

Deportation of Mexicans and Latinos: We Cannot Expect a President with Racism “in His DNA” to Save DACA

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After Donald Trump called Haiti and African nations “shithole countries” and exclaimed, “We should have more people from Norway,” Rep. John Lewis (D-Georgia) noted that being a racist “must be in his DNA, in his makeup.” Trump’s offensive characterization of Haitians and the entire continent of Africa, the latest in his [pattern and practice](#) of [racist epithets](#), imperils legal protection for the 800,000 “Dreamers” who have been able to remain in the United States under Deferred Action for Childhood Arrivals (DACA).

On September 5, 2017, Trump rescinded the DACA program, effective March 5, 2018. Attorney General Jeff Sessions incorrectly declared that Barack Obama had overstepped his legal authority when he established DACA, as I [explained previously](#).

Indeed, US District Judge William Alsup disagreed with Sessions and ordered the Trump administration to shield existing DACA enrollees from deportation until the courts could rule on the legal challenges to the program. Alsup concluded that plaintiffs contesting the rescission of DACA would likely prevail on the merits of their constitutional and statutory claims.

Ironically, Trump’s habit of spewing racist bile has come back to bite him. In his ruling, Alsup wrote there is “a plausible inference that racial animus towards Mexicans and Latinos was a motivating factor in the decision to end DACA.” Alsup cited Trump’s rhetoric against Mexicans and Latinos during the presidential campaign, specifically calling Mexicans “rapists” and referring to migrants crossing the border as “animals.”

After rescinding DACA, Trump reacted to the overwhelming opposition to his decision by tossing the ball to Congress, tweeting, “Congress has 6 months to legalize DACA (something the Obama administration was unable to do). If they can’t I will revisit this issue!”

Two days later, Trump tweeted,

“For all of those (DACA) that are concerned about your status during the six month period, you have nothing to worry about — No action!”

The president’s “shithole” words were uttered in a meeting called to save the Dreamers. It appeared there was a bipartisan consensus to reinstitute DACA with a path to citizenship for Dreamers; allocate “border security” funding, including money for Trump’s “beautiful wall”; prevent Dreamers from sponsoring their parents for legal immigration status; and end the [diversity visa lottery system](#).

Trump sought “a bipartisan bill of love,” pledging to sign any bill that came to his desk as long as it contained money for “the wall.”

But pressure from right-wing hardliners, who Trump considers his base, scuttled the deal in the volatile meeting in which he made the grotesque remarks. Trump also stated, “Why do we need more Haitians? Take them out,” indicating an intention to remove Haitians from the United States.

The initial reaction from the White House was revealing. One official [told](#) CNN’s Kaitlan Collins:

The President’s “shithole” remark is being received much differently inside of the White House than it is outside of it. Though this might enrage Washington, staffers predict the comment will resonate with his base, much like his attacks on NFL players who kneel during the National Anthem did not alienate it.

But after the firestorm erupted in response to his outrageous comments, Trump denied uttering the words “shithole countries” or “take them out,” insisting, “I am not a racist.”

Astoundingly, although several attendees at the meeting confirmed Trump’s “shithole” comments, Sens. David Perdue (R-Georgia) and Tom Cotton (R-Arkansas) said Trump had not used that language. [According to the Washington Post](#),

“[t]hree White House officials said Perdue and Cotton told the White House that they heard ‘shithouse’ rather than ‘shithole,’ allowing them to deny the president’s comments on television over the weekend. The two men initially said publicly that they could not recall what the president said.”

Sen. Dick Durbin (D-Illinois), who was present in the meeting, confirmed that Trump used the phrase “shithole countries” several times. But whether Trump said “shithole” or “shithouse” to refer to other nations is insignificant. Both are equally insulting.

Trump’s Secretary of Homeland Security Kirstjen Nielsen also tried to shield the president, testifying under oath before the Senate Judiciary Committee, “I did not hear that word.”

Earlier in the week, Trump had ended temporary protected status for 200,000 people from El Salvador, effective September 2019; many of them have been in the United States for 20 years. In November, Trump had halted temporary protected status for 59,000 Haitians, who are [still reeling](#) from the earthquake and cholera epidemic that have devastated that country.

Trump’s use of racist language in regard to immigrants — including those from Haiti — is, of course, nothing new. The New York Times [reported](#) Trump’s comments during a meeting in June 2017:

Haiti had sent 15,000 people. They ‘all have AIDS,’ [Trump] grumbled, according to one person who attended the meeting and another person who was briefed about it by a different person who was there. Forty thousand had come from Nigeria, Mr. Trump added. Once they had seen the United States, they would never ‘go back to their huts’ in Africa, recalled two officials, who

asked for anonymity to discuss a sensitive conversation in the Oval Office.

Democrats insist that reaching a deal to protect the Dreamers is a prerequisite to securing their votes to continue funding the government. Trump blames the Democrats for the impending government shutdown, tweeting, “DACA is probably dead because the Democrats don’t really want it, they just want to talk and take desperately needed money away from our military.”

But Sen. Lindsey Graham (R-South Carolina) [told](#) the New York Times,

“To believe that you can successfully blame Democrats for a shutdown over the DACA debate is naïve.”

Graham, who also attended the controversial meeting, confirmed to Sen. Tim Scott (R-South Carolina) that Trump said “shithole countries.” Graham said he had confronted Trump about the president’s words during the meeting.

The deadline to fund the government is Friday, January 19. Trump’s racist tantrum has put not only DACA, but also the entire government, in jeopardy.

Trump has appealed Alsup’s ruling to the Ninth Circuit Court of Appeals and the Supreme Court. It remains to be seen whether the appellate [courts](#) or Congress will ultimately save DACA.

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