



DACA UPDATE

JUNE 10, 2015

AGENDA

- **Overview of Executive Action & Texas v. U.S. Case (5 min) – Marielena Hincapie**
- **DACA & Executive Action (15 min) – Representative Luis V. Gutiérrez**
- **DACA Renewals (10 min) – Shiu-Ming Cheer**
- **Q&A (30 min)**



REP. LUIS V. GUTIÉRREZ REPRESENTS THE FOURTH DISTRICT OF ILLINOIS, IS A MEMBER OF THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE, IS A MEMBER OF THE JUDICIARY COMMITTEE AND THE SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY, AND IS THE CO-CHAIR OF THE IMMIGRATION TASK FORCE OF THE CONGRESSIONAL HISPANIC CAUCUS.



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Deferred Action: An Organizing Victory



TEXAS V. U.S.

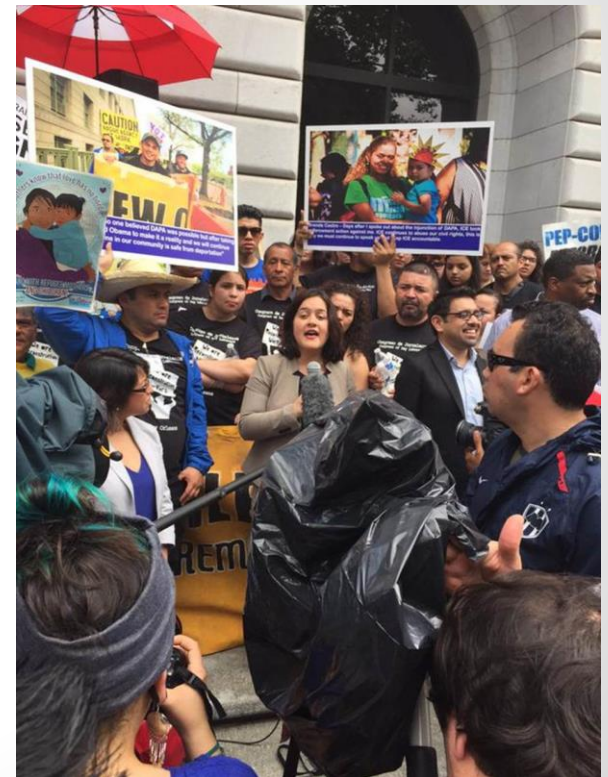
- **Texas and 25 other states** sued the Obama Administration.
- On February 16, 2015, a Texas federal district court **temporarily blocked the DAPA and expanded DACA programs.**



- **NOTE:** The **original 2012 DACA** program is **NOT affected** by the decision, nor are the federal government's new "enforcement priorities," which were announced on November 20, 2014.

EMERGENCY STAY

- 5th Circuit decision only concerns the emergency stay request.
 - It is not the final word from the 5th Circuit.
- 2-1 decision to deny the stay.



APPEAL TO THE FIFTH CIRCUIT

- DOJ also appealed the district court decision blocking implementation of DAPA and DACA+.

Key dates:

- Oral argument scheduled for July 10th in New Orleans.
- There is no deadline for when a decision on the appeal could come after the oral argument.



WHAT COMES NEXT?

The federal government has multiple legal options to fight to overturn the injunction:

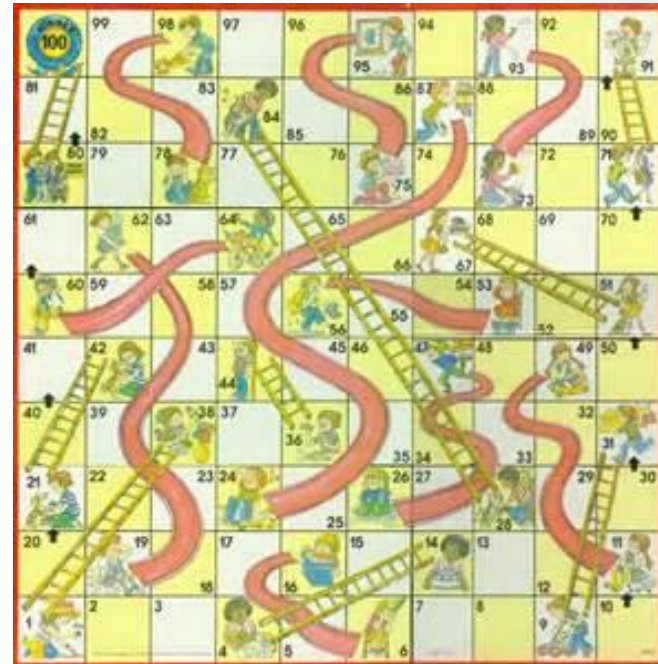
- It can ask for “en banc” review by the 5th Circuit
- It can ask the Supreme Court to narrow the injunction to only Texas or only the suing states
- It can quickly appeal to the Supreme Court

Note: Supreme Court is on recess from 6/25/2015-end of September



SCENARIOS/TIMING

- Stay
- Appeal
- Underlying case



WHAT CAN WE DO TO DEFEND EXECUTIVE ACTION?

- **July 10th day of action**
 - Plan rallies, phone banks, press conferences, etc.
 - Line up elected officials and other stakeholders from your LA/CA to issue statements & participate in events
- **Targets**
 - Attorney Generals/
Governors in suing states



DACA RENEWALS

WHEN TO APPLY FOR RENEWALS

- **You can apply up to 150 days before your current DACA and employment authorization document (EAD) expire.**
- **You should apply for DACA renewal *120-150 days* before the expiration date.**
- USCIS estimates they will take 120 days to process these renewals.

WHEN TO APPLY FOR RENEWALS

To calculate when would be the best time to file your DACA renewal application, use this tool:

<http://www.nilc.org/dacarenewalcalculator.html>

Enter the expiration date of your employment authorization document (EAD).

Submit your DACA renewal application
AFTER this date:

Submit your DACA renewal application
BEFORE this date:

WHEN TO APPLY FOR RENEWALS

What if your EAD expires before your renewal application is approved?

- Your application will still be processed but you will not have DACA after the expiration.
- You will not have a valid EAD and will not have protection from deportation.
- You will accrue unlawful presence.

RENEWAL DELAYS

- **Check your case status online**
 - <https://egov.uscis.gov/cris/Dashboard/CaseStat.us.do>
- **Contact the National Customer Service Center, 800-375-5283**
 - Keep your case confirmation number
- **Contact your local USCIS field office**
 - Make an InfoPass appointment at infopass.uscis.gov

RENEWAL DELAYS

- **Contact the USCIS Ombudsman office**
 - After your DACA renewal application has been pending for 105 days
 - File a Case Assistance Form at <https://cisomb.dhs.gov/oca/form7001.aspx> and ask for your case to be expedited
- **Contact your Congressional representative**
 - Find your representative by entering your zip code at <http://www.house.gov/representatives/find/>

RESOURCES

- www.nilc.org/dreamdeferred.html - DACA info
- www.weownthedream.org - DACA resources
- www.nilc.org/relief.html - Executive Action info
- www.adminrelief.org - Executive Action resources
- www.iamerica.org - Executive Action resources

CONTACT INFORMATION

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