



Legal challenges mounting for those looking to leave Ukraine for U.S.

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Millions of Ukrainian refugees are scrambling to figure out what to do next after being displaced by violence. For those with family in America, it seems hopeless.

Ukraine is not like other European countries when it comes to getting visa requirements waived. Residents can't just simply fly to the U.S., even to visit. And that has Ukrainian Americans calling for a change, and fast.

For family members looking to come to the U.S. it is not as easy as just getting on a plane. Even in normal situations it's a year-long wait for Ukrainians travelers to get a temporary visa.

Now that that 3 million Ukrainians, are displaced the backlogs for those coveted visas are growing.[AR1]

David Bier is a fellow at the Cato Institute Research. "The Biden Administration's immigration policy is admit as few people as they can get away with politically," he said. "And I would argue that they have no interest in adding additional groups. (They see) this is as a European problem and not one that they need to get involved with."

For some a visa waiver is possible. No interview needed. You can apply online and get approved within 72 hours. But Ukraine is not on the list of eligible countries.

Many are realizing it's not an easy road to the United States, even in war.

Which is why many Americans with family in Ukraine are pushing the U.S. government to make visas available for Ukrainians more quickly, or waive the requirement. Or better yet, grants them something called humanitarian parole.

"I think there's political will among the American people to be very open to Ukrainians who want to reunite with their family," Bier said.

But there doesn't seem to be political will.

In a statement today the U.S. State Department didn't address our questions about speeding up the process for Ukrainians refugees only writing:

We cannot speculate on whether someone may or may not be eligible for a visa. Whenever an individual applies for a U.S. visa, a consular officer reviews the facts of the case and determines whether the applicant is eligible for that visa based on U.S. law. Individuals applying for non-immigrant visas must be able to demonstrate intent to leave the United States after a defined period in order to return to a residence abroad.

In the 1970s Vietnamese refugees were allowed to settle in the U.S. for humanitarian reasons. More recently Afghans have also been able to relocate to the U.S. But so far, the same has not been true for Ukrainians.

If you are trying to get loved ones to the U.S. from Ukraine, experts say you should consult with an immigration attorney. You will have a better chance of being successful if you are trying to reunite with a parent. But no matter what it will require patience.