

## Employment Authorization Issues Related To DACA Rescission

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**Alert Overview:** On Sept. 5, the U.S. Department of Homeland Security began an “orderly wind down” of Deferred Action for Childhood Arrivals (DACA). DACA, and a related program, Deferred Action for Parents of Americans (DAPA), were created by executive order of President Barack Obama in 2012. As the result of a lawsuit brought by several states against the DAPA program, DAPA was rescinded after courts determined that legal and constitutional problems existed with the program. In June 2017, several states informed the U.S. Attorney General that if the DACA program also was not rescinded by Sept. 5, the lawsuit would be amended to include the DACA program. Attorney General Jeff Sessions conducted a review and determined that the DACA program was created in a similar manner, and had similar “legal and constitutional defects.” Sessions determined that courts would likely find problems similar to those found with the DAPA program, and lead to similar results. In complying with the Sept. 5 deadline, Sessions directed an “orderly wind down” of the program, rather than an immediate termination. Continue reading on [btlaw.com](http://btlaw.com).

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