



# Office of Temporary and Disability Assistance

KATHY HOCHUL  
Governor

BARBARA C. GUINN  
Executive Deputy Commissioner

## General Information System (GIS) Message

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### Section 1

<b>Transmittal:</b>	21 TA/DC089 Upstate and New York City
<b>Date:</b>	December 29, 2021
<b>To:</b>	Subscribers
<b>Suggested Distribution:</b>	Commissioners, TA Directors, HEAP Coordinators, SNAP Directors, Employment Coordinators, Fair Hearing Officers, Staff Development Coordinators, WMS Coordinators
<b>From:</b>	Valerie Figueroa, Deputy Commissioner Employment and Income Support Programs
<b>Subject:</b>	Implementation of Deferred Enforced Departure for Certain Hong Kong Residents
<b>Effective Date:</b>	Immediately
<b>Contact Information:</b>	Temporary Assistance Bureau at: 518-474-9344 or: <a href="mailto:otda.sm.cees.tabureau@otda.ny.gov">otda.sm.cees.tabureau@otda.ny.gov</a>

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### Section 2

The purpose of this GIS message is to inform social services districts (districts) that in accordance with the August 5<sup>th</sup>, 2021 presidential memorandum, the United States Department of Homeland Security (DHS) implemented: “Deferred Enforced Departure” (DED) for certain Hong Kong residents for an 18-month period.

DED is an administrative stay of removal ordered by the president. The authority to grant DED arises from the president's constitutional authority to conduct the foreign relations of the United States (U.S.). The president can authorize DED for any reason related to this authority. DED has been authorized in situations where foreign nationals may face danger if required to return to countries experiencing political instability, conflict or other unsafe conditions, or when there are other foreign policy reasons for allowing a designated group of foreign nationals to remain in the U.S. Although DED is not a specific immigration status, non-citizens covered by DED are not subject to removal from the U.S. for the period of time that they are covered under DED.

The DED designation for certain Hong Kong residents became effective on August 5<sup>th</sup>, 2021 and will remain in effect through February 5<sup>th</sup>, 2023. As noted in the [LDSS-4579](#): “Non-Citizen Eligibility Desk Aid,” non-citizens granted DED are considered Permanently Residing Under Color of Law (PRUCOL) by the Office of Temporary and Disability Assistance (OTDA). If otherwise eligible, non-citizens granted DED can receive Safety Net Assistance (SNA). Non-citizens granted DED are ineligible for Family Assistance (FA), the Home Energy Assistance Program (HEAP) and the Supplemental Nutrition Assistance Program (SNAP).

The following is a list of United States Citizenship and Immigration Services (USCIS) documents that Hong Kong nationals who are granted DED may present to districts:

- Form I-766, Employment Authorization Document (EAD), with a category code of A11, or
- Any other authoritative USCIS document indicating DED granted.

For any Temporary Assistance (TA) related questions, please contact the OTDA TA Bureau at: (518) 474-9344 or by email: [otda.sm.cees.tabureau@otda.ny.gov](mailto:otda.sm.cees.tabureau@otda.ny.gov).