



# THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST  
WASHINGTON, D.C. 20006  
TELEPHONE (202) 293-7330  
FAX (202) 293-2352  
TDD (202) 293-9445  
URL: [www.usmayors.org/uscm](http://www.usmayors.org/uscm)

July 31, 2020

The Honorable Chad F. Wolf  
Acting Secretary of Homeland Security  
Washington, DC 20528

**RECEIVED**

*By ESEC External at 9:24 am, Aug 03, 2020*

Dear Secretary Wolf:

We write to express our deep concern with the memorandum you issued Monday regarding the Deferred Action for Childhood Arrivals (DACA) program. Your memorandum, which is unmoored from guidance set down in the recent Supreme Court decision, makes young people who came to this country as children and know no other home, vulnerable to deportation.

We believe that the Supreme Court's decision, holding that the termination of the DACA program was unlawful, provided a reprieve to DACA recipients – current and future. We believe that it delivered a powerful message to Dreamers: this country belongs to you today and will remain your home tomorrow. In addition, the Supreme Court decision does not allow for significant changes to the DACA program without adequate consideration of those consequences on DACA recipients and their communities.

On July 9, we, along with the top leaders of the U.S. Conference of Mayors, urged the Administration to fully maintain the DACA program and accept new applicants as they become eligible until Congress passes legislation. Dreamers – people who have lived in America since they were children and built their lives here, many of whom have served in our U.S. Military – should have a path to earning lawful permanent residence and eventually American citizenship, if they meet certain criteria. In that letter, we also urged the Congress to seize the moment and pass this legislation as quickly as possible and pledged to work with Congress to see this important legislation enacted into law this year.

The United States Conference of Mayors has had strong policy supporting permanent legal status for Dreamers and extension of the DACA program for many years, and our bipartisan organization has adopted this policy because it is the right thing to do – for Dreamers, for our communities and for our country. The cultural, economic, and social contributions of the 800,000 DACA recipients and their families to their communities cannot be overstated, particularly during a global pandemic where over 200,000 DACA recipients are working in essential roles, including 27,000 in health care positions. We urge you to do the right thing, to fully restore the DACA program and accept new applicants, until Congress passes legislation.

Sincerely,

Jorge Elorza  
Mayor of Providence  
Co-Chair, Immigration Reform Task Force

John Giles  
Mayor of Mesa  
Co-Chair, Immigration Reform Task Force

Eric Garcetti  
Mayor of Los Angeles  
Chair, USCM Latino Alliance

Dee Margo  
Mayor of El Paso  
Vice Chair for Border Policy  
Criminal and Social Justice Committee



U.S. Citizenship  
and Immigration  
Services

September 24, 2020

Mayor Jorge Elorza  
The United States Conference of Mayors  
1620 Eye Street, NW  
Washington, DC 20006

Dear Mayor Elorza:

Thank you for your July 31, 2020 letter regarding Deferred Action for Childhood Arrivals (DACA). Acting Secretary of Homeland Security Chad Wolf asked that I respond on his behalf.

In your letter, you express your support for DACA and ask the Administration to fully restore the policies described in the DACA memorandum of June 15, 2012 and accept new requests from aliens who have never before received a grant of DACA until Congress passes legislation.

As you know, Acting Secretary Wolf issued a memorandum (hereafter “the Wolf Memorandum”) on July 28, 2020, rescinding previous DACA policy memoranda issued in 2017 and 2018, and setting forth departmental action to effect immediate changes limiting the scope of the DACA policy during an interim period, pending a full and careful reconsideration of DACA in light of the Supreme Court’s June 18, 2020 decision in *Department of Homeland Security (DHS) v. Regents of the University of California*. This is in line with the Supreme Court’s holding, which did not question the authority of DHS to rescind the DACA policy but found that DHS did not comply with certain procedural requirements in ending it.

To implement the Wolf Memorandum, I issued a memorandum that provided additional guidance to facilitate DACA processing and adjudications pending ASI’s reconsideration of the program that are within the purview of U.S. Citizenship and Immigration Services (USCIS).<sup>1</sup> This includes guidance that USCIS will reject all initial DACA requests from aliens who have never before received a grant of DACA and will return all fees. The rejections will be without prejudice, meaning aliens will be able to resubmit their request should USCIS begin accepting new requests in the future. USCIS is continuing to accept DACA requests from aliens who have been granted DACA at any time in the past and is also accepting properly submitted requests for advance parole during the interim period.

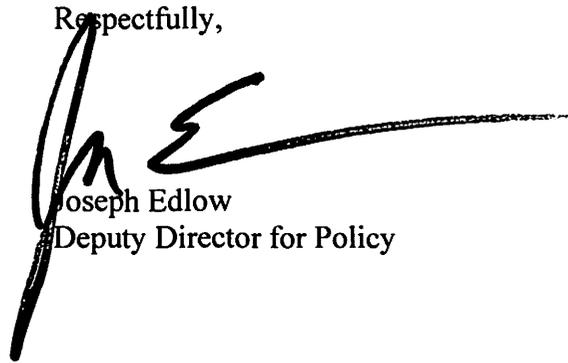
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<sup>1</sup> Memorandum from Joseph Edlow, Deputy Director for Policy, USCIS to Associate Directors and Program Office Chiefs, *Implementing Acting Secretary Chad Wolf’s July 28, 2020 Memorandum, “Reconsideration of the June 15, 2012 Memorandum ‘Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children’”* (Aug. 21, 2020). The memorandum is available on the USCIS website.

Mayor Jorge Elorza  
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Thank you again for your letter. The cosigners of your letter will receive a separate, identical response.

Respectfully,

A handwritten signature in black ink, appearing to be 'JE', with a long horizontal stroke extending to the right.

Joseph Edlow  
Deputy Director for Policy