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President Obama's Executive Immigration Actions Will Prevail, Despite Temporary Obstacle Presented by Court Decision

A very conservative, outspoken federal judge yesterday issued a temporary order blocking the Federal Government from implementing the President's deferred action programs that were announced on November 20, 2014, known as DAPA and expanded DACA. The not unexpected ruling held that of the 26 states challenging the programs, Texas, at least, has "standing" to sue. The district court judge based the order enjoining the deferred action programs on the claim that the Obama Administration had not followed proper procedures in creating the Deferred Action for Parental Accountability (DAPA) Program and the expanded Deferred Action for Childhood Arrivals (expanded DACA) program. The judge reserved for later the decisions of whether the programs violate any law or the Constitution. The U.S. Government will appeal the temporary injunction against President Obama's immigration relief, and the appeal is likely to succeed. The ruling unfortunately creates uncertainty and fear in affected communities, but should be recognized as being only a temporary roadblock as the President' actions were constitutional and will prevail. Farmworker Justice urges individuals to stay calm and to continue preparing for administrative relief. The decision does not affect the current DACA program announced in 2012, which is still in effect and accepting new applications and applications for renewal.

"Farmworker Justice, along with many legal experts, believes that President Obama's executive actions are a proper exercise of his prosecutorial discretion, are constitutional, and will ultimately prevail. Farmworker Justice urges the Department of Justice to request the Court of Appeals to issue an emergency stay, which could expedite the process of review," said Bruce Goldstein, president of Farmworker Justice. "Several hundred thousand farmworkers who labor on our farms and ranches could be eligible for these deferred action programs. The programs are well within the President's authority. By eliminating the constant fear of deportation,

farmworkers and other aspiring Americans will be able to contribute more fully to their communities and will be empowered in their workplaces.”

Farmworker Justice will continue to work with groups throughout the country to support and plan implementation of the DAPA/DACA programs and to win legislation that creates a path to citizenship for undocumented farmworker families.

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***Farmworker Justice** is a nonprofit litigation, advocacy and education organization that seeks to empower migrant and seasonal farmworkers to improve wages, working conditions, immigration policy, health, occupational safety and access to justice*