Alejandro Mayorkas  
Secretary of Homeland Security  
Department of Homeland Security  
2707 Martin Luther King Jr Ave SE  
Washington, DC 20528-0525

RE: DHS Docket No. USCIS-2021-0006, Deferred Action for Childhood Arrivals

Dear Secretary Mayorkas,

We are writing on behalf of a coalition of 25 graduate student governments in response to the Department of Homeland Security (DHS) request for public comment on the proposed rule changes regarding Deferred Action for Childhood Arrivals (DACA) published on 09/28/2021. 

We thank you for the opportunity to comment on the proposed rule change. Our coalition of 27 graduate student governments represents over 175,000 graduate students across 17 states. As part of our mission we advocate on behalf of graduate students in their personal and professional lives. Our coalition has represented the voice of graduate students on many diverse issues across all levels of government. We support DHS’s efforts to reinstate DACA and the ongoing work to protect the status of Dreamers in the United States. We are also excited to see how the momentum from this work can be built upon in the future.

Since its inception, DACA has enabled over 825,000 individuals to successfully obtain deferred status. This critically has allowed them to continue their education or work in the country they call home. This issue directly affects graduate students, as numerous DACA recipients pursue graduate education. Nearly a fifth of DACA recipients are currently enrolled at US universities, including in graduate programs. These researchers have proved themselves talented and innovative. Students like Saba Nafees, a PhD student at Texas Tech University in mathematical biology.1 Or Luke Hwang, a PhD candidate in chemistry at University of Chicago.2 People like Luke and Saba are not uncommon, as DACA receipts and students and exceptional students have become nearly synonymous. And even currently many more DACA recipients are still developing their skills through enrollment in post-baccaulaureate educational programs. Many of these programs are difficult enough without students having concerns about their status. However these students have now become products of the American educational systems and their skills are invaluable to the only country they have known as home. The research preeminence of the United States is beginning to erode and we cannot afford to lose access to the rich talent pool of DACA recipients.

We also support the inclusion of restructuring of work authorization provisions, particularly the reduction of application fees for individuals that are uninterested in work authorization. This will remove a financial burden, particularly from students, including those at the graduate level. Among the 1.2

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million DACA-eligible residents in the US, many are unenrolled due to inability to pay for application fees, so restructuring the work-authorization and fee structure will have a pronounced effect on this population. Lowering the barrier to entry for the DACA program will enable more people to benefit, and through extension our nation will benefit as well. DACA recipients are highly involved members of the labor force with employment numbers exceeding 90%, and 5% have started their own businesses, out-pacing the 3.1% rate of the general US population. It is clear that DACA recipients are already highly productive members of our economy, contributing over a quarter of a trillion dollars in economic growth. Through expanding and reforming these work authorization programs the massive economic impact of DACA recipients is likely to grow.

We greatly appreciate DHS’s efforts to fortify DACA, but there are areas where we believe that the current proposed rule does not go far enough. The world has changed significantly since 2012 and we believe that under the current DACA framework many in similar circumstances are neglected. We therefore would like to see an expansion of this successful program through updating the cutoff date to be inline with the renewed issuance date of the DACA program. We would also like to go beyond the current restructure of work authorization and expand work authorization to include recipients regardless of status. Such changes would provide additional stability and security to the lives of DACA recipients and their families in a world where the job and labor markets are already troubled due to the lasting effects of the COVID-19 pandemic.

We also like to encourage the DHS to include provisions for those that have legally entered the US only to have their legal status expire either through aging out or other circumstances. For example children who entered the country under the provisions of a H-4 visa as a dependent and lost their status upon turning 21. Loss of status through these or similar means is estimated to have affected over 200,000 people. These people are currently not included in the proposed DACA rule. While there are mechanisms for these individuals to apply for another visa, such as a student visa, this is just another temporary measure which will simply force these students to self-deport after completing college. Additionally, as a consequence of changing visas or losing one entirely these “legal dreamers” either lose their spot in the queue for greencards or lose the ability to apply for a green card all together, further depriving them of a permanent status. Similar to DACA recipients, these dreamers are people who know no other home besides the United States. Such holes in current rules and legislation are depriving our country of another source of skilled and willing residents and hopeful citizens.

We are greatly encouraged by the efforts DHS to provide DACA enhanced legal footing and we are excited to see the continuation of this momentum into the future. We support DHS working with Congress to codify DACA into future legislation and provide a pathway to citizenship for DACA recipients. Such a pathway to citizenship has been polled as highly popular, with some showing as many

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5 https://www.cato.org/blog/house-bill-provides-path-citizenship-most-legal-dreamers  
6 https://www.americanimmigrationcouncil.org/research/documented-dreamers-overview.  
https://thehill.com/changing-america/opinion/567593-americas-must-stop-kicking-out-children-who-were-legally-raised-and
as 83% of registered voters are in favor.\textsuperscript{7} Additionally the inclusion of a pathway to citizenship would have profound economic benefits with some estimates of over $22 billion dollars added to the economy annually.\textsuperscript{8} When the educational earning bump is factored in, the total economic impact over the next decade could be as high at $1 trillion and increase average US earning by as much as $237 annually.\textsuperscript{9} The passage of H.R.6 in the House and proposal of S.264 provide a unique opportunity to further expand upon this exciting work. Without provisions to ease the pathway to citizenship, current DACA recipients live in a state of constant uncertainty. As MIT president Rafael Reif put it, no student should live in fear of “losing the opportunities they earned, the communities they think of as home, and the nation they love.”\textsuperscript{10} And it is our belief that we should not lose the benefits of allowing these people to be fully integrated into our country.

We thank the Department of Homeland Security for the opportunity to comment on this proposed rule. We stand behind this proposed rule and sincerely hope that our comments and recommendations will aid the creation of a more robust and expanded DACA. If there are any questions please do not hesitate to contact Sven Burke gsa-vpea@andrew.cmu.edu, or Benjamin Lane at bblane@mit.edu.

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On behalf of:

Carnegie Mellon University Graduate Student Assembly
Case Western Reserve University Graduate Student Council
Cleveland State University Graduate and Professional Student Association
CUNY Craig Newmark Graduate School of Journalism Graduate Student Council
CUNY John Jay College of Criminal Justice Student Government
CUNY School of Public Health Graduate Student Government Association
Dartmouth College Graduate Student Council
Fordham University Graduate Student Association
Marywood University Graduate Student Council
Massachusetts Institute of Technology Graduate Student Council
New Jersey Institute of Technology Graduate Student Association
Northwestern University Chicago Graduate Student Association

\textsuperscript{7} https://www.foxnews.com/politics/fox-news-poll-83-percent-support-pathway-to-citizenship-for-illegal-immigrants,
\textsuperscript{8} https://www.americanprogress.org/issues/immigration/reports/2017/09/18/439134/economic-benefits-passing-dream-act/
\textsuperscript{9} Supra note 8.
\textsuperscript{10} L. Rafael Reif, President of MIT, Trump Should Not Repeal DACA, BOSTON GLOBE (Aug. 31, 2017), https://tinyurl.com/y6wyq239.
Oklahoma State University Graduate and Professional Student Government Association
Purdue Graduate Student Government Executive Board
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