



## Ukrainian Arrivals: Immigration Statuses and Benefit Eligibility

### Background

On March 24, 2022, [President Biden announced](#) that the United States plans to welcome up to 100,000 Ukrainians and others fleeing the war and offer a variety of legal pathways. The Department of Children and Families (DCF) in coordination with the Department of Health Services (DHS) developed this informational guide to provide an overview of common immigration statuses of Ukrainian displaced persons, protections offered to Ukrainians, and protections for others seeking refuge from war.

*Disclaimer: This guide is for general informational purposes only and is not intended to constitute legal advice or eligibility for publicly funded programs. Readers are encouraged to seek additional information from knowledgeable authorities on the content below.*

### Humanitarian Parole

#### Background

April 21, 2022, President Biden announced a new program, [Uniting for Ukraine](#). The program provides a streamlined process for Ukrainian citizens and their immediate family members to enter the United States and stay temporarily. Eligible individuals are granted a two-year period of parole.

To be eligible, Ukrainian citizens and select non-Ukrainians must currently reside outside the United States, must have been living in Ukraine immediately before the invasion (through February 11, 2022), and have been displaced because of the invasion. Additional requirements include having a financial supporter in the United States, completing vaccinations and other health requirements, and passing a background and security screening.

A [supporter for a beneficiary under Uniting for Ukraine](#) is someone who can show they have enough money to support the beneficiary during their stay in the United States. In addition to providing financial assistance, supporters are expected to assist the beneficiary with other services such as housing, learning English and attaining employment. Supporters must have lawful status in the United States and must also pass a security and background check.

Shortly after President Biden's announcement on March 24, 2022, thousands of Ukrainians arrived at the U.S./Mexican border. These individuals entered the United States with a grant of humanitarian parole. But, in contrast to individuals who enter through the Uniting for Ukraine program, their grant of parole was for one year or less.

#### Benefit Eligibility

Ukrainian humanitarian parolees who entered the U.S. (as part of or separate from the Uniting for Ukraine program) between February 24, 2022, and September 30, 2023, may be eligible for resettlement assistance and other federal benefits similar to those available to refugees. See page 3 'Overview of Eligibility for Benefits by Immigration Status'. These individuals' spouses or unmarried children under the age of 21, or in the case of individuals who are unaccompanied children, their parent, legal guardian, or primary caregiver, who are paroled into the U.S. after September 30, 2023, may also be eligible for these benefits.

Some services and benefits programs are time-limited and are only available from the date an individual applies for them. For example, Federal Office of Refugee Resettlement (ORR)-funded cash and medical assistance is limited to a maximum of 12 months from the date of eligibility. The Bureau of Refugee Programs (BRP), therefore, recommends interested parolees apply without delay.

#### Work Authorization

In accordance with [USCIS Instructions for Application for Employment Authorization](#), Ukrainian humanitarian parolees (as part of or separate from the Uniting for Ukraine program) may apply for work authorization by filing [Form I-765](#). Beneficiaries of approved I-765 applications will receive two documents: an Employment Authorization Document (EAD) and an SSN card. Detailed information can be found in SSA's flyer, [Apply for your Social Security Number while Applying for Your Work Permit](#).

## Temporary Protective Status (TPS)

### **Background**

Congress created the Temporary Protective Status (TPS) program as part of the [Immigration Act of 1990 \('Act'\)](#). TPS provides a temporary immigration status to nationals of certain countries due to conditions in the country that temporarily prevent the country's nationals from returning safely. As detailed in the Act, TPS beneficiaries are eligible to remain in the United States during the TPS designation period and receive protection from deportation.

On April 19, 2022, the DHS Secretary announced the [designation of Ukraine for Temporary Protected Status](#) for 18 months; -Ukrainians who were residing in the United States prior to April 11, 2022 may be eligible to apply for TPS.

### **Benefit Eligibility**

In accordance with [ORR Policy Letter 22-13](#), an individual with only TPS and no underlying humanitarian parole is not eligible for ORR benefits and services. Pregnant women and children under age 19 with a TPS status in Wisconsin, however, may be eligible for Medicaid or BadgerCare Care Plus (see also the [Women, Infants & Children \(WIC\) Program](#)).

### **Work and Travel Authorization**

TPS beneficiaries may apply for employment authorization and travel permission. For more information, please visit [www.uscis.gov](http://www.uscis.gov).

## Asylum

### **Background**

Ukrainians currently residing in the United States who are not able to return to Ukraine because they have been persecuted or fear that they will be persecuted on account of their nationality, race, religion, membership in a particular social group, or political opinion may file for asylum with United States Citizenship and Immigration Services (USCIS).

In accordance with [DHS Uniting for Ukraine FAQ](#): "From April 25, 2022, Ukrainian nationals who present at the U.S. Southwest border land of entry without a valid visa or without pre-authorization to travel to the United States *through Uniting for Ukraine* may be denied entry and referred to apply through this process."

### **Benefit Eligibility**

The [ORR Fact Sheet](#), Refugee Benefits for Asylees, details how asylees may be eligible for resettlement assistance and other federal benefits to the same extent as refugees. Information for ORR-eligible populations living in Wisconsin can be found on the [Department of Children and Families](#) website.

### **Work and Travel Authorization**

Asylum seekers can file for employment authorization [150 days after the asylum application is filed](#). After asylum is granted, most asylees may travel outside the United States by obtaining a [refugee travel document](#).

## Other Legal Statuses and Additional USCIS Services

Ukrainians may arrive through additional immigration pathways such as family reunification, student visas, and employer-sponsored visas. Some Ukrainians may also immigrate with refugee status. Regardless of the pathway, USCIS offers [additional protections](#) to those affected by the invasion of Ukraine.

If you need legal advice on immigration matters, it is important that you reach out to an expert in immigration law. Federal law dictates that an attorney or an accredited representative working for a Department of Justice (DOJ)-recognized organization is authorized to provide you with legal advice. Nonprofit resources include: [U.S. DOJ Recognized Organizations and Accredited Representatives by State and City](#) and [Wisconsin Organizations - National Immigration Legal Services Directory - Immigration Advocates Network](#). For a listing of private attorneys, see [AILA's Immigration Lawyer Search](#)

## Overview of Eligibility for Benefits by Immigration Status\*\*

*Please click "LINK" below each program to learn more about eligibility requirements and the application process*

	Refugee Programs <sup>i</sup>	TANF/W-2 & RCA <sup>ii</sup>	Supplemental Security Income (SSI) <sup>iii</sup>	SNAP/Food Share <sup>iv</sup>	WIC <sup>v</sup>	Medicaid/Badgercare Plus <sup>vi</sup>
	<a href="#">LINK</a>	<a href="#">LINK</a>	<a href="#">LINK</a>	<a href="#">LINK</a>	<a href="#">LINK</a>	<a href="#">LINK</a>
Ukrainians who received humanitarian parole between 02/24/2022 – 09/30/2023 through the Uniting with Ukraine program <sup>vii</sup>	Eligible, except for Reception & Placement (R & P)	Eligible for W-2 (for households with minor children)  Eligible for Refugee Cash Assistance (for individuals and couples without minor children)	Eligible	Eligible	Potentially eligible for: Pregnant individuals, new and breastfeeding moms, and children < 5 years of age	Adults: Eligible  Pregnant women: Eligible  Children: Eligible
Ukrainians who received humanitarian parole status under 212(d)(5) between 02/24/2022 – 09/30/2023, separate from the Uniting with Ukraine program <sup>viii</sup>	Eligible, except for Reception & Placement (R & P)	Eligible for W-2 (for households with minor children)  Eligible for Refugee Cash Assistance (for individuals and couples without minor children)	Eligible	Eligible	Potentially eligible for: Pregnant individuals, new and breastfeeding moms, and children < 5 years of age	Adults: Eligible  Pregnant women: Eligible  Children: Eligible
Ukrainian with Asylum Status <sup>ix</sup>	Eligible	Eligible for W-2 (for households with minor children)  Eligible for Refugee Cash Assistance (for individuals and couples without minor children)	Eligible	Eligible	Potentially eligible for: Pregnant individuals, new and breastfeeding moms, and children < 5 years of age	Adults: Eligible  Pregnant women: Eligible  Children: Eligible
Ukrainian with Refugee Status <sup>x</sup>	Eligible	Eligible for W-2 (for households with minor children)  Eligible for Refugee Cash Assistance (for individuals and couples without minor children)	Eligible	Eligible	Potentially eligible for: Pregnant individuals, new and breastfeeding moms, and children < 5 years of age	Adults: Eligible  Pregnant women: Eligible  Children: Eligible
Temporary Protective Status (TPS) only (without humanitarian parole)	Ineligible	Ineligible	Ineligible	Ineligible <sup>xi</sup>	Potentially eligible for: Pregnant individuals, new and breastfeeding moms, and children < 5 years of age	Adults: Ineligible <sup>xii</sup>  Pregnant women: Eligible <sup>xiii</sup>  Children: Eligible <sup>xiv</sup>

**\*\*Disclaimer:** The above charts are for general informational purposes only and are not intended to determine eligibility for publicly funded programs. Readers are encouraged to seek additional information from knowledgeable authorities.

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- [i Wisconsin Department of Children and Families Refugee Programs](#)
  - [ii Wisconsin Works \(W-2\) Manual](#)
  - [iii Supplemental Security income \(SSI\) for Non-Citizens](#)
  - [iv Foodshare Wisconsin Policy Handbook](#)
  - [v Women, Infants & Children \(WIC\) Program](#)
  - [vi BadgerCare Plus Handbook](#)
  - [vii Ukrainian Humanitarian Parolees Eligible for ORR Benefits and Services](#)
  - [viii Id.](#)
  - [ix Office of Refugee Resettlement 'What We Do'](#)
  - [x Id.](#)
  - [xi FoodShare Wisconsin Policy Handbook, Chapter 3.12.1 Citizenship and Immigration Status](#)
  - [xii Though not eligible for full benefits, elderly, blind or disabled adults with a TPS status may still qualify for Emergency Medicaid Services, See \[BadgerCare Plus Handbook, Chapter 39.1 Emergency Services Income Limits\]\(#\)](#)
  - [xiii BadgerCare Plus Handbook, Chapter 4.3.3.2 Lawfully Present Immigrant Children, Young Adults and Pregnant Women](#)
  - [xiv Id.](#)