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## CALIFORNIA, OTHER STATES ASK JUDGE TO KEEP DACA IN PLACE

*Request for injunction says program's end violates prohibition on arbitrary agency action*

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California's attorney general and those in three other states asked a federal judge on Wednesday to temporarily block the Trump administration's decision to rescind a program that protects undocumented immigrants who entered the U.S. as children.

The request for a preliminary injunction comes in litigation being pursued by the states, along with California's public university system, local municipalities and others, following the Sept. 5 announcement by Attorney General Jeff Sessions to end the law known as Deferred Action for Childhood Arrivals, or DACA.

The lawsuits claim the rescission of the program, which has allowed 800,000 people to remain in the country, violates administrative procedures and is unconstitutional.

A spokesman for the U.S. Justice Department didn't immediately return a request for comment Wednesday. In announcing the end of DACA, Mr. Sessions said the program encouraged illegal immigration of unaccompanied minors and that DACA participants were taking jobs from U.S. citizens.

The Trump administration has said the program, enacted by President Barack Obama in 2012, will end on March 5. Members of Congress say they are actively hunting for an agreement that would protect the so-called Dreamers, though Republicans and Democrats have differing views on how to make that happen.

Wednesday's request, filed in U.S. District Court in San Francisco, focuses on claims that the program's end violates a prohibition on arbitrary agency action under the Administrative Procedure Act, which governs how federal agencies make rules. The plaintiffs, including California Attorney General Xavier Becerra, argue the Trump administration didn't make a considered decision to end the program and hasn't offered enough justification for its actions.

Through the case, the plaintiffs have sought documents related to how and why the Trump administration decided to end DACA. U.S. District Judge William Alsup ruled Oct. 17 that the federal government must turn over emails, letters, memoranda, notes and other relevant documents. Last week, however, the Ninth U.S. Circuit Court of Appeals temporarily halted document production until it fully considers a request by the federal government to limit the scope of discovery. Oral arguments at the Ninth Circuit on this issue are scheduled to take place Tuesday.

Judge Alsup had set a fast-track schedule to hear the case, noting the impending deadline of when the DACA program is set to end.

Document production in a **separate set of cases filed by 15 states** and other parties in U.S. District Court in Brooklyn was also put on hold last week by a different federal appellate court.

In the meantime, the plaintiffs in the California case, which include Maine, Maryland and Minnesota, argue they need immediate relief because those impacted by DACA's end already face "catastrophic and irreparable harm."

The Wednesday motion argues that for the 700,000 people still covered by DACA, a quarter of whom live in California, "the threat of deportation – to countries where they have not lived since they were children – forces them to make wrenching choices whether to leave their schools, jobs, and even their U.S. citizen children and other family members."