



THE CITY OF JERSEY CITY
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FULOP, THE MUNICIPAL
COUNCIL, AND THE
DEPARTMENT OF HEALTH
& HUMAN SERVICES



Information for Jersey City's Ukrainian victims of forced migration



Updated June 2022

Jersey City stands in solidarity with our Ukrainian residents. This general information on the U.S. immigration system may be helpful for victims of forced migration now living in Jersey City.

What is Ukrainian TPS?

Temporary Protected Status (TPS) is a federal designation that permits some Ukrainian nationals to remain in the U.S. for a limited period. The TPS designation for Ukraine was recently changed, and permits only those who entered the U.S. on April 11, 2022 or earlier. TPS is set to end on October 19, 2023. TPS dates and criteria might change.¹

What are the benefits of TPS?

Typically, TPS recipients can obtain work authorization and must pay income taxes, but they may not receive public benefits. While TPS designations for some countries have been renewed for many years, TPS is not meant for someone seeking to immigrate permanently to the U.S. Currently, TPS recipients may not become permanent residents or citizens. If a TPS designation for a certain country is not renewed, those TPS recipients may not stay in the U.S. beyond the expiration date, unless they receive another form of authorization to stay.¹

How can my family apply for TPS?

Completing your own TPS application without the help of an accredited or licensed expert is not recommended. Ukrainian nationals living in Jersey City can seek free application assistance from accredited immigration experts at the HHS Division

of Immigrant Affairs (DIA) by calling 201-547-4328. There are complex requirements for the [I-821 TPS Application](#), and applicants must provide many documents, including proof of entrance into the U.S. A denial of a TPS application could result in an applicant's removal from the U.S.¹

How much does TPS cost?

The filing fee for an initial TPS application with Work Authorization for someone between the age of 14 and 65 is typically \$545. Other options are cheaper. For example, children under 14 years old can receive TPS and Work Authorization for only \$50. Jersey City applicants might be eligible to receive assistance in paying the application fee. Call DIA at 201-547-4328 to inquire. For full TPS requirements and updates, go to: www.uscis.gov/humanitarian/temporary-protected-status.¹

Can I travel outside the U.S. as a TPS recipient?

TPS recipients can re-enter the U.S. after traveling abroad if they submit USCIS Form I-131, pay the application fee, and receive 'Advance Parole' authorization. However, the federal government publishes many warnings that TPS recipients might still be denied re-entry, even if they have 'Advance Parole' authorization. Form I-131 can be submitted at the same time as the I-821 Application for TPS.²

This bulletin is published by the Jersey City Division of Immigrant Affairs, Dept. of Health and Human Services, which is Recognized and Accredited by the U.S. Department of Justice as an immigration legal services provider. This bulletin is not legal advice, only general information published in June 2022. Much of the information included may change as the crisis continues.

¹ ["Temporary Protected Status Designated Country: Ukraine."](#) U.S. Citizenship and Immigration Service. 5/2/22.

² ["I-131, Application for Travel Document."](#) U.S. Citizenship and Immigration Service. 6/3/22.

³ ["Uniting for Ukraine."](#) U.S. Citizenship and Immigration Service. 5/27/22.

⁴ ["Benefits for Ukrainian Humanitarian Parolees."](#) U.S. Office of Refugee Resettlement. May 2022.

⁵ ["I-130, Petition for Alien Relative."](#) U.S. Citizenship and Immigration Service. 5/29/22.

⁶ ["N.J. A.C. 10:87-3.8."](#) State of New Jersey. 6/3/19.

⁷ ["The Visa Bulletin."](#) U.S. Department of State. 6/2/22.

⁸ ["Local filing of Form I-130 Petitions..."](#) U.S. Department of State. 3/17/22.

⁹ ["Refugee Admissions."](#) U.S. Department of State. 6/2/22.

¹⁰ ["Lautenberg Program for Former Soviet Union."](#) International Rescue Committee. 3/30/21.

¹¹ ["Asylum."](#) U.S. Citizenship and Immigration Service. 5/31/22.

¹² ["Avoid Scams."](#) U.S. Citizenship and Immigration Service. 11/21/19.

What is ‘Uniting for Ukraine’?

Uniting for Ukraine is a new federal program that permits some Ukrainian citizens and their immediate family living in Ukraine to enter the U.S. from abroad and stay for up to 2 years as Ukrainian Humanitarian Parolees (UHP).³

What are the benefits of entering as a UHP?

Typically, a UHP can apply for Work Authorization and must pay taxes. Starting May 21, 2022, UHPs have one year of eligibility to apply for public benefits and refugee benefits, including SNAP (“Food Stamps”), Medicaid health insurance, and specialized help for housing and employment.⁴ Do not hesitate to apply. For help, contact CWS Resettlement Agency at 201-659-0467 or cwsjerseycity@cwsglobal.org.

How can my family come to the U.S. as UHPs?

A sponsor (or “supporter”) living in the U.S. lawfully must file [USCIS Form I-134](#), and it must be approved by the Department of Homeland Security. There is no filing fee for Form I-134, but the supporter must show sufficient income and wealth to support a UHP during their parole period. Only submit Form I-134 with the help of a licensed or accredited immigration expert.³

What must a UHP do?

A UHP beneficiary must have a valid Ukrainian passport and proof of I-134 approval when entering the U.S. They should not attempt to enter the U.S. without prior approval. After entering, UHPs must submit an [electronic form to Homeland Security](#) to attest that they: 1.) Have been vaccinated against Covid-19, measles, and polio before traveling, and 2.) Have received a negative IGRA test for tuberculosis within 2 weeks of arrival. At the end of a UHP’s parole period, they would need to leave the U.S. or pursue another authorization to stay. People already in the U.S. cannot become UHPs. For more info: www.uscis.gov/ukraine.³



Can I petition for my family to stay in the U.S. permanently?

If you are a U.S. citizen 21 years old or older, you can petition for your spouse, parents, sons and daughters, and siblings. If you are a Green Card holder 21 years old or older, you can petition for a spouse, and unmarried sons and daughters under 18. Both require the petitioner to submit an [I-130 Petition for Alien Relative](#), and complete other processes. If successful, the beneficiary will receive permanent residence and a path to citizenship⁵—but they will typically be ineligible for public benefits during their first five years.⁶

How long will it take for my family to immigrate?

The process is typically complex and long. Some beneficiaries of U.S. citizen petitioners qualify as Immediate Relatives and can immigrate quickly, typically in less than 1 year. Other beneficiaries are assigned a Preference Category, which is based on their relationship to the petitioner and other factors. In some cases, a beneficiary can wait more than a decade.⁵ The National Visa Bulletin details the federal government’s progress on issuing immigrant visas based on Preference Categories.⁷ On March 17, 2022, the Dept. of State announced U.S. citizen petitioners may apply in person at a U.S. embassy where a Ukrainian Immediate Relative has been displaced.⁸

What would a beneficiary need?

Beneficiaries can be living abroad or inside the U.S. All beneficiaries must undergo a medical exam, and must not have committed any crimes or violations that would deem them ‘inadmissible’. Some must attend a Consular Processing interview at a U.S. embassy, and others may attend an Adjustment of Status interview in the U.S.⁵

What must a petitioner do?

As a petitioner, you must show your own immigration or citizenship status, document how you are related to the beneficiary, and submit an [I-864 Affidavit of Support](#), which is a legally binding commitment to give financial supports to the beneficiary. If the petition is based on marriage, some petitioners must submit a second joint petition with their spouse two years after the spouse beneficiary receives their permanent residence.⁵

Can my family come as refugees?

It is not likely. Although news agencies use the word ‘refugee’ to describe Ukrainians fleeing war, someone who is granted the refugee immigration status must wait outside the U.S. and meet very specific refugee resettlement criteria. There are currently 26 million people awaiting the refugee immigration status around the world. Most wait for many years, and very few are selected for resettlement as refugees. Currently, the U.S. government has not made a special designation for Ukrainians to receive expedited refugee status.⁹

Can my family come under the Lautenberg Amendment?

The Lautenberg Amendment facilitates refugee resettlement to the U.S. for religious minorities in the former Soviet Union and other nations, including Ukraine. Beneficiaries must have immediate relatives in the U.S. and complete other requirements. Congress renewed this program in March 2022, and it will close September 2022. Applications can only be filed by resettlement agencies like Church World Service (CWS) or International Rescue Committee. Reach CWS Jersey City at 201-659-0467 or cwsjerseycity@cwsglobal.org.¹⁰

Can my family ask for asylum?

It depends on many factors. An asylee is someone who enters the U.S. or comes to a U.S. port-of-entry, and then proves to an immigration judge or adjudicator that they have a specific need for refuge. Like refugees, asylees must show documentary evidence of persecution based on race, religion, nationality, social group, or political opinion. A Ukrainian is not likely to be granted asylum only because of their nationality. Many asylum seekers are detained while awaiting adjudication of their case, and some cases can take many years. If granted, asylees have access to public benefits and a path to citizenship.¹¹

Who can help me with immigration applications?

Only a licensed or accredited immigration expert should give advice and complete immigration applications. Avoid unlicensed providers, sometimes presenting as ‘notarios’ or ‘multi-service centers’. Additionally, be mindful of the high rates of immigration legal malpractice. Choosing an attorney is an important decision that should not be based on any single source of information.¹²