



THE UKRAINE HUMANITARIAN CRISIS: FREQUENTLY ASKED QUESTIONS

Catholic Charities Migration and Refugee Services (MRS) is praying for the safety of all Ukrainians and all those affected by the conflict abroad. Immigration Legal Services (ILS) is available to discuss immigration matters with those whose families are affected by this tragedy. Below, we have provided answers to the most frequently asked questions we have been receiving about the conflict. Please call our intake department for a consultation on case specific questions at **216-939-3769**.

1. Who can Ukrainians contact to seek help for their family members fleeing the war abroad?

Catholic Charities Immigration Legal Services has created a reference sheet with information about humanitarian aid organizations. Please see “Supporting Ukraine” reference sheet.

2. Who is considered a Refugee?

There are two commonly used definitions of the word refugee. When people refer to refugees, they are typically speaking about “a person who has been forced to leave their country in order to escape war, persecution, or natural disaster.”

Under U.S. law, however, a refugee is a person who is unable or unwilling to return to his or her home country because of a “well-founded fear of persecution” due to race, membership in a particular social group, political opinion, religion, or national origin. The determination that a person meets this definition is made by the U.S. State Department *before* the person arrives in the U.S. in conjunction with many other agencies.

3. What is Uniting for Ukraine?

Uniting for Ukraine provides a pathway for Ukrainian citizens and their immediate family members who are outside the United States to come to the United States and stay temporarily in a two-year period of parole. Ukrainians participating in Uniting for Ukraine must have a supporter in the United States who agrees to provide them with financial support for the duration of their stay in the United States.

For more information on who is eligible for this program and how to apply, go to <https://www.uscis.gov/humanitarian/uniting-for-ukraine>.

4. What did the Biden Administration mean when they announced that the U.S. has plans to “welcome up to 100,000 Ukrainians”

While the administration has not announced any concrete plans yet, they have stated that they will use “the full range of legal pathways” to welcome Ukrainians. This means that they have not committed to bringing 100,000 Ukrainians under the U.S. legal definition of refugee. Instead, a portion of this estimated number of Ukrainians will be arriving on family-based immigrant visa petitions or, possibly, on a temporary status known as “humanitarian parole.”

5. How would a Ukrainian qualify for resettlement in the U.S. as a refugee?

Outside of the Lautenberg program described below, there is no direct path for a Ukrainian in Europe to access the U.S. refugee resettlement program.

Traditionally, to access the U.S. resettlement program, a person would have to register as a refugee with the United Nations High Commissioner on Refugees (“UNHCR”). Since the UNHCR currently does not have the authority to register refugees in Poland or any other country in the European Union, Ukrainians can only apply for protection directly

in the country where they have fled. For information on how a Ukrainian can seek humanitarian protection in the E.U., please visit the UNHCR website at <https://help.unhcr.org>.

6. What is the Lautenberg program and how can it help Ukrainians?

The Lautenberg program is a refugee access program available to certain religious minority groups. The applicant must be a “qualifying family member” of a person already in the United States and must be a member of a minority religion in Ukraine (Jewish, Evangelical Christian, Ukrainian Greek Catholic, and Ukrainian Autocephalous.)

The application, called an “Affidavit of Relationship,” must be made through a refugee resettlement organization during a specified application period. Current estimates indicate that applications submitted during this year’s “Lautenberg season” will take 3-5 years to process because of backlogs created by COVID-19 and the Trump administration’s large-scale reduction of U.S. Department of State staff.

The Lautenberg program is currently accepting new applications until September 30, 2022. Please contact our intake line at 216-939-3769 if you would like to apply for a family member.

7. Can a Ukrainian come to the United States as an immigrant if they have a family member here?

U.S. citizens and Lawful permanent residents can apply for certain family members to receive an “immigrant visa” to join them in the U.S. as Lawful Permanent Residents (“LPRs”/ “green card holders”). Keep in mind that some petitions have lengthy waiting periods for visa availability. Call our intake line at **216-939-3769** for a detailed consultation.

8. Can my Ukrainian relative get a visitor visa to come to the United States?

Obtaining a visitor visa to the United States requires that the applicant show they have “nonimmigrant intent,” or that they intend to return to their home country after a specified period. Because of this requirement, and because of the current state of the war, it will likely be very difficult for Ukrainians to establish nonimmigrant intent. To apply for a visitor visa, the applicant should visit the U.S. Embassy that has jurisdiction over the area where they currently reside.

9. What options do Ukrainians already in the United States have to remain here?

Ukrainian nationals who have been continually present in the United States since before March 1, 2022 can apply for Temporary Protected Status. If granted, TPS status will allow the Ukrainian national to remain in the U.S. for 18 months with the potential that the designation can be renewed in the future.

Ukrainians in the United States can also apply for asylum if they can demonstrate that they are likely to be persecuted in their home country based on their race, religion, nationality, political opinions, or particular social groups.

10. How can Catholic Charities help?

Catholic Charities is committed to assisting our Ukrainian community members with legal immigration needs and refugee resettlement. At this time, Catholic Charities does not anticipate a rapid influx of Ukrainian refugee arrivals as the refugee resettlement system is not designed to rapidly relocate individuals fleeing an emergency. Immigration Legal Services can assist with most family reunification petitions, applications for temporary protected status, and applications for asylum in the United States.