

DACA ELIMINATION OBJECTION

Mass Distribution Public Comment and Pre-Litigation Notice

Submitted by: Concerned Citizen

I. EXECUTIVE SUMMARY

This submission serves as a formal objection and notice of unlawful administrative conduct involving the systemic denial of expedited DACA renewals. The documented pattern reflects a deliberate strategy to dismantle DACA through procedural obstruction rather than lawful rulemaking.

Such conduct violates:

- Administrative Procedure Act, 5 U.S.C. § 706(2)(A)
- Fifth Amendment Due Process Clause
- Equal Protection principles (*Bolling v. Sharpe*, 347 U.S. 497 (1954))

II. APA VIOLATIONS

Agency action must be reasoned and lawful.

Authorities:

Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29 (1983)

Encino Motorcars, LLC v. Navarro, 579 U.S. 211 (2016)

Dep't of Homeland Sec. v. Regents of the Univ. of California, 591 U.S. ____ (2020)

The current denial pattern demonstrates:

- Arbitrary and capricious decision-making
- Failure to consider reliance interests
- Lack of reasoned explanation

III. DUE PROCESS

The Fifth Amendment prohibits deprivation of liberty or property without due process.

Relevant authority:

Goldberg v. Kelly, 397 U.S. 254 (1970)

Mathews v. Eldridge, 424 U.S. 319 (1976)

DACA recipients rely on employment authorization and economic stability. Systematic denial without procedural safeguards violates due process.

IV. EQUAL PROTECTION

Discretion must not be applied arbitrarily.

Authority:

Bolling v. Sharpe, 347 U.S. 497 (1954)

The pattern of denial suggests pretextual or unequal application of discretion.

V. CONSTRUCTIVE TERMINATION

Defendants are engaging in unlawful administrative attrition:

- Maintaining nominal program existence
- Eliminating practical accessibility

This mirrors conduct rejected in Regents.

VI. EVIDENTIARY RECORD

Observed patterns include:

- Boilerplate denials
- Failure to review evidence
- Delays negating expedited purpose

This establishes a reviewable administrative record.

VII. ECONOMIC IMPACT

Research indicates DACA recipients contribute significantly to economic stability.

Sources include:

- Center for American Progress
- National Immigration Law Center

Loss of work authorization produces measurable economic harm.

VIII. DEMANDS

1. Immediate cessation of blanket denial practices
2. Publication of adjudication standards
3. Individualized decision-making requirements
4. Congressional oversight

IX. NOTICE OF LITIGATION

Failure to correct these practices will result in:

- Federal litigation under APA
- Constitutional claims
- Requests for injunctive relief

X. RECORD PRESERVATION

All relevant materials must be preserved, including:

- Internal communications
- Policy directives
- Adjudication records

XI. WHERE TO SEND

USCIS: <https://www.uscis.gov>

DHS CRCL: CRCLCompliance@hq.dhs.gov

DHS OIG: <https://www.oig.dhs.gov/hotline>

DOJ Civil Rights: <https://civilrights.justice.gov>

House Judiciary: <https://judiciary.house.gov>

Senate Judiciary: <https://www.judiciary.senate.gov>

XII. CONCLUSION

The denial pattern reflects unlawful agency conduct designed to circumvent legal requirements. Immediate corrective action is required.

Submitted by:

Concerned Citizen