



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

October 1, 2017

SCANNED/RECEIVED
BY ESEC SEC
2017 OCT -4 PM 2:14

The Honorable Elaine C. Duke
Acting Secretary of Homeland Security
Washington, D.C., 20528

RE: Deferred Action for Childhood Arrivals (DACA)

Dear Acting Secretary Duke:

We, mayors of Cities and towns across the country, are writing to ask the Department of Homeland Security to extend the arbitrary October 5, 2017 renewal deadline for Deferred Action for Childhood Arrivals (DACA) recipients whose permission expires in the next six months. We firmly believe that the Department of Homeland Security's upcoming October 5th deadline is unworkable, cruel and unfair. This deadline will result in tens of thousands of current DACA holders losing their legal status, protections from deportation, and ability to work legally and contribute to our country.

DACA not only demonstrates the values of this great nation, it delivers on the promise of this great nation. As Mayors whose communities include DREAMers, we are sincerely disappointed in the administration's decision to rescind the Deferred Action for Childhood Arrivals (DACA) program. Rescinding DACA undermines the incredible opportunities created and maintained for hardworking American families across the country. Now, close to 800,000 DACA recipients face an uncertain future.

DACA is good for our nation's economy. Eighty-seven percent of DACA recipients are employed with American businesses. Six percent of DACA recipients started their own businesses, higher than the American public (3.1%). All of these things translate into higher wages and better economic outcomes. DACA recipients are also investing in assets like houses and starting new businesses, bringing significant tax revenue to cities and states across the country. DACA recipients contribute 15.3 percent of their wages to taxes, which fund Social Security and Medicare. Eliminating the program would lead to the loss of \$9.9 billion in tax contributions over the next four years. Ending DACA would wipe away at least \$433.4 billion from the U.S. gross domestic product (GDP) over the next decade.

Ensuring DREAMers can continue to live and work in their communities without fear of deportation is the foundation of sound, responsible immigration policy. Ending DACA will disrupt the lives of close to one million young people, and it will disrupt sectors of the American economy, as well as our national security and public safety, to which they contribute. We encourage the administration to demonstrate its commitment to the American economy and our security by reinstating DACA and providing DREAMers some certainty about their futures while Congress continues their work to modernize our immigration system and establish a more permanent form of relief for our immigrant communities.

At the same time, we urge you to immediately consider and address the devastating impact your October 5th deadline will have on current DACA recipients, their families, and their employers in addition to the many legal advocates and community organizations working to support them. According to USCIS, 154,000 DACA beneficiaries have expiration dates between September 5, 2017 and March 5th, 2018. They would all need to renew – which means coming up with funds and compiling all necessary information – by October 5th, with only 30 days' notice to do so. To this end, this actual consequence of the deadline is that there must be 5,433 applications filed every single day, including weekends, if the 154,000 current DACA holders whose permissions expire over the next six months are to be able to apply to renew their DACA. Many DACA recipients will not have had a chance to save for the unexpected \$495 expense. This sudden and unexpected change, along with the lack of information, resources and legal capacity to assist with application renewals, makes the October 5th deadline impractical and unworkable.

Given the devastating consequences of the October 5th deadline for DACA renewal applications, we urge you to extend this deadline.

Sincerely,

Rahm Emanuel, Mayor of Chicago, IL
Thomas G. Ambrosino, City Manager, Chelsea, MA
Sylvia Ballin, Mayor of San Fernando, CA
Megan Barry, Mayor of Nashville, TN
David Bieter, Mayor of Boise, ID
Jackie Biskupski, Mayor of Salt Lake City, UT
Muriel Bowser, Mayor of Washington, DC
Luke Bronin, Mayor of Hartford, CT
Tim Burgess, Mayor of Seattle, WA
Paul Campos, Mayor of Lovington, NM
Tom Cochran, CEO and Executive Director of The U.S. Conference of Mayors
Joseph A. Curtatone, Mayor of Somerville, MA
Bill de Blasio, Mayor of New York, NY
Karen Freeman-Wilson, Mayor of Gary, IN
Robert Garcia, Mayor of Long Beach, CA
Andrew J. Ginther, Mayor of Columbus, OH
Javier Gonzales, Mayor of Santa Fe, NM

Elizabeth Goreham, Mayor of State College, PA
Michael B. Hancock, Mayor of Denver, CO
John Heilman, Mayor of West Hollywood, CA
Betsy Hodges, Mayor of Minneapolis, MN
Steve Hogan, Mayor of Aurora, CO
Jim Kenney, Mayor of Philadelphia, PA
Lyda Krewson, Mayor, St. Louis, MO
Mitch Landrieu, Mayor, New Orleans, LA
Lydia Lavelle, Mayor of Carrboro, NC
Edwin Lee, Mayor of San Francisco, CA
Ike Leggett, County Executive, Montgomery County, MD
Sam Liccardo, Mayor of San Jose, CA
William Peduto, Mayor of Pittsburgh, PA
Catherine Pugh, Mayor of Baltimore, MD
Kasim Reed, Mayor of Atlanta, GA
Madeline Rogero, Mayor of Knoxville, TN
Jonathan Rothschild, Mayor of Tucson, AZ
Libby Schaaf, Mayor of Oakland, CA
Kathy Sheehan, Mayor of Albany, NY
E. Denise Simmons, Mayor of Cambridge, MA
Paul R. Soglin, Mayor of Madison, WI
Gregory Stanton, Mayor of Phoenix, AZ
Darrell Steinberg, Mayor, Sacramento, CA
Sylvester Turner, Mayor of Houston, TX
Setti D. Warren, Mayor of Newton, MA
Martin J. Walsh, Mayor of Boston, MA
Ted Wheeler, Mayor of Portland, OR



**U.S. Citizenship
and Immigration
Services**

November 16, 2017

The Honorable Rahm Emanuel
Mayor of Chicago
121 N. LaSalle Street
Chicago City Hall, 4th Floor
Chicago, Illinois 60602

Dear Mayor Emanuel:

Thank you for your October 1, 2017 letter. Acting Secretary Duke asked that I respond on her behalf.

On September 4, 2017, Attorney General Jeff Sessions released a letter outlining the Department of Justice's position that the June 15, 2012 memorandum entitled "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children," which established the policy known as Deferred Action for Childhood Arrivals (DACA), is indefensible in court and is inconsistent with the faithful execution of our duly enacted immigration laws.¹

On September 5, 2017, Acting Secretary Duke issued a memorandum rescinding the June 2012 memorandum establishing DACA.² Recognizing the complexities associated with winding down the policy, the Department will provide a limited window in which it will consider certain requests for DACA and associated applications meeting specific parameters delineated below. Accordingly, U.S. Citizenship and Immigration Services (USCIS) will:

- Consider—on an individual, case-by-case basis—properly filed pending DACA initial requests and associated applications for Employment Authorization Documents (EADs) that have been received by USCIS as of September 5, 2017.
- Reject all DACA initial requests and associated applications for EADs received after September 5, 2017.
- Consider—on an individual, case-by-case basis—properly filed pending DACA renewal requests and associated applications for EADs from DACA recipients that have been received as of September 5, 2017, and from DACA recipients whose DACA will expire between September 5, 2017 and March 5, 2018, inclusive, that have been received as of October 5, 2017.
- Reject all DACA renewal requests and associated applications for EADs filed outside of the parameters specified above.

¹ <https://www.dhs.gov/publication/letter-attorney-general-sessions-acting-secretary-duke-rescission-daca>

² <https://www.dhs.gov/news/2017/09/05/memorandum-rescission-daca>

- Not terminate the grants of previously issued DACA or revoke associated EADs solely based on the directives in Acting Secretary Duke's memorandum for the remaining duration of their validity periods.
- Not approve any new Form I-131 applications for advance parole under standards associated with the DACA policy, although it will generally honor the stated validity period for previously approved applications for advance parole. Notwithstanding the continued validity of advance parole approvals previously granted, U.S. Customs and Border Protection will—of course—retain the authority it has always had and exercised in determining the admissibility of any person presenting at the border and the eligibility of such persons for parole. Further, USCIS will—of course—retain the authority to revoke or terminate an advance parole document at any time.
- Administratively close all pending Form I-131 applications for advance parole filed under standards associated with the DACA policy, and will refund all associated fees.
- Continue to exercise its discretionary authority to terminate or deny deferred action under DACA at any time when immigration officials determine termination or denial of deferred action is appropriate.

As the Acting Secretary announced on October 3, 2017, USCIS will consider deadline extensions on a case-by-case basis for DACA requests received from residents of Puerto Rico and the U.S. Virgin Islands, due to the lack of communications and infrastructure for a prolonged period of time following Hurricane Maria.

Thank you again for your letter and interest in these important issues. Please feel free to share this information. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Francis Cissna", with a stylized flourish at the end.

L. Francis Cissna
Director