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Patterson Policy Watch – A Resource for the Nonprofit Sector

Welcome to the *Patterson Policy Watch*, which tracks key legal and policy developments that matter to the nonprofit sector. In response to the rapidly evolving landscape under the new presidential administration, Patterson Belknap's Tax-Exempt Organizations Group is highlighting executive actions, agency directives, legislative updates, and judicial responses that have the potential to impact nonprofit organizations and the communities they serve.

Below is a digest of select developments from the past week through November 9, 2026, which are organized broadly by issue area. We note that this is not a comprehensive list of all updates that may potentially be relevant to tax-exempt organizations. We will continue to provide regular updates to the *Patterson Policy Watch* to help you anticipate and navigate policy and legal developments. You can also view prior editions of the *Patterson Policy Watch* here.

Education

- November 5: The Department of Justice (DOJ) announced that it filed a lawsuit against the Pennsylvania State University to challenge the University's policy that provides in-state tuition rates for undocumented students, including "illegal aliens" who reside in Pennsylvania. In its complaint, the DOJ alleges that the University's policy violates federal law and is unconstitutional under the Supremacy Clause of the Constitution because the policy makes "resident illegal aliens eligible for in-state tuition while denying that same benefit to U.S. Citizens from other states." The DOJ is seeking a declaratory judgment that the University's policy is unconstitutional and violates federal law and an injunction to prohibit the University from enforcing the policy or any similar subsequent policy.
    - The DOJ has filed similar lawsuits against other states to challenge in-state tuition for "illegal aliens." For prior coverage of these lawsuits, see the July 7, 2026 and September 1, 2026 issues of the *Patterson Policy Watch*.

Patterson Belknap is a firm of approximately 200 lawyers based in New York, delivering a full range of services centered around three areas: litigation and disputes, corporate and transactions, and the legal needs of tax-exempt organizations and private clients.

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Laura E. Butzel	212.336.2970	lebutzel@pbwt.com
Robin Krause	212.336.2125	rkrause@pbwt.com
John Sare	212.336.2760	jsare@pbwt.com
Susan M. Vignola	212.336.2256	svignola@pbwt.com
Justin S. Zaremby	212.336.2194	jszaremby@pbwt.com
Tiffany N. Tam	212.336.2520	ttam@pbwt.com
Peter B. Franklin	212.336.2978	pfranklin@pbwt.com
Jack McGlone	212.336.2974	jmcglone@pbwt.com
Colleen O'Leary	212.336.2516	coleary@pbwt.com

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1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 www.pbwt.com

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