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U.S. Citizenship and Immigration Services
Department of Homeland Security
5900 Capital Gateway Drive
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Re: DHS Docket No. USCIS-2021-0006, Comments in Response to Deferred Action for Childhood Arrivals

On behalf of Metropolitan State University of Denver (“MSU Denver”), I submit this comment letter in response to the U.S. Department of Homeland Security’s proposed rule, Deferred Action for Childhood Arrivals (DHS Docket No. USCIS-2021-0006), published September 28, 2021. I support the proposed rule.

MSU Denver is a regional comprehensive university with approximately 18,000 students in Denver, Colorado. MSU Denver has approximately 500 DACA, DACA-eligible, and undocumented students, staff, and alumni. One of our trustees, Marissa Molina, is a DACA recipient. Ms. Molina is an active and highly valued member of our Board of Trustees and brings her unique perspective to the Board.

MSU Denver students with DACA status have been highly influential in shaping campus, local, state, and federal policy by working closely with the institution’s government relations staff and others to tell their unique story. Those same students have also entered and excelled in careers in support of their community, as educators, medical professionals, accountants, engineers, and through many other career choices.

For example, DACA recipient Luis Paredes received both his bachelor’s degree in accounting and his master’s degree in professional accountancy from MSU Denver. He did so while working 45 hours a week and saving enough money to buy his parents a house. He is employed as a full-time tax associate at CliftonLarsonAllen, a CPA firm in Denver. DACA recipient Estéfani Peña Figueroa, who is a 2020 healthcare management graduate of MSU Denver, currently works as a student success specialist at the school. Mr. Paredes and Ms. Peña Figueroa will lose their jobs if DACA does not remain established.

Saira Galindo Vazquez faced economic hardship when she first started community college. She paid hefty out-of-state tuition fees, did not know how to find scholarships and could not get the support she needed. She finally met other undocumented people on campus who helped her stay in school. Galindo Vazquez is a year away from becoming a teacher. This career would be foreclosed with the end of DACA.

Although precise numbers for DACA-status students cannot be ascertained (as that student population is tracked only alongside undocumented students with DACA status), it is reasonable to assume that roughly ¾ of MSU Denver’s DACA & undocumented students currently have work authorization through DACA. A significant number of those students are also working for the university. Should DACA not be cemented into regulation, those hundreds of students are at risk of losing their status as main breadwinner for their families – in the process also losing their ability to cover tuition expenses and furthering their education – while the institution would lose highly valuable, diligent student staff.

Using donations and grant funding from individuals, community partners, and non-profit organizations, MSU Denver has over the course of the past 5 years provided more than 110 DACA renewal grants to enrolled, eligible students. As soon as grants are available, students who are within the renewal period (4-5 months prior to their DACA status expiring) eagerly line up as potential recipients of the grants, showing their completed renewal documents and DACA status. Grants always and quickly run out as soon as they are made available – often within a few days. The financial burden of paying \$495.00 per renewal is a clear strain on students and the households they support.

While MSU Denver supports the proposed rule, there is an opportunity to improve the eligibility criteria to be more inclusive. The proposed rule requires unlawful immigration status on June 15, 2012 and at the time of request when applying for DACA. This excludes dependents of long-term nonimmigrant visa holders (sometimes called “documented Dreamers”) who age out of the system when they turn 21 and are forced to either “self-deport” or become undocumented. Under the current wording of the proposed rule, any person who aged out after June 15, 2012 would not qualify for DACA status, despite being undocumented at the time of application.

The Migration Policy Institute estimates that 190,000 minors and young adults currently have no path to legal status once they turn 21.

The “aging out” aspect of DACA has led to a consistent decline in DACA-status students and community members as the eligibility criteria (having arrived prior to June 15, 2007 and having arrived prior to one’s 16th birthday) exclude community members who would otherwise be excellent candidates for the program. Hence, options of pursuing a meaningful employment-based career are dwindling for many, at a time when labor shortages – especially in key sectors for which many DACA recipients at MSU are preparing academically – are proving to be a strain on economic recovery post-Covid.

Thank you for your consideration of this comment.

Sincerely,

David Fine
General Counsel and Secretary to the Board of Trustees
Metropolitan State University of Denver