

Humanitarian Immigrants

Who are refugees?

Refugees are those who, “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of their nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country; or who, not having a nationality and being outside the country of their former habitual residence, is unable or, owing to such fear, is unwilling to return to it.”

What is Refugee Status?

- In the U.S., “refugee” is also a legal status given to some individuals who meet the U.N.’s definition (above).
- The refugees who are given this status must go through in-depth security screenings and medical checks before they are invited to permanently resettle in the U.S. by the State Department.
- Refugees have a path to citizenship when they arrive - after one year in the U.S. they are eligible for green cards and after five years they are eligible to apply for citizenship.

What is an SIV (Special Immigrant Visa)?

- An SIV is available to someone who was employed by the U.S. Armed Forces in Iraq or Afghanistan, and is a citizen of that country, and has a letter of their valuable service from a senior supervisor.
- SIVs have a path to permanent residence and citizenship in the U.S.

What is Asylum?

- Asylum is a form of protection which allows an individual to remain in the U.S. instead of being deported to a country where they fear persecution or harm.
- It is legal to seek asylum in the U.S., either after you enter the country or at a port of entry. You cannot claim asylum without being present in the United States.
- Once granted, Asylum is very similar to refugee status.

What is Seeking Asylum?

- An asylum seeker is someone seeking international protection, and has applied for asylum or intends to do so.
- While refugee status is processed abroad, asylum is processed in the U.S.
- Six months after filing for asylum, asylum seekers are eligible for a work permit.
- People who are seeking asylum are waiting years to have their cases heard by an immigration judge or other immigration official



What is Humanitarian Parole?

- According to the U.S. Citizenship and Immigration Services (USCIS), parole “allows an individual, who may be inadmissible or otherwise ineligible for admission into the U.S., to be paroled into the U.S. for a temporary period.
- The Immigration and Nationality Act (INA) allows the Secretary of Homeland Security to use their discretion to parole any noncitizen applying for admission into the U.S. temporarily for urgent humanitarian reasons or significant public benefit.”



What is Temporary Protected Status (TPS)?

- USCIS may grant TPS to eligible nationals of certain countries who are already in the U.S. so they may remain for a set period of time.
- The Secretary of Homeland Security “may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately.”
- The Secretary may designate a country for TPS due to the following temporary conditions in the country:
 - Ongoing armed conflict (such as civil war)
 - An environmental disaster (such as earthquake), or an epidemic
 - Other extraordinary and temporary conditions



Are these immigrants lawfully present?

- Yes! Refugees, SIVs, Asylees, those on Humanitarian Parole, and those with TPS all are lawfully present in the U.S.
- It is legal to seek asylum in the U.S.

Do these immigrants have work permits?

- Refugees, SIVs, Asylees, and those with Humanitarian Parole have work permits
- Those with TPS can apply for a work permit
- Asylum seekers can apply for a work permit six months after filing for asylum.

Can these immigrants get driver's licenses?

- Refugees, SIVs, Asylees - Yes!
- Asylum seekers, and those with TPS who have work permits - Yes!
- Those with humanitarian parole - Not in Indiana.

