

## DHS Announces Extension and Redesignation of Ukraine for Temporary Protected Status (TPS)

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### BACKGROUND

On August 18, 2023, Department of Homeland Security (DHS) Secretary Mayorkas [announced](#) the extension and redesignation of Ukraine for Temporary Protected Status (TPS) for 18 months, from August 21, 2023, to April 19, 2025, due to [ongoing armed conflict and extraordinary and temporary conditions](#) in Ukraine that prevent individuals from safely returning. There have also been reports of torture, unlawful killings, and sexual violence. [DHS cited](#) the ongoing humanitarian crisis because of Russia's military forces as the reason for extension.

Ukraine was initially designated for TPS on April 19, 2022. There are currently over 50,000 Ukrainians in the United States who have received TPS. This redesignation is estimated to offer protection to 166,700 additional individuals.

TPS is a temporary immigration status that provides protection from deportation and eligibility for work authorization for certain, eligible nationals of the designated country. Individuals must register for TPS and apply for work authorization to receive benefits. If TPS is granted, the beneficiary may also seek a TPS travel authorization document which may be used for travel abroad.

### WHO IS ELIGIBLE FOR TPS UNDER THIS EXTENSION AND REDESIGNATION:

This TPS extension and redesignation allows Ukrainian nationals (and individuals having no nationality who last habitually resided in Ukraine) who have been continuously residing in the U.S. since August 16, 2023, and who have been continuously physically present in the U.S. since October 20, 2023, to apply or re-register for TPS.

With some [notable exceptions](#), TPS applicants must also demonstrate that they are admissible to the U.S. Individuals who have been convicted of a felony or two or more misdemeanors in the U.S., those who are subject to any of the [mandatory bars to asylum](#), and those who have been found inadmissible as an immigrant under applicable grounds in INA section 212(a), including non-waivable criminal and security-related grounds may not be eligible for TPS.

### TPS Redesignation & Initial Applications

The redesignation of TPS for Ukraine allows more newly arrived Ukrainian nationals to register for TPS protections and apply for an EAD.

- New applicants must apply during the initial registration period open August 21, 2023 to April 19, 2025.

- Applicants must demonstrate continuous residence in the U.S. since August 16, 2023 and also demonstrate that they have been continuously physically present in the U.S. since October 20, 2023.
- Applicants must also meet [eligibility standards](#) (INA section 244(c)(1)–(2)).
- Applicants must pay the USCIS filing fees or seek a fee waiver. The current filing fee for initial TPS applications is \$50 and \$30 for biometrics. Payment can be made online or, if filing by mail, in one single check or money order or two separate checks or money orders.

## WHAT IS REQUIRED FOR TPS REGISTRATION

Individuals seeking Temporary Protected Status apply by submitting [Form I-821](#) with the U.S. Citizenship and Immigration Services (USCIS) along with filing fees and supporting documentation. TPS applicants seeking work authorization should file [Form I-765](#) and filing fees with the TPS registration application. The filing fee for Form I-765 is the same for initial applicants and individuals re-registering for TPS. Individuals who apply online will pay \$470 for work authorization and those applying on paper will pay \$520. Complete fee schedule can be found [here](#). TPS and associated work authorization applications may be submitted online unless the applicant is seeking a fee waiver ([Form I-912](#)).

Fee waivers are available for certain individuals who cannot afford the USCIS filing fees. However, the fee waiver request and associated TPS and EAD applications must be submitted by mail. Detailed and updated information about the application process is found on [USCIS' TPS for Ukraine webpage](#).

## TPS Initial Applications

When filing an initial TPS application, the applicant must submit:

- Evidence demonstrating the applicant's identity and establishing that they are a national of Ukraine or that they have no nationality and last habitually resided in Ukraine. Such evidence may include copies of:
  - Passport
  - Birth certificate
  - National identity documents
- Date of entry evidence to show when the applicant entered the U.S. Evidence may include copies of:
  - [I-94, Arrival Record](#)
  - Entry stamp on the passport page
  - Notice to Appear
- Continuous Residence (CR) evidence to demonstrate that the applicant has been in the U.S. since the CR date specified (Aug. 16, 2023). Evidence may include copies of:

- Rent or lease agreements
- Utility bills such as cell phone bills, insurance payments
- School records
- Attestation by shelter, church, union, or other organization that can confirm services related to residence
- Filing fees or fee waiver request as indicated above

**Note:** Any document that is not in English must be accompanied by a complete English translation.

## WHAT IS THE CURRENT PROCESSING TIME FOR UKRAINIANS TPS AND EAD APPLICATIONS

### TPS Re-registration

USCIS is [currently processing](#) Ukrainian TPS re-registration applications in 11-12 months.

### TPS Initial Applications

USCIS is [currently processing](#) initial Ukrainian TPS applications in 11 months. When an EAD application is submitted to USCIS with the TPS application, USCIS will typically process both applications concurrently. If USCIS grants TPS, the EAD should follow the TPS grant.

## ARE UKRAINIANS ELIGIBLE FOR BENEFITS IN THE U.S.

[Certain Ukrainian nationals](#) who hold Ukrainian Humanitarian Parole (UHP) in addition to TPS may be eligible to apply for federal mainstream benefits in their state, such as cash assistance through Supplemental Security Income (SSI) or Temporary Assistance for Needy Families (TANF), health insurance through Medicaid, and food assistance through Supplemental Nutrition Assistance Program.

## OTHER IMPORTANT THINGS TO CONSIDER

1. Individuals with a pending asylum application (Form I-589) can and **should** consider applying for TPS, if they are eligible to do so.
2. Individuals who currently hold another temporary immigration status such as UHP humanitarian parole, F-1 student status, H-2A or H-2B temporary work visas can and **should** consider applying for TPS, if they are eligible to do so.

**Note:** We strongly recommend consulting with a qualified immigration legal services provider when considering TPS and how seeking TPS may interact with other immigration benefits applications. A listing of non-profit immigration legal services providers can be found at [www.immigrationadvocates.org/legaldirectory/](http://www.immigrationadvocates.org/legaldirectory/).