

# **Deferred Enforced Departure**

**Alert:** On March 28, 2019, President Trump, after consulting relevant executive branch agencies, issued a memorandum extending the wind-down period for Deferred Enforced Departure (DED) for an additional 12 months, through March 30, 2020, for certain eligible Liberians. During this time, such individuals may remain in the United States. The President also directed Secretary Nielsen to provide for continued work authorization for Liberian DED beneficiaries. USCIS published a <u>notice</u> in the Federal Register with information on the six-month automatic extension, through Sept. 27, 2019, of employment authorization documents (EADs) currently held by eligible Liberians under DED and instructions on how they can obtain EADs for the remainder of the DED wind-down period.

Deferred Enforced Departure (DED) is in the President's discretion to authorize 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 of time.

### **Countries that are Currently Covered Under DED**

Country	Effective Date of DED	DED Wind-Down Extended Through	EAD Automatically Extended Through
Liberia	Oct. 1, 2007 (by President Bush's order of Sept. 12, 2007)	March 30, 2020	Sept. 27, 2019

### **DED Eligibility**

Eligibility requirements for a country's nationals who are covered under DED is based on the terms of the President's directive regarding DED for that country and any relevant implementing requirements established by DHS.

## **Working in the United States**

If work authorization is provided as a benefit of DED for your country, then you may request work authorization document by filing a <u>Form I-765, Application for Employment Authorization</u>.

#### **Automatic Employment Authorization Document (EAD) Extension**

Sometimes DHS must issue a blanket automatic extension of the expiring EADs for DED beneficiaries of a specific country to allow time for EADs with new validity dates to be issued. USCIS will usually publish a notice in the Federal Register announcing automatic extensions. The notice will tell you if your EAD has been temporarily auto-extended and to what date.

Unless you are found to no longer be eligible for DED, you may show your DED-related EAD that has expired and a copy of the Federal Register notice to employers and government agencies (federal, state, and local). Employers are advised that they may rely on the Federal Register notice as evidence of the continuing validity of your EAD.

If you are an employer or government agency with questions or concerns about the automatic EAD extension, you may contact:

- USCIS Form I-9 Support: 888-464-4218
- U.S. Department of Justice, Immigrant, and Employee Rights Section (IER) Employer Hotline: 800-255-8155

If you are an employee with questions or concerns about the automatic EAD extension, you may contact the Office of Special Council Employee Hotline at 800-255-7688.

#### **Travel Outside the United States**

If travel authorization is provided as a benefit of DED for your country, you must file for advance parole if you wish to travel. Advance parole gives you permission to leave the United States and return during a specified period. To request advance parole, you must file <a href="Form I-131">Form I-131</a>, <a href="Application for Travel Document">Application for Travel Document</a>.

If you leave the United States without first receiving advanced parole, you may no longer be eligible for DED and may not be permitted to re-enter the United States.

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