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 institution, with some

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going as far as completely forbidding undocumented people from enrolling. 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. 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. 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 guidelines, 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

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 Carodelet
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
Emgage 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
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
Montgomery 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