

WF# 1157082

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

NEIL L. BRADLEY  
SENIOR VICE PRESIDENT &  
CHIEF POLICY OFFICER

1615 H STREET, NW  
WASHINGTON, DC 20062  
(202) 463-5310

September 29, 2017

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

Dear Secretary Duke,

The U.S. Chamber of Commerce respectfully requests that Department of Homeland Security extend the October 5 deadline for filing Deferred Action for Childhood Arrivals (DACA) Program renewal requests until the end of 2017.

Since September 5, 2017, when the Administration announced its plan to terminate the current DACA program, President Trump and the Congressional leadership of both parties have indicated that they intend to take up, in the very near term, legislation that provides long-term certainty with regard to the ability of DACA beneficiaries to remain in the U.S. and build their lives in the country they refer to as "home."

The U.S. Citizenship and Immigration Services (USCIS) announced that it will only adjudicate individual requests to renew DACA status for certain beneficiaries whose benefits will expire between September 5, 2017, and March 5, 2018, if they submit their application by October 5, 2017. The approaching deadline is causing undue — and, because of forthcoming congressional action, likely unnecessary — burdens on not only DACA recipients, but also the many different American businesses that employ them.

In addition, many current DACA recipients seeking to renew their status live in hurricane-ravaged areas in Texas, Florida, and Puerto Rico. Forcing those in these devastated and damaged communities to meet this arbitrary deadline would be fundamentally unjust.

Extending the deadline would not ease the pressure on Congress to enact bipartisan legislation to address this issue; it would only provide DACA recipients with more time to properly file their renewal requests and paperwork.

Furthermore, an extension of the deadline would provide USCIS with additional time to review and properly vet each individual renewal request, as it would help avoid a likely deluge of DACA renewal requests from being received by the agency next week.

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BY ESEC SEC

The Chamber looks forward to working with the Administration and Congress on legislation consistent with fundamental American principles and the best interest of the nation and the American economy.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley", with a stylized flourish at the end.

Neil L. Bradley



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

NOV 20 2017

Mr. Neil Bradley  
Senior Vice President and  
Chief Policy Officer  
Chamber of Commerce of  
the United States of America  
1615 H Street, NW  
Washington, DC 20062

Dear Mr. Bradley:

Thank you for your September 29, 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.<sup>1</sup>

On September 5, 2017, Acting Secretary Duke issued a memorandum rescinding the June 2012 memorandum establishing DACA.<sup>2</sup> 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.

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

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

Mr. Neil Bradley

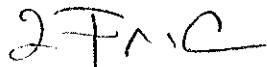
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- Not terminate the grants of previously issued DACA or revoke associated EADs solely based on the directives in Acting Secretary Duke's memorandum for the remaining duration of their validity periods.
- Not approve any new Form I-131 applications 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 this important issue. 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". The signature is stylized with a large "L" and "F", and a cursive "Cissna".

L. Francis Cissna  
Director