

October 25, 2022

Dear Secretary Becerra,

As advocates for immigrants and expanded access to health care, we urge you to allow recipients of the Deferred Action for Childhood Arrivals (DACA) program to enroll in health insurance through the Affordable Care Act (ACA), Children's Health Insurance Program (CHIP), and Medicaid. Under the Affordable Care Act, all people with [lawfully present](#) immigration statuses—which includes people granted deferred action—are eligible for enrollment in qualified health plans. Similarly, under the CHIP Reauthorization Act of 2009 states can elect to [cover](#) lawfully present children and pregnant people in Medicaid and CHIP. However, in 2012, the Department of Health and Human Services (HHS) decided that grantees of deferred action under the DACA policy memo [would not be](#) considered lawfully present for these coverage options, despite the absence of any statutory exception.

Now that the Department of Homeland Security's (DHS) 2012 memo establishing DACA will be [replaced](#) by a final regulation, it is time for HHS to address this decade-long disparity. In the preamble to the new final rule, DHS states that, with respect to the programs under its jurisdiction, "DACA recipients are provided deferred action and should continue to be deemed 'lawfully present' like all other deferred action recipients—as they have been since the start of DACA." However, DHS also notes that, "any future revision of this determination for Medicaid, CHIP, or with respect to the ACA Exchange and private market programs would need to be made by HHS." Doing so not only would be consistent with DHS's interpretation, it would advance President Biden's policy priorities, such as Executive Orders [13985](#) on racial equity and [14070](#), strengthening access to health care. By making people with DACA eligible for insurance programs, HHS can extend coverage to hundreds of thousands of people without action from Congress.

People with DACA face deep health care disparities: 39% of DACA eligible individuals are [uninsured](#), more than [three times](#) the rate of the general population. One survey [found](#) that 47% of people with DACA delayed care because of their immigration status and 67% said that they or a family member have been unable to pay medical bills. During the COVID-19 pandemic, DACA recipients disproportionately have [served](#) as essential workers, especially in the health care sector, despite lacking equitable access to protect their own health.

With pending [court action](#), the future of DACA is uncertain, but that makes the imperative for HHS to act even more pressing. While other recipients of deferred action are eligible for these coverage programs, DACA recipients face the continuing [consequences](#) of uninsurance, such as unmet mental health needs and medical debt. Taking steps to improve people with DACA's health and ability to participate fully in economic and civic life would help achieve the goals of the policy. Therefore, we ask you to act as soon as possible to issue the necessary regulations and guidance so that people with DACA can obtain the health care they need and deserve.

Sincerely,

**National Groups**

Center for Law and Social Policy

National Immigration Law Center

UnidosUS

United We Dream

32BJ SEIU

Academic Pediatric Association

Advocates for Youth  
Advocating Opportunity  
African Communities Together  
AIDS Alliance for Women, Infants, Children, Youth & Families  
Alianza Americas  
All\* Above All Action Fund  
American Academy of Pediatrics  
American Association of People with Disabilities  
American Committee for Middle East Rights  
American Federation of Teachers  
American Friends Service Committee (AFSC)  
American Lung Association  
American Pediatric Society  
Asian & Pacific Islander American Health Forum (APIAHF)  
Asian American Advancing Justice | AAJC (Asian American Justice Center)  
Asian American Legal Defense and Education Fund (AALDEF)  
Asian Pacific American Labor Alliance, AFL-CIO  
Asian Pacific Institute on Gender-Based Violence  
ASISTA Immigration Assistance  
Association of Asian Pacific Community Health Organizations (AAPCHO)  
Association of Farmworker Opportunity Programs  
Association of Medical School Pediatric Department Chairs  
Asthma and Allergy Foundation of America  
Autistic Self Advocacy Network  
Bazon Center for Mental Health Law  
Bend the Arc: Jewish Action  
Care in Action  
CASA  
Catholic Health Association of the U.S.  
Catholic Labor Network  
Center for Popular Democracy  
Children's HealthWatch  
Church World Service  
Clearinghouse on Women's Issues  
Coalition on Human Needs  
CommunicationFIRST  
Community Catalyst  
Comunidad Maya Pixan Ixim  
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces  
Council on American-Islamic Relations  
COVID Survivors for Change  
Disciples Immigration Legal Counsel  
Disciples Peace Fellowship  
Disciples Refugee & Immigration Ministries  
Doctors for America

Dominican Sisters of Sinsinawa Peace and Justice Office  
Educare Learning Network  
Empowering Pacific Islander Communities  
Epilepsy Foundation  
Esperanza United (Formerly Casa de Esperanza National Latin@ Network)  
Families Belong Together  
Families USA  
Farmworker Justice  
Feminist Majority Foundation  
First Focus on Children  
Freedom Network USA  
Friends Committee on National Legislation  
Friends in Solidarity, Inc.  
FWD.us  
Georgetown University Center for Children and Families  
GLMA: Health Professionals Advancing LGBTQ+ Equality  
Grantmakers Concerned with Immigrants and Refugees  
Grey Nuns of the Sacred Heart  
Haitian Bridge Alliance  
Health Care Voices  
Hemophilia Federation of America  
Hispanic Federation  
Holy Spirit Missionary Sisters, USA-JPIC \_ Justice, Peace, Integrity of Creation  
Human Rights Campaign  
Human Rights First  
Immigrant Legal Resource Center  
InReach  
Intercommunity Peace & Justice Center  
Just Neighbors Ministry  
Justice Action Center  
Justice in Aging  
Latino Commission on AIDS  
League of Women Voters of the United States  
Medicare Rights Center  
Missionary Servants of the Most Holy Trinity  
MomsRising  
MoveOn  
MPact Global Action  
Muscular Dystrophy Association  
NARAL Pro-Choice America  
National Advocacy Center of the Sisters of the Good Shepherd  
National Asian Pacific American Families Against Substance Abuse  
National Association of Pediatric Nurse Practitioners  
National Association of Social Workers  
National Birth Equity Collaborative

National Black Women's HIV/AIDS Network  
National Center for Lesbian Rights  
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)  
National Council of Jewish Women  
National Disability Rights Network (NDRN)  
National Domestic Workers Alliance  
National Education Association  
National Employment Law Project  
National Family Planning & Reproductive Health Association  
National Health Law Program  
National Immigrant Justice Center  
National Latina Institute for Reproductive Justice  
National Network for Arab American Communities (NNAAC)  
National Network to End Domestic Violence  
National Organization for Women  
National Partnership for New Americans  
National Partnership for Women & Families  
National Working Positive Coalition  
NETWORK Lobby for Catholic Social Justice  
Northeastern University School of Law Immigrant Justice Clinic  
Pediatric Policy Council  
PFLAG National  
Physicians for Reproductive Health  
Planned Parenthood Federation of America  
Positive Women's Network-USA  
Pre-Health Dreamers  
Presidents' Alliance on Higher Education and Immigration  
Prevention Institute  
Public Advocacy for Kids (PAK)  
RESULTS  
Service Employees International Union  
Shriver Center on Poverty Law  
SIECUS: Sex Ed for Social Change  
Sisters of Charity Federation  
Sisters of Charity of Nazareth Congregational Leadership  
Sisters of Charity of Nazareth Western Province Leadership  
Sisters of Charity, BVM  
Sisters of the Holy Cross  
Small Business Majority  
Society for Pediatric Research  
Sojourners  
Southeast Asia Resource Action Center (SEARAC)  
Start Early  
Teach For America  
The AIDS Institute

The Foundation for Farmworkers  
The Leadership Conference on Civil and Human Rights  
The Raben Group  
The United Methodist Church - General Board of Church and Society  
The Workers Circle  
Treatment Action Group  
U.S. Federation of the Sisters of St. Joseph  
Unitarian Universalist Refugee and Immigrant Services and Education  
United Stateless  
United States of Care  
Welcoming America  
Women's Alliance for Theology, Ethics, and Ritual (WATER)  
Women's Refugee Commission  
Young Center for Immigrant Children's Rights  
Young Invincibles  
ZERO TO THREE

### **Alabama**

Alabama Arise  
Hispanic Interest Coalition of Alabama

### **Arizona**

Asian Pacific Community in Action  
Florence Immigrant & Refugee Rights Project  
William E. Morris Institute for Justice

### **California**

Ahri Center  
Alianza Sacramento  
Alliance for a Better Community  
Asian Resources, Inc.  
California Immigrant Policy Center  
California Rural Legal Assistance Foundation (CRLA Foundation)  
California WIC Association  
Central Valley Immigrant Integration Collaborative  
Centro Binacional para el Desarrollo Indígena Oaxaqueño (CBDIO)  
Ceres Community Project  
Chula Vista Partners in Courage  
Coalition for Humane Immigrant Rights (CHIRLA)  
Community Clinic Association of Los Angeles County  
CPEHN  
East Bay Sanctuary Covenant (EBSC)  
Equality California  
Food Share of Ventura County  
Friends Committee on Legislation of California

Future Leaders of America  
Indivisible Ventura  
Inland Empire Immigrant Youth Collective  
Inland Equity Partnership  
Jakara Movement  
Jewish Family Service of Los Angeles  
La Hermandad Hank Lacayo Youth & Family Center - OXNARD  
Long Beach Immigrant Rights Coalition  
Los Angeles LGBT Center  
Maternal and Child Health Access  
Mission Graduates  
Northeast Valley Health Corporation  
Nurse Alliance of SEIU California  
Ola Raza, Inc  
San Fernando Valley Indivisible  
San Francisco-Marin Food Bank  
Second Harvest of Silicon Valley  
South Bay People Power  
South Central Family Health Center  
Thai Community Development Center  
The Children's Partnership  
TODEC Legal Center  
Wesley Foundation Serving UCLA / 580 Cafe

### **Colorado**

Colorado Consumer Health Initiative  
Colorado Immigrant Rights Coalition  
Colorado Jobs with Justice (COJWJ)  
Colorado Latino Leadership Advocacy and Research Organization  
Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR)  
Rocky Mountain Immigrant Advocacy Network  
San Luis Valley Immigrant Resource Center

### **Connecticut**

Building One Community  
Comunidades Sin Fronteras CSF-CT INC  
Connecticut Institute for Refugees and Immigrants  
Hartford Deportation Defense  
HUSKY 4 Immigrants Coalition  
Universal Health Care Foundation of Connecticut

### **District of Columbia**

DC Primary Care Association  
Dorothy Day Catholic Worker, DC  
La Clinica Del Pueblo

## RESULTS DC/MD

### **Florida**

Florida Chapter of the American Academy of Pediatrics  
Florida Health Justice Project  
Hispanic Unity of Florida

### **Georgia**

Georgians for a Healthy Future  
Jewish Voice for Peace, Atlanta chapter  
Latino Community Fund INC (LCF Georgia)

### **Hawaii**

Hawaii Children's Action Network Speaks!  
MEO

### **Iowa**

Iowa Citizens for Community Improvement  
Iowa Coalition Against Domestic Violence  
Iowa Migrant Movement for Justice  
Sisters of St. Francis, Clinton, Iowa

### **Illinois**

Access Living  
AIDS Foundation Chicago (AFC)  
Casa Michoacan/FEDECFMI  
Erie Family Health Centers  
EverThrive Illinois  
Greater Chicago Food Depository  
HANA Center  
Healthy Illinois Campaign  
Illinois Chapter American Academy of Pediatrics  
Illinois Coalition for Immigrant and Refugee Rights  
Latino Policy Forum  
Legal Action Chicago  
Mujeres Latinas En Accion  
Progress Center  
Spanish Community Center  
Thresholds

### **Indiana**

Immigrant Welcome Center  
Indiana Justice Project

### **Kansas**

Immigration Support Services Network

**Kentucky**

Kentucky Equal Justice Center

**Louisiana**

Jesuit Social Research Institute

**Massachusetts**

Berkshire Immigrant Center

Justice Center of Southeast MA

La Colaborativa

La Comunidadi, Inc

Mass Family Voices

Massachusetts Immigrant and Refugee Advocacy Coalition

MLPB

Rian Immigrant Center

**Maryland**

Ayuda

Maryland Chapter, American Academy of Pediatrics

Montgomery County Federation of Families for Children's Mental Health, Inc.

The Parents' Place of MD

**Maine**

Maine Equal Justice

Maine Parent Federation

**Michigan**

Michigan Immigrant Rights Center

Michigan League for Public Policy

Sisters, Home Visitors of Mary

Washtenaw Health Plan

**Minnesota**

Allina Health

Minnesota Chapter, American Academy of Pediatrics

**North Carolina**

Association of Mexicans in North Carolina, Inc. (AMEXCAN)

El Vínculo Hispano

NC FIELD

NC Pediatric Society

Student Action with Farmworkers



**Nebraska**

Nebraska Appleseed

**New Hampshire**

New Hampshire Legal Assistance

**New Jersey**

Faith in New Jersey

Family Voices NJ

Latin American Legal Defense and Education Fund

Latino Action Network (LAN)

Latino Action Network Foundation

National Association of Social Workers - NJ Chapter

New Jersey Alliance for Immigrant Justice (NJAIJ)

New Jersey Citizen Action

New Jersey Health Care Quality Institute

Occupy Bergen County

Princeton NJ Human Services Commission

SPAN Parent Advocacy Network (SPAN)

Unitarian Universalist FaithAction NJ

Wind of the Spirit Immigrant Resource Center

**New Mexico**

La Plaza de Encuentro Gathering Place (Encuentro)

New Mexico Center on Law and Poverty

**Nevada**

Community Health Alliance

Silver State Equality

**New York**

African Services Committee

Cabrini Immigrant Services of NYC, Inc.

Church Women United in New York State

Families For Freedom

Long Island Immigration Clinic/Sisters of St. Joseph

Make the Road New York

New York Immigration Coalition

Saratoga Immigration Coalition

Sisters of St. Dominic of Blauvelt, New York

The Center for Family Representation

UnLocal

Wayne Action for Racial Equality

WESPAC Foundation, Inc.

Workers Center of Central New York

**Ohio**

Church of Our Saviour/La Iglesia de Nuestro Salvador  
Cleveland Jobs with Justice  
Intercommunity Justice and Peace Center

**Oklahoma**

Oklahoma Policy Institute

**Oregon**

Our Children Oregon

**Pennsylvania**

Pennsylvania Council of Churches

**Rhode Island**

The Economic Progress Institute

**South Carolina**

South Carolina Appleseed Legal Justice Center

**South Dakota**

Caminando Juntos

**Tennessee**

ETSU  
Johnson City Community Health Center  
Siloam Health  
Tennessee Justice Center

**Texas**

American Gateways  
Convencion Bautista Hispana de Texas  
Every Texan  
Feeding Texas  
Jane's Due Process  
Justice for Our Neighbors El Paso  
La Union del Pueblo Entero (LUPE)  
Migrant Center for Human Rights  
Opening Doors International Services  
Wilco Justice Alliance  
Woori Juntos

**Utah**

Voices for Utah Children

**Virginia**

ACLU People Power Fairfax  
Hamkae Center  
Legal Aid Justice Center  
Move2Health Equity Coalition  
New Virginia Majority  
Progress Virginia  
Rx Partnership  
Sin Barreras Without Barriers Inc.  
The Commonwealth Institute for Fiscal Analysis  
Virginia Organizing  
Virginia Poverty Law Center  
Voices for Virginia's Children

**Vermont**

Vermont Family Network

**Washington**

Asia Pacific Cultural Center  
Community Health Network of Washington  
Northwest Harvest  
Northwest Health Law Advocates  
OneAmerica  
PAVE  
Seattle Immigrant Rights Action Group  
Wallingford Indivisible

**Wisconsin**

Holy Cross Sisters  
Wisconsin Faith Voices for Justice