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# Frequently Asked Questions: Rescission of Memorandum Providing for Deferred Action for Parents of Americans and Lawful Permanent Residents (“DAPA”)

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## Q. Why is DHS rescinding the policy?

A. Secretary Kelly considered a number of factors, including the nationwide injunction of the DAPA memorandum, the ongoing litigation, the fact that DAPA never took effect, and our new immigration enforcement priorities.

## Q: Why was DAPA never implemented?

A: Federal courts halted the policy before it was implemented.

## Q. What were the factors to be considered for DAPA?

A. To request consideration for deferred action under DAPA, the alien must have satisfied the following criteria:

- as of November 20, 2014, be the parent of a U.S. citizen or lawful permanent resident;
- have continuously resided here since before January 1, 2010;
- have been physically present here on November 20, 2014, and when applying for relief;
- have no lawful immigration status on that date;
- not fall within the Secretary's enforcement priorities; and
- “present no other factors that, in the exercise of discretion, make[ ] the grant of deferred action inappropriate.”
- The Memorandum also directed USCIS to expand the coverage criteria under the 2012 DACA policy to encompass aliens with a wider range of ages and arrival dates, and to lengthen the period of deferred action and work authorization from two years to three (“Expanded DACA”).

## Q. Will this affect DACA?

A. This rescission will not affect the terms of the original DACA program as outlined in the June 15, 2012 memorandum.

## Q. Does this mean that DACA recipients will not be able to apply for a three-year work

## authorization, as established in the DAPA memorandum?

A. DACA recipients will continue to be eligible as outlined in the June 15, 2012 memorandum. DACA recipients who were issued three-year extensions before the district court's injunction will not be affected, and will be eligible to seek a two-year extension upon their expiration. No work permits will be terminated prior to their current expiration dates.

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