

# PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

## Backgrounder on DACA *Amicus* Brief

August 2019

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This document provides background for higher education institutions interested in joining the [amicus brief](#) for the consolidated cases in front of the Supreme Court of the United States (SCOTUS) regarding the rescission of Deferred Action for Childhood Arrivals (DACA). The *amicus* brief is led by the Presidents' Alliance and drafted by [Perkins Coie](#). The deadline to join is **September 18, 2019**.

### What is at stake?

In the summer of 2019, SCOTUS announced it would consolidate the various cases challenging the administration's decision to rescind DACA, which provides work permits and protection from deportation to approximately 700,000 dreamers. As a result of DACA, [93 percent](#) of individuals were able to pursue educational opportunities they previously could not, with [30 percent](#) pursuing a bachelor's degree or higher. In addition to a robust defense of DACA by plaintiffs, advocates are coordinating a series of *amicus* briefs, which will contain evidence, arguments, stories and data in support of DACA from parties not in front of the court. The Alliance is crafting an *amicus* brief that will be eligible for any college or university to sign onto.

### What will be the legal arguments?

Perkins Coie is preparing the *amicus* on a pro bono basis with the following legal arguments:

- DACA empowered hundreds of thousands of undocumented students to pursue higher education, including expanding access to admissions, in-state tuition, and financial aid, resulting in students achieving substantial academic and co-curricular success.
- DACA recipients immeasurably contribute to campus diversity and cultural perspectives.
- The rescission of DACA would harm colleges and universities and undermine investment in our nation's students.

### Why join the *amicus* brief?

- Support of individual institutes matters substantially and, on a campus level, it is incredibly meaningful for students and community members to know their institution has signed onto an *amicus* brief in support.
- The Alliance will provide signatories with resources, developed with partners such as TheDream.US and FWD.us, such as sample press releases, social media, messages to campus, and more.
- Bringing together a large, diverse group of institutions from across the country is a powerful signal of the breadth and depth of higher education's concern for students and alumni; and the litigants believe it is especially compelling to see individual institutions from across the country join together on an *amicus*.
- The rescission of DACA impacts public and private colleges and universities in every state, including all institutional types and has both educational and economic implications on institutions—signing onto the brief accentuates that point.
- The transformational impact of DACA for students and alumni from a variety of institutions, the importance of DACA for these individuals, and the extensive benefits to the campus and community, are compelling policy arguments for SCOTUS to consider.