

Callous and Calculated: Longer Work Authorization Bar Endangers Lives of Asylum Seekers and Their Families

U.S. immigration [law](#) and [regulations](#) provide asylum seekers with work authorization documents, which allow them to accept employment after their asylum applications have been pending for at least 180 days. The Trump Administration is currently [considering](#) doubling this already lengthy wait period for a work permit to one year. The inability to work for at least six months after requesting asylum already leaves many asylum seekers, who are often traumatized and vulnerable, in precarious situations—homeless, unable to feed themselves and their children, and struggling to get health care. Increasing that wait period could have devastating consequences.

Those asylum seekers without means to survive must rely on friends, family, or local communities for support. But some refugees lack support networks and suffer abuse and [exploitation](#) as undocumented workers in the labor market while waiting for work authorization. Many become homeless, live in overcrowded or unsafe conditions, and lack basic needs like food and clothing. Without work authorization, asylum seekers cannot [purchase](#) health insurance under the Affordable Care Act or obtain a social security number, and often cannot apply for a state-issued identification card or driver's license, which further limits access to transportation, banking, and private-support services. Lack of income also hinders opportunities to find and retain competent legal counsel.

Refugees and their families already suffer severely while waiting for work authorization, as these examples from Human Rights First's pro bono refugee representation project illustrate:

- **Maria*, a transgender woman who fled persecution in Honduras, is struggling to support herself while she waits for work authorization.** A cousin took her in after she was released from detention to await her asylum hearing, but he harassed and tried to control her. Recently, he kicked Maria out, forcing her to move from one friend's home to another to find a place to sleep. She is in dire need of work authorization to support basic needs and pay for health care because she does not qualify for insurance. Maria has already missed several important medical appointments because she could not pay for transportation.
- **Michele*, a torture survivor who sought asylum from the Central African Republic, had no way to support himself until he received work authorization.** He was homeless and sleeping on subways or a spare bed in an emergency room when it was not at capacity. After struggling to survive for six months, Michele found a job with a car service and can feed and house himself after receiving a work permit. He has since been granted asylum.
- **Francis*, a gay man who fled his native Jamaica, could not support himself without work authorization.** He spent weeks without a permanent place to live, moving from home to home sleeping on the couches of acquaintances who could not afford to financially support him. Now with work authorization, he has a commercial driver's license, is gainfully employed and living in his own apartment. Francis is working with his attorneys to prepare for his asylum hearing later in 2019.
- **Sarai* fled domestic violence and death threats from a notoriously violent Salvadoran gang. She was forced to live with an abusive man in the United States because she lacked work authorization.** Unable to support herself and with no relatives to turn to when she arrived in the United States, Sarai and her son

moved in with a man who abused and threatened her. After receiving work authorization, Sarai found work as a shop clerk and was able to rent a room in a house for herself and her son. After being granted asylum by an immigration judge, Sarai was reunited in the United States with her two older children who she was forced to leave behind in El Salvador, and the family now lives together in their own home.

- **Hassan* suffered brutal political persecution in Sudan before fleeing to seek asylum in the United States, where he ended up homeless without work authorization.** For a short time, he was able to stay with a friend but ended up in a homeless shelter and struggling to access healthy food. He was frightened in the shelter and terrified about how he was going to survive. After getting work authorization, he was able to find a job driving sick patients to their medical appointments and now has a stable place to live. His asylum application is currently pending in the asylum office backlog.
- **Katherine* is a single mother from Honduras who survived significant domestic violence and sought asylum in the United States. She and her children initially stayed with relatives, but they were cruel to Katherine and her children – denying them food and pouring water on their beds so they had nowhere to sleep.** To protect her children Katherine decided the family had to leave, and they ended up in a homeless shelter because she could not work. Once Katherine received work authorization, she completed a home health aide certificate program and found a stable job. Katherine was later granted asylum by an immigration judge. The family is now out of the shelter system and has their own apartment.
- **Lorraine* fled Nigeria to protect herself and her daughter from gender-based violence. Although she qualified as a nursing aide in the United States, Lorraine could not work without employment authorization.** She struggled to feed her children and cover medical costs. The family was forced to sleep at a church shelter. Lorraine’s mental health suffered as a result of the hardships she endured while struggling to support her family without work authorization in the United States, and she was diagnosed with depression. Recently, Lorraine was granted asylum and is finally beginning to rebuild her life.
- **Andrea*, who escaped years of severe violence by a domestic partner in Guatemala, could not support her family without work authorization.** When she first reached the United States, she and her children did not have a secure place to sleep and regularly went hungry. After she received employment authorization, Andrea was able to participate in a home health aide training course. She is now gainfully employed as a certified aide, has stable housing, and can care for her family, while she waits for her asylum hearing in immigration court.

Federal [law](#) does not provide any asylum seeker-specific support, such as income, housing or food assistance. Asylum seekers are considered “[non-qualified](#)” immigrants for purposes of federal public assistance and therefore are generally [ineligible](#) for federal assistance, except in the context of emergency humanitarian circumstances or disaster relief. Federal law permits states to provide state-funded benefits to “nonqualified” immigrants, such as asylum seekers. Only about [half](#) of the states have extended any programs, but eligibility for even these limited benefits is often further restricted to children, the elderly, or asylum seekers with specific health conditions.

Forcing asylum seekers to wait even longer for work authorization would further risk the health, safety, and very lives of the refugees requesting protection in the United States.

*Pseudonyms