



## **Liberian Refugee Immigration Fairness/ Deferred Enforced Departure**

### **Background/History**

Liberian Refugee and Immigration Fairness (LRIF) is the result of decades-long work and organizing by the Liberian community and supporting advocacy groups. Before LRIF, Liberian immigrants were protected in the United States either by Temporary Protected Status (TPS) or Deferred Enforced Departure (DED) during the period from 1991 to the present. DED is a humanitarian relief program that ensures protection from detention or deportation to one's home country. DED can be granted to nationals of countries that have experienced armed conflict, civil unrest, natural disasters, or public health crises.

In March 2018, the Trump Administration announced its decision to terminate Liberian DED, giving more than 4,000 Liberian DED holders until March of 2019 to voluntarily leave the U.S. or risk apprehension by ICE and deportation. On March 28, 2019, Trump extended the wind-down period through March 30, 2020. On March 30, 2020, President Trump issued another memorandum directing then Acting DHS Secretary Chad Wolf to extend the DED wind-down period through January 10, 2021.

The decision to terminate DED, bolstered by years of organizing within the Liberian community, led to the passage of LRIF in December of 2019. The bill was championed by Senator Jack Reed of Rhode Island, who has introduced the LRIF bill in each Congress for the past 20 years. LRIF provides a path to permanent residency for thousands of Liberians who have lived in uncertainty for many years.

### **What Relief Does LRIF Provide and What Do You Need to Become Eligible?**

LRIF was effective immediately after passage and provided a one year time period (from December 2019 to December 2020) for eligible Liberians to apply. In January 2021, LRIF was extended by the Biden Administration and will now expire on **December 20, 2021**.

LRIF provides an opportunity for certain Liberian nationals and their spouses, unmarried children under 21 years old, and unmarried sons and daughters 21 years old or older living in the United States who meet the eligibility requirements to obtain lawful permanent resident status (also known as adjusting status and receiving Green Cards).

**In order to be eligible for LRIF, you must:**

- Be a national of Liberia to be considered a Principal applicant.

- Prove continuous physical presence in the United States from Nov. 20, 2014, to the date you file an application for adjustment of status. **USCIS considers an applicant who was absent from the United States for one or more periods amounting to more than 180 days in total to have failed to have maintained a continuous physical presence.**
- Spouses, unmarried children under 21, or unmarried sons or daughters aged 21 or older of a principal applicant are eligible to file for an adjustment of status under LRIF regardless of their nationality.
- Eligible family members of Principal applicants can file for permanent residency under LRIF only **after** the Principal applicant has filed.. **They cannot file before the Principal applicant.**

## USCIS Guideline Updates

U.S. Citizenship and Immigration Services has the sole authority to review and process LRIF applications for people in removal, exclusion, or deportation proceedings or with a final order of removal, exclusion, or deportation, regardless of those proceedings or final order. In April 2020, four months after the enactment of LRIF, USCIS issued updated policy [guidelines](#) for LRIF. **These changes included amended grounds for eligibility as well as a list of suggested documentation and evidence to supplement applications. The April 2020 policy guidelines remain in place as of this writing.**

### Ineligible applicants include:<sup>1</sup>

- People who have been convicted of an aggravated felony.
- People who have been convicted of two or more crimes of moral turpitude.
- People who have participated in the persecution of others.

### New burdensome primary evidence that can prove Liberian nationality includes, but are not limited to<sup>2</sup>:

- An unexpired Liberian passport (*Please reach out to Danyeli from UBN or Diana from ACT to discuss possible assistance.*)
- A Liberian certificate of naturalization.

**USCIS now requires extraneous proof of continuous physical presence in the United States from November 20, 2014, up to the filing date of an adjustment of status on LRIF. The requirements to prove continuous presence include, but are not limited to:**

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<sup>1</sup> If you are ineligible according to these requirements, we strongly recommend consulting with a lawyer to determine if you might be eligible for a waiver of your conviction or another ground of inadmissibility. A waiver would make you eligible for LRIF.

<sup>2</sup> According to a February 25, 2021 USCIS Webinar on LRIF, USCIS will accept secondary forms of evidence to prove Liberian nationality, including affidavits from people with firsthand knowledge of why you do not have the two preferred, primary forms of evidence of Liberian nationality. USCIS has not yet provided details about what kinds of secondary forms of evidence they will accept, as of the date of this writing.

- A copy of passport pages with a nonimmigrant visa, admission, or parole stamps;
- An Arrival/Departure Record (I-94);
- Income tax records;
- Utility bills;
- Mortgage deeds or leases; and
- Medical records with date and address.

## Implementation and Accountability

Since its enactment, LRIF has inspired hope and excitement within the Liberian community. However, a grim picture of the program began to emerge as more data was being collected about LRIF and its implementation.

USCIS did not provide LRIF applicants with any guidelines until 4 months into the program. When the guidance finally came out, it included onerous evidence requirements and other hindrances to the application process. These roadblocks to the program along with office closures and a global pandemic impacted the functions and availability of the LRIF program.

The Biden Administration and new leadership at USCIS must ensure that these concerns are addressed in a meaningful way long before the December 20, 2021 deadline to apply for LRIF. The Liberian community deserves full and fair access to this relief, relief which will drastically change the lives of thousands of people who have lived and worked in the United States for long periods of time without stable immigration status.

## Biden Administration's Extension of DED

On January 20, 2021, President Biden extended Liberian Deferred Enforced Departure (DED) for eighteen months through an executive order. An [estimated](#) 4000 Liberians are eligible to benefit from the extension of DED, which now expires on June 30, 2022. The extension allows eligible Liberians to both qualify for DED and apply for LRIF.

