

July 28, 2022

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Hart Senate Office Building
Washington, DC 20002

The Honorable Nancy Pelosi
U.S. House of Representatives
1236 Longworth House Office Building
Washington, DC 20515

**RE: FEDERAL FINANCIAL AID ACCESS IN FY 2022 RECONCILIATION FOR
DACA, TPS, AND DED HOLDERS**

Dear Leader Schumer and Speaker Pelosi:

On behalf of the 96 undersigned immigration, education, civil rights, religious, advocacy, labor and other organizations, we write to urge you to include in the forthcoming FY 2022 budget reconciliation legislation the expansion of federal financial aid under Title IV of the Higher Education Act to Deferred Action for Childhood Arrivals (DACA) recipients, and Deferred Enforced Departure (DED) and Temporary Protected Status (TPS) holders.¹ We recognize that the forthcoming reconciliation legislation will be narrower in scope than last year's efforts around the Build Back Better Act, but the inclusion of these critical higher ed access provisions represent a top priority for organizations.

Through the reconciliation process, and historic precedent in expanding or narrowing access to federal benefits through this process, Congress has the unique opportunity to enact legislation that allows undocumented students, including DACA recipients, and TPS holders access to federal financial aid that they currently cannot access. Federal financial aid access would expand access to federal loans, Pell Grants and other grants, and work-study-based programs. Allowing the expansion of federal financial assistance would provide historically underrepresented and vulnerable students the opportunity to study and dramatically grow their educational, professional, and career skills. Removing financial barriers to higher education for undocumented students can increase college enrollment and improve academic achievement.² There were more than 3.1 million people eligible for DACA under its original implementation.³ Currently, there are approximately 181,000 DACA-eligible undocumented students that could benefit from the expansion of federal financial aid under this provision.⁴ Moreover, the

¹ The suggested language, originally included in the Build Back Better Act's education section, is as follows: "Section 484(a)(5) of the Higher Education Act of 1965 is amended by inserting ', or, with respect to any, grant, loan, or work assistance received under this title for award years 2022-2023 through 2029-2030, be subject to a grant of deferred enforced departure or have deferred action pursuant to the Deferred Action for Childhood Arrivals policy of the Secretary of Homeland Security or temporary protected status' after 'becoming a citizen or permanent resident'."

² "Including Undocumented Students in Tuition-Free Community College Proposals," Presidents' Alliance on Higher Education and Immigration, October, 2021, <https://www.higheredimmigrationportal.org/policy/including-undocumented-students-in-tuition-free-community-college-proposals/>.

³ "Deferred Action for Childhood Arrivals (DACA): An Overview," American Immigration Council, September 30, 2021, <https://www.americanimmigrationcouncil.org/research/deferred-action-childhood-arrivals-daca-overview>.

⁴ "Undocumented Students in Higher Education How Many Students are in U.S. Colleges and Universities, and Who Are They?," Presidents' Alliance on Higher Education and Immigration, New American Economy, Updated March, 2021,

opportunity to pursue higher education is essential in contributing to our nation's economy. Since 2008, our economy allocated the majority of new jobs to individuals with a college education.⁵ The expansion allows for future graduates to fill gaps in key industries in the American workforce and help strengthen the U.S. economy as a whole.⁶

Importantly, the proposed language provision complies with the Byrd Rule as it produces a change in revenue and expansion of access to federal benefits has historically and consistently always been considered to be in compliance with the Byrd Rule.⁷ Again, including this provision would allow DACA and TPS holders greater access to higher education by lowering the financial barriers students face when pursuing a higher education degree. Thus, we urge you to include this budget provision in the reconciliation package for the FY2022.

Thank you for your consideration of this request, and if you have any questions, please feel free to contact Jose Magaña-Salgado, Director of Policy and Communications, Presidents' Alliance on Higher Education and Immigration (jose@presidentsalliance.org).

Sincerely,

National Organizations

Adorers of the Blood of Christ, US Region
Advocating Opportunity
African Communities Together
America's Voice
American Federation of Teachers (AFT)
Asian Americans Advancing Justice | AAJC
Asylum Seeker Advocacy Project (ASAP)
AsylumConnect
Beacon Presbyterian Fellowship
Center for Law and Social Policy (CLASP)
Church World Service
Clearinghouse on Women's Issues
Climate Refugees
Coalition on Human Needs
College Success Foundation
Conference for Mercy Higher Education
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Disciples Peace Fellowship
Disciples Refugee and Immigration Ministries
Empowering Pacific Islander Communities (EPIC)

<https://www.higheredimmigrationportal.org/research/undocumented-students-in-higher-education-updated-march-2021/>.

⁵ Jailene Acevedo, Jose Magaña-Salgado, "The Dream and Promise Act and Implications for Higher Education," *Presidents' Alliance on Higher Education and Immigration*, June 17, 2019, <https://www.presidentsalliance.org/blog-post-hr6-higher-ed/>.

⁶ "Including Undocumented Students in Tuition-Free Community College Proposals," *Presidents' Alliance on Higher Education and Immigration*, October, 2021, <https://www.higheredimmigrationportal.org/policy/including-undocumented-students-in-tuition-free-community-college-proposals/>.

⁷ "The Cost of the Federal Student Loan Programs and Repayment Plans," CBO, April 21, 2021, <https://www.cbo.gov/publication/56997#:~:text=On%20that%20basis%2C%20CBO%20estimates,%243.2%20billion%20in%20administrative%20costs.>

Evangelical Lutheran Church in America
Faith in Public Life
Feminist Majority Foundation
Freedom Network USA
Hispanic Federation
Hispanic Federation
ICNA Council for Social Justice
Immigration Committee
Immigration Hub
ImmSchools
International American relief society IARS
InterReligious Task Force on Central America
Latino Pastoral Action Center, Inc.
Missionary Servants of the Most Holy Trinity
National Advocacy Center of the Sisters of the Good Shepherd
National College Attainment Network
National Education Association
National Immigration Law Center
Revolutionary Love Project
Sisters of Mercy of the Holy Cross USA Province
Teach For America
TNTP
uAspire
UndocuBlack Network
Union for Reform Judaism
United We Dream

State and Local Organizations

iHICA! Hispanic Interest Coalition of Alabama
10,000 Degrees
Achieve Atlanta
Alabama Possible
Aliento Education Fund
American Friends Service Committee, Colorado
Arkansas United
Breakthrough Central Texas
Cabrini Immigrant Services of NYC, Inc.
Casa Ruby
Church Women United in New York State
Coalition for Humane Immigrant Rights (CHIRLA)
College Bound St. Louis
CollegeTracks
Colorado Immigrant Rights Coalition
Colorado Jobs with Justice
Colorado Organization for Latina Opportunity and Reproductive Rights
Commission on Justice for Immigrants and Refugees, Immaculate Heart Community
Connecticut Shoreline Indivisible
Convencion Bautista Hispana de Texas
CRECEN

Equal Justice Center
Fe y Justicia Workers Center
Florida Immigrant Coalition
Florida Immigrant youth network and Florida student power network
Franciscans for Justice
Grossmont College Dream Center
Immigrant Action Alliance
Interfaith Welcome Coalition - San Antonio
Jewish Voice for Peace, Atlanta chapter
Latino U College Access
LeadMN -- College Students Connecting For Change
Massachusetts Law Reform Institute
MIRA Mississippi Immigrants' Rights Alliance
More Than Bootstraps
NH Conference United Church of Christ Immigrant and Refugee Support Group
Pennsylvania Council of Churches
SIREN
Social Justice Coalition (Central Lutheran Church)
UNITE-LA
United Vision for Idaho
University of California Graduate & Professional Council
Venezuelans and Immigrants Aid, Inc.
Ventura County Clergy and Laity United for Economic Justice (CLUE-Ventura County)
Wayne Action for Racial Equality
WESPAC Foundation, Inc.
Wilco Justice Alliance (Williamson County, TX)
Wind of the Spirit Immigrant Resource Center
Yemeni American Merchants Association

CC: Democratic Members of Congress