



Maine Equal Justice

People Policy Solutions

126 Sewall Street
Augusta, Maine 04330-6822
TTY/Voice: (207) 626-7058
www.maineequaljustice.org

Kathy Kilrain del Rio
Advocacy & Programs Director
kkilraindelrio@mejp.org

MEJ Testimony *Neither For Nor Against* LD 1050, Resolve, Directing the Department of Labor to Request a Federal Waiver to Allow Presumptive Work Eligibility for Asylum Seekers

March 21, 2023

Good afternoon, Senator Tipping, Representative Roeder, and members of the Labor and Housing Committee. My name is Kathy Kilrain del Rio, I use she/her pronouns, and I'm the Advocacy and Programs Director for Maine Equal Justice, a nonprofit legal aid provider working to increase economic security, opportunity, and equity for people in Maine. I am speaking today *Neither For Nor Against* LD 1050.

At Maine Equal Justice, we work every day with Mainers who are seeking asylum. As you've heard from others today, asylum seekers are fleeing conditions that are unimaginable to most of us who were born here in the United States. Their lives and the lives of their family members are at such risk that they have traveled thousands of miles – often through extremely dangerous routes – to start anew where they can find safety and peace.

Under federal law, those seeking asylum cannot receive a work permit prior to 180 days after they have filed their application for asylum. They cannot even submit the request for a work permit prior to 150 days after filing their asylum application and USCIS is supposed to process that work permit request within 30 days, but we often hear of significant delays for individuals of 90 days or more.¹ This means that Mainers seeking asylum must wait at least 180 days and often longer to receive their work permit when they can begin to seek employment.

Immigrants, including asylum seekers, are an important part of communities across our state. They are our neighbors, our children's classmates, our coworkers, our elected leaders. They bring a breadth of education and work experience across many sectors and can play a critical role in addressing workforce challenges about which your committee so often hears.²

For these reasons, we agree with the goal and spirit of this legislation; however, we do not believe there is a waiver which the Commissioner of Labor can request to make this change for asylum seekers in Maine. Congress needs to take action to change the federal regulations around work authorization for asylum seekers. For that reason, we would suggest that this committee, and indeed the full legislature, could send a strong message to our federal

¹ <https://help.asylumadvocacy.org/work-permits/#current-rules>

² <https://www.pressherald.com/2022/09/18/immigrants-may-hold-a-key-to-solving-maines-labor-shortage/>

delegation encouraging them to fight for this change at the federal level. This could be done as a letter from this committee or a joint resolution from the legislature in the form of a memorial.

Maine Equal Justice appreciates the attention you are paying to this issue and we are happy to work with you all to consider innovative solutions to the challenges created by the federal law in this area. Thank you and I am happy to answer any questions you may have.