

Penn State Law Center Hosts DACA Event

BY ALEXIS COLLINS | FOR THE UNDERGROUND ON SEPTEMBER 22, 2017

Penn State's Law Center for Immigrants' Rights Clinic hosted a DACA information session titled, "The Future of DACA: What Lies Ahead," on Wednesday evening in the Lewis Katz building as part of Welcoming America's Welcome Week.

The event, which took place on Sept. 20 at 6:30 p.m, was an information session about the changes happening to the Deferred Action of Childhood Arrivals or "DACA" legislation. It was one of the series of events that occurred during Welcoming America Week, an annual week of festivities in which communities bring immigrants, refugees, and native-born citizens together in an effort to promote inclusion. This year, Welcoming America Week takes place from Sept. 15 to Sept. 24. The presentation featured a three-person panel consisting of two clinical students and a DACA recipient, who spoke about her personal story later in the session.

The event was live streamed on Facebook and tweeted on twitter using the hashtag #PennStateLawDACA. The presentation began by stating Penn State initiatives, which is to promote diversity and inclusion across the campus community. The panel, which consisted of clinical students Bethany Darry and Deokhee Ryu, along with DACA recipient Angie Kim, summarized the current legislation and provided tips for moving forward in spite of recent events. The group later answered questions from attendees towards the end. The session also featured a live video chat from Lorella Praeli, one of the leaders of the undocumented immigrants' youth movement. Praeli, who was once undocumented herself, said that "the stakes cannot be higher for dreamers in the country." She urged students and community members to continue putting political pressure on congress so that they would be forced to act. She also emphasized that "the push for change can only remain in momentum if the we continue to fight."

A few weeks ago, on Sept. 5, President Donald Trump announced the end of DACA, after republican officials from 10 states threatened to sue if he didn't terminate the program by that date. The administration stopped accepting new applications for legal status after the termination was announced. However, the administration will allow any DACA recipients with a permit set to expire before March 5, 2018, the option to apply for a two-year renewal if they re-apply by Oct. 5. Immigration and community groups are currently providing "scholarships" and loans, through donations and locally organized events, to cover the \$495 renewal fee. The state and local governments are also providing financial assistance.

The Department of Homeland Security will recognize DACA authorizations until their two-year expiration date. This date varies for different recipients, with the last authorization ending on March 5, 2020. Trump advised the Dept. of Homeland Security that DACA recipients are not enforcement priorities unless they are criminals, involved in any criminal activity, or members of a gang. Approximately 154,000 individuals with DACA have permits

set to expire between Sept. 5 and March 5, 2018, putting imminent pressure on recipients with those deadlines to file within the closing one-month window. Requests for renewals are now being filed at a rate of 8,000 a week.

The United States Department of Justice has reviewed the legislation and deemed it unconstitutional, stating that it conflicts with current immigration laws. Trump however, offered Congress the chance to save DACA, saying that they have six months to create a legislative solution. This solution has come in the form of the DREAM Act, a long-term proposal that if passed, would qualify DACA recipients with more durable relief and a formal legal status. Although by the same token, prospective applicants have to meet certain requirements.

The two-hour long presentation delved into several components, including alternative legislation to DACA, along with steps in handling immigration services.

However, one of the most emotional speeches from the event came from DACA recipient Angie Kim. Kim, 34, was only nine years old when she emigrated to the U.S from South Korea in May of 1993. The family moved to New York City, where she grew up. "I had a relatively happy childhood," Kim said. "I didn't speak a word of English when I got here so me standing here in front of all of you is pretty amazing." Kim's father had immediate family in the United States and tried to adjust his status immediately upon arrival. Unfortunately, he lost the first two years of adjustment due to an incompetent lawyer. By the time Kim was in her early teens, her grandmother sponsored and petitioned for her father's immigration status and Kim was scheduled for an interview with an immigration officer in a few weeks.

In an extraordinary turn of events, Kim's grandmother died two weeks before Kim's interview. "We basically lost our case, our application, and that was really the beginning of being locked into this permanent sort of limbo," she said. Kim's father eventually remarried a U.S citizen and was able to successfully adjust his status. Kim brother, who was 19 at the time, also managed to adjust his status under the new marriage. Kim was unable to benefit from the union due her being 21 years of age, which under immigration law states that one cannot benefit from their family petition once they reach legal age.

"My father and my brother were now lawful permanent residents, my mother and I remained undocumented," Kim explained.

However, on June 15, 2012, the DACA was announced by former President Barack Obama. This was a life-changing event for Kim, who had endured a decade of fear without any relief. She applied for DACA at 29 and received her first approval within the same year, she just missed the cut-off age, which was 30 years old at the time. "Had the program been initiated a year or two later, I would've been in one of those groups of people, who we advocate for now, who didn't qualify and were not eligible for DACA," Kim said. Now, she is thankful for the opportunities that she's currently been provided. "Imagine not being able

to go to college and move forward with your life.” Kim said. “I’ve dealt with that and my fellow DACA recipients dealt with that...[To me] DACA meant everything.”

The Deferred Action for Childhood Arrivals, otherwise known as DACA, was an Obama-era program that granted temporary legal protection and work authorization to people who were brought to the United States illegally as children. The program was created by Obama through an executive order in 2012, granting people without serious criminal histories who were younger than 16 the right to remain in the country as long as they arrived before 2007. The program allowed young people to seek DACA protection for renewable two-year periods, and applicants could file when they turned 15. As of today, the legislation covers 800,000 dreamers across the nation. According to immigration experts, the program could eventually cover 1.3 million young people if allowed to continue.

With the help of DACA, Kim went from working low-paying menial jobs to being an organizer for the Minkwon Center for community action. She also works closely with a small organized Asian undocumented group called the “Asian American Dreamers Collective,” which consists of fellow DACA recipients and undocumented immigrants. Kim has been working with the group to build leadership roles and skills. “DACA really opened up doors for me to really engage with the community, especially the Asian American community.”

Shoba Sivaprasad Wadhia, the founding director of the Center for Immigrants’ Rights Clinic and one of the event sponsors, wanted to provide insight into DACA and give resources to the community. “I have personally watched how DACA has changed lives while also hearing a lot of misinformation and misconceptions about the policy or even the legality,” Wadhia said. “The impetus of this event was to arm people with relevant information and give them tools for moving forward.”

Since the presidential election, the Immigration Clinic has hosted similar events that covered recent immigration policies, such as the travel and refugee ban earlier this year. The event was quite successful, having almost 300 attendees and two overflow rooms, according to Wadhia, who is also a Penn State law professor. Wadhia is a strong advocate for the importance of community education, believing that hosting events like the one on Wednesday helps the clinic achieve their initiatives, especially in terms of empowering students. She claims the event raises important questions that students should reflect on, such as “how do our Penn State students define [an] American? And if it’s defined by something more than a piece of paper, how do we answer that question?”

The Underground spoke to two audience members afterwards to get their take on the event. Vestonia Viddy, a local attorney, found the session to be very informative and empowering. “I can empathize with [Angie] because all these years she’s been living here she’s been apart of the community and yet, she hasn’t been apart of the community you know? The American community,” said Viddy, who also traveled to the United States from Liberia and has been living in the country for over 27 years.

Meanwhile, Shih- In Ma, a community member and local activist, also thought the event was inspiring. “I was really touched by her story...Everyone who’s not Native American is either an immigrant or a descendant of immigrants,” Ma, who is a Chinese immigrant, said. “I have travelled all over the world. People are the same a world over and there’s so much richness in diversity. There’s things we can learn from each other and things we can teach each other...bringing different points of view [together] makes the end product of anything better.”

Angie Kim adopts a similar tone. “If I had the opportunity to meet Donald Trump, I would do exactly what I do everyday. What I did today, which is share my story and show him why it’s important for him to respect humanity [and] have compassion for people, regardless [of] where they come from.”