



CHALLENGES FACING UKRAINIANS IN THE UNITED STATES

Current Threats and Protections:

Hundreds of thousands of Ukrainians are estimated to be in the United States on temporary statuses. However, there is a dire lack of options for Ukrainians to remain here safely due to current immigration policies.

Almost 240,000 Ukrainians were paroled through the **Uniting for Ukraine (U4U) program** between May 2022 and December 2024, before **DHS indefinitely suspended the program in January 2025**. Approximately 30,000 additional Ukrainians were granted humanitarian **parole at the U.S. border**. Tens of thousands of Ukrainians were also admitted on **non-immigrant visas** between 2022 and 2025.[†] At the same time, numerous Ukrainian students, visitors, and temporary workers were already present in the United States at the time of Russia's full-scale invasion and were unable to return to Ukraine.

Those who entered on humanitarian parole were subsequently allowed to apply for **re-parole**. Not all Ukrainians are approved for re-parole, but those that are can typically remain here for up to two more years. Some Ukrainians were also able to apply for **Temporary Protected Status (TPS)**, which granted them the right to live and work here during the TPS period. However, TPS is currently open only to citizens of Ukraine who arrived in the U.S. by August 16, 2023 and don't have disqualifying criminal or other factors. This precludes non-Ukrainian spouses and children of Ukrainian citizens, as well as those who arrived after that date. Even Ukrainians who currently hold or are applying for TPS only have protection **through October 19, 2026**, the last day of Ukraine's extended designation. As of today, **Ukraine's TPS designation has not been extended or renewed**.

Now, many Ukrainians who sought refuge in the United States are stuck in limbo with **expired or soon-expiring legal statuses and work permits** due to lengthy processing delays and administrative suspensions. Average TPS processing times exceed 10-12 months, and work permit renewals have not kept up with expiration dates. Re-parole delays in 2025 left many Ukrainians waiting for 6-12 months with expired status and employment authorization, yet those who applied more than 6 months before their parole expiration were denied re-parole.

While Ukrainians wait to be approved for temporary protections, the reality is most Ukrainians who came here temporarily are **not eligible to pursue long-term statuses**. Although some Ukrainians have applied for **affirmative asylum to USCIS**, the **legal criteria are difficult for many Ukrainians to meet** due to current statutory requirements. Simply fleeing war is not a sufficient qualification on its own, preventing many hopeful Ukrainians from making a strong asylum claim. Those who are requesting **defensive asylum in removal proceedings are even less likely to prevail, as asylum grants by immigration courts have all but vanished** under the current immigration directives.



An estimated 12,000 Ukrainians were selected in the Diversity Lottery and qualified for visas between 2022 and 2024.[†] Unfortunately, the State Department has **suspended new Diversity Visas**, and USCIS is not allowing new applicants to apply for adjustment of status through previously issued diversity visas, closing off a key route for Ukrainians who have no other permanent options.

Without diversity visas and asylum grants, most Ukrainians currently in the United States are **unable to pursue green cards**. Few Ukrainians have qualifying relatives who can sponsor them for a family-based immigrant visa. Those who seek green cards through employers are unable to pursue immigrant visas without leaving the United States. They must interview at the U.S. consulate in Ukraine or another country where they have residence, and by doing so, they risk not being allowed to re-enter the United States. Additionally, Ukrainians who entered on humanitarian parole are not allowed to apply for adjustment of status through an employment-based immigrant visa. They must leave and be formally admitted on another status upon return. Likewise, humanitarian parolees are not able to seek non-immigrant visas from inside the U.S., preventing them from obtaining temporary work visas.

As a result, some Ukrainians have been forced to leave the United States after **waiting up to a year or more for re-parole, TPS, asylum, and employment authorization**. Ukrainians who worked hard, paid taxes, and contributed to their communities have lost their jobs, benefits, driver's licenses, and housing due to expired statuses. Others could not afford the **skyrocketing application fees**, especially families with children, ill or disabled family members, and elderly individuals. Current **re-parole and work permit renewal fees add up to \$2,350 - \$2,450 per person**, which is cost-prohibitive for some Ukrainians.^{††}

Compounding these challenges, new regulations have made many **work permits valid for only one year, forcing applicants to keep re-applying**, paying high fees, and waiting a long time to receive new work permits. Additionally, USCIS has published a rule that aims to **prevent asylum seekers from applying for work permits** until at least a year after they file their asylum application, closing off yet another route for employment authorization.

While work permits become more challenging to maintain, new rules significantly **restrict noncitizen eligibility for commercial driver's licenses (CDLs) and commercial learner's permits (CLPs)**, effectively putting them out of reach for most Ukrainians. Not only does this harm U.S. businesses and consumers, it eliminates a major source of income for many recently arrived **Ukrainians who relied on driving trucks to support their families**.

[†] These numbers are estimates based on data provided by U.S. government and media sources. While efforts have been made to verify their accuracy, they cannot be guaranteed and should not be relied upon for legal purposes.

^{††} These costs are current as of March 2026. They represent the online and mail application fees for Forms I-131 and I-765, plus the additional parole grant fee.



To make matters worse, increasingly **aggressive immigration enforcement policies have led to hundreds of Ukrainians being detained by ICE** and other law enforcement authorities, even those with unexpired statuses. Ukrainian communities across America live in fear of going to work, sending children to school, and traveling domestically. At particular risk are commercial drivers, including truck drivers, Uber/Lyft drivers, and delivery drivers, who are apprehended most frequently by state and local law enforcement, then transferred to ICE custody.

Even Ukrainians with **valid parole status or pending parole/TPS applications are being detained**. Many Ukrainians who applied for re-parole or TPS renewal were arrested while waiting for their applications to be approved. Additionally, Ukrainians are being **arrested while attending asylum and adjustment of status interviews** at USCIS, including those with U.S. citizen spouses.

Once they are detained, most of these Ukrainians are **not eligible for release on bond** due to their entry on parole. Only a lucky few are able to get released if they are represented by a savvy immigration attorney who can quickly file a successful habeas corpus petition in federal court, and only if the judge orders their release. Those who cannot afford legal assistance or whose habeas corpus petitions are denied are forced to endure **several months or more of imprisonment in horrific conditions, thousands of miles away from their families**. One Ukrainian tragically died of a heart attack in immigration custody in early 2025 due to lack of emergency medical treatment. Some Ukrainians have already been deported, and more deportations are expected this year.

A growing number of Ukrainians feel they are in danger the United States but don't have a safe place to go abroad. For many, **returning to Ukraine is not an option** due to constant shelling, lack of housing and jobs, sporadic heat and electricity, and shortage of food and necessities. Meanwhile, other countries have begun to tighten their entry and close off humanitarian assistance to Ukrainians. Ill and vulnerable Ukrainians have even fewer options.

Congress has proposed legislation that could help Ukrainians in both the short and long term. In 2025, the **Protecting Our Guests During Hostilities in Ukraine Act** was introduced in the House and Senate. This bill would create a temporary guest status for Ukrainians who arrived through U4U for as long as the war in Ukraine continues. The **Ukrainian Adjustment Act** was also reintroduced in 2025 to provide a pathway to permanent residence for Ukrainian parolees. Although it garnered bipartisan support with 18 co-sponsors, Congress has not taken any further action on this bill, despite the fact that a majority of Americans support helping Ukrainians rebuild their lives here. At this time, no new legislation has been proposed by the current Congress to help Ukrainians extend their stay in the United States.



Proposed Solutions:

1. DHS should **redesignate and extend Ukraine's Temporary Protected Status (TPS)**. The current designation will expire October 19, 2026. As the war continues to claim civilian lives and bring massive destruction, country conditions remain dangerous throughout Ukraine, preventing Ukrainians from returning home safely. Since Ukraine's situation meets the statutory requirements for TPS, the Secretary of Homeland Security should redesignate Ukraine for a new TPS term of 18 months and extend the current TPS term. If TPS is extended, Ukrainians who currently hold TPS can apply to extend their protection without having to go through the full application process. If Ukraine is redesignated for another term, a new pool of applicants who entered after August 16, 2023 would be eligible to apply for TPS protection.
2. DHS should **re-open the Uniting for Ukraine (U4U) program** and accept new sponsor applications. Thousands of Americans sponsored almost 240,000 Ukrainians, and many are eager to welcome more Ukrainian families into their homes and communities. DHS should also resend travel authorizations to previously approved Ukrainian beneficiaries who were left stranded after the program was suspended and entry to the U.S. was blocked.
3. USCIS should **expedite TPS and re-parole applications** for Ukrainians. Current backlogs put Ukrainians at risk of having expired status, job loss, housing loss, and loss of licenses. Also, USCIS should **not penalize Ukrainians who apply for re-parole more than 180 days before** their current parole expires when processing times frequently exceed 6 months.
4. USCIS should **expedite Employment Authorization Documents (EADs) for Ukrainian parolees and TPS recipients**. Also, USCIS should go back to granting EADs consistent with the validity periods of the statuses they're tied to rather than making applicants renew them every year, pay high fees, and wait several months. Re-parole work permits should be valid for up to two years, while TPS-based work permits should be valid for up to 18 months, or as long as the TPS period is in effect.
5. USCIS should **lift the freeze on affirmative asylum applications** so Ukrainians who are able to make valid claims can get timely decisions. Currently, Ukrainians may submit applications and attend interviews, but USCIS officers are prohibited from issuing final asylum decisions. Also, USCIS should maintain its current policy of allowing asylum seekers to apply for work permits 150 days after they file their asylum applications rather than making them wait a year or more.
6. USCIS should **allow Ukrainian parolees to pursue employment-based green cards** without leaving the United States. Employers want skilled Ukrainian workers, and many Ukrainians possess valuable skills that advance the U.S. economy. But due to current policies, parolees are not eligible to interview for employment visas or obtain employment-based green cards without leaving the country, jeopardizing both their parole and return to the United States.



7. The administration should **reconsider its plans to restrict non-domiciled Commercial Driver's Licenses (CDLs) so Ukrainian humanitarian parolees can continue to be eligible** for these licenses and permits. Numerous U.S. businesses and consumers rely on Ukrainian truck drivers to transport products across the country, and Ukrainian families rely on these jobs.
8. **ICE should not target Ukrainians with current/pending humanitarian parole or TPS status.** These Ukrainians came here through officially recognized channels and were vetted extensively prior to their arrival. Subjecting them to added trauma after they fled the horrors of war is cruel and senseless. Most of them are hardworking residents who pose no threat to the safety of others, and they should not be hunted like criminals just for trying to live and work here safely. **Also, ICE should stop arresting Ukrainians who attend routine immigration interviews and appointments.** This penalizes applicants who followed the rules, paid costly application and legal fees, and have invested years in pursuing lawful long-term statuses in the U.S.
9. The administration can also **consider Deferred Enforced Departure (DED) for Ukrainians** that would provide protection from removal and access to work permits. Unlike TPS and re-parole, which require individual application and approval for each candidate, DED allows all eligible nationals who meet the physical presence and residence requirements to immediately benefit from this status. Not only would DED offer faster protection to at-risk Ukrainians, it could help relieve the massive USCIS backlog by reducing TPS and re-parole applications by Ukrainians.
10. Members of **Congress can support and advance the "Protecting Our Guests During Hostilities in Ukraine Act."** This legislation would grant statutory short-term protections to Ukrainians who arrived through the U4U program. "Ukrainian guest status" would be distinct from TPS or humanitarian parole and would allow eligible Ukrainians to stay in the U.S. for as long as the war in Ukraine continues.
11. Members of **Congress can take action on the "Ukrainian Adjustment Act,"** either as an independent bill or included in a larger piece of legislation. This would provide a statutory framework for Ukrainian parolees who would not otherwise have a pathway to seek permanent residence in the U.S. without requiring sponsorship by a U.S. relative or employer.
12. Congress should also **consider continued funding for Refugee Support Services (RSS) and Transitional and Medical Services (TAMS)** for Ukrainian parolees. This assistance provides a critical safety net to children and adults struggling to afford health insurance and nutrition.

This information is intended for educational purposes only and should not be taken as legal advice. It is not a substitute for legal counsel and does not establish an attorney-client relationship. Please consult a qualified attorney to discuss your own situation and obtain assistance with specific matters. This content may not be reproduced or published without our permission. To learn more about our work, visit www.UkraineTaskForce.org.