

Congress of the United States
Washington, DC 20515

February 28, 2022

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Biden:

As we submit this letter to you, Russia has launched an unprovoked, large-scale invasion on Ukraine, leaving that country in the midst of an armed conflict to maintain its sovereignty. There are tens of thousands of Ukrainian nationals on a nonimmigrant visa in the United States, and without action by your Administration, they could be forced to return to a nation under siege. We urge your Administration to use all available pathways under the law to protect such individuals, including a designation of Temporary Protected Status (TPS) for Ukraine or a grant of Deferred Enforced Departure (DED) for Ukrainian nationals, and Special Student Relief (SSR) for Ukrainian students.

Section 244(b)(1)(A) of the Immigration and Nationality Act (INA) permits the Secretary of Homeland Security to designate a country for TPS if there is an “ongoing armed conflict” such that the return of nationals to that country would “pose a serious threat to their personal safety.” Similarly, nationals of a country may receive a temporary administrative stay of removal in the form of DED, by Executive Order or a Presidential Memorandum, under such circumstances. For F-1 students from parts of the world that are experiencing “emergent circumstances,” including “wars and military conflicts,” the Secretary of Homeland Security may announce SSR, which allows for the suspension of certain regulatory requirements, including duration of status, full course of study, and off-campus employment eligibility.

As a result of the recent invasion, Ukraine clearly meets these criteria. Amid Russian assaults on several Ukrainian cities, hundreds have already been killed and injured. Russian forces’ capture of the Chernobyl nuclear plant risks the release of radioactive dust throughout the country. Ukrainian officials have confirmed that civilian targets have now come under fire as Russia continues to launch heavy shelling and airstrikes. The assault has forced thousands of Ukrainians to flee west, and harrowing images show innocent civilians seeking shelter in subway stations. In a statement, you indicated that Putin’s premeditated war “will bring a catastrophic

loss of life and human suffering.” The ongoing invasion is the largest ground war Europe has seen since the Second World War.

The Ukrainian people have proven to be incredibly brave in defending their homeland. We know they will continue to resist Russian aggression. However, there are approximately 30,000 Ukrainian nationals in the United States who would be eligible for relief under TPS or DED, and roughly 2,000 students in the United States eligible for SSR. We cannot force these individuals to return to a nation likely to be mired in prolonged armed conflict. To do so would be to abandon our nation’s commitment to protecting human rights. In this time of crisis, we must reaffirm our commitment to America’s most sacred values and ensure Ukrainian nationals in the United States are provided a safe haven.

Thank you for your prompt attention to this important issue. We look forward to your response.

Sincerely,



Mike Quigley
Member of Congress



Andy Harris
Member of Congress



Ted Lieu
Member of Congress



Brian Fitzpatrick
Member of Congress



Melanie Stansbury
Member of Congress



Joe Wilson
Member of Congress



Marcy Kaptur
Member of Congress



David P. Joyce
Member of Congress

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Richard E. Neal
Member of Congress

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Deborah K. Ross
Member of Congress

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Brendan F. Boyle
Member of Congress

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Eleanor Holmes Norton
Member of Congress

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Jerrold Nadler
Member of Congress

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Jamaal Bowman
Member of Congress

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Diana DeGette
Member of Congress

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Joe Courtney
Member of Congress

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Barbara Lee
Member of Congress

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Jim Himes
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Lloyd Doggett
Member of Congress

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Jan Schakowsky
Member of Congress

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James P. McGovern
Member of Congress

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Grace F. Napolitano
Member of Congress

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Zoe Lofgren
Member of Congress

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Brad Sherman
Member of Congress

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Ayanna Pressley
Member of Congress

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Eric Swalwell
Member of Congress

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Joseph D. Morelle
Member of Congress

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Tim Ryan
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Jamie Raskin
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John Yarmuth
Member of Congress

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Frank Pallone, Jr.
Member of Congress

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Nikema Williams
Member of Congress

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Ritchie Torres
Member of Congress

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Jimmy Panetta
Member of Congress

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Rosa L. DeLauro
Member of Congress

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Mikie Sherrill
Member of Congress

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Brian Higgins
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Pramila Jayapal
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Carolyn B. Maloney
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Donald S. Beyer, Jr.
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Adam Schiff
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Mike Levin
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Kaiali'i Kahele
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Suzan DelBene
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Tom Malinowski
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Raúl M. Grijalva
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C.A. Dutch Ruppersberger
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Juan Vargus
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Sylvia R. Garcia
Member of Congress

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Jimmy Gomez
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Bonnie Watson Coleman
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Peter Welch
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Andy Levin
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Lizzie Fletcher
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Earl Blumenauer
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Lois Frankel
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Yvette D. Clarke
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Dwight Evans
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Jerry McNerney
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Susan Wild
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Norma J. Torres
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Jesus G. "Chuy" Garcia
Member of Congress

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Kathy Manning
Member of Congress

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Judy Chu
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Ilhan Omar
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Jason Crow
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Frank J. Mrvan
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Eddie Bernice Johnson
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A. Donald McEachin
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Jared Huffman
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Sean Patrick Maloney
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Donald Norcross
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David E. Price
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Derek Kilmer
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Alan Lowenthal
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Dina Titus
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Julia Brownley
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Stephen F. Lynch
Member of Congress

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Sara Jacobs
Member of Congress

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Robert C. "Bobby" Scott
Member of Congress

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Raja Krishnamoorthi
Member of Congress

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Haley Stevens
Member of Congress

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Ed Perlmutter
Member of Congress

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Josh Gottheimer
Member of Congress

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Adam Smith
Member of Congress

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Linda T. Sánchez
Member of Congress

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Debbie Dingell
Member of Congress

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Bennie G. Thompson
Member of Congress

CC: The Honorable Alejandro Mayorkas, Secretary of Homeland Security