



**VECINA Update**  
**Uniting for Ukraine Beneficiaries:**  
**Preparing for Interview with U.S. Customs and Border Protection**

The following are general guidelines for topics relating to the Customs and Border Protection (“CBP”) interview that U.S. attorneys may wish to address with individuals preparing to enter the U.S. under the Uniting for Ukraine (“U4U”) program. This is not a comprehensive list of topics. If you would like to suggest modifications to this list, please contact us at [ukraine@vecina.org](mailto:ukraine@vecina.org).

**General points**

- **Be polite.** Be very polite to all CBP personnel and treat them with respect.
- **Tell the truth.** Answer all questions truthfully. There are potential serious repercussions for material misrepresentation to CBP personnel.
- **No right to a lawyer.** Persons in CBP custody do not have the right to consult with a lawyer or to have a lawyer present.
- **Despite being granted travel authorization, you may be denied parole.** If denied parole, you may be given the opportunity to request a “withdrawal of request of admission,” meaning you can choose to buy a new plane ticket to any other country where you have valid immigration status. If you do not want to leave the U.S. you have the right to request asylum and an opportunity to see an immigration judge. **You may be detained in U.S. Immigration and Customs Enforcement (ICE) custody if denied parole and you ask for asylum.**

**How to prepare personally for for CBP processing**

- **Prepare for the possibility of long processing.** CBP processing time for U4U applicants is varying between 20 minutes and several hours.
- **Alert your family before you enter CBP processing.** While you are being processed by CBP, you may not be allowed to call your family for several hours. Please plan accordingly in advance.
- **Dress warm.** Processing areas are usually cold, so dress in layers and bring warm clothes.



- **Eat in advance.** Try to eat well and ensure that children traveling with you eat well before your plane lands because you likely will not be able to access any snacks during CBP processing.
- **Prepare to separate from family members.** Men and women may be separated during processing, and family members may be interviewed separately.
- **Prepare to submit to fingerprinting.** CBP will take your fingerprints during their interview.

### Your documents and electronic devices

- **Documents required for entry.** The following documents are required for entry:
  1. **Valid passport.**
    - A child without their own passport must be included in a parent's passport.
  2. **Travel Authorization** from myUSCIS account.
    - Note that the Travel Authorization is valid for 90 days.
- **Documents recommended for entry.** While personal circumstances may vary, the following is a list of documents recommended to have for entry:
  1. **Birth certificates** for each child traveling with a biological parent.
  2. **Proof of legal guardianship issued by a government authority** for any traveler under 18 not traveling with a biological parents. (See note about what proof of legal guardianship means in the section below regarding travelers under 18 years of age.)
- **Special note regarding vaccines and proof of negative COVID-19 test:**
  1. **Vaccines.** Beneficiaries must complete the required vaccination attestations. Beneficiaries will not need to upload documentation regarding vaccination records or other medical documentation to USCIS once in the U.S. Note that they may be required to show proof COVID-19 of vaccines elsewhere, such as when boarding their flight to the U.S.
  2. **Proof of negative COVID-19 test or documentation of recovery from COVID-19 is no longer required.** As of June 12, 2022, CDC no longer requires passengers traveling from a foreign country to the U.S. to show a negative COVID-19 viral test or documentation of recovery from COVID-19 before they board their flight.

**Disclaimer:** this document provides general information and does not constitute legal advice. VECINA is not responsible for any actions taken in reliance on this document.

**Currentness:** this document is based on information that was publically available as of July 15, 2022.



- ***Make copies of important documents in advance.*** CBP may keep certain original documents, including passports and birth certificates. Make copies of all important documents before entering the U.S.
- ***Electronic devices may be searched.*** While this is rare, CBP may ask you to provide passwords to your electronic devices, and search your electronic documents. If you refuse, they can seize your devices and may detain you.

### Questions CBP may ask

- ***Your biographical information.*** CBP may ask to verify biographical information that was included in the U4U application process.
- ***Your sponsor.*** Have the name and contact information for your sponsor with you for reference in case CBP asks to verify any part of this information.
- ***Your qualification for the U4U program.*** Please see the section below regarding the required qualifications for the U4U program.
- ***Your criminal background.*** CBP may ask questions regarding your criminal record and criminal history. Please answer all questions truthfully.
- ***Your political affiliations or views.*** CBP may ask questions regarding political views. Please answer all questions truthfully.
- ***Your plans to work in the U.S.*** It is illegal to work in the U.S. without a valid work authorization. Individuals who enter the U.S. through the U4U program are permitted to apply for work authorization, and once this work authorization is obtained, may work legally in the U.S. The process to obtain a work authorization may take many months. It is not permissible to seek employment merely because you qualify for a work authorization, or a work authorization application has been submitted.

### U4U Program qualifications you should be aware of

1. ***Program is for Ukrainian citizens and their non-Ukrainian immediate family members only.***
  - a. Ukrainian citizen must possess a valid Ukrainian passport (or be a child included on a parent's passport);
    - If not a Ukrainian citizen, must be an immediate family member of a Ukrainian citizen beneficiary under the U4U program with a valid passport.

- b. Immediate family members in this process include:
  - the spouse or common-law partner of a Ukrainian citizen; and
  - their unmarried children under the age of 21.
- c. Non-Ukrainian immediate family members must be traveling to the United States with the Ukrainian citizen.
2. ***Being outside the U.S. is required.***
3. ***Residence in Ukraine through February 11, 2022.***
  - a. *NOTE:* DHS has stated that this is a guideline and not a strict requirement and is intended to be interpreted broadly, to encompass all individuals affected by the war who otherwise qualify for the program.
4. ***Being “displaced” as a result of the Russian invasion.***
  - a. *NOTE:* DHS previously advised in their April 26, 2022 briefing call that the “displaced” requirement is intended to be interpreted broadly, to encompass all individuals affected by the war who otherwise qualify for the program.
5. ***Have an approved sponsor.*** Must have a sponsor in the U.S. who filed a Form 1-134 that USCIS has confirmed as sufficient.
6. ***Clear biographic and biometric security checks.*** These checks and fingerprinting will be performed by CBP.
7. ***Attest to vaccination requirements.*** Required vaccines are for measles, polio, and COVID-19. If not previously vaccinated, individuals will need to attest to receiving a first dose of required vaccines prior to obtaining travel authorization to come to the U.S. Beneficiaries will not be required to upload documentation showing proof of vaccination or other medical documentation to USCIS once the beneficiaries are in the U.S. Note that they may be required to show proof COVID-19 of vaccines elsewhere, such as when boarding their flight to the U.S.
8. ***Children under age 18 must be traveling to the U.S. in the care and custody of their parent or legal guardian.*** See section below on travelers under 18 years of age.

#### **Travelers under 18 years of age**

1. ***All travelers under 18 years of age must be accompanied by a biological parent, or a legal guardian established by a government authority.***

- Upon arrival at a U.S. port of entry, a child who is not traveling with their parent or legal guardian may be placed in the custody of the Department of Health and Human Services (HHS), as required by law under the Trafficking Victims Protection Reauthorization Act of 2008 (TVPPRA), to protect the child from human trafficking and other forms of exploitation.
2. **Valid proof of legal guardianship strongly recommended.**
    - A legal guardian is an individual who:
      1. Has been granted legal custody of an individual or minor, by a court, or by the State or recognized governmental entity; and
      2. Can lawfully exercise and assume legal obligations on an individual's or minor's behalf.
    - Thus, proof of legal guardianship must be issued by a government authority.
    - NOTE: Power of attorney documents do not establish guardianship under this requirement.
    - A certified translation of the legal guardianship document is strongly recommended.
  3. **Birth certificate strongly recommended.** A birth certificate to prove that a child traveling with you is your biological child is strongly recommended. A certified translation of the birth certificate is strongly recommended.

#### What to request from CBP

1. **Humanitarian Parole for two years.** Ask for Humanitarian Parole status for two years under the Uniting for Ukraine program.
2. **Form I-94.** You will need to receive a Form I-94 with a designation that indicates that Humanitarian Parole status has been granted.
  - Note: you can also access your I-94 online.

#### Other notes

1. **You do NOT need a visa to enter the U.S. under the U4U program.** You only need the travel authorization issued through the U4U process.
2. **Medical screening and attestation within 90 days of arrival.**
  - a. Within 90 days of arrival to the U.S., all individuals two years of age or older will need to complete a medical screening for tuberculosis, including an *Interferon-Gamma Release Assay (IGRA) blood test*, and complete an



attestation regarding the tuberculosis screening in the beneficiary's USCIS online account.

- This is a change from the initial requirement, which was to complete the medical screening within 14 days of arrival to the U.S.
  - The medical screening for tuberculosis, including an Interferon-Gamma Release Assays (IGRA) test, may be conducted by a qualified laboratory or State public health department.
  - Beneficiaries who test positive for tuberculosis must take appropriate measures, including additional screening, such as a chest radiograph, isolation, and treatment.
- b. Within 90 days of arrival to the U.S., all individuals younger than two years of age must complete the tuberculosis screening attestation in their USCIS online account. Individuals younger than two years of age are exempt from the medical screening for tuberculosis.