



TRAVEL ADVISORY

SAFETY ALERT FOR HONGKONGERS UNDER DEFERRED ENFORCED DEPARTURE (DED)

Aug. 1, 2026

Over the past month, ICE agents have significantly ramped up their operations at dozens of U.S. airports, including at check-in counters, boarding gates, and jetways. This affects both people with an expired visa status as well as those with valid legal protection and a work permit. We are aware that several Hong Kongers with DED are among those currently held in detention facilities even as no evidence suggests that they have violated any rules of the program. These arrests follow a clear pattern of ICE agents obtaining passenger information from either their TSA colleagues or commercial airlines. **While we have previously cautioned Hong Kongers with DED against traveling internationally or to overseas U.S. territories with CBP checkpoints — such as Guam and the Northern Mariana Islands — this advisory now applies to domestic travel even entirely within the contiguous United States.**

Separately, a growing number of Hong Kongers with valid DED have received Notices to Appear (NTA) in immigration court for removal proceedings, even though DED is specifically designed to protect them from removal.

To be clear: The DED program was first created on Aug. 5, 2021, and the current cycle remains in effect through Feb. 5, 2027. If you have complied with all published rules, you are lawfully present. **This fact alone, however, is not currently stopping ICE detentions.** Please take the following steps.

1. **Avoid all air travel unless absolutely essential.** If a trip can wait, or can be done by car or train, do not fly.
2. **If you must fly, prepare with a lawyer beforehand.** Have a lawyer ready who can act immediately if you are detained. Leave copies of your key documents with them, including, but not limited to: your passport, proof that you were in the U.S. on the day the current DED cycle was announced, proof of your continuous residence, and your work permit, as well as a copy of any pending USCIS application if you have one. Sign paperwork in advance designating someone to act on your behalf if you cannot. Carry your lawyer's phone number on paper and memorize it; you will not be allowed access to your cell phone.
3. **If you are detained, sign nothing** — especially nothing described as “voluntary departure,” no matter what ICE agents tell you. Politely and clearly declare: “I do

not agree to leave the United States. I fear returning to Hong Kong. I want to speak to my lawyer.” Then stop talking.

4. **If you are not detained but receive a Notice to Appear, do not miss your court date.** Your failure to appear will automatically result in a removal order against you. Contact a lawyer as soon as the notice arrives.
5. **Leaving the U.S. does not resolve a Notice to Appear.** If you miss your court date, the removal order is issued anyway. This can make it very difficult to obtain a U.S. visa in the future and can cause problems entering other countries. Talk to a lawyer before making any decision to leave.

Two additional issues merit attention.

First, REAL ID requirements for air travel (and federal facilities) went into effect on May 7, 2025. If you attempt to go through a TSA checkpoint without valid documentation, you will be stopped. But this is unrelated to the recent surge of ICE activities at airports. In other words, even complying with REAL ID requirements does not prevent your detention.

Second, ICE agents have also been targeting asylum seekers, whose presence is otherwise lawful until a decision on their cases has been made. If you have an active application, you are advised to carry with you a copy of your I-589 Receipt Notice from USCIS or a copy of the first page of your court-stamped I-589 application. However, this documentation may not prevent your detention.

Please stay safe and share this notice with people who need it.

Further Reading

- [“ICE Arrests Surge at Airports, Opening New Front in Deportation Drive,”](#) *New York Times*, July 28, 2026.
- [“ICE Arrests at US Airports Are Happening More Frequently, Attorneys Say. Here’s What We Know,”](#) CNN, July 28, 2026.
- [“Asylum Seekers Could Be Sent Directly to Deportation Court Under New Rule,”](#) *Washington Post*, July 28, 2026.

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