



- Thank you for joining today's webinar,  
**Deferred Enforced Departure (DED) for  
Certain Hong Kong Residents**
- The webinar will begin shortly
- All lines are muted



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# Deferred Enforced Departure (DED) for Certain Hong Kong Residents

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# DEFERRED ENFORCED DEPARTURE (DED)



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- Deferred Enforced Departure (DED) is an administrative stay of removal.
- The president has authority to grant DED as part of his constitutional power to conduct foreign relations.
- Although DED is not a specific immigration status, individuals covered by DED are not subject to removal from the United States, usually for a designated period.

# DEFERRED ENFORCED DEPARTURE (DED) FOR CERTAIN HONG KONG RESIDENTS



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- On Aug. 5, 2021, President Biden issued a [memorandum](#) providing DED and employment authorization for eligible Hong Kong residents who were present in the United States as of Aug. 5, 2021.
- A Federal Register notice was published on Oct. 21, 2021 with instructions regarding employment authorization.

# ELIGIBILITY



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## To be eligible for employment authorization under DED for Hong Kong, a person must:

- Be a resident of Hong Kong, who:
  - Was present in the United States as of Aug. 5, 2021;
  - Has continuously resided in the United States since Aug. 5, 2021; and
  - Is otherwise eligible for DED.

# PERSONS NOT COVERED UNDER DED



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- Who have voluntarily returned to Hong Kong or the People's Republic of China (PRC) after August 5, 2021;
- Who have not continuously resided in the United States since Aug. 5, 2021;
- Who are inadmissible under Section 212(a)(3) of the Immigration and Nationality Act (INA) (8 U.S.C. 1182(a)(3)) or deportable under Section 237(a)(4) of the INA (8 U.S.C. 1227(a)(4));
- Who have been convicted of any felony or two or more misdemeanors committed in the United States, or who meet the criteria set forth in Section 208(b)(2)(A) of the INA (8 U.S.C. 1158(b)(2)(A));

# PERSONS NOT COVERED UNDER DED (continued)



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- Who are subject to extradition;
- Whose presence in the United States, the Secretary of Homeland Security, has determined is not in the interest of the United States or presents a danger to public safety; or
- Whose presence in the United States, the Secretary of State has reasonable grounds to believe would have potentially serious adverse foreign policy consequences for the United States.



# EMPLOYMENT AUTHORIZATION



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- There is no application for DED; however, to obtain employment authorization, applicants will need to submit a Form I-765, Application for Employment Authorization (Form I-765), along with proof of identity, and eligibility for DED.
- Indicate eligibility for DED by entering “(a)(11)” in response to Question 27 on the Form I-765; and
- Submit the \$410 filing fee or request a fee waiver using Form I-912, Request for Fee Waiver.



# REQUIRED DOCUMENTATION



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- Examples of documents that establish residency/identity :
  - Hong Kong Special Administrative Region passport;
  - British National Overseas passport;
  - British Overseas Citizen passport
  - Hong Kong Permanent Identity Card; or
  - Hong Kong Special Administrative Region (HKSAR) Document of identity for visa purposes.
- Expired passports are acceptable documents.
- Please submit a copy of each page of the applicant's passport.

# REQUIRED DOCUMENTATION (continued)



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- Examples of documents that establish presence/continuous residence:
  - Form I-94, Arrival-Departure Record;
  - Employment records;
  - Rent receipts, utility bills (gas, electric, telephone, etc.), or letters from companies showing dates when the applicant received service;
  - Money order receipts for money sent in or out of the United States;
  - Birth certificates of children born in the United States;

# REQUIRED DOCUMENTATION (continued)



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- Examples of documents that establish presence/continuous residence:
  - Correspondence between the applicant and others;
  - Social Security card;
  - Bank books with dated transactions;
  - Selective Service card;
  - Attestations by churches, unions, or other organizations of the applicant's residence;
  - Affidavits.

# I-765 MAILING ADDRESSES



U.S. Citizenship  
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If mailing with the U.S. Postal Service:

USCIS

Attn: DED Hong Kong

PO Box 805283

Chicago, IL 60680- 5283

\*Online filing is not available when filing Form I-765 based on DED.

# I-765 MAILING ADDRESSES



U.S. Citizenship  
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If mailing with FedEx, UPS, or DHL:

USCIS Attn: DED Hong Kong  
(Box 805283)

131 South Dearborn – 3rd Floor  
Chicago, IL 60603-5517

# TRAVEL



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- People covered by DED for Hong Kong do not have travel authorization automatically.
- Those who wish to travel outside of the United States and return should request advance parole using Form I-131, Application for Travel Document.
- Those who leave the United States without first receiving advance parole may no longer be eligible for DED and may not be permitted to reenter the United States.
- Form I-131 may be filed together with Form I-765 or separately, at the addresses provided for filing Form I-765.

# DED AND OTHER IMMIGRATION STATUS



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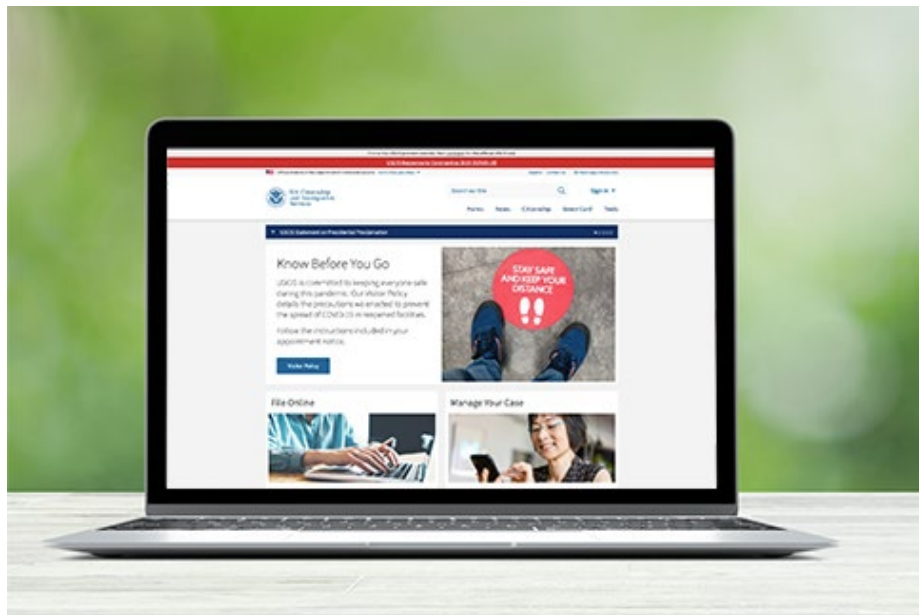
- If a person is covered by DED, they will not accrue unlawful status during the DED period.
- A person will begin accruing unlawful presence the day after DED ends if they don't have another status.
- A grant of DED does not erase any unlawful presence accrued before the grant of DED.
- People covered by DED may apply for other immigration benefits for which they may be eligible without affecting their DED status.



# SELF-HELP TOOLS AND RESOURCES



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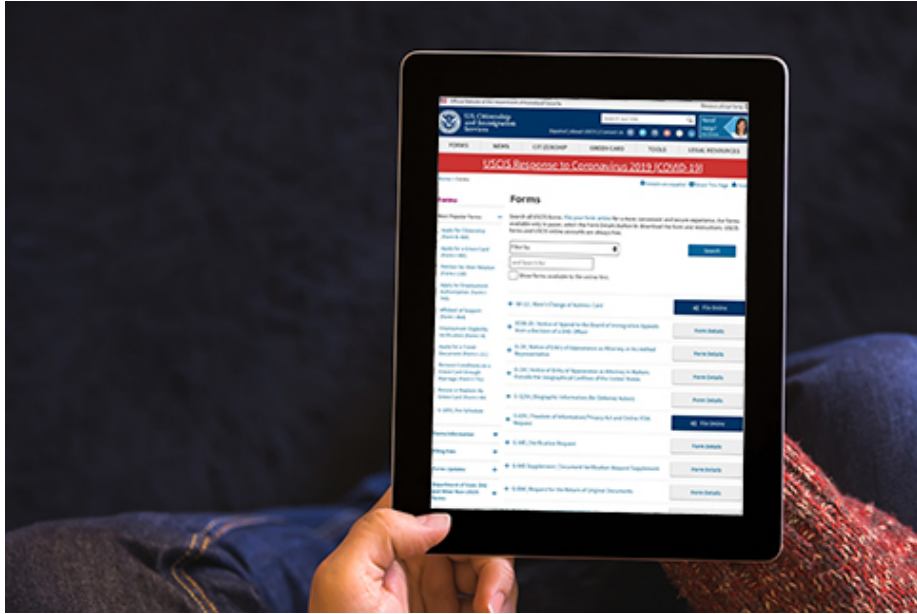
The [USCIS webpage](#) offers the following free services:

- ✓ Check [case status](#)
- ✓ [Report a change of address](#)
- ✓ Check [processing times](#)

# SELF-HELP TOOLS AND RESOURCES (continued)



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The [USCIS webpage](#) offers the following free services:

- ✓ [DED](#) webpage
- ✓ Download [forms](#)
- ✓ Create an account on [myUSCIS](#)

# AVOID SCAMS

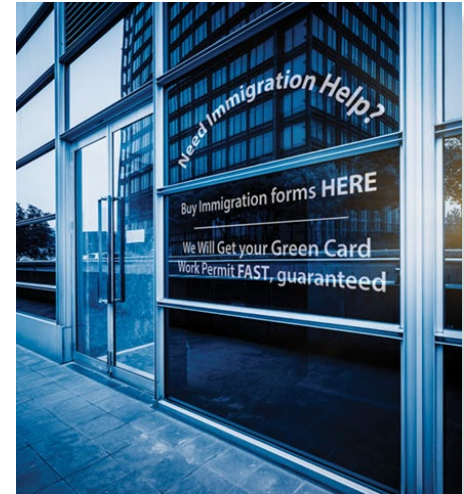


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Visit the [USCIS Avoid Scams](#) webpage to learn more about:

- [Form filing tips](#);
- Common immigration scams;
- How to [report immigration scams](#);  
and
- How to find [legal services and help](#).

THE WRONG HELP  
CAN HURT  
BEWARE OF IMMIGRATION SCAMS



# Q&A SESSION



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Questions?

Thank you!

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- This presentation contains no sensitive Personally Identifiable Information (PII).