

**From:** (b)(6); (b)(7)(C)  
**To:** OPLA HO Personnel; OPLA Field Personnel  
**Subject:** Broadcast Message: Deferred Enforced Departure for Certain Venezuelans  
**Date:** Thursday, February 4, 2021 10:18:50 AM

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*Disseminated on behalf of Ken Padilla and Adam V. Loiacono . . .*

On January 19, 2021, President Trump issued a Presidential Memorandum, *Deferred Enforced Departure for Certain Venezuelans*, 86 Fed. Reg. 6,845 (Jan. 25, 2021), which defers for 18 months (or through July 19, 2022), the removal of any national of Venezuela, or any individual without nationality who last habitually resided in Venezuela, who is present in the United States as of January 20, 2021. The Presidential Memorandum also directs the Department of Homeland Security to provide beneficiaries of this grant of Deferred Enforced Departure (DED) employment authorization valid for the duration of the DED.

This grant of DED and the attendant employment authorization does not apply, however, to those who fall into the following categories:

- (1) Individuals who have voluntarily returned to Venezuela or their country of last habitual residence outside the United States;
- (2) Individuals who have not continuously resided in the United States since January 20, 2021;
- (3) Individuals who are inadmissible under Section 212(a)(3) of the Immigration and Nationality Act (INA) or removable under INA § 237(a)(4);
- (4) Individuals who have been convicted of any felony or 2 or more misdemeanors committed in the United States, or who meet the criteria set forth in INA § 208(b)(2)(A);
- (5) Individuals who were deported, excluded, or removed prior to January 20, 2021;
- (6) Individuals who are subject to extradition;
- (7) Individuals 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
- (8) Individuals 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.

(b)(5)

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Ken Padilla  
Deputy Principal Legal Advisor for Field Legal Operations  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security

Adam V. Loiacono  
Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security

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