



ADVISORY

BILL INTRODUCED IN CONGRESS TO GIVE DED HONGKONGERS PERMANENT RESIDENCE

October 6, 2026

Today, Senator Jeff Merkley (D-OR) [introduced](#) the [Hong Konger Promise of Refuge Act](#) in the Senate, and Representative Jim McGovern (D-MA) introduced a companion bill in the House. The bill would allow Hongkongers in the United States under Deferred Enforced Departure, together with their families, to apply for permanent residence. DC-based Hong Kong organizations are announcing their support today as well. We have worked with congressional offices on this legislation for over a year, and while passage remains very challenging, we consider it the most viable policy path currently available to Hongkongers under DED.

What the Bill Does

- **Green cards for DED Hongkongers and their families.** Anyone covered by the August 2021 DED memorandum or its 2023 and 2025 extensions could apply to USCIS for a green card, along with spouses, children, and unmarried adult sons and daughters.
- **One year to apply.** The application window would close one year after the bill becomes law.
- **Protection from detention and removal while you wait.** Once you file, you could not be detained, removed, or placed in removal proceedings while your application is pending. If your application is approved, any existing removal order against you would be canceled.
- **Work authorization.** Once you apply, you would be able to obtain work authorization while you wait.

To qualify, you must meet certain requirements: continuous residence in the United States since January 15, 2025, with no more than 180 days of authorized absences, no return to Hong Kong or mainland China since that date, and no felony or multiple misdemeanor convictions.

What the Bill Does Not Do

- **It changes nothing today.** A bill is not a law. DED still ends on February 5, 2027, and DED-based work permits still expire that day.
- **It does not stop ICE from detaining you.** Arrests and detentions of DED holders continue, and the introduction of this bill does not affect them.
- **It does not extend any deadline.** The one-year asylum filing deadline, your court dates, and every other filing deadline are unchanged.

Passage is Possible, but Still a Long Shot

Congress has done something similar before. After the Tiananmen Square crackdown, the Chinese Student Protection Act of 1992 gave permanent residence to Chinese nationals protected by an executive order, with support from both parties. And during the first Trump administration, a provision giving Liberian DED beneficiaries a one-year window to apply for permanent residence was included in the 2020 National Defense Authorization Act.

Even so, the odds are long. Standalone immigration bills rarely become law. The realistic path, as with the Liberian provision, is inclusion in a larger must-pass bill, which requires convincing congressional leadership and the relevant committee chairs that the provision belongs there. Cosponsors are what make that case: the more members who sign on, and the more bipartisan the list, the harder the bill is to leave out. Passage before February 5, 2027 remains unlikely.

Treat the bill as an additional hope, not as your plan. Keep preparing on the assumption that DED ends on schedule: keep evaluating asylum, family, employment, and other options with a lawyer, keep your documents and emergency contacts in place in case you are detained, and keep following our [travel guidance](#).

What to Expect Next

- **Public promotion.** Hongkonger organizations will promote the bill publicly in the coming days and weeks. If you are active in your local community and have existing contact with local media or political representatives, you should feel free to reach out on your own.
- **The push for cosponsors.** The immediate goal is cosponsors in both chambers and both parties. The number of cosponsors has a significant effect on whether the bill moves at all.
- **A platform for writing to Congress.** Next week, we will launch a platform where you can find your own representatives' contact information and ask them to cosponsor. We will share the link when it is ready.

Please share this notice with people who need it.

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