



Congress of the United States
House of Representatives
Washington, DC 20515

March 8, 2022

Secretary Alejandro Mayorkas
The Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528

RECEIVED

By ESEC at 12:57 pm, Mar 10, 2022

Dear Secretary Mayorkas,

As Members of Congress, we write you today to ask you to use the authority granted to you under §212(d)(5) and 8 U.S.C. §1182(d)(5) of the Immigration and Nationality Act to reunite American citizens and legal permanent residents (LPRs) with their families who have been displaced by the Russian invasion of Ukraine. Reuniting Americans with their family members as quickly as possible is a strong step toward protecting the family members of Americans from the violence and humanitarian crisis created by Vladimir Putin's invasion of Ukraine.

As of today, almost two million Ukrainians and other nationals, including but not limited to individuals displaced from Belarus and foreign students, residing in Ukraine have been forced to flee into neighboring countries and roughly 200,000 have been internally displaced. Information is still surfacing, but reports indicate that the Russian military has already committed numerous human rights violations and war crimes in the country. The conditions created by the Kremlin's illegal and heinous war against Ukraine has created an extreme humanitarian crisis in Europe. Some individuals in Ukraine may have been at various stages of processing for immigration status in the United States but were unable to complete the process due to the current dangers of remaining in Ukraine. A vast many others may be eligible to immigrate to the United States but had never applied because they had no intentions to leave Ukraine and relocate to the United States prior to the Russian military invasion. Further, many of the Ukrainian refugees and internationally displaced people (IDPs) are the relatives of American citizens and LPRs who may be eligible to file a family based I-130 petition on their behalf to let these displaced or refugee family members join them in the United States. However, in some instances, beneficiaries of these petitions are required to wait in a foreign country for a visa to be granted while this petition is processed, with wait times lasting up to 15 years. We believe this timeline is unsustainable due to the current humanitarian crisis. To meet the current need, we believe a new Ukraine-based program, allowing these eligible family members to be paroled into the United States while waiting for their visas to be granted, would be the appropriate response to this humanitarian crisis. This action would be similar to the Haitian Family Reunification Program created by the Obama Administration in 2014 and would maintain the integrity of our immigration system.

The Haitian Family Reunification Program was established to allow certain eligible U.S. citizens and LPRs to apply for parole for their family members in Haiti. Under the Ukrainian version of this program, eligible family members of American citizens and LPRs in Ukraine or displaced from Ukraine could be paroled into the United States before their immigrant visa priority dates were granted. Once in the United States, these noncitizens could apply for discretionary work authorization while they wait for their I-130 petitions to be processed to then apply for lawful permanent resident status. This program would not allow Ukrainian family members to bypass the American immigration system but would allow for a quicker way to remove these individuals from a truly life-threatening situation. We additionally support the eligibility of legal service providers, houses of worship, and nonprofit organizations as sponsors, given that some seeking parole may not have known family members in the United States.

Mr. Secretary, as the humanitarian crisis grows, we must react. At this critical juncture, we stand ready to work with the Administration to act on our solidarity with the people of Ukraine. We believe that this program should be initiated for Ukrainian nationals as quickly as possible and should allow for new I-130 petitions not yet filed to come within its ambit for eligible Ukrainians.

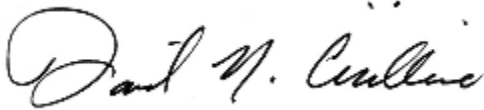
Sincerely,



William R. Keating
Chair
Subcommittee on Europe, Energy,
the Environment, and Cyber



Jamaal Bowman, Ed.D.
Member of Congress
Member of the Congressional Ukraine
Caucus



David N. Cicilline
Chair of the House Judiciary
Subcommittee on Antitrust, Commercial
and Administrative Law



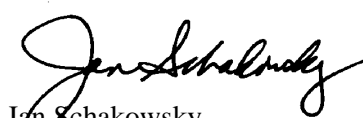
Brian Fitzpatrick
Ranking Member of the House Foreign Affairs
Subcommittee for Europe, Energy,
the Environment and Cyber
Co-Chair of the Congressional Ukraine Caucus



Mike Quigley
Member of Congress
Co-Chair of the Congressional Ukraine Caucus



Eleanor Holmes Norton
Member of Congress



Jan Schakowsky
Member of Congress



Bonnie Watson Coleman
Member of Congress



Marcy Kaptur
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



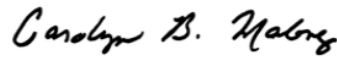
David Trone
Member of Congress



Earl Blumenauer
Member of Congress



Jamie Raskin
Member of Congress



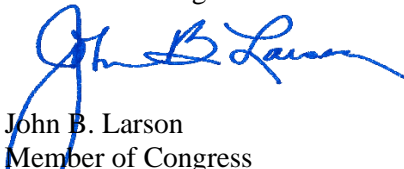
Carolyn B. Maloney
Member of Congress



Jahana Hayes
Member of Congress



Jim Costa
Member of Congress



John B. Larson
Member of Congress



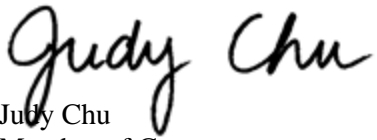
James P. McGovern
Member of Congress



Adriano Espaillat
Member of Congress



Deborah K. Ross
Member of Congress



Judy Chu
Member of Congress



Jimmy Panetta
Member of Congress



Ilhan Omar
Member of Congress



Dina Titus
Member of Congress



Raja Krishnamoorthi
Member of Congress



Betty McCollum
Member of Congress



Kathy Manning
Member of Congress



Ayanna Pressley
Member of Congress



Andy Levin
Member of Congress



Juan Vargas
Member of Congress



Ted Deutch
Member of Congress



Karen Bass
Member of Congress



Adam B. Schiff
Member of Congress



Steve Cohen
Member of Congress



U.S. Citizenship
and Immigration
Services

May 16, 2022

The Honorable William R. Keating
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Keating:

Thank you for your March 8, 2022 letter to the Department of Homeland Security (DHS) regarding the exercise of parole authority for Ukrainian family members of U.S. citizens and lawful permanent residents. Secretary Mayorkas asked that I respond on his behalf.

On April 21, 2022, DHS announced a new streamlined process, Uniting for Ukraine (U4U), to provide Ukrainian citizens who fled Russia's unprovoked war of aggression with opportunities to come to the United States.¹ To be eligible, Ukrainians must have been residents in Ukraine as of February 11, 2022, have a U.S.-based supporter, complete vaccinations and other public health requirements, and pass biometric and biographic screening and security background checks.

As of April 25, 2022, U.S.-based individuals interested in supporting Ukrainian beneficiaries can file a Form I-134, Declaration of Financial Support, with U.S. Citizenship and Immigration Services (USCIS) as the first step in the U4U process. Individuals are vetted to ensure they can assist those they agree to support. USCIS will reach out to the Ukrainians named in approved Forms I-134 with instructions on how to initiate vetting and apply for a travel document that will authorize them to travel to the United States and be considered for parole, on a case-by-case basis, for a period of two years. Once paroled through this process, Ukrainians are eligible to apply for employment authorization. More details on who is eligible to provide support and who can be considered for parole under U4U can be found on the U4U landing page.²

Secretary Mayorkas also announced the designation of Ukraine for Temporary Protected Status (TPS) for 18 months to offer protection for individuals who have been residing in the United States since April 11, 2022 and who are nationals or who last habitually resided in Ukraine.³ TPS allows eligible Ukrainian nationals in the United States to remain and authorizes

¹ See <https://www.uscis.gov/humanitarian/uniting-for-ukraine>

² <https://www.uscis.gov/humanitarian/uniting-for-ukraine>

³ <https://www.dhs.gov/news/2022/03/03/secretary-mayorkas-designates-ukraine-temporary-protected-status-18-months>

them to work lawfully. The Department recently published a Federal Register notice with instructions for applying for TPS and an Employment Authorization Document. In addition, USCIS recently released an alert providing individuals with critical information about immigration avenues that may be available entitled, *"Immigration Help Available to Those Affected by Special Situations, Including the Invasion of Ukraine."*⁴

To further support the President's recent commitments, DHS is also working to expand current legal pathways and develop new programs. We are coordinating our efforts closely with our European allies and partners who are on the front lines of this refugee crisis. Individuals, depending on location and circumstances, may be eligible for a nonimmigrant visa, an immigrant visa, TPS, asylum, the U.S. Refugee Admissions Program, or the new U4U process for applying for parole.⁵

Thank you again for your letter and interest in this important issue. The cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou
Director

⁴ <https://www.uscis.gov/newsroom/alerts/immigration-help-available-to-those-affected-by-special-situations-including-the-invasion-of-ukraine>

⁵ https://www.dhs.gov/sites/default/files/2022-03/Fact%20Sheet%20on%20DHS%20Efforts%20to%20Assist%20Ukrainian%20Nationals_1.pdf