**What is Deferred Enforced Departure (DED)**

- It is a discretionary protection status.

- It is a benefit authorized by the President of the United States that protects certain individuals from deportation and allows them to stay and work in the United States for a designated period of time. Only the president can extend or terminate this.

- It is not an immigration status and there is no application process for DED itself.

- DED does not provide a pathway to permanent residency or citizenship.

- DED is currently authorized for: Lebanon, Palestine, Liberia and Hong Kong.

**Who is eligible and how to determine the person is eligible for DED?**

Eligibility requirements for DED are based on the terms the president specifies in each DED directive. Each presidential directive includes the criteria for an individual to be covered by DED and certain exceptions for individuals who are not covered.

On July 26, 2024, President Biden issued a Memorandum granting Deferred Enforced Departure for Certain Lebanese Nationals. This means, for the next 18 months, Lebanese nationals will not be deported to Lebanon, if eligible.

To qualify for Deferred Enforced Departure, individuals must have lived in the U.S., continuously, since July 26, 2024. Those outside the United States who want to immigrate do not qualify.

The Individual must be a national of Lebanon, or a person without nationality who last habitually resided in Lebanon and have been present in the United States as of July 26, 2024.

However, a Lebanese national is disqualified if he/she:

a. Has voluntarily returned to Lebanon or their country of last habitual residence outside the United States;

b. Has not continuously resided in the United States since July 26, 2024;

c. Is inadmissible under INA§ 2 l 2(a)(3) or removable under INA § 237(a)(4) (the security and related grounds of inadmissibility and deportability);

d. Has been convicted of any felony or two or more misdemeanors committed in the United States, or meets the criteria set forth in INA§ 208(b)(2)(A) (statutory bars to asylum that apply to a noncitizen who: has persecuted others; has been convicted of a particularly serious crime; has committed a serious nonpolitical crime outside the United States; is a danger to the security of the United States; has engaged in terrorist activity; or was firmly resettled in another country prior to arriving in the United States);

e. Was deported, excluded or removed before July 26, 2024;

f. Is subject to extradition;

g. Is someone whose presence in the United States the Secretary of DHS has determined is not in the interest of the United States or presents a danger to public safety; or

h. Is someone 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.

**Is there an application process for DED and can I work**

No. There is no application to apply for DED. Anyone who meets the requirements automatically has DED until it lapses or is terminated.

However, if a person is covered by DED they may obtain an Employment Authorization Document (EAD). The form type for the employment authorization is I-765. Under the eligibility category you must include this code (a)(11), along with providing proof of identity and nationality. This could include documents such:

a. a Lebanese passport;

b. a birth certificate accompanied by photo identification; or a national identity document bearing a photo and/or fingerprint.

c. The applicant must also provide evidence of presence and continuous residence as of July 26, 2024, including copies of any of the following: passport; Form 1-94, Arrival-Departure Record; employment records; rent receipts, utility bills, receipts, or letters showing dates when the applicant received service; passport entries; bank books with dated transactions; attestations by churches, unions, or other organizations of the applicant's residence; affidavits; medical reports; money order receipts for money sent in or out of the United States; birth certificates of children born in the United States; correspondence between the applicant and others; or Social Security card.

Applicants should document eligibility as thoroughly as possible. Those who fail to demonstrate eligibility should expect to receive a request for additional evidence. You must accompany this with the filing fee or the fee waiver form.

**YOU CANNOT apply for a work permit just yet; applications can be submitted once the federal government announce when to begin applying for the work permits.**

**Can I travel outside the United States under DED?**

Maybe. An eligible person who wants to travel outside the country must apply for advance parole form I-131. 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. If you leave the United States without first receiving advance parole, you may no longer be eligible for DED and may not be permitted to reenter the United States.

**Does someone with TPS or DED accrue unlawful presence?**

No. Someone covered by DED is considered to be in a period of authorized stay beginning on July 26, 2024 for as long as the DED designation for Lebanon is in effect.