

Failing Our Liberian Neighbors: Eligibility and Application Rates Under Liberian Refugee Immigration Fairness



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ABOUT THE ORGANIZATIONS AND ACKNOWLEDGEMENTS

The Temporary Protected Status Advocacy Working Group (TPS AWG) is a multi-ethnic, multi-organizational working group consisting of state, local, and national organizations advocating on behalf of TPS holders and their families. Led by the Catholic Legal Immigration Network, Inc. (CLINIC), the TPS AWG produces reports, engages in administrative advocacy, and advocates for extension, redesignation, and initial designation for countries whose conditions warrant TPS. For more information on the TPS AWG, visit CLINIC's website at <https://cliniclegal.org/>.

African Communities Together (ACT) is an organization of African immigrants fighting for civil rights, opportunity, and a better life for our families here in the U.S. and worldwide. ACT empowers African immigrants to integrate socially, get ahead economically, and engage civically. ACT connects African immigrants to critical services, helps Africans develop as leaders, and organizes our communities on the issues that matter. For more information on ACT, visit <https://africans.us/>.

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I. Executive Summary

This report analyzes data released by U.S. Citizenship and Immigration Services (USCIS) and the [Center for Migration Studies](#) (CMS) to provide a status report of the implementation of Liberian Refugee Immigration Fairness, or LRIF. LRIF is a program passed by Congress in late 2019 that allows Liberian noncitizens in the United States (mostly undocumented Liberians or those with temporary visas) as of November 20, 2019, to apply for and receive lawful permanent resident (LPR) status and, eventually, citizenship. The report's key takeaways include:

- The [Center for Migration Studies](#) estimates that there are 10,000 Liberians who are potentially eligible for relief under LRIF and 300 family member beneficiaries—over twice as much as the previous estimate of 4,000 potential applicants.¹
- Only 1,177 Liberians or approximately 12 percent of eligible applicants applied for LRIF in the program's first four months.
- Four months into the program, USCIS has not approved a single application.²
- The top three states of residency for applicants are Minnesota (18 percent) and Pennsylvania (16 percent), followed by Maryland (9 percent).³
- About half of applicants are over the age of 45 (54 percent) with a median age of 46.⁴
- Fifty eight percent of applicants are female, while 42 percent are male.⁵

The report concludes that in light of the large number of potential applicants, USCIS' failure to successfully adjudicate and approve a single application four months into the program, and the ongoing COVID-19 pandemic, **Congress should extend the December 20, 2020, deadline for at least an additional year to ensure that all eligible Liberians are able to apply for relief.**

II. Background

Liberian Refugee Immigration Fairness, or LRIF, is a provision of the National Defense Authorization Act for Fiscal Year 2020, enacted on December 20, 2019.⁶ LRIF provides an opportunity for certain Liberian nationals who have lived in the United States for years to obtain lawful permanent residency—that is, to receive a green card—as long as they apply on or before December 20, 2020. From 1991 until 2019, Liberia was continuously designated for temporary relief programs like Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) due to unsafe country conditions and foreign policy reasons, but without opportunity for more permanent relief. Under LRIF, Liberian nationals may apply for the program through Form I-485 if they have been physically present since November 20, 2014, and are otherwise admissible. Spouses and unmarried children of Liberians are also covered under the program, provided that they are also admissible. There are approximately 10,300 people in the United States that would qualify for relief under LRIF, including 10,000 Liberians noncitizens who have resided in the United States before the required date, 100 noncitizen spouses, and 200 noncitizen children.⁷

III. Data Analysis

On June 12, 2020, CMS, utilizing Census data and LRIF eligibility criteria, released data estimating that the total number of eligible individuals for LRIF was 10,300.⁸ This number represents an update of the regularly cited number of 4,000 potentially eligible Liberians, based on the previous Liberian population that held TPS.⁹ To assess how many eligible individuals are applying for relief under LRIF, the TPS AWG analyzed data released by USCIS. The following analysis was taken from data collected by USCIS from December 20, 2019, through April 17, 2020.¹⁰ The following are the tables generated from the USCIS data:

<i>Recorded Sex</i>	<i>Respondents</i>	<i>Percentage</i>
Male	492	42%
Female	683	58%
Unknown	2	0.2%
Total	1177	100%

Source: USCIS I-485 Dec19-Apr20

<i>States</i>	<i>Respondents</i>	<i>Percentage</i>
Under 16	60	5%
16 to 24	80	7%
25 to 34	118	10%
35 to 44	275	23%
45 to 54	334	28%
55 and Over	310	26%
Total	1177	100%

Average	45
Median	46
Mode	47

Source: USCIS I-485 Dec19-Apr20

Table 3. State of Residency

<i>States</i>	<i>Respondents</i>	<i>Percentage</i>
Alabama	3	0.3%
Arizona	4	0.3%
Arkansas	2	0.2%
California	18	2%
Colorado	3	0.3%
Connecticut	2	0.2%
Delaware	22	2%
District of Colum	5	0.4%
Florida	9	1%
Georgia	67	6%
Idaho	1	0.1%
Illinois	9	1%
Indiana	12	1%
Iowa	10	1%
Kentucky	7	1%
Louisiana	1	0.1%
Maryland	109	9%
Massachusetts	39	3%
Michigan	15	1%
Minnesota	214	18%
Missouri	2	0.2%
Nevada	1	0.1%
New Jersey	96	8%
New York	67	6%
North Carolina	76	6%
North Dakota	25	2%
Ohio	18	2%
Oklahoma	2	0.2%
Pennsylvania	188	16%
Rhode Island	46	4%
South Carolina	4	0.3%
South Dakota	5	0.4%
Tennessee	7	1%
Texas	53	5%
Utah	4	0.3%
Virginia	25	2%
Washington	6	1%
Total	1177	100%

Source: USCIS I-485 Dec19-Apr20

Table 3a. Top 5 States of Residency

<i>States</i>	<i>Respondents</i>	<i>Percentage</i>
North Carolina	76	6%
New Jersey	96	8%
Maryland	109	9%
Pennsylvania	188	16%
Minnesota	214	18%

Source: USCIS I-485 Dec19-Apr20

Table 4. Receipt Date by Month

<i>Month</i>	<i>Respondents</i>
Dec 2019	3
Jan 2020	258
Feb 2020	399
Mar 2020	398
Apr 2020	119
Total	1177

Source: USCIS I-485 Dec19-Apr20

Table 5. Applicants		
Status	Respondents	Percentage
Accepted	0	0%
Denied	0	0%
Pending	1177	100%
Total	1177	100%

Source: USCIS I-485 Dec19-Apr20

For Table 5, as the above applications represent principal applicants and not non-principal family members, we can divide the total number of applications (1,177) by the total eligible principal family members, (10,000), to get an application rate of 11.8 percent or about 12 percent. USCIS did not provide data regarding the number of spouses or children who have had applications filed on their behalf. This low application rate likely stems from USCIS' delayed publication of updates to the USCIS policy manual, which provides guidance for adjudicators and applicants on how to apply, on April 7, 2020,¹¹ and the ongoing COVID-19 pandemic. These issues are likely exacerbated by a lack of a full understanding by USCIS of the eligible population size and demographics. Thus, four months into the program, a little over a tenth of the eligible population has applied for relief, indicating that USCIS needs to engage more vigorously in soliciting applications and that Congress needs to extend the deadline, particularly in light of the ongoing COVID-19 pandemic.

IV. Methodology

The full dataset for this brief was provided by USCIS.¹² The dataset spans from December 20, 2019, when the program was enacted, to April 17, 2020; it was queried by USCIS on May 19, 2020. USCIS specified in its communications that these figures are for principal applicants only and do not include non-principal family members. Though USCIS has received a total of 1,226 applications, 49 were omitted from this dataset in compliance with federal laws regarding privacy.¹³ After transferring the dataset into Microsoft Excel, we used count functions to calculate the instances of recorded sex, resident state, receipt date, age, and application status and transferred this information into tables.

¹ Donald Kerwin & Mike Nicholson, *The Liberian Refugee Immigration Fairness Program: Estimates of the Potentially Eligible*, Ctr. for Migration Studies (June 12, 2020), <https://cmsny.org/the-liberian-refugee-immigration-fairness-program-estimates-of-the-potentially-eligible/>; Ted Hesson, *U.S. Citizenship Path for Thousands of Liberians Tucked in Spending Bill*, Reuters (Dec. 18, 2019, 1:31 PM), www.reuters.com/article/us-usa-defense-congress-liberia/u-s-citizenship-path-for-thousands-of-liberians-tucked-in-spending-bill-idUSKBN1YM277.

² See *infra* Table 5.

³ See *infra* Table 3a.

⁴ See *infra* Table 2.

⁵ See *infra* Table 1.

⁶ *Liberian Refugee Immigration Fairness*, U.S. Cit. & Immigr. Servs. (Apr. 20, 2020), www.uscis.gov/green-card/other-ways-get-green-card/liberian-refugee-immigration-fairness.

⁷ Kerwin & Nicholson, *supra* note 1.

⁸ *Id.*

⁹ Hesson, *supra* note 1.

¹⁰ U.S. Cit. & Immigr. Servs., Form I-485, Application to Register Permanent Residence or Adjust Status Receipts and Current Status for Provided LRIF Application Receipt Numbers (May 19, 2020),

[https://www.uscis.gov/sites/default/files/files/nativedocuments/Form_I-485_Application_to_Register_Permanent_Residence_or_Adjust_Status_for_December_2019 - April 17 2020.pdf](https://www.uscis.gov/sites/default/files/files/nativedocuments/Form_I-485_Application_to_Register_Permanent_Residence_or_Adjust_Status_for_December_2019_-_April_17_2020.pdf).

¹¹ U.S. Cit. & Immigr. Servs., Policy Manual vol. 7 pt. P ch. 5 (2020), *available at* <https://www.uscis.gov/policy-manual/volume-7-part-p-chapter-5>.

¹² U.S. Cit. & Immigr. Servs., Form I-485, Application to Register Permanent Residence or Adjust Status Receipts and Current Status for Provided LRIF Application Receipt Numbers (May 19, 2020), [https://www.uscis.gov/sites/default/files/files/nativedocuments/Form_I-485_Application_to_Register_Permanent_Residence_or_Adjust_Status_for_December_2019 - April 17 2020.pdf](https://www.uscis.gov/sites/default/files/files/nativedocuments/Form_I-485_Application_to_Register_Permanent_Residence_or_Adjust_Status_for_December_2019_-_April_17_2020.pdf).

¹³ *See* 8 U.S.C. § 1367 (2018).