



## The Supreme Court's Immigration Impasse

JULY 8, 2016

"The judgment is affirmed by an equally divided court." With these nine words about the *United States v. Texas* case, the Supreme Court halted President Obama's executive action that would have shielded up to five million undocumented immigrants from deportation. SSN scholars explore the consequences – and explain why immigration remains such a contentious topic.

In November 2014, President Obama announced a new program that would provide temporary work permits and protection from deportation to undocumented parents of citizens or lawful permanent residents. This executive order – Deferred Action for Parents of Americans and Lawful Permanent Residents ("DAPA") – was quickly challenged in the courts and was on hold until the Supreme Court rendered a divided decision on June 23, a decision that in effect upholds a Texas district court decision to prevent the program from going forward. Obama's legacy on immigration is damaged. More importantly, millions of undocumented immigrants remain in limbo, unable to work legally in the United States. New suffering and uncertainty is in store not only for the undocumented parents who stood to be helped by DAPA, but also for their American children, other family members, and surrounding communities and labor markets.

### ["Supreme Court Ruling Could Put Immigrants Deeper into Shadows"](#)

*The Boston Globe*

[Roberto Gonzales](#), Harvard University

Gonzales lays out the crippling effects of the Supreme Court decision, arguing that the well-being of DAPA-eligible individuals and their children will be hurt by the court's decision. Outside of these families, continued deportation programs will have serious "economic, social, and psychological consequences across entire communities."

### ["What Does the Supreme Court's Deadlocked Decision on Deferring Deportations Mean for Immigrant Families?"](#)

SSN Basic Facts Brief

[Heide Castañeda](#)

Castañeda explains the benefits that could have come from Obama's deferred action program – economic

security and growth, freedom of movement, access to health care, and educational opportunities. These benefits would not only have helped undocumented immigrants, but also the United States as a whole.

[“DAPA Matters: The Growing Electorate Directly Affected by Executive Action on Immigration”](#)

Center for American Progress

[Manuel Pastor](#), University of Southern California

Pastor explores the potential political implications of Obama’s executive actions, arguing that children of DAPA-eligible individuals may have significant influence in the 2016 and 2020 elections. Discussion of DAPA and the stands politicians take on this crucial issue will impact voting patterns in this new electoral bloc coming of age during this volatile time.

[Episode 37: Immigration beyond the Border](#)

*No Jargon*

[Anna On Ya Law](#), City University of New York, Brooklyn College

To give advice to the next president, Law examines the successes and failures of immigrant measures pursued by previous administrations. Drawing from her report for The Miller Center, [“Cooler Heads,”](#) she argues that executive actions are unreliable and should not be a key component of future reform. As the Supreme Court’s decision on DAPA shows, executive actions can be vulnerable.

[“Why Laws Targeting Non-Citizen Immigrants Affects Citizen Family Members and Associates, Too”](#)

SSN Key Findings Brief

[Jane Lilly López](#), University of California, San Diego

“When just one parent is undocumented, the family as a whole may function as if it were an ‘undocumented family.’” This is the reality for mixed-families, where some hold citizenship or legal status and others do not. Many of these families are directly influenced by the Supreme Court decision and López describes how their lives must now continue “under the radar” out of fear of deportation.

[“The Deportation Crisis for Latino Immigrant Men and Their Families”](#)

SSN Key Findings Brief

[Tanya Golash-Boza](#), University of California, Merced

Golash-Boza examines why deportations of undocumented immigrants, especially Latino men, burgeoned in the first term of the Obama administration. These actions separated families and often deprived those left behind of a breadwinner, demonstrating the devastating power of large scale deportation measures.

[“Three Pathologies in U.S. Immigration Policy”](#)

SSN Forum on the Immigration Impasse

[David Cook-Martín](#), Grinnell College

Cook-Martín breaks down U.S. immigration policy to show how debates are too often focused on “securing the border” instead of addressing international concerns. As he explains, a patchwork of laws and policies create uncertainty for millions of immigrants, even though the labor market depends on immigrants amid calls for deportation.