

Fact Sheet: Deferred Enforced Departure (DED)

What is Deferred Enforced Departure?

A form of relief from removal. Deferred Enforced Departure (DED) (formerly <u>Extended</u> <u>Voluntary Departure</u>) allows certain individuals from designated countries and regions facing political or civic conflict or natural disaster to <u>stay</u> in the United States.

DED is a temporary immigration benefit. It provides an administrative <u>stay</u> of removal designated for specific period of time.

Which countries are currently designated for DED?

Only Liberia. Liberia is the <u>only country</u> currently designated for DED. President George W. Bush <u>granted</u> DED to about <u>10,000 Liberians</u> in the U.S. after their TPS expired in 2007. Liberia's DED designation had been extended until March 27, 2018 when President Trump issued a <u>memorandum</u> directing DHS to start a 12-month wind-down period of the program that was set to expire on March 31, 2019. However, on March 28, 2019, President Trump issued a <u>new memo</u>, extending the wind-down period for an additional 12 months, due to concerns over the overall situation in West Africa. The memo set a new termination date of March 31, 2020, after which all Liberian DED holders will have to leave the U.S.

How many Liberians currently hold DED?

Unclear but likely ranges from 840 to 3,600. While the actual number of Liberian DED holders is <u>unclear</u>, there were about <u>840</u> Liberian nationals with approved employment authorization under the DED directive in March 2018. This number, however, does not include all Liberians with DED as some of them may not have applied for work permits. U.S. Citizenship and Immigration Services (USCIS) <u>estimates</u> about 3,600 Liberians were TPS holders at the time DHS terminated their status in 2007. Only Liberians who held TPS before its termination are <u>eligible</u> for DED.

Who designates countries for DED?

The President. The President of the United States has the <u>discretion</u> to designate countries or regions for DED as part of the president's power to conduct foreign relations. The president generally grants DED, which has no <u>statutory basis</u>, by issuing a presidential directive through an executive order or presidential memorandum.

Who is eligible for DED?

Individuals meeting the criteria in the president's directive. Eligibility criteria for DED are <u>country or region-specific</u> offset forth in the president's directive together with any additional requirements issued by the Department of Homeland Security (DHS). The eligibility criteria typically <u>include</u> demonstration of continuous presence in the U.S. since a specific date.

How long do individuals generally receive DED?

It depends on each country's or region's designation. The president establishes the initial time frame for DED and may decide to <u>extend</u> the protection before its expiration date.

Are DED holders allowed to work?

Yes. The president's directive may provide that individuals eligible for DED <u>may apply</u> for work authorization.

Can DED holders travel abroad?

Not without advance parole. While the presidential directive may include travel authorization, currently DED holders <u>must file and be approved</u> for advance parole if they want to travel abroad. Advance parole is a travel document that allows individuals who do not have a visa to be readmitted to the U.S. after travelling abroad during a specific approved time period.

Does DED differ from Temporary Protected Status (TPS) and deferred action?

Yes. The following table summarizes the differences between DED, TPS and deferred action:

	DED	TPS	Deferred Action
Type of relief	Protection from deportation.	Temporary immigration benefit.	Protection from deportation.
Permanency	Not permanent. Designated for specific timeframe.	Not permanent. Designated for specific timeframe.	Not permanent. Designated for specific timeframe.
Designation	By U.S. President.	By DHS Secretary.	By DHS.
Consultation with Secretary of State	Not required.	Required.	Not required.
Eligibility	Country or region- specific.	Country-specific.	On individual case- by-case basis or for specified population categories.

Expiration	Country or region-	Country-specific	On case-by-case
	specific with option	with option for	basis usually with
	for extension.	extension.	option for extension.
Work authorization	Yes, with limited expiration date and option for renewal if DED is extended.	Yes, with limited expiration date and option for renewal if TPS is extended.	Yes, with limited expiration date and option for renewal if Deferred Action is extended.
Travel abroad	Not automatically	Not automatically	Not automatically
	allowed and only	allowed and only	allowed and only
	with advance parole.	with advance parole	with advance parole.

Which other countries or regions were previously granted DED?

China, Persian Gulf, El Salvador and Haiti. DED was <u>first granted</u> in 1990 and has been granted <u>five times</u> to provide an administrative stay of removal for certain individuals from China, Persian Gulf, El Salvador, Haiti and Liberia.