Resolution # 67-04

The Graduate and Professional Student Association (GPSA)
The Pennsylvania State University

of the 67th Assembly
1/17/2018

Be it decided by the Assembly of Elected Delegates,

Support of Undocumented Penn State Students
Commendation for Penn State University’s response to the rescindal of DACA
(Decided: [ Y / N / A ])

Nature of the Situation:
Under the Obama Administration, Deferred Action for Childhood Arrivals (DACA) was a policy which permitted undocumented immigrants who had entered the United States as children before 2012 to remain in the country legally. As a part of DACA, program participants were required to register with U.S. Citizenship and Immigration Services and to have never been convicted of a felony or serious misdemeanor. In return, they would be able to receive work permits and to delay any possible deportation action for two years, at which time they would need to apply for a renewal of this status. There are currently an estimated 689,600 DACA recipients with potentially twice as many eligible to receive benefits according to the Migration Policy Institute. Many are currently of college age and attending universities throughout the U.S., like Penn State. As they are valuable members of our campus community, it is imperative for GPSA to support them as they pursue and complete their degrees without disruption.

On September 5, 2017, Attorney General Jeff Sessions announced that the Trump administration would be phasing out DACA, beginning on March 5, 2018. After this date, recipients can no longer receive the two year renewals of their protected status and could be subject to deportation. Sessions did so stating that the order was in opposition to U.S.
immigration law and likely unconstitutional, and therefore indefensible in court. Without a proper legislative solution, hundreds of thousands of U.S. residents could be in limbo, unsure of their future legal status. President Donald Trump later remarked, “It is now time for Congress to act,” regarding the legal status of those formerly granted deportation protection.

Shortly thereafter, President Eric Barron released a statement asserting the University’s dedication to undocumented students attending Penn State.

“(Penn State) will continue to advocate with members of Pennsylvanía’s congressional delegation on behalf of our students and all who may be potentially affected by this decision. My administration stands in support of efforts to find a legislative solution to allow DACA beneficiaries to maintain their current status, and to complete their degrees.”

Furthermore, Barron joined the Association of Public and Land-grant Universities in calling for, at minimum, legislation ensuring the ability for current DACA recipients to remain in the U.S.

Since Sessions’s announcement, no bills have been taken up by the House or the Senate. Due to the rapidly approaching sunset of DACA, it is critical that a proper fix be implemented as soon as possible. Both the House and Senate are currently pursuing bipartisan negotiations to extend the effect of DACA through legislation. As a continuing resolution (CR) must be passed January 19, 2018 to keep the government open, some legislators are considering making the passage of the CR contingent on a DACA fix. In December, Rep. Glenn Thompson (PA-5), who represents University Park, PA, cosigned a letter by 36 congressmen to Speaker Paul Ryan supporting a vote on DACA in the House. While negotiations are ongoing, the likelihood of a bill being considered by January 19 is unlikely.

In the meantime, there are ongoing legal challenges to ending DACA. The 9th Circuit Court ruled that the federal government should still receive applications for renewals, while the legality of the Trump administration’s action is considered. This is not a permanent fix however, and does not address those who would be eligible for DACA protection but had not yet applied as of September 5, 2017.

Recommended Course of Action:
The Graduate and Professional Student Association recognizes that there are possibly undocumented students that attend Penn State University, who could experience severe hardship in being removed from the U.S. For many of these students, this is the only country that they know, and deportation would be a cruel punishment for people who are contributing members here at our University, in our community, and in our broader society.

Furthermore, GPSA (1) commends the university’s dedication to ensuring the ability for undocumented students to pursue a degree at Penn State

(2) calls for graduate and professional students to urge their legislators to consider a DACA fix before the March deadline
(3) requests that academic programs and the Graduate School develop contingency plans which would allow students who lose residency status, either because of changes to DACA or other changes to federal rules or laws, to complete their degree. These plans may include measures such as, but not limited to:

a. The ability for affected students to defend theses and dissertations remotely
b. The ability for affected students to complete required coursework online
c. Extensions of the eight-year time period to obtain a Ph.D. as currently defined in the degree requirements

Respectfully submitted,

Brian Conway
Delegate, Eberly College of Science
Speaker of the Assembly

President ___________________________________________  Affirm   Veto

The Graduate and Professional Student Association