

Community	Community map repository address
Morris County, New Jersey (All Jurisdictions) Docket No.: FEMA-B-2421	
Borough of Butler	Borough Municipal Building, 1 Ace Road, Butler, NJ 07405.
Borough of Kinnelon	Borough Municipal Building, 130 Kinnelon Road, Kinnelon, NJ 07405.
Borough of Lincoln Park	Borough Hall, 34 Chapel Hill Road, Lincoln Park, NJ 07035.
Borough of Riverdale	Borough Municipal Building, 91 Newark-Pompton Turnpike, Riverdale, NJ 07457.
Township of East Hanover	Township Municipal Building, Construction Department, 411 Ridgedale Avenue, East Hanover, NJ 07936.
Township of Montville	Township Municipal Building, Engineering Department, 195 Changebridge Road, Montville, NJ 07045.
Township of Parsippany-Troy Hills	Parsippany-Troy Hills Township Hall, 1001 Parsippany Boulevard, Parsippany, NJ 07054.
Township of Pequannock	Pequannock Township Department of Public Works, 99 Alexander Avenue, Pompton Plains, NJ 07444.
Monroe County, Illinois and Incorporated Areas) Docket No.: FEMA-B-2345	
City of Columbia	City Hall, 208 South Rapp Avenue, Columbia, IL 62236.
City of Waterloo	City Hall, 100 West Fourth Street, Waterloo, IL 62298.
Unincorporated Areas of Monroe County	Monroe County Courthouse, 100 South Main Street, Waterloo, IL 62298.
Village of Fuels	Village Hall, 180 Church Street, Fuels, IL 62244.
Village of Maestown	Village Hall, 1030 Mill Street, Maestown, IL 62256.
Village of Valmeyer	Village Hall, 260 Knobloch Boulevard, Valmeyer, IL 62295.

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DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[CIS No. 2802-25; DHS Docket No. USCIS-2021-0020]

RIN 1615-ZB90

Implementation of Employment Authorization for Individuals Covered by Deferred Enforced Departure for Hong Kong

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).

ACTION: Notice.

SUMMARY: On January 15, 2025, former President Joseph Biden issued a memorandum to the Secretary of State and the Secretary of Homeland Security (Secretary) determining it was in the foreign policy interest of the United States to expand and extend the deferral of removal of certain Hong Kong residents present in the United States through February 5, 2027, and to provide them with employment authorization documentation. This notice provides information about Deferred Enforced Departure (DED) for eligible Hong Kong residents and how eligible individuals may apply for DED-

based Employment Authorization Documents (EADs) with USCIS, as well as for travel authorization.

DATES: DED and employment authorization for aliens covered by DED for Hong Kong residents is effective January 15, 2025, through February 5, 2027.

FOR FURTHER INFORMATION CONTACT: Rená Cutlip-Mason, Chief, Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by mail at 5900 Capital Gateway Drive, Camp Springs, MD 20746, or by phone at 240-721-3000.

For further information on DED, including additional information on eligibility, please visit the USCIS DED web page at <https://www.uscis.gov/humanitarian/deferred-enforced-departure>. You can find specific information about DED for Hong Kong by selecting “DED—Certain Hong Kong Residents” from the menu on the left of the DED web page.

If you have additional questions about DED, please visit <https://www.uscis.gov/tools>. Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call our USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

Applicants seeking information about the status of their individual Form I-765, Application for Employment

Authorization, or Form I-131, Application for Travel Documents, Parole Documents, and Arrival/Departure Records, may check Case Status Online, available on the USCIS website at <https://www.uscis.gov>, or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>.

You can also find more information at local USCIS offices, listed on the USCIS website at <https://www.uscis.gov/about-us/find-a-uscis-office>, after this notice is published.

SUPPLEMENTARY INFORMATION:

Table of Abbreviations

CFR—Code of Federal Regulations
 DED—Deferred Enforced Departure
 DHS—U.S. Department of Homeland Security
 DoS—Department of State
 EAD—Employment Authorization Document
 FNC—Final Non-confirmation
 Form I-131—Application for Travel Documents, Parole Documents, and Arrival/Departure Records
 Form I-765—Application for Employment Authorization
 Form I-797—Notice of Action
 Form I-9—Employment Eligibility Verification
 Form I-912—Request for Fee Waiver
 Form I-94—Arrival/Departure Record
 FR—Federal Register
 Government—U.S. Government
 IER—U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section
 INA—Immigration and Nationality Act
 PRC—People’s Republic of China
 SAVE—USCIS Systematic Alien Verification for Entitlements Program
 Secretary—Secretary of Homeland Security

TTY—Text Telephone
 USCIS—U.S. Citizenship and Immigration
 Services
 U.S.C.—United States Code

Definitions

For the purposes of this Notice, a Hong Kong resident is defined as an individual of any nationality, or without nationality, who has met the requirements for, and been granted, a Hong Kong Special Administrative Region Passport, a British National Overseas Passport, a British Overseas Citizen Passport, a Hong Kong Permanent Identity card, or a Hong Kong Special Administrative Region Document of Identity for Visa Purposes.

Purpose of This Action

Under the President's constitutional authority to conduct the foreign relations of the United States, former President Biden determined that it is in the foreign policy interest of the United States to defer through February 5, 2027, the removal of certain Hong Kong residents, regardless of country of birth, who have been present in the United States since January 15, 2025.¹ Through this Notice, DHS is establishing procedures for individuals covered by DED for Hong Kong to apply for EADs valid through February 5, 2027, and automatically extends through February 5, 2027, the validity of DED-based EADs bearing a Category Code of A11 and a "Card Expires" date of February 5, 2023, or February 5, 2025. Additionally, this notice provides instructions on how to request advance travel authorization for eligible residents of Hong Kong in the United States.

What is Deferred Enforced Departure (DED)?

- DED is an administrative deferral of removal ordered by the President. The authority to extend DED arises from the President's constitutional authority to conduct the foreign relations of the United States. DED has been authorized in situations where certain groups of aliens may face danger if required to return to countries, or any part of such countries, experiencing political instability, conflict, or other unsafe conditions, or when there are other foreign policy reasons for allowing a designated group of aliens to remain in the United States temporarily.
- Although DED is not a specific immigration status and does not require residents of Hong Kong to file an application with USCIS, individuals covered by DED are not subject to

removal from the United States, usually for a designated period. Furthermore, the President may direct the Secretary to provide certain benefits that are authorized under the immigration laws, such as employment authorization, to aliens covered by the DED directive during the designated period.

- USCIS publishes a **Federal Register** notice to inform the covered population how to apply for any benefits provided. See instructions for Form I-765.

- The eligibility requirements for individuals who are covered by DED are based on the terms of the President's memorandum regarding DED and any relevant implementing requirements established by DHS. Since DED is a directive to defer removal of an individual, rather than a specific immigration status like Temporary Protected Status, there is no DED application form required for an individual to be covered by DED. If an individual covered by DED wants to apply for an EAD, they must file Form I-765. Similarly, if an individual covered by DED wants to apply for advance travel authorization, they must file Form I-131.

Background

Former President Biden determined that there are compelling foreign policy reasons to extend and expand DED for certain Hong Kong residents. In his January 15, 2025, memorandum, he explained that "[t]he United States is committed to a foreign policy that unites our democratic values with our foreign policy goals, which is centered on the defense of democracy and the promotion of human rights around the world. Offering safe haven to Hong Kong residents who have been deprived of their guaranteed freedoms in Hong Kong furthers United States interests in the region."

Kika M. Scott,

Senior Official Performing the Duties of the Director, U.S. Citizenship and Immigration Services.

Eligibility and Employment Authorization for DED

How will I know if I am eligible for employment authorization under the DED presidential memorandum for Hong Kong residents?

The procedures for employment authorization in this Notice apply to aliens who are Hong Kong residents (regardless of their country of birth), who are present in the United States and who were covered by DED until February 5, 2025, as well as Hong Kong residents who have been present in the

United States since January 15, 2025, except for aliens:

- Who have voluntarily returned to Hong Kong or the People's Republic of China (PRC) after January 15, 2025;
- Who have not continuously resided in the United States since January 15, 2025, except for aliens who applied for and received travel authorization covering their absence from the United States;
- 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 any of the criteria set forth in section 208(b)(2)(A) of the INA (8 U.S.C. 1158(b)(2)(A));
- 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.

What will I need to file if I am covered by DED and would like to obtain an EAD?

If you are a resident of Hong Kong covered by DED and want a DED-based EAD, you must file Form I-765. Please carefully follow the Form I-765 instructions when completing the application for an EAD. When filing Form I-765, you must:

- Indicate that you are eligible for DED by entering "(a)(11)" in response to Question 27 on Form I-765; and
- Submit the fee for Form I-765 (or request a fee waiver,² which you may submit on Form I-912, Request for Fee Waiver). See Fee Schedule (Form G-1055).

If you currently have a DED-based EAD bearing a Category Code of A11 and a "Card Expires" date of February 5, 2023, or February 5, 2025, and are covered by DED under the January 15, 2025, Presidential Memorandum, your EAD is automatically extended through February 5, 2027, even though the expiration date stated on the front of the card has passed.

¹ See Extending and Expanding Eligibility for Deferred Enforced Departure for Certain Hong Kong Residents, 90 FR 6749 (Jan. 17, 2025).

² For information about filing fee waiver requests including through Form I-912, Request for Fee Waiver, see <https://www.uscis.gov/forms/filing-fees/additional-information-on-filing-a-fee-waiver>.

Supporting Documentation

The filing instructions on Form I-765 list all the documents needed to apply. You may also find information on the initial required documents on the USCIS website at <https://www.uscis.gov/i-765>. If USCIS determines after reviewing your submission that it needs additional information, we will send you a request for evidence.

How will I know if I must submit my biometrics to USCIS?

If USCIS needs biometrics after you apply, we will send you a biometric

services appointment notice with the time and location of your appointment. You can prepare for your biometrics appointment by visiting the *Preparing for Your Biometric Services Appointment* web page at <https://www.uscis.gov/forms/filing-guidance/preparing-for-your-biometric-services-appointment>. Be sure to bring valid photo identification to your appointment.

Where do I find the fees for DED applicants?

You can find the most current filing fees for individuals covered by DED

filing Form I-765 and Form I-131 by visiting the Form G-1055, Fee Schedule at <https://www.uscis.gov/g-1055>. No biometrics fees are required when you file.

Where do I submit my completed DED-based Form I-765?

For a DED-based EAD, mail your completed Form I-765 and supporting documentation to the proper address in Table 1.

TABLE 1—MAILING ADDRESSES

If you are . . .	Mail your completed form to . . .
Using the U.S. Postal Service (USPS)	USCIS, Attn: DED Hong Kong, P.O. Box 805283, Chicago, IL 60680-5283.
Using FedEx, UPS, or DHL	USCIS, Attn: DED Hong Kong (Box 805283), 131 S Dearborn St., 3rd Floor, Chicago, IL 60603-5517.

You may file Form I-765 and Form I-131 together or separately. If you are filing multiple applications, petitions, or requests, USCIS recommends sending separate payments for each application. If you submit one payment covering all your applications and we reject one of the applications, petitions, or requests, we will need to reject all the others as well. Find more information below on filing Form I-131.

Can I file my DED-based Form I-765 electronically?

No. Electronic filing is not available to file a DED-based Form I-765.

What happens after February 5, 2027, to DED-based EADs?

This DED authorization is set to end on February 5, 2027. After that date, employers can no longer accept EADs with the Category A11 and a Card Expires date of February 5, 2023; February 5, 2025; or February 5, 2027. You will need to present other evidence of continued employment authorization, if any, to your employer by February 6, 2027.

Travel

Hong Kong residents covered by DED may also apply for and be granted travel authorization as a matter of discretion. You must file for travel authorization if you wish to travel outside of the United States and be eligible to reenter the United States. If USCIS grants travel authorization, it gives you permission to leave the United States and to return to a U.S. port of entry to request reentry during a specific period. To request travel authorization, you must file Form

I-131, available at <https://www.uscis.gov/i-131>. You may file Form I-131 together with your Form I-765 or separately. When you file Form I-131, you must:

- Select Item Number 5.D. in Part 1 on Form I-131; and
- Submit the fee for Form I-131.

If you leave the United States without first receiving travel authorization, you may no longer be eligible for DED and may not be permitted to reenter the United States. Please also be advised that if you return to Hong Kong or other parts of the PRC, even with advance travel authorization, you may not be permitted to resume DED in the United States since the presidential memorandum providing for DED for Hong Kong excludes individuals who have voluntarily returned to Hong Kong or other parts of the PRC after the date of the memorandum.³

Mailing Information

Mail your completed Form I-131 to the proper address provided in Table 1.

Supporting Documentation

The filing instructions for Form I-131 list all the documents you need to include with your application. You may also find information on the acceptable documentation and DED eligibility on the USCIS website at <https://www.uscis.gov/humanitarian/deferred-enforced-departure>. If USCIS needs additional evidence, we will send you a request for evidence.

General Employment-Related Information for Individuals With DED-Based EADs and Their Employers

How can I obtain information on the status of my EAD request?

To get case status information about your DED-based EAD request, you can check Case Status Online at <https://www.uscis.gov> or visit the USCIS Contact Center at <https://www.uscis.gov/contactcenter>. If you still need assistance, you may ask a question about your case online at <https://egov.uscis.gov/e-request/Intro.do> or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

When I am hired, what documentation may I show to my employer as evidence of identity and employment authorization when completing Form I-9?

You can find the Lists of Acceptable Documents on Form I-9, Employment Eligibility Verification, as well as the Acceptable Documents web page at <https://www.uscis.gov/i-9-central/acceptable-documents>. Employers must complete Form I-9 to verify the identity and employment authorization of all new employees. Within three business days of hire, employees must present acceptable documents to their employers as evidence of identity and employment authorization to satisfy Form I-9 requirements.⁴

You may present any documentation from List A (which provides evidence of both identity and employment

⁴ For employment that will last less than three days, Section 2 of the Form I-9 must be completed no later than the first day of work for pay.

³ See 90 FR 6749.

authorization) or documentation from List B (which provides evidence of your identity) together with documentation from List C (which provides evidence of employment authorization), or you may present an acceptable receipt as described in the Form I-9 Instructions. Employers may not reject a document based on a future expiration date. You can find additional information about Form I-9 on the I-9 Central web page at <https://www.uscis.gov/I-9Central>. An EAD is an acceptable document under List A.

If I have an EAD based on another immigration status, can I obtain a new DED-based EAD?

Yes, if you are covered by DED, you can obtain a new DED-based EAD, even if you already have an EAD or employment authorization based on another immigration status or category. If you want to obtain a DED-based EAD valid through February 5, 2027, you must file Form I-765 and pay the associated fee (unless USCIS grants your fee waiver request).

Can my employer require that I provide any other documentation to complete Form I-9, such as evidence of my status or proof of my Hong Kong residency?

No. When completing Form I-9, employers must accept any unexpired documentation that appears on the Form I-9 Lists of Acceptable Documents that reasonably appears to be genuine and that relates to you, or an acceptable List A, List B, or List C receipt. Employers may not request proof of Hong Kong residency when completing Form I-9 for new hires or reverifying the employment authorization of current employees. Refer to the “Note to Employees” section of this **Federal Register** notice for important information about your rights if your employer rejects lawful documentation, or otherwise discriminates against you based on your citizenship or immigration status, or your national origin.

Note to All Employers

Employers are reminded that the laws requiring proper employment eligibility verification and prohibiting unfair immigration-related employment practices remain in full force. This **Federal Register** notice does not supersede or in any way limit applicable employment verification rules and policy guidance, including those rules listing reverification requirements. For general questions about the employment eligibility verification process, employers may call

USCIS at 888-464-4218 (TTY 877-875-6028) or email USCIS at I-9Central@uscis.dhs.gov. For questions about avoiding discrimination during the employment eligibility verification process (Form I-9 and E-Verify), employers may call the U.S. Department of Justice, Civil Rights Division, Immigrant and Employee Rights Section (IER) Employer Hotline at 800-255-8155 (TTY 800-237-2515). Employers may also email IER at IER@usdoj.gov or get more information online at <https://www.justice.gov/ier>.

Note to Employees

For general questions about the employment eligibility verification process, employees may call USCIS at 888-897-7781 (TTY 877-875-6028) or email USCIS at I-9Central@uscis.dhs.gov. Employees or applicants may also call the IER Worker Hotline at 800-255-7688 (TTY 800-237-2515) for information regarding employment discrimination based on citizenship, immigration status, or national origin, including discrimination related to Form I-9 and E-Verify.

To comply with the law, employers must accept any document or combination of documents from the Lists of Acceptable Documents if the documentation reasonably appears to be genuine and to relate to the employee, or an acceptable List A, List B, or List C receipt as described in the Form I-9 instructions. Employers may not require extra or additional documentation beyond what is required for Form I-9 completion. Further, employers participating in E-Verify who receive an E-Verify case result of “Tentative Non-confirmation” (mismatch) must promptly inform employees of the mismatch and give such employees an opportunity to resolve the mismatch. A mismatch means that the information entered into E-Verify from Form I-9 differs from records available to DHS.

Employers may not terminate, suspend, delay training, withhold or lower pay, or take any adverse action against an employee because of a mismatch while the case is still pending with E-Verify. A Final Non-confirmation (FNC) case result occurs if E-Verify cannot confirm an employee's employment eligibility. An employer may terminate employment based on a case result of FNC. Employment-authorized employees who receive an FNC may call USCIS for assistance at 888-897-7781 (TTY 877-875-6028). For more information about E-Verify-related discrimination or to report an employer for discrimination in the E-Verify process based on citizenship, immigration status, or national origin,

contact IER's Worker Hotline at 800-255-7688 (TTY 800-237-2515). Additional information about proper nondiscriminatory Form I-9 and E-Verify procedures is available on the IER website at <https://www.justice.gov/ier> and the USCIS and E-Verify websites at <https://www.uscis.gov/i-9-central> and <https://www.e-verify.gov>.

Note Regarding Federal, State, and Local Government Agencies (Such as Departments of Motor Vehicles)

If you are applying for a Federal, state, or local government benefit, you may need to provide the government agency with documents that show you are covered under DED or authorized to work based on DED or both. Check with the government agency requesting documentation about which documents the agency will accept.

Some government agencies use SAVE, <https://www.uscis.gov/save>, to confirm the current immigration status of applicants for public benefits and licenses. SAVE can verify that an individual is covered by DED based on an EAD with Category A11 or a Form I-797, Notice of Action, reflecting approval of your Form I-765 for an EAD with a DED category code of (a)(11). In most cases, SAVE provides an automated electronic response to benefit-granting agencies within seconds, but occasionally verification can be delayed.

You can check the status of your SAVE verification by using CaseCheck at <https://www.uscis.gov/save/save-casecheck>. CaseCheck is a free service that lets you follow the progress of your SAVE verification case using your date of birth and one immigration identifier number (such as your A-Number or USCIS number) or Verification Case Number. If an agency has denied your application based solely or in part on a SAVE response, the agency must allow you to appeal the decision in accordance with the agency's procedures. If the agency has received and acted on or will act on a SAVE verification, and you do not believe the SAVE response is correct, the SAVE website, <https://www.uscis.gov/save/for-benefit-applicants>, has detailed information on how to correct or update your immigration record, make an appointment, or submit a written request to correct records.

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