



**U.S. Department of Justice**

Executive Office for Immigration Review

*Board of Immigration Appeals*

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Chairman

5107 Leesburg Pike, Suite 2400  
Falls Church, Virginia 20530

January 21, 2015

**BIA 15-01**

**MEMORANDUM TO:** Board Legal Staff

**FROM:** David L. Neal *DLN*  
Chairman

**SUBJECT:** CASE HOLD – Sibling-to-sibling DNA Test

The Board is currently examining the USCIS practice, in visa petition cases, of declining to accord any weight to positive sibling-to-sibling DNA test results, no matter how probable the blood relationship. Given the broad application of this practice and the regularity with which the issue has been raised recently, the Board will temporarily suspend adjudication of visa petition cases involving sibling-to-sibling DNA tests where the test results favor the claimed sibling relationship. Accordingly, if you identify a visa petition case in which the dispositive issue involves the weight of such DNA results, please bring it to your Team Leader or Senior Panel Attorney.