



UPDATE ON EXECUTIVE ACTION

MAY 27, 2015

AGENDA

- **5th Circuit Decision on the Emergency Stay & What It Means (15 min) – Karen Tumlin**
- **How to Protect Executive Action (5 min) – Shiu-Ming Cheer**
- **Messaging/talking points (5 min) – Adela de la Torre**
- **DACA & DAPA Access to Federal Health & Economic Support Programs (5 min) – Ellen Battistelli**
- **Q&A (25 min)**

Deferred Action: An Organizing Victory



**1,100 CALLS
A WEEK FOR 1,100
DEPORTATIONS
A DAY**

CALL 866-473-5915 & TELL
PRESIDENT OBAMA TO ACT NOW
& KEEP OUR FAMILIES TOGETHER!

TEXAS V. U.S.

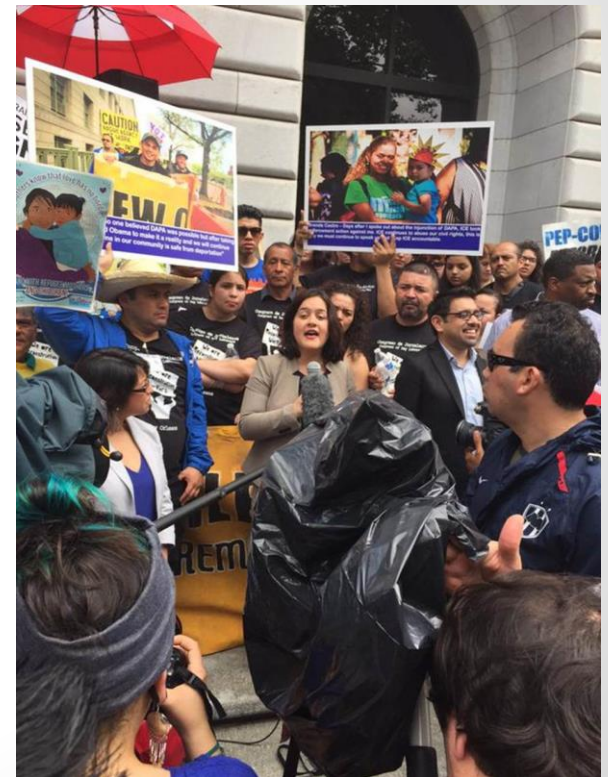
- **Texas and 25 other states** sued the Obama Administration.
- On February 16, 2015, a Texas federal district court **temporarily blocked the DAPA and expanded DACA programs.**



- **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 yesterday only concerns the emergency stay request.
 - It is not the final word from the 5th Circuit.
- Yesterday's decision was not unanimous.
- Powerful dissent outlines legal and factual problems with decision blocking DAPA and DACA+.



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 appeal the stay denial to the Supreme Court
- It can ask the Supreme Court to narrow the injunction to only Texas or only the suing states

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

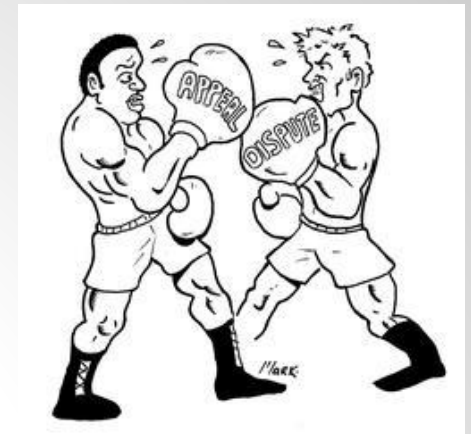


APPEAL TO THE FIFTH CIRCUIT

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

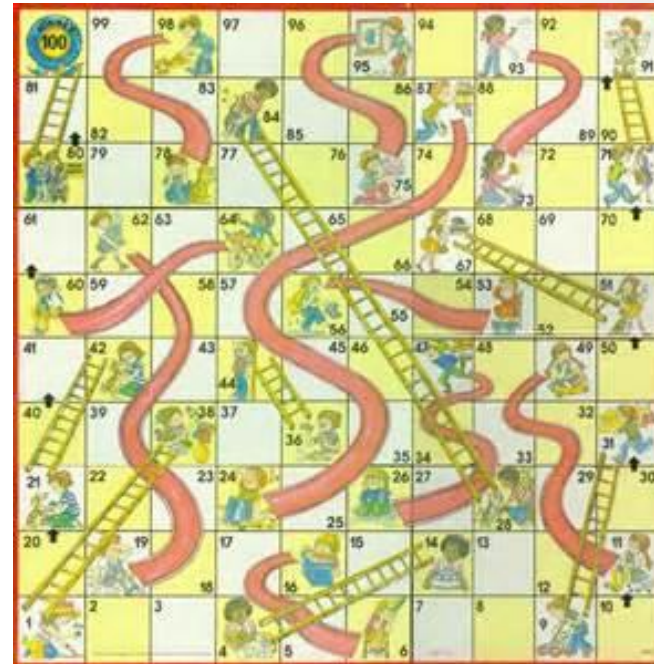
Key dates:

- Oral argument tentatively scheduled for the week of July 6th.
- There is no deadline for when a decision on the appeal could come after the oral argument.



SCENARIOS/TIMING

- Stay
- Appeal
- Underlying case



WHAT CAN WE DO TO DEFEND EXECUTIVE ACTION?



- **Promote implementation efforts, info sessions, workshops, etc.**
 - Encourage people to prepare to apply
 - Provide info through outreach
 - Plan events that include call to action

WHAT CAN WE DO TO DEFEND EXECUTIVE ACTION?



- **Put a human face on the issue**
 - Highlight stories of people who qualify for DAPA & expanded DACA
 - Highlight stories about DACA recipients and how the program has improved their lives

WHAT CAN WE DO TO DEFEND EXECUTIVE ACTION?

- **July 6th day of action**
 - Plan rallies, phone banks, press conferences, etc.
 - Line up elected officials and other stakeholders from your city/state to issue statements & participate in your events
- **Targets**
 - Attorney Generals/Governors in suing states



MESSAGING/TALKING POINTS

- **We are disappointed, but we remain undeterred. This was not an unexpected decision.**
 - Other courts – including the 5th circuit – have taken a look at this issue and come to the opposite conclusion. These decisions, along with opinions of legal scholars, make us confident that DAPA/DACA will ultimately take effect.
- **This lawsuit is a political, anti-immigrant attack, and the consequences are devastating.**
 - Our communities and our economy suffer each day DACA expansion and DAPA are delayed. The confusion and fear that immigrant communities will feel is devastating, and part of the goal of the lawsuit: to delay, ultimately, derail these important actions.

MESSAGING/TALKING POINTS

- **This decision is on the wrong side of the law and on the wrong side of history.**
 - Legal scholars, State and city officials, and countless others have shown that the Obama administration was fully within his authority to take these important first steps toward fixing our dysfunctional immigration system.
 - Delaying implementation hurts millions of US citizen children, who are the real beneficiaries of DAPA.
- **In the meantime, we will continue to protect the important victories we won last November.**
 - This includes ensuring that the administration is not deporting people with longstanding ties to the United States.
- **We urge the Obama administration to act swiftly and aggressively to protect DAPA and DACA expansion for our families.**

WE'RE GONNA



WIN THIS THING!

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THE TRUTH: IT DOES MATTER!

Opponent's allegations about DACA/DAPA:

“Promises amnesty bonuses” **FALSE!**

“Will give illegal immigrants \$24,000 tax refunds without paying taxes” **FALSE!**

“Will trigger an onslaught of amended and likely fraudulent tax filings” **FALSE!**

“Allows illegals to raid Medicare and Social Security benefits” **FALSE!**

DACA & DAPA ACCESS TO FEDERAL HEALTH & ECONOMIC SUPPORT PROGRAMS

	ACA	Medicaid	CHIP	SNAP	TANF	SSI	Social Security Retirement Benefits	Medicare	Tax Credits EITC/CTC
DACA	NO	NO Except emergency services	NO	NO	NO	NO	With 10 years of work history, paid taxes, and reach retirement age	With 10 years of work history, paid taxes, and reach retirement age	YES
DAPA	NO	NO Except emergency services	NO	NO	NO	NO	With 10 years of work history, paid taxes, and reach retirement age	With 10 years of work history, paid taxes, and reach retirement age	YES

RESOURCES

- www.nilc.org/relief.html - Executive Action info
- www.nilc.org/dreamdeferred.html - DACA info
- <http://nilc.org/document.html?id=1242> - scenarios document
- www.adminrelief.org - Executive Action resources
- www.iamerica.org - Executive Action resources

CONTACT INFORMATION

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