

From: (b)(6); (b)(7)(C)
To:
Subject: FW: DHS Prosecutorial Discretion / Backlog Reduction Initiative
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From: (b)(6); (b)(7)(C)@ice.dhs.gov>
Sent: Friday, February 11, 2022 5:02 PM
To: OPLA Chief Counsel (b)(7)(E)@ice.dhs.gov>; OPLA Deputy Chief Counsel (b)(7)(E)@ice.dhs.gov>
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****SENSITIVE ** ATTORNEY WORK PRODUCT**ATTORNEY-CLIENT PRIVILEGE****

Disseminated on behalf of Kenneth Padilla

To All Chief Counsel:

The Office of the Principal Legal Advisor (OPLA) continues to collaborate with the Executive Office for Immigration Review (EOIR) and U.S. Citizenship and Immigration Services (USCIS) in addressing the growing immigration court backlog. In support of these efforts, the Department of Homeland Security has advised OPLA to affirmatively move to dismiss non-detained cases in which there are no serious derogatory factors present, there is a merits hearing scheduled on or after August 31, 2023, and there is a pending petition and/or application the noncitizen will be eligible to pursue before USCIS upon dismissal of the case.

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Please contact FLO Special Counsel (b)(6); (b)(7)(C) [@ice.dhs.gov](mailto:ice.dhs.gov) and (b)(6);
(b)(6); (b)(7)(C) [@ice.dhs.gov](mailto:ice.dhs.gov) should you have any questions.

I appreciate your efforts in continuing to reduce the backlog, focus resources, and streamline our work. Thank you for all that you do.

Ken Padilla
Deputy Principal Legal Advisor for Field Legal Operations
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