

CALIFORNIA SENATE OFFICE OF RESEARCH

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Federal Update -

SUPREME COURT RULING HALTS THE PRESIDENT'S DEFERRED ACTION PROGRAMS

The Supreme Court announced on June 23, 2016, a 4–4 tie in a case challenging President Obama’s 2014 executive action on immigration, leaving in place a Court of Appeals ruling blocking the plan. The court’s ruling in [*United States v. Texas, No. 15–674*](#) prevents an estimated 3.6 million unauthorized immigrants (about 1.1 million in California) who are the parents of citizens or lawful permanent residents from applying for a program that would spare them from deportation and provide them with work permits. The program is called Deferred Action for Parents of Americans and Lawful Permanent Residents, or DAPA.

The ruling also halts the President’s expansion of the Deferred Action for Childhood Arrivals program, known as DACA. Under the expansion, the population immediately eligible for DACA potentially would have increased by 275,000 young unauthorized immigrants (including 92,000 in California) beyond the existing DACA program.¹

The decision reads: “The judgment is affirmed by an equally divided court.”

About 4 million of the nation’s unauthorized immigrant population—estimated currently at about 11 million—potentially could have benefited from the deferred action programs President Obama announced in November 2014.² The map on page 2 shows the states where this population primarily resides, according to estimates by the nonprofit Migration Policy Institute.

¹ The population immediately eligible for DACA meets certain age, age at arrival, year of arrival, and education requirements. In addition, some may become eligible for DACA when they reach specified requirements.

² Estimates of unauthorized immigrants considered eligible for one of the two deferred action programs were obtained from the Migration Policy Institute (<http://www.migrationpolicy.org>). The institute’s estimates are based on its analysis of U.S. Census Bureau data pooled from the American Community Survey for 2009–2013 and the 2008 Survey of Income Program Participation.

