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Immigration Advocacy Coalition Files Lawsuit Against USCIS for Special Immigrant Juvenile Status Data

*Lawsuit requests data necessary to assess treatment of
tens of thousands of immigrant children vulnerable
under SIJS backlog*

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New York, August 18, 2021 — [The End SIJS Backlog Coalition](#), a national group of directly impacted youth and allied advocates, today announces [a lawsuit](#) against the United States Citizenship and Immigration Services (USCIS) seeking expedited processing of a Freedom of Information Act request for agency data on Special Immigrant Juvenile Status (SIJS) adjudications and applications. The suit, filed by [Milbank LLP](#) on behalf of plaintiffs not-for profit [The Door](#) and [Tulane Law School's Immigrant Rights Clinic](#) Co-Director, Laila Hlass, as part of the broader End SIJS Backlog Coalition, follows USCIS' failure to comply with the plaintiffs' April 2021 FOIA request for data that is necessary to examine trends in the treatment of immigrant children under the SIJS statute, a matter of urgent importance affecting the well-being of tens of thousands of vulnerable immigrant youths.

SIJS allows abandoned, abused and neglected immigrant children to seek lawful permanent resident status and creates a pathway to US citizenship. Yet amid promises of immigration reform from the Administration and Congress, a growing backlog of SIJS youth is leaving thousands of children undocumented and unprotected, forced to wait years to apply for green cards despite being approved for protection by USCIS. The End SIJS Backlog Coalition aims to educate Congress, relevant administrative agencies and the public about the harmful impacts of visa caps on vulnerable immigrant children and to end the backlog.

“The Door and the over 70 partner organizations across the country that form the End SIJS Backlog Coalition are actively working with members of Congress and the Senate to find a legislative solution to the SIJS Green Card Backlog, which undermines the protective purpose of SIJS and leaves immigrant children at risk of exploitation, homelessness and deportation, despite USCIS having approved them for protections,” said Rachel Davidson, Managing Attorney at The Door and End SIJS Backlog Coalition Steering Committee Member. “Congress is in the throes of monumental immigration reform, and if we do not have accurate information on SIJS and the impacts of the backlog on immigrant children, they will be left out of it. Access to this information means the difference between the public and Congress acting to protect tens of thousands of vulnerable immigrant children or doing nothing.”

“There are tens of thousands of immigrant youth that have been prioritized for protection as Special Immigrant Juveniles who are in a legal limbo right now—still vulnerable to deportation, and facing barriers to college, health insurance and more,” added named plaintiff and Tulane immigration law professor Laila Hlass. “We desperately need to understand how these immigrant youth are faring in our immigration system, so we can find immediate solutions.”

The April 2021 FOIA request asked for narrowly tailored USCIS data on applications by immigrant children for SIJS status from 2010 to 2021 to determine if the country is adequately responding to the growing humanitarian needs of these children. The plaintiffs requested expedited processing, which under FOIA should be granted if the records are “urgently needed by an organization primarily engaged in disseminating information to inform the public.” Despite the plaintiffs presenting a clear case for the urgency in addressing the needs of immigrant children, USCIS denied the request for expedited processing without reasoning or analysis justifying the decision and, nearly four months after the initial FOIA request was made, still has not provided the requested records.

Today’s lawsuit, filed in the United States District Court for the District of Columbia, requests that the Court declare that USCIS unlawfully denied expedited processing and order USCIS to grant expedited processing and produce the records as soon as practicable.

“Keeping abused, abandoned, and neglected immigrant children in limbo is completely avoidable by addressing the Special Immigrant Juvenile Status visa backlog. To do this, we need to have better data about the enormity of the problem,” said Diego Cartagena, President & CEO of Bet Tzedek Legal Services and an End SIJS Backlog Coalition Member. “While we are disappointed that we must undertake litigation to help lawmakers to do what is right by these immigrant children, we owe it to our clients, so that they can move forward with the bright futures they envision for themselves.”

Milbank partner Aaron Renenger and associate Stephen Benz represent Ms. Hlass and The Door in the lawsuit as pro bono counsel. Mr. Renenger added, “We are honored to stand alongside our clients in this urgent request for information critical to understanding and addressing the needs of this immigrant youth population. The public is entitled to accountability and transparency from our government agencies, and we must demand such, especially related to urgent immigration issues.”

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About The Door

The Door is an unparalleled model for youth development, offering a comprehensive range of integrated services for nearly 11,000 New York City youth annually. At The Door, youth can access health care and education, mental health counseling and crisis assistance, legal assistance, high school equivalency and college preparation services, career development, housing supports, arts, sports and recreational activities, and nutritious meals – all for free and under one roof.

The Door’s Legal Services Center provides legal and case management services to youth in need of immigration and other civil legal assistance. The Door handles upwards of 2,500 immigration cases per year, and has particular expertise in representing immigrants seeking SIJS status.

Learn more at www.door.org and follow us on [Twitter](#), [Instagram](#) and [LinkedIn](#).

About the End SIJS Backlog Coalition

The End SIJS Backlog Coalition is a national group of directly impacted youth and over 70 allied advocate organizations across the country, working to educate Congress, relevant administrative agencies and the public about the harmful impacts of visa caps on vulnerable immigrant children, and to advocate for an end to the backlog. The coalition aims to center the voices and experiences of SIJS backlog impacted youth, whose stories are the heartbeat of our work and best illustrate how ending the backlog can restore the purpose of the statute — realizing permanent legal protection in the United States for immigrant children who have survived abuse, abandonment and neglect. Learn more at www.sijsbacklog.com and follow us on [Twitter](#).

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