order will be rescinded immediately and the program will be phased out over the next six months. This is a very important step in protecting the rule of law and the separation of powers set forth in our Constitution. Attorney General Sessions acknowledged today that his duty is to uphold our Constitution. By allowing an executive order to exist, which improperly expands a law passed by Congress, would be a violation of the separation of powers. In his announcement, General Sessions cited law professor Jonathan Turley, who testified about DACA before the House Judiciary Committee wherein he said:

“In ordering this blanket exception, President Obama will nullify part of a law that he simply disagreed with. . . if a president can claim sweeping discretion to suspend key federal laws, the entire legislative process becomes little more than a pretense. . . the circumvention of the legislative process not only undermines the authority of this branch, but destabilizes our tripartite system as a whole.”

The fundamental basis for my joining the letter asking for DACA to be rescinded was to prevent any president from unilaterally using executive orders to create laws. The duty to address immigration issues properly belongs to the legislative branch. As Attorney General Sessions stated, “Congress should carefully and thoughtfully pursue the types of reforms that are right for American people.” The compelling issues that surround the DACA matter must be debated on the floors of Congress. It specifically states in our Constitution that the powers of Congress include, “to establish a uniform rule of naturalization.”

Today’s decision restored the proper balance of power by rescinding an executive order. There are currently bi-partisan bills before the House and Senate addressing this issue. These are the proper forums to debate this difficult immigration issue.

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