



## IMMIGRATION OPTIONS FOR UKRAINIAN NATIONALS

*(As of April 26, 2022)*

Below are several immigration options for Ukrainian nationals. Some are accessible only for those who are **in the United States**, while others are **also accessible from abroad**, or **only from abroad**. This list is not exhaustive; Ukrainian nationals should consult with immigration attorneys to identify appropriate options.

**TPS.** On March 3, 2022, the Biden Administration announced that Ukraine would be designated for Temporary Protected Status (TPS) because the Russian invasion made it unsafe for the country's nationals to return safely to their homeland. Ukrainian nationals (and individuals without nationality who last resided in Ukraine) who have continuously resided in the US since April 11, 2022 and have had continuous physical presence in the US since April 19, 2022 can file an initial application for TPS as long as they meet other eligibility requirements. The registration period started on April 19, 2022 and will go through October 19, 2023. Those granted TPS are not removable from the US, can obtain a work permit, Social Security number, and may be granted travel authorization.

**Asylum/Refugee Status.** A person in the US (or at the US border) who can prove past persecution or a reasonable fear of future persecution based on race, religion, nationality, political opinion, or membership in a particular social group by the government or a group that the government is unable or unwilling to control can apply for **asylum**.

A person who is abroad can seek **refugee status** on the same grounds. Refugee referrals from the United Nations High Commissioner for Refugees (UNHCR), US embassies, and certain non-governmental organizations are processed through the US Refugee Admissions Program (USRAP). This is typically a lengthy process.

On March 24, 2022, the White House announced "plans to welcome up to 100,000 Ukrainians and others fleeing Russia's aggression through the full range of legal pathways, including the US Refugee Admissions Program." The **Uniting for Ukraine** program announced on April 21, 2022, is part of this commitment.

In addition, the White House announced on April 21 that the Department of State (DOS) will expand referral mechanisms for Ukrainian citizens and others fleeing the war to be considered for permanent refugee resettlement through USRAP. To do so, the US will work with European partners, the UNHCR and non-governmental organizations to identify particularly vulnerable populations including women and girls, children, older persons with special needs, members of ethnic and religious minority groups, LGBTQI+ persons, persons with disabilities, medically fragile individuals, and stateless persons.

**Humanitarian Parole.** Humanitarian parole is a temporary admission to the US for urgent humanitarian reasons or significant public benefit. Parole allows the person to apply for work permit, but it is not an immigration status and does not provide a path to legal permanent residence. Once in the US, an individual who has been paroled can apply for asylum or renew the parole before it expires.

The *Uniting for Ukraine* program, a streamlined process for displaced Ukrainian citizens and their immediate relatives to apply for humanitarian parole, started on April 25, 2022. To be eligible, applicants must have resided in Ukraine prior to the Russian invasion on February 11, 2022 and have been displaced because of the invasion, have a financial supporter in the US, complete vaccinations and other public health requirements, and pass biometric and biographic screening. Those who are approved will be allowed to travel to the US at their own expense, where they may be paroled for a period of up to two years and will be eligible for work authorization. Please note that at his time, children under 18 must travel to the US with their parents or legal guardians.

US supporters can be either individuals or entities, including US citizens and representatives of non-governmental organizations. Supporters will be required to demonstrate the ability to offer financial support to each of the individuals sponsored by filing Form I-134 on line. They will also have to pass security background checks.

Over the past few months, many Ukrainians who traveled to Mexico and presented themselves at the US southern border were granted humanitarian parole in on a case-by-case basis. However, starting on April 25, 2022, Ukrainians who present at the US border without a valid visa or other pre-authorized travel will be denied entry and referred to apply through the *Uniting for Ukraine* program.

**Lautenberg Program.** Protects persecuted religious minorities from the former Soviet Union, including Jews, Evangelical Christians (Baptists, Pentecostals, Seventh Day Adventists, and others), Jehovah's Witnesses, Ukrainian Greek Catholics, and members of the Ukrainian Autocephalous Orthodox Church. A family reunification program allows certain people who live legally in the US to bring in immediate family members who belong to these religious minorities through a resettlement agency.

A list of resettlement agencies is available at [R&P Affiliate Directory \(May 2021\).xlsx \(wrapsnet.org\)](#)

On April 21, the White House announced that DOS will provide more resources in Europe to process Ukrainian citizens for refugee resettlement under the Lautenberg program.

### **Family-based Immigration.**

- A US citizen can petition for an immediate relative - a spouse, parent, or unmarried child under the age of 21 - to get an [immigrant visa abroad](#) or [adjust status in the United States](#) (i.e. to obtain a green card). [A US citizen present abroad may file a family petition for an immediate relative at the nearest US embassy or consulate.](#)
- A US citizen can also petition for siblings, sons, and daughters who are married or over 21 years old. However, this process takes much longer than the one for immediate relatives.
- A United States permanent resident can petition for a spouse, an unmarried child under 21, or a son or daughter over 21. This process also takes longer than the one for immediate relatives.
- [The US Consulate in Frankfurt will process all Ukrainian immigrant visas \(except adoptions will be processed in Warsaw\).](#)

### **Employment-based Immigration.**

- A United States employer can petition for a foreign worker to get an immigrant visa (green card).

### Other measures available on a case-by-case basis.

- Late applications for change/extension of non-immigrant status may be excused if delay is caused by “extraordinary circumstances;”
- People paroled into the United States may be re-paroled;
- Consideration of fee waiver requests due to inability to pay;
- Expedited processing of advance parole requests, off-campus work permits for students on F1 visas experiencing severe economic hardship, replacement of lost or damaged immigration or travel documents, and of other petitions and applications.

**Non-immigrant visas for visitors, students, etc.** Ukrainian nationals can apply at US consulate or embassy in the country where present, depending on appointment availability. On April 21, 2022, the White House announced that European embassies and consulates will increase the number of nonimmigrant visa appointments and expedite visa appointments for individuals with humanitarian, medical, or other extraordinary circumstances.

*If you have questions, you can call Catholic Migration Services at (718) 236-3000, extension 2015, extension 2018, or you can e-mail us at [immigrationassistance@catholicmigration.org](mailto:immigrationassistance@catholicmigration.org) with your name, phone number, languages you speak, and your question.*