

November 29, 2021

Andria Strano, Acting Chief  
Office of Policy and Strategy  
Division of Humanitarian Services  
U.S. Department of Homeland Security  
5900 Capital Gateway Drive  
Camp Springs, MD 20746

Re: DHS Docket No. USCIS- 2021-0006

On behalf of Duke University, I am writing to submit this comment letter in response to the U.S. Department of Homeland Security's (DHS) Docket Number USCIS- 2021-0006 regarding the Notice of Proposed Rulemaking (NPRM) on Deferred Action for Childhood Arrival (DACA). This is a welcome effort by DHS to further codify this valuable program that benefits so many individuals in the United States, and specifically valuable members of Duke's academic and health care communities.

To the extent possible, to further its mission to educate people, to provide people with meaningful employment and serve society, Duke University strives to make all its activities and programs available to all, regardless of legal status. We encourage DHS to intently focus on the enormous benefits to society of higher education and service-based employment when making changes to the DACA program through this rule making.

Turning to specifics, Duke University endorses the positions put forth in the comment letter from several higher education associations, and in particular the letter from the American Council on Education (ACE). Notably there are three points made in the ACE letter we want to emphasize because they echo Duke's goals stated above.

1. We urge DHS to offer DACA to all people who are similarly situated to those who are currently in DACA, including presently non-DACA eligible Dreamers and others individuals who are presently prohibited from applying for DACA by court order. This the right thing to do. The same powerful reasons of fairness and humanity that led to DACA in the first place apply equally to similarly situated people who are not presently eligible for the Program. For Duke, an expansion of DACA to deserving individuals will lead to a higher quality and more diverse students and employees.
2. We urge DHS to include in the rule a direction that DACA students are eligible for Title IV federal student aid programs, such as Pell, federal work study, and Direct Loans. For Duke, this would go a long way to ensuring that financial support does not impede the ability of these individuals to fully participate in campus life and educational opportunities.

3. Finally, we urge DHS to more closely consider their proposal to decouple work authorization from DACA status. The ability to work, a basic and fundamental right allows DACA students the ability to earn what may be very important income to support themselves and their family. The ability of Duke to hire DACA recipients provides Duke access to additional highly qualified employees.

In conclusion, we appreciate DHS's efforts to codify DACA through formal rulemaking, and welcome the opportunity submit comments. We hope that any changes that emerge through this rulemaking will focus on the enormous benefits of allowing full participation in society and higher education by current DACA students or employees, individuals who can now apply for DACA to enroll in or work for Duke, and by other similarly situated undocumented persons.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Schoenfeld".

Michael J. Schoenfeld  
Vice President for Public Affairs & Government Relations  
Chief Communications Officer  
Duke University