



November 18, 2020

Dear Representatives of the New York, Pennsylvania, Maryland, Minnesota, and Rhode Island Congressional Delegations,

As representatives of some of the largest constituencies of Liberian immigrants in the United States, we are writing to urge you to take immediate legislative action to extend the deadline for applications under Liberian Refugee Immigration Fairness¹ (“LRIF”) for at least one year, until the end of December 2021. Due to the unforeseen circumstances caused by the ongoing COVID-19 pandemic, very few Liberian immigrants have been able to gather all of the required documentation and fees in order to submit adjustment of status applications under LRIF. We are very concerned that the deadline will lapse with many of those eligible for adjustment of status under LRIF unable to apply due to circumstances outside their control.

At the end of last year, we celebrated the passage of LRIF, a bipartisan achievement that provides a pathway to citizenship for certain Liberian immigrants and their immediate family members who have lived in the U.S. since at least 2014. The passage of LRIF was a great and long overdue victory, but, as the December 20, 2020 deadline for applications rapidly approaches, we are concerned by the startlingly low numbers of applications that have been submitted under LRIF.²

While U.S. Citizenship and Immigration Services (“USCIS”) has not published recent data on the numbers of LRIF applications received and approved, we have heard from USCIS officials that, as of September 2020, only 2,084 LRIF applications have been submitted.³ This number is approximately half of the population potentially eligible for status under LRIF according to USCIS,⁴ and approximately one fifth of the potentially eligible population according to the Center for Migration Studies of New York (“CMS”).⁵ We also have understood from USCIS officials and conversations with advocates that a very small portion of applications have been approved as of the date of this letter.

¹ Section 7611 of the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92).

² Catholic Legal Immigration Network, Inc. (CLINIC), African Community Together, *Failing Our Liberian Neighbors: Eligibility and Application Rates Under Liberian Refugee Immigration Fairness* (June 24, 2020) available at: <https://cliniclegal.org/resources/humanitarian-relief/liberian-refugee-immigration-fairness-lrif/report-failing-our>.

³ Information shared during a webinar on LRIF hosted by the USCIS Ombudsman on September 29, 2020. See <https://www.dhs.gov/publication/overview-liberian-refugee-immigration-fairness-law>.

⁴ *Id.* USCIS estimates approximately 4,200 Liberians may be eligible for adjustment of status under LRIF.

⁵ According to CMS, up to 10,000 Liberian nationals are potentially eligible for LRIF. See *The Liberian Refugee Immigration Fairness Program: Estimates of the Potentially Eligible*, Center for Migration Studies (June 12, 2020), available at: <https://cmsny.org/the-liberian-refugee-immigration-fairness-program-estimates-of-the-potentially-eligible/>.



We fear at the current rate, many – *if not most* – eligible Liberians and their family members may not meet the application deadline. This is an unacceptable outcome that defeats the purpose of LRIF, which was passed to allow Liberians with Deferred Enforced Departure (“DED”) to keep legal status and have a pathway to citizenship after the wind-down of DED for Liberians was announced.⁶ Without immediate action, there is an imminent risk that current DED holders who are eligible for adjustment of status under LRIF, but unable to apply by the deadline, will lose employment authorization and protection from deportation when DED expires in January 2021.

The COVID-19 pandemic and consequent economic crisis, circumstances unforeseen at the time of LRIF’s passage, have undermined the success of the program. Black and immigrant communities, who have risked their lives keeping our cities running as essential workers, have disproportionately borne the brunt of the impacts of the pandemic and attendant economic fallout.⁷ As families struggle to meet their basic needs during this time, it is obvious why so few Liberian immigrants have been able to submit applications under LRIF. The pandemic has exacerbated financial and administrative barriers to applying. Moreover, insufficient outreach and guidance from USCIS, which continues to struggle with its own fiscal constraints and processing delays⁸, have further compounded the challenges. While our cities have worked to mitigate these issues with community outreach and connections to trusted legal assistance, we believe that the only just solution given the pandemic and its devastating consequences is to extend the deadline by at least one year.

Finally, as our country is in the midst of a somber reckoning with anti-Black racism, it is important to underscore that the extension of the LRIF deadline is necessary to the advancement of racial justice. Liberia was founded in 1847 by Black people who survived the U.S. slave trade. Indeed, as the White House has acknowledged, the U.S. and Liberia share a “special bond” and as such “the United States has sought to honor...the sacrifices of individuals who suffered grievous wrongs in the United States.”⁹ It would be unconscionable to allow thousands of Liberian immigrants – many of whom are the descendants of enslaved Africans – to lose their chance at status and risk deportation in the middle of a global pandemic and economic recession, simply

⁶ *Reed Includes NDAA Provision to Extend Permanent Residency Status for Eligible Liberians and Open a Pathway to U.S. Citizenship*, U.S. Senator Jack Reed (December 12, 2019), <https://www.reed.senate.gov/news/releases/reed-includes-ndaa-provision-to-extend-permanent-residency-status-for-eligible-liberians-and-open-a-pathway-to-us-citizenship>.

⁷ *See e.g. The color of coronavirus: COVID-19 deaths by race and ethnicity in the U.S.*, APM Research Lab (Sept. 16, 2020), available at: <https://www.apmresearchlab.org/covid/deaths-by-race>; *Working Immigrants at Risk of COVID-19*, New American Economy (April 3, 2020), available at: <https://data.newamericaneconomy.org/en/immigrant-workers-at-risk-coronavirus/>.

⁸ *See, e.g., USCIS Averts Furlough of Nearly 70% of Workforce*, USCIS (Aug. 25, 2020), <https://www.uscis.gov/news/news-releases/uscis-averts-furlough-of-nearly-70-of-workforce>.

⁹ *Memorandum on Extending the Wind-Down Period for Deferred Enforced Departure for Liberians*, White House (March 30, 2020), available at: <https://www.whitehouse.gov/presidential-actions/memorandum-extending-wind-period-deferred-enforced-departure-liberians/>.



because the overwhelming circumstances of this unique time have made it too difficult and expensive for them to meet the current LRIF deadline.

For these reasons, we urge you to act and extend the deadline for applications under LRIF for at least one year.

Sincerely,

Bernard C. Young, Mayor of Baltimore, MD

Jacob Frey, Mayor of Minneapolis, MN

Bill de Blasio, Mayor of New York City, NY

Jim Kenney, Mayor of Philadelphia, PA

Jorge O. Elorza, Mayor of Providence, RI

Melvin Carter, Mayor of St. Paul, MN

CC:

The Congressional Delegation of New York

The Congressional Delegation of Pennsylvania

The Congressional Delegation of Maryland

The Congressional Delegation of Minnesota

The Congressional Delegation of Rhode Island