

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”<sup>1</sup> 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.<sup>2</sup> This is only made worse by President Trump’s xenophobic comments<sup>3</sup> and racist policies targeted at immigrants.<sup>4</sup> 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 campuses<sup>5</sup> 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.<sup>6</sup> 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

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

<sup>2</sup> 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>.

<sup>3</sup> 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>.

<sup>4</sup> 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](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).

<sup>5</sup> 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/>.

<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup> 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.<sup>9</sup> 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<sup>10</sup>, 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

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<sup>7</sup> National Immigration Law Center. "Toolkit | Access to Postsecondary Education." Accessed April 22, 2020. <https://www.nilc.org/issues/education/eduaccessstoolkit/eduaccessstoolkit2/>.

<sup>8</sup> 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>.

<sup>9</sup> 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>.

<sup>10</sup> 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