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Texas Decision on Obama Immigration Reform Only a "Temporary Setback"

The following can be attributed to Erica Johnson, ACLU of Iowa immigrants' rights & racial justice advocate, regarding the recent action in federal district court in Brownsville, Texas, which issued a preliminary injunction ruling in the *Texas v. United States* case challenging the Obama administration's executive action on immigration.

"The court's decision is only a temporary setback. Despite its extreme and inflammatory rhetoric, the Texas court decision does not explicitly hold that DAPA, DACA, or any other part of the federal government's executive actions, is unconstitutional. Legal scholars and leaders – on both sides of the ideological spectrum – agree that the new deferred action initiatives are constitutional, and they are supported by ample precedent. We are confident that the courts will ultimately agree.

Proponents of the lawsuit are playing politics with peoples' lives. While millions of aspiring Americans wait for the opportunity to fully contribute to their communities and economies, this very narrow decision, holding only that the federal government may have failed to follow procedural requirements before implementing Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) and the expansion of Deferred Action for Childhood Arrivals (DACA), attempts to keep all of us from moving forward. In a recent nationwide CNN/ORC poll, 60 percent of respondents said they thought Republicans in Congress should not file a lawsuit against the administration challenging President Obama's executive action on immigration. In the same poll, more than 70 percent of respondents supported the content of the policies or felt they did not go far enough; 76 percent of respondents in the same poll said they thought Republicans should instead spend more time attempting to pass comprehensive immigration reform.

The immigrants' rights movement will move forward. Today's news was deeply disappointing, but we will not be deterred. While this setback is serious and should be redressed in due course, the government's other reforms to protect civil liberties and immigrant communities – including the fundamental principle that the Department of Homeland Security may set priorities for immigration enforcement and exercise prosecutorial discretion – remain in place.

This decision does not impact previous DACA programs announced in 2012 nor does it limit progress Iowa has made limiting ICE detainers.

Millions of people have fought for over a decade to win relief for aspiring Americans seeking to come forward and contribute more fully to their communities. The ACLU and advocates across Iowa are part of this historic effort and will continue to fight for reforms to our immigration system and for a roadmap to citizenship for immigrants."

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The ACLU of Iowa is a private, non-partisan organization that fights to advance civil liberties for all. It is the state affiliate of the national American Civil Liberties Union. The ACLU prides itself in upholding everyone's civil liberties, no matter who they are or what they believe. We work to assure the rights of all Iowans – from atheists to devout Christians, from labor unions to businesspeople and more – to make sure the constitutional rights of all are preserved. For more information, please go to www.aclu-ia.org

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