



**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 22041

June 29, 2017

**BIA 17-04**

**MEMORANDUM TO:** Board Legal Staff

**FROM:** David L. Neal  
Chairman

**SUBJECT:** UPDATE – DHS Deferred Action Process for Young People

On June 15, 2017, the Secretary of the Department of Homeland Security announced the rescission of DHS' November 20, 2014, memorandum that created the program known as Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA). The Secretary also announced that the rescission of DAPA would not affect the terms of DHS' June 15, 2012, memorandum that created the Deferred Action for Childhood Arrivals (DACA) program.

In the past, the Board elected to include in our decisions a footnote recognizing that a respondent may be eligible to seek deferred action through DACA with DHS. *See* BIA 12-05 UPDATE – DHS Deferred Action Process for Young People. However, although DHS has not at this time terminated the DACA program, this memorandum serves to rescind the guidance contained in BIA 12-05 regarding inclusion of a footnote referring to possible DACA eligibility.

If you have any questions or require further clarification, please consult your team leader, Senior Panel Attorney, or Senior Legal Advisor Amy Minton.