



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

SUSAN G. OSBORNE • Assistant Secretary for Human Services

**December 20, 2022**

**Dear County Directors of Social Services**

**Attention:** Work First Managers and Supervisors

**Subject:** Certain Afghan and Ukrainian Parolees are Employment Authorized Incident to Parole

**Priority:** Information Only

**I. GENERAL INFORMATION**

Congress has recently passed laws relating to certain Afghan and Ukrainian parolees that have included language providing that parolee covered by the legislation “shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157)” Under Department of Health and Human Services (DHS) regulations, refugees are authorized employment incident to status, and under current U.S. Citizenship and Immigration Service (USCIS) policy and practice, refugees are not charged a fee by USCIS for their initial Form I-765, Employment Authorization Document (EAD). Parolees, however, are not employment authorized incident to status, and must pay a fee (currently \$410) for their EAD, unless the fee is waived or exempted.

**II. IMPLEMENTATION PROCEDURES**

Effective Nov. 21, 2022, Ukrainian and Afghan parolees, and their qualifying family members, with certain classes of admission are considered employment authorized incident to parole, which means that they do not need to wait for USCIS to approve their Form I-765, Application for Employment Authorization, before they can work in the United States. This updated policy guidance applies to the following individuals if their parole has not been terminated:

- Afghan parolees whose unexpired Form I-94, Arrival/Departure Record, contains a class of admission of “OAR.” Afghan parolees covered under section 2502(b), P.L. No. 117-43 who did not receive an “OAR” class of admission on their Form I-94, may email U.S. Customs and Border Protection at [oawi94adjustments@cbp.dhs.gov](mailto:oawi94adjustments@cbp.dhs.gov) to update their class of admission, if appropriate;
- Ukrainian parolees whose unexpired Form I-94 contains a class of admission of “UHP”; and
- Ukrainian parolees whose unexpired Form I-94 contains a class of admission of “DT” issued between Feb. 24, 2022, and Sept. 30, 2023, and indicates Ukraine as the country of citizenship on the document.

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES**

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

For these parolees, their unexpired Form I-94 is an acceptable receipt they may present to their employer to show their identity and employment authorization for the purposes of Form I-9, Employment Eligibility Verification.

Please see <https://www.uscis.gov/newsroom/alerts/certain-afghan-and-ukrainian-parolees-are-employment-authorized-incident-to-parole> for additional details.

**III. EFFECTIVE DATE**

Effective upon receipt.

If you have any questions, please submit them to the Continuous Quality Improvement Team (CQI) at [dss.policy.questions@dhhs.nc.gov](mailto:dss.policy.questions@dhhs.nc.gov).

Sincerely,



Allison W. Smith, Deputy Director  
Division of Social Services, Economic and Family Services

AWS/rjs

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