



## **DACA Recipients and the Coronavirus**

In a time of heightened uncertainty amidst the coronavirus pandemic, approximately 650,000 DACA recipients across the country, including approximately 15,000 in Colorado, are facing challenges as they try to renew their DACA status before the Supreme Court makes its ruling. Many doctors, nurses, personal care attendants and other health professionals are immigrants, including an estimated 27,000 DACA recipients. They represent an indispensable part of the nation's healthcare workforce, which is especially important during a global health crisis.

**Unemployment Compensation** – Anyone with a valid work authorization or a form of lawful presence, including DACA, is eligible for unemployment compensation, if you are unemployed through no fault of your own, and able, available, and actively seeking new work. You must have valid work authorization during the base period, at the time that you apply for benefits, and throughout the period during which they are receiving benefits. Receipt of unemployment benefits is not considered under the public charge rule. Only programs listed explicitly in the public charge rule are considered, alongside other factors such as age and education. Unemployment Insurance is not considered income maintenance. Expanded unemployment benefits included in the CARES Act are outlined below, and additional information can be found here: <https://www.colorado.gov/cdle/unemployment>

**Supplemental Federal Pandemic Unemployment Compensation.** Effective April 20, 2020 the Colorado Department of Labor (CDLE) began disbursing the extra \$600 a week provided for under the Federal Pandemic Unemployment Compensation (FPUC) for any worker eligible for state or federal unemployment compensation (UC) benefits. The \$600/week benefit is retroactive to March 29, 2020 and extends until July 25, 2020.

**13 Weeks of Emergency Unemployment Compensation Available in All States for Workers who Exhaust Regular Benefits.** Pursuant to the CARES Act, Colorado extended an additional 13 weeks of unemployment benefits to workers who need it beyond their 26 weeks.

**Pandemic Unemployment Assistance.** Effective April 20, 2020, CDLE began taking unemployment benefit applications for workers who are not normally eligible for benefits, so long as their unemployment was connected to the COVID-19 pandemic, as determined by the state and the Department of Labor. Expanded eligibility includes self-employed individuals, independent contractors, “gig economy” employees, and individuals who were unable to start a new job or contract due to the pandemic.

**Supreme Court Update** – The Supreme Court's decision on the pending DACA case is still expected to be released at any time from now until June 2020.

**DACA Renewals** – Due to the uncertainty of the SCOTUS decision and its impact on current DACA renewal requests, we encourage DACA recipients to stay informed, consider speaking with an immigration attorney or DOJ-accredited representative, and consider submitting your renewal application as soon as possible, especially if your DACA expires in 2020. If you attend a renewal clinic, urge them to practice the Center for Disease Control’s suggestions for groups of people to be fewer than 10 and with at least six feet of distance between each person. We recommend that if you are attending an in-person clinic, that you take the necessary precautions for your health.

**USCIS Offices** – On April 24, USCIS announced that it expects to reopen field offices, asylum offices, and application support centers (ASCs) beginning on or after June 4, 2020. When USCIS again resumes normal operations, USCIS will automatically reschedule Application Support Center appointments due to the office closure. According to USCIS, if you do not receive a new appointment notice by mail within 90 days, call 800-375-5283.

USCIS staff may continue to perform duties that do not involve contact with the public, such as processing centers. Currently, cases are still being processed, including DACA renewals. If you are awaiting your DACA renewal and will be experiencing a lapse in work authorization, we encourage you to reach out to our office, specifically Erika Blum at [erika.blum@mail.house.gov](mailto:erika.blum@mail.house.gov). Additionally, as always, with or without DACA you have rights. More information can be found here: <https://www.aclu.org/know-your-rights/immigrants-rights/>

**If you have not yet renewed, we encourage you to renew your DACA as quickly as possible despite the USCIS offices being closed.**

**Access to Health Care** – DACA recipients remain ineligible for Medicaid, CHIP, and for marketplace plans under the Affordable Care Act, but they are eligible for employment-based health insurance, and those who are attending a college or university that offers student health plans may be able to enroll in one of those. Lack of access to federal programs means that the primary option for DACA recipients outside of college and employer-based insurance is to purchase a private health care plan, though eliminating DACA could bring an end to this form of coverage, which typically comes at higher cost to the individual as there are no tax subsidies.