



February 28th, 2023

Hon. Alejandro N. Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

RECEIVED

By ESEC at 1:13 pm, Feb 28, 2023

RE: Supporting Ukrainians Entering on Humanitarian Parole along the U.S. Southern Border and Uniting for Ukraine (U4U)

Dear Secretary Mayorkas:

Thank you for your continued leadership over the past year in supporting Ukrainian newcomers fleeing violence in Ukraine. On behalf of Jewish Federations of North America (Jewish Federations), HIAS, and the Network of Jewish Human Service Agencies (NJHSA), we now urgently request that you update key policies to address the challenges facing some Ukrainian humanitarian parolees residing in the U.S.

We understand that the administration is currently working to address the upcoming expiration of parole for many Ukrainians, and we thank you for that. However, we are concerned about the current lack of a clear process for re-parole for this group, and we encourage USCIS to move expeditiously to rectify this situation.

Data suggest that up to [20,000 Ukrainians](#) on humanitarian parole are at risk of accruing unlawful presence, losing work authorization, and being placed in removal proceedings. As the war in Ukraine rages without signs of abating, the humanitarian situation continues to worsen due to regular [attacks on civilian infrastructure](#) that make the necessity of this process urgent.

We therefore urge DHS to take the immediate policy actions:

1. **Establish a clear process for individuals to request re-parole *in a timely manner* or provide automatic extensions.** Individuals with parole live in fear of their status expiring, but they do not know what the correct process is when they receive conflicting information.
2. **Provide for automatic extensions of work authorization and benefits eligibility through the Office of Refugee Resettlement (ORR).** DHS should automatically extend work authorizations for parolees either renewing or changing their status.

3. **Redesignate and extend Temporary Protected Status for Ukraine.** TPS for Ukraine is currently set to expire on October 19, 2023 and only people with residence in the U.S. from April 11, 2022 are eligible. As one of the primary forms of protection for Ukrainians fleeing violence, allowing TPS to expire would leave thousands without protection. TPS for Ukraine should be extended for 18-months and redesignated to allow parolees who entered after April 19, 2022 to also receive protection under the program.
4. **Allow Ukrainian religious minorities who are in the Lautenberg pipeline¹ to be considered for refugee status².** At the time of the 2022 Russian invasion, approximately 17,000 Ukrainian applicants for refugee status through the Lautenberg program were in the queue. Many of these were paroled into the United States under the “Uniting for Ukraine (U4U)” program, without knowing how U4U would impact their eligibility for the U.S. Refugee Admissions Program. DHS should take immediate steps to ensure that a non-citizen who is in the Lautenberg Amendment pipeline and has been paroled into the United States for humanitarian reasons, may apply from within the U.S. and be considered for refugee status under section 207 of the Immigration and Nationality Act. At the very least, USCIS should, without further delay, advise Lautenberg-eligible U4U parolees on how they can pursue refugee status without undue hardship and expense.

The American Jewish community has a long history of successfully resettling and supporting refugees. As many Jewish Americans have Ukrainian ancestry, our community has been directly affected by the Ukraine crisis and our respective organizations have leveraged our collective experience to respond strongly. HIAS is the international Jewish humanitarian agency that provides vital services to refugees and asylum seekers in 22 countries, including the United States. HIAS has played an instrumental role in developing Welcome Circles for Ukrainians in cities around the country. NJHSA is an international association of over 160 nonprofit human service agencies, most located across the U.S., 18 of which serve as HIAS resettlement affiliates, and many more of which are providing direct services to displaced Ukrainians. Jewish Federations represents 146 Jewish Federations and 300 independent Jewish communities across the country that support thousands of affiliated agencies. Since the Ukraine crisis began, Jewish Federations, in partnership with HIAS and NJHSA, launched a grant program to support Jewish communities resettling over 1,000 displaced Ukrainians in 20 communities.

Together, our agencies have risen to meet the needs of the thousands of Ukrainians seeking refuge in the United States, but we are deeply concerned about significant challenges that will negatively impact their status. Currently, both U.S. Citizenship and Immigration Services (USCIS) and U.S. Customs and Border Protection (CBP) have the legal authority to authorize humanitarian parole for

¹ Section 599(d) of PL 101-167 (as amended).

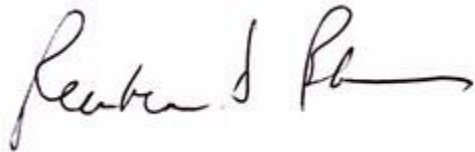
² Section 207 of the Immigration and Nationality Act

noncitizens. However, there is no clear process or guidance for how Ukrainians should efficiently request re-parole and from which agency, leading to confusion and delays.

Thank you for considering these urgent requests to protect Ukrainians fleeing war and violence. Providing Ukrainians with lawful pathways to enter the U.S. was an applauded effort and now it is time for our country to fulfill our commitment to protect this population. We look forward to working with DHS to address these concerns.

With any questions, please contact Darcy Hirsh, Associate Vice President, Public Affairs and Government Relations, at darcy.hirsh@jewishfederations.org, or Naomi Steinberg, Vice President, Policy and Advocacy, HIAS at naomi.steinberg@hias.org.

Sincerely,



Reuben Rotman
President & Chief Executive Officer
Network of Jewish Human Service Agencies



Mark Hetfield
President & Chief Executive Officer
HIAS



Elana Broitman
Senior Vice President, Public Affairs
Jewish Federations of North America



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

April 4, 2023

Mr. Rueben Rotman
President & Chief Executive Officer
Network of Jewish Human Service Agencies
rrotman@networkjhsa.org

Dear Mr. Rotman:

Thank you for your February 28, 2023 letter to the Department of Homeland Security (DHS) addressing the continuity of parole, employment authorization, Temporary Protected Status (TPS), and other benefits for Ukrainian nationals. Secretary Mayorkas asked that I respond on his behalf.

U.S. Citizenship and Immigration Services (USCIS) shares your commitment to ensuring continuity of protection and employment authorization for Ukrainian parolees. We understand the uncertainty individuals are experiencing related to the upcoming expiration of their initial parole period and associated employment authorization. On March 14, 2023, DHS announced it will consider Ukrainian nationals and immediate family members who were paroled before Uniting for Ukraine for an extension of the parole period and employment authorization, if applicable. Specifically, individuals paroled into the United States at a port of entry between February 24, 2022 and April 25, 2022 will be considered for an extension. DHS is in the process of considering these individuals, on a case-by-case basis, for a one-year extension of their period of parole to align with the two-year parole period provided under Uniting for Ukraine. DHS estimates it will take approximately four weeks to consider and vet all the individuals in the group and will review cases based on the date of parole. We will use all available tools, including online updates and stakeholder messaging, in order to keep this population of parolees informed on this process as details become available.

In your letter, you also advocated for extending and redesignating TPS for Ukraine. TPS is integral to our efforts to build a fair, orderly, and humane immigration system. As you know, on April 19, 2022, DHS announced a new TPS designation for Ukraine (87 FR 23211). Additionally, on July 21, 2021, USCIS made both the Form I-821, Application for Temporary Protected Status, and Form I-765, Application for Employment Authorization, available for online filing for certain TPS applicants and expanded it to all TPS applicants in November 2021. In July 2022, USCIS published a Temporary Final Rule to increase the automatic extension of employment authorization documents (EADs) from 180 days to up to 540 days for certain EAD renewal applicants, including certain TPS applicants and beneficiaries. While this does not apply to initial EAD applications filed by TPS applicants, it can be helpful to Ukrainian nationals who are already TPS beneficiaries. These efforts will enable USCIS to efficiently process applications for employment authorization and TPS and provide for associated services. We understand the

Mr. Rueben Rotman

Page 2

difficulty associated with waiting for EAD issuance upon applying. USCIS will continue to explore all options available to improve operational efficiency through additional staffing, technology improvements to streamline case processing, and policy decisions that support these efforts.

As required by the Immigration and Nationality Act (INA), at least 60 days before the expiration of a foreign state's TPS designation or extension, the Secretary, after consultation with appropriate government agencies, must review the conditions in the foreign state to determine whether the conditions for the TPS designation continue to be met. The Secretary will again review conditions at least 60 days before the extension period ends and will consult with the Department of State to explore whether to extend and/or to redesignate Ukraine for TPS. DHS continues to closely monitor conditions in Ukraine and shares your concerns about the ongoing situation.

Your letter also provided several creative and insightful solutions for various hurdles faced by Ukrainian nationals, including those who had pending refugee cases. USCIS will consider these ideas, but please note INA section 207 provides the framework for refugee processing for someone who is located outside of the United States, whereas INA section 208 provides the framework for seeking asylum for individuals who are located in the United States. Information about requesting asylum within the United States may be found on the USCIS website: <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum>.

Thank you again for your letter and interest in this important issue. Please share this response with the other organizations that cosigned your letter. Should you require any additional assistance, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal flourish extending to the right.

Ur M. Jaddou
Director