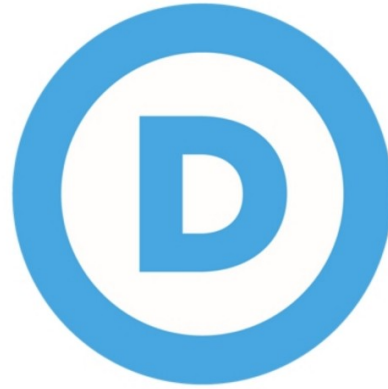




Judicial Watch Asks FEC to Investigate DNC for Hiring Illegal Alien

On August 25, the conservative, non-partisan educational foundation Judicial Watch filed a complaint with the Federal Election Commission requesting that the FEC investigate the Democratic National Committee (DNC) for having “knowingly hired a foreign national” who is an illegal alien, Cindy Nava, “to help craft the party’s message to Hispanics, women, and children.”



The complaint noted that Nava accepted a fellowship with the DNC in June. However, although the Mexican is a self-professed “DREAMer” (someone who came to the United States illegally with their parents as a child) as of June 8, her application for Deferred Action for Childhood Arrivals (DACA) had not been approved. “For all intents and purposes,” notes the complaint, “Nava continues to remain within the United States without lawful status or presence.”

The term “DREAMer” refers to the failed Development, Relief, and Education for Alien Minors Act (DREAM Act), first introduced in the Senate in 2001. Though it was reintroduced in the 107th through 111th Congresses, it never passed both houses of Congress. Frustrated by this legislative roadblock, on June 15, 2012, President Obama announced that his administration would stop deporting young illegal immigrants who met certain criteria previously proposed under the DREAM Act. This amnesty was accomplished by then-Secretary of Homeland Security Janet Napolitano, who sent a memorandum on June 15, 2012 to the heads of U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and U.S. Immigration and Customs Enforcement (ICE), ordering them to practice “prosecutorial discretion” toward some individuals who were brought to this country before their 16th birthday. This was the start of the DACA program to which Judicial Watch referred in its complaint.

Homeland Security Secretary Jeh Johnson expanded DACA on November 20, 2014, when he sent an executive action memorandum to the heads of CBP, USCIS, and ICE that removed its age cap and extended work authorization to three years. However, this action ended on February 16 when U.S. District Judge Andrew Hanen of the U.S. District Court in Brownsville, Texas, issued an injunction blocking such executive amnesty. Despite the Obama administration’s attempts to have the injunction lifted, the U.S. Court of Appeals for the Fifth Circuit, in New Orleans, let the injunction stand. Until a higher court rules otherwise, therefore, DACA applications such as Nava’s have been placed on hold.

While Judicial Watch said it did not know what Nava’s exact function at DNC is, it quoted this *Washington Post* report: “Nava is working for the Democratic National Committee ... helping the party organize ahead of a presidential election that President Obama predicted would feature immigration as a major issue.”

The complaint then quoted directly from the Code of Federal Regulations, which provides that:

A foreign national shall not direct, dictate, control, or directly or indirectly participate in the



Written by [Warren Mass](#) on September 3, 2015

decision-making process of any person, such as a ... political committee ... with regard to such person's Federal or non-Federal election- related activities, such as decisions concerning the making of contributions, donations, expenditures, or disbursements in connection with elections for any Federal, State, or local office or decisions concerning the administration of a political committee.

Judicial Watch pointed out that the above regulation "prohibits foreign nationals from working at any meaningful capacity for a political committee (like the DNC)."

But the DNC's culpability extends even further than violating that particular regulation, notes the complaint. It stated:

The United States Congress created a federal offense to knowingly hire an illegal alien. It is against Federal law "to hire, or to recruit..., for employment in the United States an alien knowing the alien is an unauthorized alien ... with respect to such employment...." There are two elements to this crime: (1) knowledge of the alien's illegal status, and (2) an employment offer.

Summarizing these elements, Judicial Watch requested a "full, formal investigation" into Nava's employment by the DNC. The complaint also alleges that Nava's employment is "an unlawful contribution to a political campaign by a foreign national under 52 U.S.C. § 30121."

In its press release announcing the complaint, Judicial Watch also noted the blatant disregard for U.S. immigration law exhibited by DNC chair Representative Debbie Wasserman Schultz (D-Fla.), who was quoted in a report in the *Washington Post* on June 8.

That report, headlined "Undocumented immigrant among fellows working for DNC," quoted Wasserman-Schultz's statement: "We are extremely proud to have Cindy on our team at the DNC. Her story is an inspiration for all of us about what immigrant youth can achieve despite their undocumented status."

"Undocumented status" is merely a nice-sounding euphemism for an illegal alien.

The *Post* also reported Nava's recollections of meeting Vice President Joe Biden after a speech the vice president gave at a Cinco de Mayo breakfast last year. She was moved when she heard Biden call "undocumented" immigrants "Americans" despite their illegal status.

"He tells me, 'Oh, I saw it in your eyes, I knew it ... you're a Dreamer, right?'" Nava recalled Biden saying to her. "And I cried and he wiped my tears, he gave me a kiss on the forehead ... and I told him that I was very thankful to this country."

The *Post* reported that, as of the date of the article last June, Nava was still waiting to find out if her DACA application would be approved. In the meantime, she will be working with the Democratic Party's political operatives at the DNC to "craft policy platforms, research and broaden her political skills on social media at the national level."

With the heightened publicity created by Judicial Watch's complaint and the media coverage it has received, however, it remains to be seen if Nava's professional relationship with the DNC will be allowed to continue.



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