

Congress of the United States

Washington, DC 20510

February 28, 2022

Dear The Honorable Joseph R. Biden, Jr.
President of the United States of America
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
301 7th St, SW
Washington, DC 20528

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C St, NW
Washington, DC 20520

RECEIVED

By ESEC at 12:51 pm, Mar 02, 2022

Dear President Biden, Secretary Mayorkas, and Secretary Blinken,

We write to express our concern that the Russian military invasion in Ukraine, an ongoing armed conflict, makes it impossible for Ukrainian nationals in the United States to return to the country. The Migration Policy Institute estimates that roughly 30,000 Ukrainians in the United States would be potential beneficiaries of Temporary Protected Status (TPS) or Deferred Enforced Departure, as they do not have U.S. citizenship or permanent status.¹ We urge you to immediately designate for 18-months TPS and Special Student Relief (SSR) for Ukrainians, launch a public information campaign to notify those eligible of the available relief and any actions they must take, and provide at least a 180-day registration period in light of the ongoing COVID-19 pandemic.

On February 23, 2022, shortly after Russia launched its invasion, President Biden stated that the war “will bring a catastrophic loss of life and human suffering.”² Senior Biden administration officials, briefing lawmakers on February 3, 2022, warned that a full invasion could result in potential deaths of 25,000 to 50,000 civilians, 5,000 to 25,000 members of the Ukrainian military, and 3,000 to 10,000 members of the Russian army.³ Officials also estimate that the

1 Julia Gelatt, Twitter Post, Migration Policy Institute, February 24, 2022, https://twitter.com/J_Gelatt/status/1496964648188456964.

2 Statement by President Biden on Russia’s Unprovoked and Unjustified Attack on Ukraine, The White House (Feb. 23, 2022), <https://www.whitehouse.gov/briefing-room/statements-releases/2022/02/23/statement-by-president-biden-on-russias-unprovoked-and-unjustified-attack-on-ukraine/>.

3 Helene Cooper and David E. Sanger, U.S. Warns of Grim Toll if Putin Pursues Full Invasion of Ukraine, New York Times (Feb. 5, 2022), <https://www.nytimes.com/2022/02/05/us/politics/russia-ukraine-invasion.html>.

conflict could produce one million to five million refugees.⁴ The UNHCR has stated, “the humanitarian consequences on civilian populations will be devastating.”⁵

The human costs of armed conflict are clear and will contribute to current humanitarian crises in the country. Almost 1.5 million internally displaced people live in Ukraine, mostly from the disputed Donbas region and the Crimean peninsula.⁶ Last year, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) estimated that 3.4 million people living in Ukraine need humanitarian assistance.⁷ The Ukraine Humanitarian Response Plan (HRP) called for \$168 million to assist 1.9 million people in 2021.⁸ However, in August 2021, the Ukraine HRP was only 27 percent funded, demonstrating a level of unmet need even before the current military invasion.⁹

Given the already unmet humanitarian need in the country and the effects of the armed conflict with Russia, the Ukrainian government is in no state to receive TPS and SSR eligible Ukrainians. Returning these Ukrainians to an at-war country would further destabilize the country by inundating them with a large number of deportees. Their return would also put these Ukrainian individuals in great personal danger. A widespread conflict and refugee crisis like that unfolding in Ukraine is exactly what the TPS and SSR designations were designed for. TPS and SSR for Ukrainians support U.S. foreign policy goals by alleviating pressure on the Ukrainian government during the ongoing humanitarian crisis.

We request that you designate TPS and SSR for 18-months for Ukraine, and launch a culturally competent public information campaign to notify the impacted community of the decision and any actions that they must take. We thank you for your attention and request urgent action on this matter.

Sincerely,

⁴ *Id.*

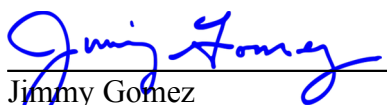
⁵ Statement on the situation in Ukraine attributed to UN High Commissioner for Refugees Filippo Grandi, UNHCR (Feb. 24, 2022), <https://www.unhcr.org/en-us/news/press/2022/2/621770524/statement-situation-ukraine-attributed-un-high-commissioner-refugees-filippo.html>


⁶ Обліковано 1 473 650 внутрішньо переміщених осіб; Ukraine: Internally Displaced Persons, UNHCR, <https://www.unhcr.org/ua/en/internally-displaced-persons>.


⁷ Humanitarian Needs Overview 2021: Ukraine, OCHA (Feb. 2021), https://reliefweb.int/sites/reliefweb.int/files/resources/hno_2021-eng_-_2021-02-09.pdf.


⁸ Ukraine Humanitarian Funding Priorities (Aug. - Dec. 2021), OCHA (Aug. 18, 2021), <https://reliefweb.int/report/ukraine/ukraine-humanitarian-funding-priorities-august-december-2021-enuk>.

⁹ *Id.*



Jimmy Gomez
Member of Congress



Brendan F. Boyle
Member of Congress



James P. McGovern
Member of Congress



Bill Pascrell, Jr.
Member of Congress

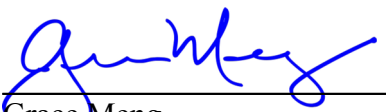

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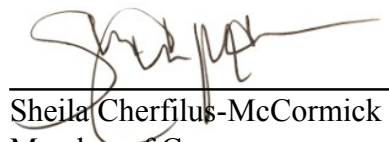
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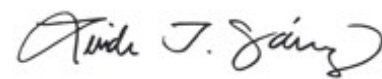
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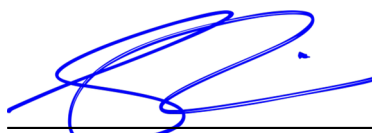
Danny K. Davis
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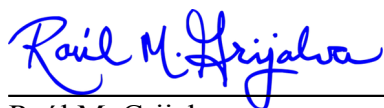
J. Luis Correa
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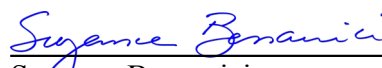
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Sharice L. Davids
Member of Congress



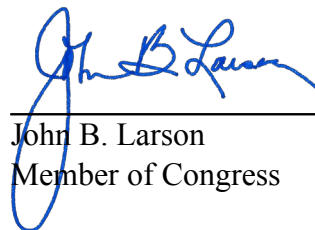
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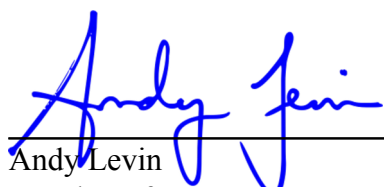
Suzanne Bonamici
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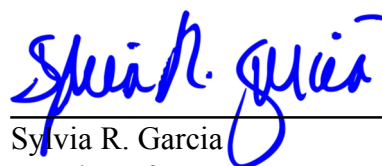
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Andy Levin
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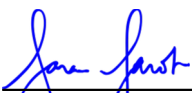
Maria Elvira Salazar
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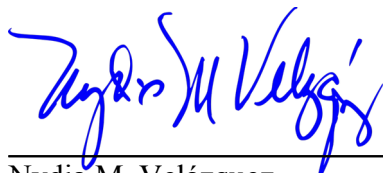
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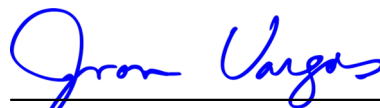
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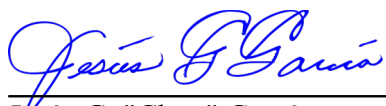
Brad Sherman
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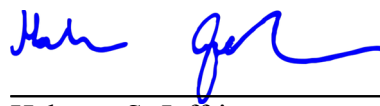
Lizzie Fletcher
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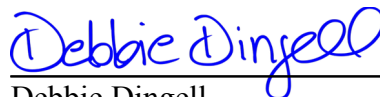
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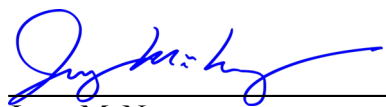
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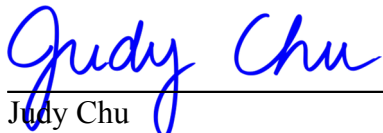
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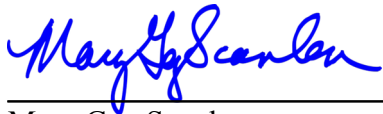
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Karen Bass
Member of Congress
Chair, Subcommittee on
Africa, Global Health, and
Global Human Rights



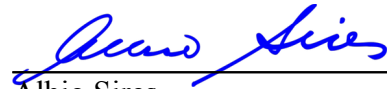
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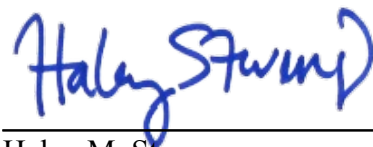
Mike Quigley
Member of Congress



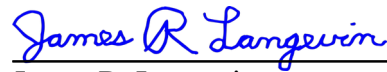
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Albio Sires
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James R. Langevin
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Charlie Crist
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Madeleine Dean
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Donald Norcross
Member of Congress



Vicente Gonzalez
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Ritchie Torres
Member of Congress



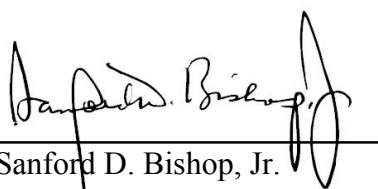
Marie Newman
Member of Congress



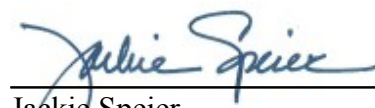
A. Donald McEachin
Member of Congress



Jared Huffman
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Sanford D. Bishop, Jr.
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Donald M. Payne, Jr.
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Member of Congress



Pramila Jayapal
Member of Congress



**U.S. Citizenship
and Immigration
Services**

May 16, 2022

The Honorable Jimmy Gomez
U.S. House of Representatives
Washington, DC 20515

Dear Representative Gomez:

Thank you for your February 28, 2022 letter to the Department of Homeland Security (DHS) requesting Temporary Protected Status (TPS) or Deferred Enforced Departure for Ukrainian nationals, and Special Student Relief for Ukrainian students. 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 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

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>

nationals in the United States to remain and authorizes 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 horizontal line.

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