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Students and faculty react and act after Trump administration repeal of DACA

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President Trump announced on Sept. 5 that Deferred Action for Childhood Arrivals (DACA) would end unless Congress can come up with immigration legislation for DACA in the next six months.

Since then, no new applications for DACA are being accepted.

“It kind of struck me as a surprise because a lot of Republicans, even 75 percent of Trump supporters, don’t hate DACA,” said Kollin Crompton, the acting president of College Republicans. “It’s really weird that he would rescind it.”

That figure comes from a Politico poll where 73 percent of Trump supporters surveyed said they thought DACA recipients should be allowed to become citizens or recipients should be allowed to become legal residents.

Student Nya Makaza said she felt in denial at first about DACA ending.

“I was really shocked,” Makaza said. “I guess heartbroken, because my friends are not going to be able to be here and they’re going to miss out on a country like America, and it’s not like it’s going to be safe where they go.”

What DACA is

DACA is an executive order from former President Barack Obama and gives eligible, immigrant children protection from deportation and a work permit for two years. After that, it expires.

DACA requires that participants were under the age of 31 on June 15, 2012 (the day Obama signed the executive order), came to the U.S. before their 16th birthday, have lived continuously in the U.S. since June 15, 2007, have graduated from high school or have a GED or are currently studying and have not been convicted of a felony, certain significant misdemeanors or three or more misdemeanors, according to the University of California. Applying for DACA costs \$495.

DACA will be taking requests to renew participants’ work permit status for another two years until October 5, 2017.

DACA does not grant permanent legal status.

The Center for American Progress estimated that about \$460 billion in gross domestic product would be lost in the U.S. in the next 10 years without DACA. About 788,000 immigrants have been accepted by DACA, according to U.S. Citizenship and Immigration Services.

Why some want to get rid of DACA

DACA has remained a contested issue since its creation. However, what some people dislike about it is how it was created rather than what it does.

“I understand why he’s rescinding it,” Crompton said. “The point of the executive branch is not to create law. It’s to enforce it. It’s very unconstitutional for the president to be making that kind of law when that’s Congress’s job. So I understand why they’re doing it.”

However, political science professor Art Sanders said it hasn’t been determined whether or not Obama’s executive order was an overreach of his power.

“Anyone who says they know that (DACA) is unconstitutional is lying because the courts have not ruled on the underlying substance,” Sanders said. “So we just don’t know.”

Crompton said he doesn’t believe Trump really wanted to end DACA but put it on its current path in order to get Congress to act.

“The best option is Congress would actually be able to pass something,” said Crompton, a strategic political communication and public relations major. “As we’ve seen, people are not willing to work together, and that’s on both sides of the aisle. If you put a timeline on a program a majority of Americans like, people are going to push their congressman to say, ‘Okay, we want this done, and we want this done before March.’ Congressmen are now incentivized to do that so they’re re-elected for their next term in 2018.”

Sanders said there could be different explanations for why Trump decided to end DACA when he did.

Fox News reported this summer that 10 states with Republican attorneys general told the White House they would take the White House to court over DACA on Sept. 5, the same day Trump made his announcement to rescind the program. Those attorneys general would’ve argued the executive order that created DACA was unconstitutional, and Sanders said United States Attorney General Jeff Sessions would have had to defend the program he strongly dislikes.

“(Trump’s) hand was forced,” Sanders said. “Knowing our president ... seeing the way that he’s operated, it’s hard to imagine he was thinking about trying to get Congress to act on this. I think it had to do with satisfying ... his base of supporters who really wanted him to do this.”

Crompton said it’s important for DACA to end and become a law passed by Congress in order to stop a slippery slope.

“(DACA recipients) were brought here illegally,” Crompton said. “As much as that is unfortunate – I would love for them to stay in America – it’s hard to sit there and say, ‘You breaking this law is okay.’ If this law’s okay to break, which other laws are okay to break? I think that’s why (Trump) is asking Congress to do something.”

What happens if DACA goes away

Erin Lain, the associate provost of equity and inclusion at Drake, said if Immigration and Customs Enforcement (ICE) agents came on campus, the agents would be directed to public safety. And residence hall workers know not to let any agents into the residence halls.

The only way federal agents would be able to come on campus is with a warrant.

In order to get a warrant, Lain said, someone would have to go to a judge and show a crime had been committed with sufficient evidence.

Since students' records are private, Drake does not know how many undocumented students are on campus or how many are a part of DACA.

Even if DACA ends, the assistant admissions director said undocumented students will still be able to apply to Drake.

“Drake is a school that offers refuge but will follow the law and will not provide support to government agencies in order to facilitate student deportations,” Dean of Students Jerry Parker said.

If Congress does not pass new immigration legislation within the next six months, then people's permits will begin to expire. According to the Cato Institute, 305,297 immigrants would lose their work permits in 2018 if Congress does not act.

The L.A. Times reported that immigration authorities will honor everyone's DACA status until it expires. Even if DACA does expire, immigration authorities said that those who were a part of DACA will not be a priority for deportation.

In order to apply for DACA, applicants have to provide detailed information. That data will stay on file with U.S. immigration authorities and will not be transferred to enforcement agencies unless a person commits a crime, according to the L.A. Times.

“I would rather wait to see what Congress does over the next six months,” Parker said when asked whether or not ICE agents would be allowed on campus. “DACA right now is set to expire in March of 2018, and Congress has the ability to act on it, so I'd rather wait to see what Congress does before acting on that.”

What Congress can do

Congress now has until March 5 to pass a law that would enable DACA recipients to stay in the country. Sanders said there are several options, almost too many.

“The problem is there are multiple options and the issue is if (Congress) can agree on a particular option by the time the six months are up,” Sanders said.

Sanders said some Republicans and Democrats in Congress have proposed taking the DACA executive order and passing it into law. Republicans in favor of DACA could also allocate money to build a wall on America's southern border to get Republicans against DACA on board. Still, Sanders said some representatives and senators want the White House to guide legislation so that they don't put in a lot of work on a bill Trump refuses to sign.

The Washington Post reported that a lawsuit was filed the day after Trump's announcement in the hopes of keeping DACA alive. Fifteen states, including Iowa, and the District of Columbia want to convince a federal court to issue a temporary restraining order while the case is heard, keeping DACA in place regardless if six months go by.

“I think that’s their best shot,” Sanders said. “They will make the case ... that if we don’t have a temporary restraining order, (ending DACA) will do irreparable harm to the DREAMers. That’s how you get a temporary restraining order.”

What students are doing

Students had strong reactions to Trump’s decision at the DACA debrief, facilitated by the Office of Student Inclusion, Involvement, and Leadership.

“I think a lot of students don’t know what DACA is,” one student said. “They don’t understand its impact. That’s why they’re not doing anything.”

But a dozen students in lower Olmsted Thursday night decided to take action.

“It needs to permeate the classroom,” someone said. “With a lot of social justice issues ... people can easily avoid it. And we really need to push this out there.”

Students began offering up the resources of about a dozen organizations to help organize an initiative. They decided on a goal of having campus write 6,000 letters to members of Congress, encouraging them to pursue legislation to keep DACA recipients in the States. They hope to accomplish this goal by Oct. 5.

Lain said students need to take action.

“It’s something we need to keep talking about,” Lain said. “It’s a really critical time. It’s no time at all. But we need that call to action.”

Tony Tyler, director of student engagement, equity and inclusion, said Drake’s counseling center is engaging in activities to prepare counselors for students coming with concerns, stresses or anxiety about the changes to DACA.

“If someone goes to the counseling center, and it becomes something above and beyond what they’re able to provide, they’ve got a great network of support,” Tyler said.