

117TH CONGRESS  
2D SESSION

# H. R. 6892

To designate Ukraine under section 244 of the Immigration and Nationality Act to permit nationals of Ukraine to be eligible for temporary protected status under such section, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2022

Mr. CICILLINE (for himself, Mr. ESPAILLAT, Mr. FITZPATRICK, Mr. QUIGLEY, Mr. HARRIS, and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To designate Ukraine under section 244 of the Immigration and Nationality Act to permit nationals of Ukraine to be eligible for temporary protected status under such section, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ukrainian Protection  
5 Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) On February 24, 2022, Vladimir Putin  
2           launched a “special military operation” in Ukraine,  
3           and has since authorized hundreds of missile and ar-  
4           tillery attacks against Ukraine and sent tens of  
5           thousands of Russian troops into Ukraine in an un-  
6           lawful and unprovoked act of war.

7           (2) On February 27, 2022, Vladimir Putin or-  
8           dered his nuclear forces to be on high alert.

9           (3) Conservative approximations estimate that  
10          hundreds of Ukrainians have been killed and thou-  
11          sands wounded as a result of Russian attacks, and  
12          that more Ukrainians will die or be severely wound-  
13          ed if Russia does not end its attack on Ukraine.

14          (4) During ongoing Russian attacks on Ukrain-  
15          ian soil, millions of Ukrainian citizens have had to  
16          seek shelter in their homes, bomb shelters, and sub-  
17          way stations.

18          (5) Due to the Russian invasion of Ukraine, al-  
19          most 900,000 Ukrainian refugees have already fled  
20          the country to neighboring countries, such as Po-  
21          land, Hungary, and Slovakia.

22          (6) It is estimated that there will be up to 4  
23          million refugees as a result of Russian attacks on  
24          Ukraine if the conflict continues to escalate.

1           (7) Russian airstrikes against Ukraine have se-  
2           verely damaged residential buildings and key resi-  
3           dential infrastructure in Ukraine, including major  
4           airports, a public square and opera house in  
5           Kharkiv, a hospital area in Vuhledar, and Kyiv’s  
6           main television tower, causing television broadcasts  
7           in Ukraine’s capital to temporarily cease.

8           (8) On February 24, 2022, the U.N. Secretary  
9           General stated of the Russian invasion of Ukraine:  
10          “The use of force by one country against another is  
11          the repudiation of the principles that every country  
12          has committed to uphold. . . . We know the toll of  
13          war. With deaths rising, we are seeing images of  
14          fear, anguish and terror in every corner of  
15          Ukraine.”.

16          (9) On February 24, 2022, the U.N. High  
17          Commissioner on Refugees stated of the Russian in-  
18          vasion of Ukraine: “The humanitarian consequences  
19          on civilian populations will be devastating. There are  
20          no winners in war, but countless lives will be torn  
21          apart.”.

22          (10) On February 24, 2022, the UNICEF Ex-  
23          ecutive Director stated of the Russian invasion of  
24          Ukraine: “UNICEF is deeply concerned that inten-  
25          sifying hostilities in Ukraine pose an immediate

1 threat to the lives and wellbeing of the country’s 7.5  
2 million children. Heavy weapons fire along the line  
3 of contact has already damaged critical water infra-  
4 structure and education facilities in recent days. Un-  
5 less the fighting subsides, tens of thousands of fami-  
6 lies could be displaced, dramatically escalating hu-  
7 manitarian needs.”.

8 (11) On February 26, 2022, the United Na-  
9 tions Office for the Coordination of Humanitarian  
10 Affairs released their first report on the impact of  
11 Russia’s invasion of Ukraine, noting that: “Signifi-  
12 cant infrastructural damage has left hundreds of  
13 thousands of people without electricity or water,  
14 while bridges and roads damaged by shelling have  
15 left communities cut off from markets for food and  
16 other basic supplies.”.

17 (12) On February 24, 2022, the State Depart-  
18 ment issued a Travel Advisory Level 4: Do Not  
19 Travel. This advisory read, in part: “Do not travel  
20 to Ukraine due to armed conflict and COVID-19.  
21 . . . On February 24, Russia’s forces attacked  
22 major Ukrainian cities, and the Ukrainian govern-  
23 ment closed its airspace to commercial flights due to  
24 Russia’s military actions. . . . The security situation  
25 throughout Ukraine is highly volatile, and conditions

1        may deteriorate without warning. U.S. citizens  
2        should remain vigilant and take appropriate steps to  
3        increase their security awareness. Know the location  
4        of your closest shelter or protected space. In the  
5        event of mortar and/or rocket fire, follow the in-  
6        structions from local authorities and seek shelter im-  
7        mediately. If you feel your current location is no  
8        longer safe, you should carefully assess the potential  
9        risks involved in moving to a different location.”.

10            (13) While United States policy advises Ameri-  
11            cans that current conditions make it unsafe to travel  
12            to Ukraine, the same conditions make it dangerous  
13            and inappropriate to forcibly repatriate Ukrainians  
14            at this time.

15            (14) Ukraine’s recent crisis and existing dan-  
16            gers to anyone located in Ukraine, which have been  
17            recognized by domestic and international actors,  
18            clearly make Ukrainian nationals currently in the  
19            United States eligible for temporary protected status  
20            under subparagraphs (B) and (C) of sections  
21            244(b)(1) of the Immigration and Nationality Act  
22            (commonly known as “TPS”).

23            (15) There are more than 30,000 Ukrainian  
24            nationals residing in the United States who could

1 benefit from TPS designation during this ongoing  
2 conflict.

3 (16) TPS grants temporary protection from de-  
4 portation to nationals of a country in which environ-  
5 mental or political events have occurred which make  
6 it temporarily unsafe to deport them. TPS has been  
7 granted to nationals of many countries due to ongo-  
8 ing armed conflicts in these nationals' home coun-  
9 tries.

10 (17) TPS is appropriate and necessary to grant  
11 to Ukrainians in the United States given the ongo-  
12 ing violent conflict in Ukraine.

13 **SEC. 3. DESIGNATION FOR PURPOSES OF GRANTING TEM-**  
14 **PORARY PROTECTED STATUS.**

15 (a) DESIGNATION.—

16 (1) IN GENERAL.—For purposes of section 244  
17 of the Immigration and Nationality Act (8 U.S.C.  
18 1254a), Ukraine shall be treated as if such country  
19 had been designated under subsection (b) of that  
20 section, subject to the provisions of this section.

21 (2) PERIOD OF DESIGNATION.—The initial pe-  
22 riod of such designation shall begin on the date of  
23 enactment of this Act and shall remain in effect for  
24 18 months.

1 (b) ALIENS ELIGIBLE.—In applying section 244 of  
2 the Immigration and Nationality Act (8 U.S.C. 1254a)  
3 pursuant to the designation made under this section, and  
4 subject to subsection (c)(3) of such section, an alien who  
5 is a national of Ukraine is deemed to meet the require-  
6 ments of subsection (c)(1) of such section only if the  
7 alien—

8 (1) is admissible as an immigrant, except as  
9 otherwise provided under subsection (c)(2)(A) of  
10 such section, and is not ineligible for temporary pro-  
11 tected status under subsection (c)(2)(B) of such sec-  
12 tion; and

13 (2) registers for temporary protected status in  
14 a manner that the Secretary of Homeland Security  
15 shall establish.

16 (c) CONSENT TO TRAVEL ABROAD.—The Secretary  
17 of Homeland Security shall give the prior consent to travel  
18 abroad described in section 244(f)(3) of the Immigration  
19 and Nationality Act (8 U.S.C. 1254a(f)(3)) to an alien  
20 who is granted temporary protected status pursuant to the  
21 designation made under this section, if the alien estab-  
22 lishes to the satisfaction of the Secretary of Homeland Se-  
23 curity that emergency and extenuating circumstances be-  
24 yond the control of the alien require the alien to depart  
25 for a brief, temporary trip abroad. An alien returning to

1 the United States in accordance with such an authoriza-  
2 tion shall be treated the same as any other returning alien  
3 provided temporary protected status under section 244 of  
4 the Immigration and Nationality Act (8 U.S.C. 1254a).

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