

or to request special assistance at the meeting, please contact [NIAC@cisa.dhs.gov](mailto:NIAC@cisa.dhs.gov) by 5:00 p.m. EST on Monday, March 1, 2021.

**Rachel Liang,**

*Designated Federal Officer, President's National Infrastructure Advisory Council, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security.*

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

#### Reinstating Deferred Enforced Departure for Liberians

**AGENCY:** U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS).

**ACTION:** Notice.

A "Memorandum on Reinstating Deferred Enforced Departure for Liberians" was issued by President Biden on January 20, 2021. The President determined that it is in the foreign policy interests of the United States to reinstate Deferred Enforced Departure (DED) for Liberians through June 30, 2022. The President directed the Secretary of Homeland Security to extend DED for eligible Liberians currently covered under DED and to provide for continued work authorization through June 30, 2022. The President further authorized and directed the Secretary of Homeland Security to publish this memorandum in the **Federal Register**. The text of the memorandum (published January 25, 2021, at 86 FR 7055) is set out below.

**Tracy L. Renaud,**

*Senior Official Performing the Duties of the Director, U.S. Citizenship and Immigration Services.*

#### Memorandum on Reinstating Deferred Enforced Departure for Liberians

Since 1991, the United States has provided safe haven for Liberians who were forced to flee their country as a result of armed conflict and widespread civil strife, in part through the grant of Temporary Protected Status (TPS). The armed conflict ended in 2003, and TPS for affected Liberian nationals ended effective October 1, 2007. President Bush then deferred the enforced departure of those Liberians originally granted TPS. President Obama, in successive memoranda, extended that grant of Deferred Enforced Departure

(DED) to March 31, 2018. President Trump then determined that conditions in Liberia did not warrant a further extension of DED, but that the foreign policy interests of the United States warranted affording an orderly transition period for Liberian DED beneficiaries. President Trump later extended that DED transition period through March 30, 2020.

In December 2019, the Congress enacted the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116-92) (NDAA), which included, as section 7611, the Liberian Refugee Immigration Fairness (LRIF) provision. The LRIF provision, with limited exceptions, makes Liberians who have been continuously present in the United States since November 20, 2014, as well as their spouses and children, eligible for adjustment of status to that of United States lawful permanent resident (LPR). The NDAA gave eligible Liberian nationals until December 20, 2020, to apply for this adjustment of status. After the enactment of the LRIF provision, President Trump further extended the DED transition period through January 10, 2021, to ensure that DED beneficiaries would continue to be eligible for employment authorization during the LRIF application period.

The LRIF application process was hampered by a slow launch, cumbersome procedures, and delays in adjudication. Recognizing these difficulties, the Congress enacted a 1-year extension to the application period in section 901 of the Consolidated Appropriations Act, 2021 (Pub. L. 116-260). That legislation, however, did not provide for continued employment authorization past January 10, 2021, the expiration of the most recent DED transition period.

There are compelling foreign policy reasons to reinstate DED for an additional period for those Liberians presently residing in the United States who were under a grant of DED as of January 10, 2021. Providing work authorization to these Liberians, for whom we have long authorized TPS or DED in the United States, while they initiate and complete the LRIF status-adjustment process, honors the historic close relationship between the United States and Liberia and is in the foreign policy interests of the United States. I urge all Liberian DED beneficiaries to apply promptly for adjustment of status, and I direct the Secretary of Homeland Security to review the LRIF application procedures administered by United States Citizenship and Immigration Services to ensure that they facilitate

ease of application and timely adjudication.

Pursuant to my constitutional authority to conduct the foreign relations of the United States, I have determined that it is in the foreign policy interests of the United States to defer through June 30, 2022, the removal of any Liberian national, or person without nationality who last habitually resided in Liberia, who is present in the United States and who was under a grant of DED as of January 10, 2021. I have also determined that any Liberian national, or person without nationality who last habitually resided in Liberia, who is present in the United States and who was under a grant of DED as of January 10, 2021, should have continued employment authorization through June 30, 2022.

The Secretary of Homeland Security shall promptly direct the appropriate officials to make provision, by means of a notice published in the **Federal Register**, for immediate allowance of employment authorization for those Liberians who held appropriate DED-related employment authorization documents as of January 10, 2021. The Secretary shall also provide for the prompt issuance of new or replacement documents in appropriate cases.

This grant of DED and continued employment authorization shall apply to any Liberian DED beneficiary as of January 10, 2021, but shall not apply to such persons in the following categories:

(1) Individuals who would be ineligible for TPS for the reasons provided in section 244(c)(2)(B) of the Immigration and Nationality Act, 8 U.S.C. 1254a(c)(2)(B);

(2) Individuals who sought or seek LPR status under the LRIF provision but whose applications have been or are denied by the Secretary of Homeland Security;

(3) Individuals whose removal the Secretary of Homeland Security determines is in the interest of the United States, subject to the LRIF provision;

(4) Individuals whose presence or activities 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;

(5) Individuals who have voluntarily returned to Liberia or their country of last habitual residence outside the United States for an aggregate period of 180 days or more, as specified in subsection (c)(2) of the LRIF provision;

(6) Individuals who were deported, excluded, or removed prior to the date of this memorandum; or

(7) Individuals who are subject to extradition.

Accordingly, I hereby direct the Secretary of Homeland Security to take the necessary steps to implement for eligible Liberians:

(1) A deferral of enforced departure from the United States through June 30, 2022, effective immediately; and

(2) authorization for employment valid through June 30, 2022.

The Secretary of Homeland Security is authorized and directed to publish this memorandum in the **Federal Register**.

JOSEPH R. BIDEN JR.

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Citizenship and Immigration Services

#### Reinstatement of Deferred Enforced Departure and Continuation of Employment Authorization and Automatic Extension of Existing Employment Authorization Documents for Eligible Liberians

**AGENCY:** U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security.

**ACTION:** Notice.

**SUMMARY:** On January 20, 2021, President Biden issued a memorandum to the Secretary of Homeland Security (Secretary) directing the Secretary to reinstate Deferred Enforced Departure (DED) for eligible Liberians, and to provide for continued work authorization through June 30, 2022. Eligible Liberian nationals (and persons without nationality who last habitually resided in Liberia) covered under DED as of January 10, 2021 may remain in the United States through June 30, 2022. This notice extends through June 30, 2022 employment authorization for Liberians covered under DED and also automatically extends DED-related Employment Authorization Documents (EADs) for those who already have an EAD with a printed expiration date of March 30, 2020 or January 10, 2021. The reinstatement of DED for Liberians is intended to allow additional time for eligible Liberians to apply for adjustment of status on or before December 20, 2021 under the extension of the Liberian Refugee Immigration Fairness (LRIF) provision in section 901

of the Consolidated Appropriations Act, 2021. Liberians who apply for adjustment of status under LRIF may immediately apply for employment authorization consistent with that provision.

**DATES:** DED and employment authorization for individuals covered under DED for Liberians is extended through June 30, 2022. Automatically extended DED-related EADs, as specified in this notice, expire after June 30, 2022.

#### FOR FURTHER INFORMATION CONTACT:

- You may contact Maureen Dunn, Chief, Humanitarian Affairs Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, by mail at 5900 Capital Gateway Drive, Camp Springs, MD 20746.

- For further information on DED, including additional information on eligibility, please visit the USCIS DED web page at [www.uscis.gov/humanitarian/temporary-protected-status/deferred-enforced-departure](http://www.uscis.gov/humanitarian/temporary-protected-status/deferred-enforced-departure). You can find specific information about DED for Liberians by selecting “DED Granted Country: Liberia” from the menu on the left of the DED web page. For further information on Liberian Refugee Immigration Fairness (LRIF), including additional information on eligibility, please visit the USCIS LRIF web page [www.uscis.gov/green-card/other-ways-get-green-card/liberian-refugee-immigration-fairness](http://www.uscis.gov/green-card/other-ways-get-green-card/liberian-refugee-immigration-fairness).

- If you have additional questions about DED or LRIF, please visit [uscis.gov/tools](http://uscis.gov/tools). Our online virtual assistant, Emma, can answer many of your questions and point you to additional information on our website. If you are unable to find your answers there, you may also call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

- Applicants seeking information about the status of their individual cases may check Case Status Online, available on the USCIS website at [www.uscis.gov](http://www.uscis.gov), or call the USCIS Contact Center at 800-375-5283 (TTY 800-767-1833).

- Further information will also be available at local USCIS offices upon publication of this notice.

#### SUPPLEMENTARY INFORMATION:

##### Table of Abbreviations

CFR—Code of Federal Regulations  
DED—Deferred Enforced Departure  
DHS—U.S. Department of Homeland Security  
EAD—Employment Authorization Document  
FNC—Final Nonconfirmation  
Form I-485—Application to Register Permanent Residence or Adjust Status

Form I-765—Application for Employment Authorization

Form I-797—Notice of Action (Approval Notice)

Form I-9—Employment Eligibility Verification

Form I-912—Request for Fee Waiver

FR—Federal Register

Government—U.S. Government

IER—U.S. Department of Justice Civil Rights Division, Immigrant and Employee Rights Section

LRIF—Liberian Refugee Immigration Fairness  
SAVE—USCIS Systematic Alien Verification for Entitlements Program

Secretary—Secretary of Homeland Security

TNC—Tentative Nonconfirmation

TPS—Temporary Protected Status

TTY—Text Telephone

USCIS—U.S. Citizenship and Immigration Services

U.S.C.—United States Code

#### Purpose of This Action

Pursuant to the President's constitutional authority to conduct the foreign relations of the United States, President Biden has concluded that foreign policy considerations warrant a reinstatement of DED for Liberians through June 30, 2022.<sup>1</sup> Through this notice, as directed by the President, DHS is extending DED and employment authorization for covered Liberians through June 30, 2022 and automatically extending the validity of DED-related EADs bearing a printed expiration date of March 30, 2020 or January 10, 2021 through June 30, 2022.<sup>2</sup> The President authorized the reinstatement of DED to allow for continued employment authorization for individuals covered under DED. Liberians who apply for adjustment of status on or before December 20, 2021 under the extension of the LRIF provision in section 901 of the Consolidated Appropriations Act, 2021 may immediately apply for employment authorization consistent with that provision. *See Consolidated Appropriations Act for Fiscal Year 2021,*

<sup>1</sup> See Presidential Memorandum for the Secretary of State and the Secretary of Homeland Security on Reinstating Deferred Enforced Departure for Liberians January 20, 2021, available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/reinstating-deferred-enforced-departure-for-liberians/>. Note: Individuals covered by the presidential DED memorandum include certain Liberians as well as persons without nationality who last habitually resided in Liberia who held Temporary Protected Status on September 30, 2007 and who meet all other criteria in the memorandum for DED. Hereinafter, “DED for Liberians” also includes such persons without nationality.

<sup>2</sup> USCIS had previously auto-extended to January 10, 2021 those EADs for individuals covered under DED for Liberians with a March 30, 2020 facial expiration date. *See Continuation of Employment Authorization and Automatic Extension of Existing Employment Authorization Documents for Eligible Liberians During the Period of Extended Wind-Down of Deferred Enforced Departure*, 84 FR 19496 (April 7, 2020).