

April 29, 2020

Secretary Betsy DeVos
Department of Education Building
400 Maryland Ave, SW
Washington, DC 20202

Secretary of Education Betsy DeVos,

In light of your guidelines in the “Frequently Asked Questions about the Emergency Financial Aid Grants to Students”¹ on the \$6 billion provided to the Department of Education by the CARES Act preventing DACA recipients and undocumented students from accessing emergency relief funds, the undersigned 264 organizations write to demand you revise the exceptions to allow higher education institutions to use the emergency funds to provide aid to ALL students according to need and regardless of immigration status.

While the country faces a frightening public health crisis, undocumented students have the added fear of deportation, and DACA recipients face a pending Supreme Court decision that could take away their work authorization and protection from deportation at any moment.² This is only made worse by President Trump’s xenophobic comments³ and racist policies targeted at immigrants.⁴ The Department of Education should endeavor to ameliorate the high stress circumstances students find themselves in, instead of exacerbating them, through erroneous comments to Congress regarding immigration enforcement on campuses⁵ or by further denying aid.

Undocumented immigrants and DACA recipients do not qualify for any federal financial aid, however the Higher Education Emergency Relief Fund (HEERF) provides a different and significant vehicle for delivering assistance to undocumented and DACA-holding students.

There are currently an estimated 454,000 undocumented students in post-secondary education, 216,000 of whom are DACA-eligible.⁶ And while 21 states allow for in-state tuition rates and 13 of those along with DC provide financial aid, the rest of the country puts undocumented students at a disadvantage by requiring they pay international student rates to attend their institutions, with some

¹ “Frequently Asked Questions about the Emergency Financial Aid Grants to Students,” n.d., 5. <https://www2.ed.gov/about/offices/list/ope/heerfstudentfaqs.pdf>

² Millhiser, Ian. “The Head of ICE Says He Will Deport DREAMers If the Supreme Court Ends DACA.” Vox, January 25, 2020. <https://www.vox.com/2020/1/25/21080610/daca-ice-supreme-court-john-roberts-matthew-albence-deport>.

³ Jacobs, Tom. “Research Suggests Trump’s Anti-Immigrant Rhetoric Is Making Americans More Xenophobic.” Pacific Standard. Accessed April 23, 2020. <https://psmag.com/social-justice/trump-anti-immigrant-rhetoric-making-americans-more-xenophobic>.

⁴ Rampell, Catherine. “Opinion | Trump’s Immigration Policies Speak Louder than His Racist, Xenophobic Words.” Washington Post. Accessed April 23, 2020. https://www.washingtonpost.com/opinions/trumps-immigration-policies-speak-louder-than-his-racist-xenophobic-words/2019/07/18/e8309a76-a996-11e9-86dd-d7f0e60391e9_story.html.

⁵ Balingit, Moriah. “‘Astounding Ignorance of the Law’: Civil Rights Groups Slam DeVos for Saying Schools Can Report Undocumented Students.” Washington Post. Accessed April 22, 2020. <https://www.washingtonpost.com/news/education/wp/2018/05/23/astounding-ignorance-of-the-law-civil-rights-groups-slam-devos-for-saying-schools-can-report-undocumented-students/>.

⁶ New American Economy Research Fund. “Undocumented Students in Higher Education: How Many Students Are in U.S. Colleges and Universities and Who Are They?” Accessed April 22, 2020. <https://research.newamericaneconomy.org/report/pahei-nae-undocumented-students/>.

going as far as completely forbidding undocumented people from enrolling.⁷ Nevertheless, these students are part of these communities, counted on to determine funding for each institution, and deserve as much relief as their peers.

The CARES Act makes no differentiation between students based on immigration status and the HEERF should provide assistance to ALL students, regardless of immigration status. Undocumented students have already been left out of most federal relief aid.⁸ They do not qualify for unemployment and were left out of receiving relief checks for lacking a social security number, even while being taxpayers. In fact, the CARES Act excluded mixed status families from economic assistance. That means an undocumented student who is a spouse or parent of a U.S. citizen or immigrant with a social security number, could disqualify their entire household from critical economic relief. This unconscionable exclusion should not be reproduced throughout other benefits in the relief bill.

We find ourselves in an unprecedented public health crisis, and entire sections of the population are being left out of relief packages, especially immigrant populations who make up large parts of the workers now deemed essential to the current efforts against COVID-19.⁹ This is not only unfair and grotesque abdication of responsibility by the federal government, as well as an immoral disregard for human life, it is also wholly counterproductive to the goals of stay-at-home orders and flattening the curve. When people are not given the resources to comply with federal health and safety guidelines¹⁰, they will have no choice but break them and find ways to generate income.

Secretary DeVos, you can still redress this immoral exclusion by rescinding the guidance in the recent FAQ and releasing new guidance allowing and encouraging institutions to use the emergency funds to directly assist all their students, regardless of immigration status as well as committing to applying the same guidance for any future emergency relief funds.

We expect this oversight to be rectified as soon as possible given the urgent need for relief for these students.

Respectfully,

AB540 Ally Training Project
ACCESS
Adhikaar
ADL (Anti-Defamation League)
Adorers of the Blood of Christ, US Region
Advancement Project, National Office
Advocating Opportunity

⁷ National Immigration Law Center. "Toolkit | Access to Postsecondary Education." Accessed April 22, 2020. <https://www.nilc.org/issues/education/eduaccess toolkit/eduaccess toolkit2/>.

⁸ Narea, Nicole. "The Missing Piece in the Coronavirus Stimulus Bill: Relief for Immigrants." Vox, April 1, 2020. <https://www.vox.com/2020/4/1/21197017/immigrants-coronavirus-stimulus-relief-bill>.

⁹ Gelatt, Julia. "Immigrant Workers: Vital to the U.S. COVID-19 Response, Disproportionately Vulnerable." migrationpolicy.org, March 26, 2020. <https://www.migrationpolicy.org/research/immigrant-workers-us-covid-19-response>.

¹⁰ CDC. "Coronavirus Disease 2019 (COVID-19)." Centers for Disease Control and Prevention, February 11, 2020. <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.

African American Ministers In Action
AIDS Foundation of Chicago
Alianza Nacional de Campesinas
Alianza Sacramento
Alliance for Youth Action
Alliance San Diego
America's Voice
American Association of University Women (AAUW)
American Federation of Teachers
American Friends Service Committee
American-Arab Anti-Discrimination Committee (ADC)
Arizona Dream Act Coalition
Arkansas United
Asian American Advocacy Fund
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice - Atlanta
Asian Pacific American Labor Alliance
Association of Mexicans in NC, inc. (AMEXCAN)
AsylumConnect
Augustus F. Hawkins Foundation
Ayada Leads
Bend the Arc: Jewish Action
Benedictine Sisters of Baltimore
Boston University International Human Rights Clinic
Cabrini Immigrant Services of NYC
California Faculty Association LA Chapter
California Immigrant Policy Center
Caminando Juntos - Presentation Sisters Hispanic Ministry
Campaign for Immigrant Detention Reform
CASA
CCAG
Center for American Progress
Central American Resource Center (CARECEN-LA)
Central American Resource Center --CARECEN SF
Chesapeake Multicultural Resource Center
Christian Church Disciples of Christ
Christian Reformed Church Office of Social Justice
Church of Our Saviour/La Iglesia de Nuestro Salvador
Church Women United in New York State
Church World Service
Clarke University

CLASP

Clearinghouse on Women's Issues

Cleveland Jobs with Justice

Coalicion de Derechos Humanos

Coalition for Humane Immigrant Rights (CHIRLA)

Coalition on Human Needs

Colorado Children's Campaign

Comunidades Unidas/Communities United

Conference for Mercy Higher Education

Congregation of Our Lady of the Good Shepherd, US Provinces

Congregation of Sisters of St. Agnes

Congregation of the Sisters of St. Joseph of Carondelet

Connecticut Students for a Dream

Convencion Bautista Hispana de Texas

Courage California

Crossing Borders - Dubuque

Daughters of Charity of St. Vincent de Paul USA

Defending Rights & Dissent

Democrats for Education Reform

Demos

Disciples Home Missions

Disciples Refugee & Immigration Ministries

Dominican Sisters ~ Grand Rapids

Dominican Sisters of Houston

Dream Project

Edgewood College

Educare Learning Network

Education and Leadership Foundation

Education Reform Now Advocacy

Engage Action

Empowering Pacific Islander Communities

Equality California

Equality Labs

Erikson Institute

Faith in Public Life

Familia: Trans Queer Liberation Movement

Families Belong Together

Feminist Majority Foundation

First United Church of Tampa

Foundry UMC Sacred Resistance Ministry

Franciscan Action Network

Franciscan Peace Center
Freedom Network USA
Generation Progress
Greater Cincinnati ELL Community
Greater Cincinnati Latino Coalition
Greater New York Labor-Religion Coalition
Grey Nuns of the Sacred Heart
Healing the border disorder.org
Hildreth Institute
Hispanic Federation
Holy Trinity Catholic church Georgetown
Holy Union Sisters
Human Rights Campaign
Ignatian Solidarity Network
IHM Sisters, Immaculata, PA
Illinois Action for Children
Illinois Association for College Admission Counseling
Immigrant and Refugee Committee, Sisters of the Most Precious Blood, O'Fallon, MO
ImmSchools
Institute of the Blessed Virgin Mary
Intercommunity Justice and Peace Center
Interfaith Welcome Coalition
International Rescue Committee
International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)
Inversant
Iowa ACAC
Japanese American Citizens League
Just Neighbors
Justice At Last
Justice Team of the Congregation of St. Joseph
Kentucky Coalition for Immigrant and Refugee Rights
La Union del Pueblo Entero (LUPE)
Laurie Lippold
Leaders Igniting Transformation
Leadership Conference of Women Religious
League of Conservation Voters
League of United Latin American Citizens (LULAC)
Legal Aid at Work
Local Progress
MACAC (Minnesota Association for College Admission Counseling)

Make The Road Nevada
Make the Road New Jersey
Make the Road New York
Michigan United
Migrant and Immigrant Community Action Project
Mission Graduates
Mississippi Center for Justice
MOACAC
MomsRising
Montomgery college
Motivation Motivates
Muslim Public Affairs Council (MPAC)
NAKASEC Virginia
National Advocacy Center of the Sisters of the Good Shepherd
National Alliance for Partnerships in Equity (NAP)
National Association for College Admission Counseling
National Association of Social Workers
National Center for Transgender Equality
National Council of Asian Pacific Americans
National Council of Jewish Women
National Education Association
National Equality Action Team
National Immigrant Justice Center
National Immigration Law Center (NILC)
National Indian Education Association
National Justice for Our Neighbors
National Korean American Service & Education Consortium (NAKASEC)
National Network for Immigrant & Refugee Rights
National Organization for Women
Navigate/UnidosMN
NETWORK Lobby for Catholic Social Justice
New America
New York Immigration Coalition
Next Up (Oregon)
Next100
NextGen California
Nicasio Urbina
NM Dream Team
North Carolina Conference of the United Methodist Church
North Texas Dream Team
Northern Jaguar Project

NOVA CATHOLIC COMMUNITY

OCA - Asian Pacific American Advocates

Office of Peace, Justice, and Ecological Integrity/Sisters of Charity of Saint Elizabeth

Ohio Immigrant Alliance

OneAmerica

Our Children Oregon

Our Lady of Victory Missionary Sisters

Oxfam America

Pacific Northwest Association for College Admission Counseling

Partnership for America's Children

Pennsylvania Association for College Admission Counseling

Pennsylvania Council of Churches

Pennsylvania Immigration and Citizenship Coalition

People For the American Way

PFLAG National

PHENOM (Public Higher Education Network of Massachusetts)

Poder Latinx

Potomac and Chesapeake Association for College Admission Counseling

Presentation Lantern Center

Progressive Democrats of America

Project South

Provincial Council Clerics of St. Viator

Queer Crescent

Rian Immigrant Center

Robert Shireman, Director of Higher Education Excellence, The Century Foundation

Robin Hood

Sac City Unified School District

Saint Xavier University

Salve Regina University

School Sisters of Notre Dame, Central Pacific Province

Seattle Immigrant Rights Action Group

Service Employees International Union (SEIU)

Services, Immigrant Rights & Education Network (SIREN)

Silver State Equality-Nevada

Simpson United Methodist Church

SIREN (Services, Immigrant Rights and Education Network)

Sister

Sisters of St. Joseph of Carondelet, LA Province

Sisters of Bon Secours, USA

Sisters of Charity of Nazareth Congregational Leadership

Sisters of Charity of Nazareth Western Province Leadership

Sisters of Charity of New York
Sisters of Charity, BVM
Sisters of Dt. Joseph Brentwood New York
Sisters of Mercy of the Americas Justice Team
Sisters of St. Dominic of Blauvelt, New York
Sisters of St. Francis
Sisters of St. Francis of Philadelphia
Sisters of St. Francis of the Providence of God
Sisters of St. Joseph
Sisters of St. Joseph of Baden, PA
Sisters of St. Joseph of Boston
Sisters of St. Joseph of Carondelet, St. Louis
Sisters of St. Joseph of Orange
Sisters of the Holy Cross
Sisters of the Presentation
Social Justice Coalition:Central Lutheran Church
Southeast Asia Resource Action Center (SEARAC)
St. Elizabeth Ann Seton Catholic Church
St. Stephen & the Incarnation Episcopal Church
St.Athanasius School
STEP UP! Sacramento
Student Action
Texas Association for College Admission Counseling
The Americas, Indigenous and Latinx Research Center at the University of Cincinnati
The Black Alliance for Just Immigration (BAJI)
The Campaign for College Opportunity
The Children's Partnership
The Education Trust
The Festival Center
The Leadership Conference on Civil and Human Rights
The United Methodist Church - General Board of Church and Society
T'ruah: The Rabbinic Call for Human Rights
UnidosUS
Union for Reform Judaism
Unitarian Universalist Service Committee
United Methodist Church
United We Dream Network
Unity Lutheran Church, Southgate, MI
University of Maryland, College Park
Veterans for American Ideals
Wallingford Indivisible

Washington Ethical Society
Washington Immigrant Solidarity Network
Washington National Cathedral Sanctuary Committee
Western Association of College Admission Counseling
Wilco Justice Alliance (Williamson County, TX)
Wind of the Spirit Immigrant Resource Center
Women Employed
Women's March
Yemeni American Merchants Association (YAMA)
Young Center for Immigrant Children's Rights
Young Invincibles
Zero Debt Massachusetts