

# Submit a Public Comment to Protect and Expand DACA

## 5 Points for an Extra Impactful Comment



The Department of Homeland Security (DHS) has opened a 60-day comment period closing on November 29, 2021, for the public to share feedback on [the government's Notice of Proposed Rulemaking \("NPRM"\) on DACA](#). DHS's goal of using rulemaking to strengthen the DACA program is laudable—but of course the reality is that only a legislative solution will give immigrants the permanent protection they need and deserve. Also, the Biden Administration regrettably failed to use this rulemaking opportunity to build DACA better by expanding it to cover individuals left out in 2012 and after. Finally, the proposal opens the possibility of separating deferred action (deportation protection) from work authorization, which sets a bad precedent and looks like a trap, not a benefit for immigrant youth.

The 60-day comment period is an opportunity for everyone impacted to show the Biden Administration why DACA is important and why it must be expanded and protected. We need as many diverse voices as possible to submit individual and group comments that emphasize each of the following key points:

1. **We need a legislative solution for individuals eligible for DACA.** The Biden-Harris Administration and Congress must take action to provide *permanent* protections for the DACA community and other immigrants now. Three-quarters of U.S. adults support providing the DACA community with a pathway to citizenship. The President and Congress have a mandate from voters to act now and deliver a pathway to citizenship for millions of undocumented youth who are vital to the fabric of the U.S. Please be clear in your comment that we need legislation not only for those who currently hold DACA but all of those who would be eligible for DACA with important expansions for age and date of entry.
2. **DACA is legal.** Congress has given DHS broad authority to defer immigration enforcement against individuals with significant ties to the U.S. It is well within the discretion and judgment of the executive branch to order that undocumented immigrants who came to the U.S. as children should not be a priority for deportation.
3. **DACA strengthens our country, benefitting our communities, our young people, and our future.** By giving hundreds of thousands of undocumented youth certainty, stability, and protection from deportation, as well as work authorization, DACA empowers them to participate more fully in the economy and in the civic life of their communities. Specific, detailed descriptions of these benefits, and the ways in which schools, businesses, and NGOs, have relied on them, will be particularly useful. In particular, all the contributions immigrant youth have made during the pandemic in their caregiving, work, military, and school lives are useful to foreground.
4. **DACA must be expanded and updated.** DACA's eligibility requirements haven't changed since the program was created in 2012. Unless these requirements (e.g., higher age limit for first-time DACA applicants or a later date for arriving in the U.S.) are updated, and unnecessarily restrictive criminal bars eliminated, fewer people will be eligible for DACA each year. The final rule should also require notice and a chance to respond before any DACA grant is terminated.
5. **Separating deferred action from work authorization undermines the purpose of DACA.** The work authorization component of DACA is indispensable to a life with dignity. Protecting people from deportation without giving them the right to legal employment robs immigrant youth and their families of a life of dignity and agency. Also, there is a serious risk that immigrant youth receiving only deferred action might believe that even without the separate step of work authorization they could work.

**TAKE ACTION!** Submit your comment at [comment.homeishere.us](https://comment.homeishere.us) or directly at the [regulations.gov](https://www.regulations.gov) website by clicking the blue "Comment" button at the upper-left.

You may submit a comment as an organization or individual, in any language, and regardless of your immigration status. We encourage you to share your comments widely on social media.