

Congress of the United States

Washington, DC 20515

January 14, 2025

The Honorable Joseph R. Biden
President
The White House
1600 Pennsylvania Ave. NW
Washington, DC 20500

CC: The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528

Dear Mr. President:

We are writing to express our support for continued protections of Hong Kong residents and to urge you to extend their safe haven here in the United States under the Deferred Enforced Departure (DED) program.

We applaud your administration for providing temporary safe haven to protect Hong Kongers in the United States through the DED program. You first deferred the removal of certain Hong Kong residents present in the United States in August 2021 and extended and expanded eligibility for DED for certain Hong Kong residents in January 2023.¹ Since then, DED has protected numerous eligible Hong Kong residents who would face inevitable prosecution if they were to return to Hong Kong. However, unless extended, DED for Hong Kong residents will expire on February 5, 2025. Unfortunately, conditions in Hong Kong have not improved, and this vital program remains necessary to protect defenders of democracy from Hong Kong.

The People's Republic of China (PRC) has fundamentally undermined Hong Kong's autonomy. What was once a relatively free society driven by the rule of law has deteriorated into a city where fundamental freedoms are prosecuted. Since the 2020 passage of the PRC-sponsored National Security Law and last year's expansion of Article 23 legislation, Hong Kong's autonomy, rule of law, and civic liberties have all but been erased. In November, 45 of the 47 pro-democracy activists collectively known as the Hong Kong 47 were sentenced to up to ten years on dubious charges of "conspiracy to commit subversion."²

The crackdown on Hong Kongers' free speech does not stop at the city's borders. Of particular concern, the Article 23 legislation's vaguely defined charges of "acts with seditious intention" and "disclosure of state secrets" purport to have extraterritorial effect.³ In fact, the Hong Kong Police has placed million-dollar bounties on nineteen pro-democracy Hong Kong activists, at least one of whom is a U.S. citizen and one of whom is a U.S. resident, for violating the Hong Kong National Security Law simply for

¹ Joseph R. Biden Jr., "Memorandum on the Deferred Enforced Departure for Certain Hong Kong Residents," The White House, August 5, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/08/05/memorandum-on-the-deferred-enforced-departure-for-certain-hong-kong-residents/>; Joseph R. Biden Jr., "Memorandum on Extending and Expanding Eligibility for Deferred Enforced Departure for Certain Hong Kong Residents," The White House, January 26, 2023. <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/01/26/memorandum-on-extending-and-expanding-eligibility-for-deferred-enforced-departure-for-certain-hong-kong-residents/>.

² Koh Ewe and Phoebe Kong, "Hong Kong jails 45 pro-democracy campaigners for subversion," BBC News, November 19, 2024. <https://www.bbc.com/news/articles/cx2l4eynl4zo>.

³ "An Ordinance to improve the law for safeguarding national security in the Hong Kong Special Administrative Region of the People's Republic of China; and to provide for related matters," Hong Kong eLegislation, March 23, 2024. <https://www.elegislation.gov.hk/hk/A305>.

engaging in political activism.⁴ The threats faced by Hong Kongers abroad constitute transnational repression, a deliberate tactic of the Chinese Communist Party (CCP) to silence opposition around the world. Hong Kongers currently residing in the United States require our protection from attacks on their free speech, transnational repression, and forced return to face CCP-backed prosecution.

Given the threat of political persecution and the PRC's erosion of democracy in Hong Kong, we urge you to extend DED for eligible Hong Kong residents until no earlier than January 20, 2029. By extending DED, the United States can stand up to the CCP's erosion of rule of law and provide refuge to pro-democracy and human rights activists here in the United States.

In addition to DED, we must continue to extend protections to those fleeing the CCP's abuses and persecution. We acknowledge that DED is a strong temporary solution, and Congress must work to pass strong safe haven protections for eligible Hong Kong residents and other individuals subjected to repression by the CCP.

The lines on the Statue of Liberty from Emma Lazarus' "New Colossus" are a clarion call to aid Hong Kong's freedom fighters: "Give me your tired, your poor, your huddle masses yearning to breathe free." Hong Kongers and others facing the CCP's human rights abuses deserve to breathe free and live without fear of being forced back into political persecution. Within our strategic competition with the CCP, the United States must stand up for democratic values and human rights.

We appreciate your attention to this urgent matter and look forward to your prompt response.

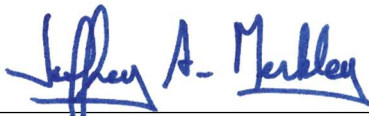
Sincerely,



Raja Krishnamoorthi
Ranking Member
House Select Committee on the CCP



Gregory Meeks
Ranking Member
House Foreign Affairs Committee



Jeffrey A. Merkley
United States Senator

⁴ RFA Staff, "Hong Kong offers bounties for 6 more democracy activists," Radio Free Asia, December 24, 2024.
[https://www.rfa.org/english/china/2024/12/24/hong-kong-democrats-bounty/..](https://www.rfa.org/english/china/2024/12/24/hong-kong-democrats-bounty/)