
REFUGEES, ASYLEES, FISCAL YEAR 2001

This report will appear as chapters in the forthcoming *2001 Statistical Yearbook of the Immigration and Naturalization Service*. All references to Appendices, Charts, Tables, and other sections of the *Statistical Yearbook*, as well as detailed table numbers, appear as they will in the final *Yearbook* edition.

II. REFUGEES

This section presents information on persons who are admitted to the United States because of persecution abroad, including the number and characteristics of persons applying, approved, arriving, and adjusting to lawful permanent resident status.

A *refugee is an alien outside the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution.* (See Appendix 2, p. A.2-11.)

This definition of refugee is set forth in 101(a)(42) of the Immigration and Nationality Act (INA), as amended by the Refugee Act of 1980, and conforms to the international definition of refugee found in the 1951 Convention relating to the Status of Refugees. In addition, the INA allows the President to designate certain nationalities who may be processed for refugee status within their homelands.

U.S. Refugee Program

The United States has resettled refugees for more than 50 years. The Displaced Persons Act of 1948 brought 400,000 Eastern Europeans to the United States. Between 1953 and 1956, the Refugee Relief Act resulted in more than 200,000 arrivals from what were then “Iron Curtain” countries. These early programs relied on immigrant visa channels to bring refugees to the United States. Beginning with the Soviet invasion of Hungary in 1956, however, U.S. refugee programs began to rely increasingly on the Attorney General’s parole authority, culminating in the parole of several hundred thousand Indochinese following the fall of South Vietnam in 1975. It was not until the enactment of the Refugee Act of 1980 that refugees entered the United States in a statutory status.

Chart C depicts initial refugee admissions and adjustments to lawful permanent resident status for the period 1946-2001. Under the INA, refugees may apply for lawful permanent resident status one year after arrival in the United States. This graph demonstrates the time lag between initial admission and adjustment to immigrant status. At the onset of parole programs there generally were no mechanisms for adjustment to permanent status, thus creating a recurring need for special legislation. The

Refugee Act of 1980 addressed this situation by including an adjustment provision. Some refugees do not apply for adjustment for several years while others never apply.

Admission ceilings

At the beginning of each fiscal year, the President, after consultation with the Congress, sets a worldwide refugee admissions ceiling. During the year, changes in the need for resettlement may require an increase in this overall limit on refugee admissions or a reallocation of the geographic or regional subceilings within the worldwide ceiling. For fiscal year 2001, the admissions subceilings were adjusted as follows:

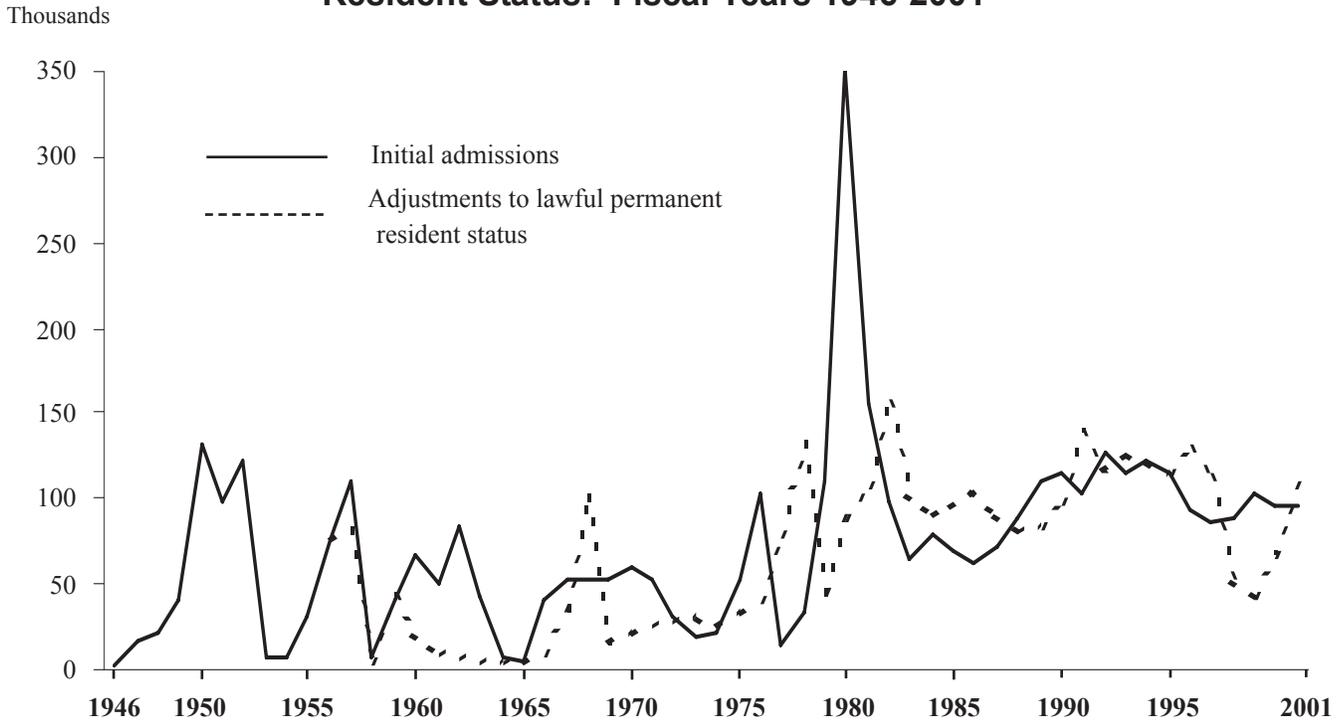
Geographic region of origin	Initial ceiling	Final ceiling
Total	80,000	80,000
Africa	20,000	21,000
East Asia	6,000	6,000
Europe	37,000	37,000
Latin America / Caribbean	3,000	3,500
Near East / South Asia	10,000	12,500
Unallocated	4,000	-

- Represents zero.

The authorized ceiling was decreased from 90,000 in 2000 to 80,000 in 2001. An unallocated and unfunded reserve of 4,000 admissions numbers was placed in the 2001 ceiling to be used if needed and if funding to support these admissions could be found within existing Department of State and Health and Human Services appropriations.

The regional subceiling for East Asia includes certain Vietnamese Amerasians, who enter the United States with immigrant visas. Although these aliens are immigrants rather than refugees, they are included in the refugee

Chart C
Refugee and Asylee Initial Admissions and Adjustments to Lawful Permanent Resident Status: Fiscal Years 1946-2001



Major refugee programs

1949-53	Displaced Persons Act	1978-84	Indochinese Refugee Adjustment Act	3/75-3/80	Indochinese refugees paroled
1954-57	Refugee Relief Act began			1980	Refugee-Parolee adjustments
11/56-7/58	Hungarians paroled	2/70-3/80	Refugee-Parolees admitted	4/80	Refugee Act admissions began
1959	Hungarian adjustments began	1/59-3/80	Cubans paroled	1981	Refugee Act adjustments began
1966-80	Refugee conditional entrants	1967	Cuban adjustments began	4/80-10/80	Mariel boatlift
				1985-87	Mariel adjustments

NOTE: For the period 1946-56, admissions to lawful permanent resident status and initial admissions were the same. See Glossary for fiscal year definitions. Source: Tables 23, 24, 27, and 32.

ceiling since they are eligible for refugee benefits in the United States. Only 379 Amerasians, including their family members, entered the United States in fiscal year 2001. They are included in the immigrant rather than the refugee tables in the *Statistical Yearbook*. Admissions under the Amerasian program are declining, since most of the eligible persons have already been identified and entered the United States.

Criteria for refugee status

During fiscal year 2001, refugees were interviewed and approved for admission to the United States by officers from 12 overseas offices. To qualify for admission to the

United States as a refugee, each applicant must meet all of the following criteria: be a refugee as set forth in section 101(a)(42) of the INA; be of special humanitarian concern to the United States; be admissible under the INA; and not be firmly resettled in any foreign country. Spouses and minor children of qualifying refugees derive status and also enter the United States as refugees, either accompanying or following to join the principal refugee. Occasionally, family members arrive in the United States as nonimmigrants independently of the principal refugee's admission. In such cases, they are processed for derivative refugee status without leaving the country. In 2001, 35 persons entered the United States this way.

Table B
Refugee-Status Applications Filed and Approved, and Refugees Admitted, by Selected Nationality: Fiscal Year 2001

Nationality	Refugee applications filed	Refugee applications approved	Refugee arrivals
All nationalities ¹	103,499	66,198	68,925
Bosnia-Herzegovina	15,814	14,854	14,593
Somalia	14,244	5,978	4,951
Ukraine	11,367	7,376	7,172
Iran.....	8,533	6,003	6,590
Sudan	7,782	6,003	5,959
Cuba.....	7,434	2,767	2,944
Liberia	6,068	2,189	3,429
Russia	5,623	3,924	4,454
Ethiopia	4,773	1,697	1,429
Afghanistan	4,076	3,505	2,930
Sierra Leone	3,579	1,249	2,004
Iraq.....	3,570	2,458	2,473
Moldova.....	2,209	1,576	1,168
Belarus.....	1,490	979	971
Uzbekistan	1,065	816	681
Croatia	1,004	1,171	1,020
Armenia	749	685	27
South Africa	554	485	-
Kazakhstan	437	287	291
Azerbaijan	379	331	449
Other.....	2,749	1,865	5,390

¹ Totals are incomplete for applications filed and applications approved because of missing data on Vietnamese.
Source: Tables 22 and 24. - Represents zero.

Special program for applicants from the former Soviet Union

Beginning in 1990, administrative processing of refugee applicants residing in the former Soviet Union was shifted to the United States. Applicants from the former Soviet Union have been required to submit an initial questionnaire to the State Department's Washington Processing Center (WPC) in Rosslyn, Virginia. The WPC established interview eligibility based on information supplied on the initial questionnaires and scheduled interviews in Moscow. On the day of their interview, applicants submitted completed refugee applications to INS officers in Moscow. Since 1990, those applications were counted as filed on the interview date. Fiscal year 2000 was the last year for this process; the processing of applicants returned to the Moscow office effective in 2001.

Data Overview

Applications (Tables B, 21-22)

The number of applications for refugee status filed with the INS increased by approximately 13 percent between fiscal year 2000 (92,000) and 2001 (103,000) (Table 21). The leading countries of chargeability of the applicants were Bosnia-Herzegovina, with 15 percent of the applications, Somalia (14), Ukraine (11), Iran (8), and Sudan (8) (Table B and Table 22). Among the nationalities on Table B with at least 1,000 applications filed, the largest percentage increases in 2001 over 2000 were Ethiopia (197), Somalia (94), Afghanistan (93), Sudan (60), Iran (40), and Liberia (40). The corresponding increase for nationals of the former Soviet Union was 64 percent. The largest percentage decreases were in applications filed by nationals of Croatia (-51), Bosnia-Herzegovina (-44),

Cuba (-18), and Iraq (-14). Overall, among the five geographic regions of chargeability, applications filed by nationals from Africa and Asia increased 61 and 23 percent, respectively, in contrast to Europe and North America which decreased about 9 and 18 percent, respectively over 2000.

Approvals (Tables B, 21-23)

The total number of refugees approved for admission to the United States remained virtually the same in 2001 (66,198) as in 2000 (66,546) (Table 23). Bosnia-Herzegovina continued as the leading country for approvals despite a 24 percent decline from 2000. Nationals from the republics of the former Soviet Union had more than 16,000 applications approved in 2001 (Table 22). The other leading countries were Ukraine, Iran, Sudan, and Somalia. These countries, including the republics of the former Soviet Union (excluding Ukraine), Afghanistan, Cuba, Iraq, and Liberia, accounted for 91 percent of all refugee approvals in 2001.

Of nationals from countries with more than 1,000 approvals, Afghanistan (125 percent), Sudan (48), Ethiopia (39), and Iran (10) experienced the highest growth in approvals in 2001. On the other hand, nationals from Croatia (-56 percent), Liberia (-48), Sierra Leone (-45), and Iraq (-22) exhibited significant decreases in 2001.

All Vietnamese refugee processing centers outside Vietnam were closed at the end of 1997. Residents of former refugee camps were asked to return to Vietnam. Their cases are processed through a special program called the Resettlement Opportunity for Vietnamese Returnees (ROVR) in Vietnam. The number of cases approved by the ROVR program in 2001 was 243.

Dependents

Refugee statistics include spouses and children who are cleared to join principal refugees already in the United States, and they count against the annual ceiling. Overall, 2.1 percent of the applications and 2.0 percent of the approvals were family reunification cases. Just four countries account for 68 percent of the applications and 76 percent of the approvals: Bosnia-Herzegovina, Iraq, Somalia, and Yugoslavia.

Arrivals (Tables B, 23-24)

Refugee arrivals into the United States decreased from 72,143 in fiscal year 2000 to 68,925 in fiscal year 2001 (Tables B, 23, and 24). This decrease was largely due to

More than 68,000 refugees arrived in the United States during 2001.

the decreases in refugee arrivals from Bosnia-Herzegovina and Croatia. The leading countries for refugee arrivals in 2001 were Bosnia-Herzegovina (14,593), Ukraine (7,172), Iran (6,590), Sudan (5,959), and Somalia (4,951)—comprising 57 percent of the total. Nationals from the former Soviet Union (15,527) accounted for 23 percent.¹ The time lag between approval of a refugee application and the refugee's arrival in the United States may be several months or more. After approval, refugees must undergo health and security clearances, have sponsorship and placement arranged, and in some cases go through orientation and English language training. This time lag accounts for the discrepancies between approval and arrival figures in any given year.

Understanding the Data

Data Collection

The Immigration and Naturalization Service collects data on refugees at three points during processing: when they apply for refugee status abroad; when they are admitted to the United States; and when they adjust to lawful permanent resident status. The INS overseas offices collect data on applicants for refugee status. Each office completes INS Form G-319, *Report of Applicants for Refugee Status under Section 207*, which reports refugee casework by the country to which each applicant is chargeable.

Both the Bureau for Refugee Programs (Department of State) and the Office of Refugee Resettlement (Department of Health and Human Services) collect data on refugees admitted to the United States. The Bureau for Refugee Programs collects data through the Intergovernmental Organization for Migration, which is a nongovernmental organization that arranges the transportation of refugees to the United States. The Office of Refugee Resettlement, responsible for the disbursement of funds for refugee benefits, collects detailed data on the characteristics of refugees at the time they are initially admitted to the United States.

¹ Ukraine is included in the former Soviet Union. The leading countries listed in the text plus the former Soviet Union accounted for 69 percent of all refugee arrivals in fiscal year 2001.

The Immigration and Naturalization Service collects data on refugees adjusting to lawful permanent resident status as part of its immigrant data series gathered by the Computer Linked Application Information Management Systems (CLAIMS). The data collected include demographic variables as well as immigration-oriented variables (see Immigrants section). The adjustment stage is the only point in the refugee process where the INS collects detailed information about the characteristics of refugees.

Limitations of Data

After careful consideration of the reporting requirements and limitations of data collected by the INS, it was decided that the *INS Statistical Yearbook* would present refugee arrival statistics from the Bureau for Refugee Programs, Department of State. This source counts the actual number of refugees arriving in the United States in each fiscal year. Comparison of refugee arrival data from editions of the *Yearbook* prior to 1996 with the present edition must be

made with caution. From 1987 to 1995 refugee arrival data presented in the *Yearbook* were derived from the INS's Nonimmigrant Information System (NIIS). This system compiles refugee arrival data by country of citizenship on a monthly basis from INS Form I-94, *Arrival/Departure Record* (see Nonimmigrants section). However, since this system records each entry of a person with nonimmigrant status, a refugee traveling abroad and returning to the United States may be counted more than once during a fiscal year.

As indicated in the footnotes to Tables 21-23, refugee data on the status of applications for Vietnam are incomplete. Data account only for Vietnamese processed by the Resettlement Opportunity for Vietnamese Returnees (ROVR) program. Data are not available for refugees processed under other Vietnamese in-country programs that dealt with former reeducation camp detainees and adult children of formerly admitted refugees. Admissions of refugees from Vietnam were 2,730 in 2001.

Refugee detailed tables are located at the end of the Asylées text section.

III. ASYLEES

This section presents information on persons who come to the United States to seek asylum from persecution abroad, including the number and characteristics of persons who filed, were granted asylum, and adjusted to lawful permanent resident status.

An asylee is an alien in the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution. (See Appendix 2, p. A.2-2.)

An asylee must meet the same criteria as a refugee; the only difference is the location of the person upon application—the potential asylee is in the United States or applying for admission at a port of entry, and the potential refugee is outside the United States. The Immigration and Nationality Act, as amended by the Refugee Act of 1980, regulates U.S. asylum policy as well as governing refugee procedures. The Act, for the first time, established a statutory basis for granting asylum in the United States consistent with the 1951 Convention Relating to the Status of Refugees.

U.S. Asylum Program

Filing of claims

Any alien physically present in the United States or at a port of entry may request asylum in the United States. According to the Refugee Act, current immigration status, whether legal or illegal, is not relevant to an applicant's asylum claim. Aliens may apply for asylum in one of two ways: with an INS asylum officer; or, if apprehended, with an immigration judge as part of a removal hearing. Traditionally, aliens who appeared at ports of entry without proper documents and requested asylum were referred for exclusion hearings; however, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 made major revisions to the procedure, effective on April 1, 1997. Under the new law, such aliens are referred to asylum officers for credible fear interviews. These interviews are not formal asylum hearings. The purpose of the interviews is to determine whether aliens have credible fear of persecution or torture and are thus eligible to apply for asylum or withholding of removal before an immigration judge. In credible fear interviews, aliens only need to show that there is a significant possibility that they might establish eligibility for asylum. To be granted

asylum, aliens must show they have been persecuted in the past or have a well-founded fear of persecution. An alien may request that an immigration judge review a negative determination by the INS on a credible fear claim. The data reported in this section pertain only to asylum cases filed with INS asylum officers. Aliens denied asylum by the INS may renew asylum claims with an immigration judge once they are in removal proceedings.

Adjudication of claims

On April 2, 1991 the Asylum Officer Corps (AOC) assumed responsibility within the INS for the adjudication of asylum claims that were filed with the INS. Before that date, examiners had heard such claims in INS district offices. During fiscal year 2001, asylum officers worked from eight sites in the United States—Arlington (Va), Chicago, Houston, Los Angeles, Miami, New York City, Newark (NJ), and San Francisco. Asylum officers traveled to other INS offices to interview applicants who did not live near these locations.

In March 1994 the INS published proposed regulations designed to streamline the asylum decision process, discourage the filing of frivolous claims, and in cases of claims that do not appear to meet the standards for granting asylum, integrate the work of asylum officers with the work of the immigration judges in the Executive Office for Immigration Review (EOIR), an independent Justice Department agency. The final asylum reform regulations were published in December 1994, and took effect on January 4, 1995.

Under asylum reform, the INS standard is to conduct the asylum interview within 43 days after the claim is filed, and to identify and grant those cases that have merit (generally in 60 days from the date of filing the application). If the INS asylum officer does not grant the claim, the applicant is referred immediately for removal proceedings before EOIR (unless the alien is still in a legal status). The immigration

judge may grant the claim or may issue a denial and an order of removal. Under this system, INS asylum officers issue relatively few denials, but an interview followed by a referral to EOIR represents the asylum officer's judgment that the application is not readily grantable. The INS will issue a denial (and cannot refer the case) when the applicant is still in a legal status. An applicant who fails without good cause to keep a scheduled appointment for an asylum interview is referred immediately to EOIR for removal proceedings, one type of case closure.

Beginning in 1997, the AOC also began conducting credible fear interviews as required by IIRIRA and interviewing applicants for refugee status at INS overseas locations.

More than 63,200 applications for asylum in the United States were received during 2001.

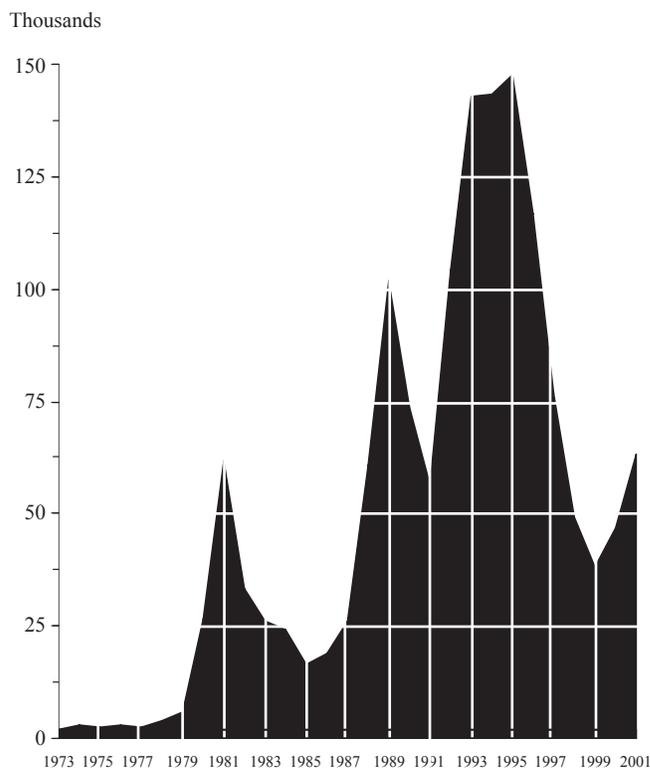
Data Overview

Applications filed (Chart D, Tables 25, 27)

The annual number of asylum applications (cases) filed with the INS has fluctuated greatly since the effective date of the Refugee Act of 1980, as shown in Chart D. In fiscal year 2001, 63,230 asylum cases were filed or reopened (received) involving 87,263 principals, spouses, and children. The number of cases increased by 36 percent in 2001 from 46,657 in 2000 (Table 25) while the number of individuals included in these cases grew in 2001 by 41 percent.

In fiscal year 2001, 59,369 new claims (cases) for asylum were filed with the INS. Principals from Mexico made the most new claims (8,980), followed by the People's Republic of China (8,137), Colombia (7,307), Haiti (5,036), and Armenia (2,239) (Table 27). New claims in 2001 grew the most from Mexico (5,225), Colombia (4,575), and the People's Republic of China (2,392). The largest declines in new claims were experienced by nationals of Somalia (-591) and El Salvador (-280). Principals from the former Soviet Union filed 4,558 new claims, 17 percent more than in 2000; 49 percent were from Armenia and 17 percent from Russia. A male was the principal in nearly 64 percent (37,712) of the new claims filed.

Chart D
Asylum Applications Received by the INS:
Fiscal Years 1973-2001



NOTE: See Glossary for fiscal year definitions. Source: Table 25.

Nearly 5,000 asylum cases were reopened in 2001 (including 1,080 cases that were both new and reopened during the year).

The number of reopened cases in fiscal year 2001 was about 74 percent of the cases reopened in 2000. Cases that were administratively closed are automatically reopened when aliens apply for renewal of their employment authorization. These reopened cases were applications filed prior to the asylum reforms of 1995, where the cases were administratively closed due to a failure to appear for the asylum interview. An interview is automatically rescheduled at the same time the cases are reopened. Some of these reopened cases may qualify under the terms of the American Baptist Churches (ABC) vs. Thornburgh settlement, the result of a class action lawsuit permitting many nationals of El Salvador and Guatemala to file or renew their claims for asylum.

With respect to principals, spouses, and children on applications filed (new and reopened) during 2001, the largest increases were from Colombia (9,261) and Mexico (8,022). On the other hand, nationals from Somalia (-694), El Salvador (-334), and Cuba (-325) experienced the largest decreases. About 57 percent of all individuals involved in new or reopened claims are male.

Trends in asylum applications filed by nationals from Central America

For over a decade, nationals from Central America dominated the annual number of asylum applications filed in the United States. From 1986 to 1992, Central Americans filed about half of all asylum applications. By 1993 and 1994 that percentage had fallen to about 40 percent of total applications filed. Then, the number of applicants from Central America surged to new heights in the next two years, with well over half of all asylum applicants. Beginning in 1997, the numbers started a sharp decline largely due to the termination of the filing period under the terms of the *American Baptist Churches vs. Thornburgh* settlement. As a result, Central American principals accounted for only about 3 percent of new claims and 5 percent of claims filed and reopened in 2001.

During the 1990s, the trend in asylum claims filed or reopened from Central America has been driven in large part by ABC cases. Under the terms of this 1991 class action lawsuit settlement agreement [*American Baptist Churches vs. Thornburgh*, 760 F. Supp. 796 (N.D. Cal. 1991)], many nationals of El Salvador and Guatemala were allowed to file or renew their claims for asylum. Nationals of Guatemala had a filing deadline of March 31, 1992, which was the peak year for claims from this country (although the INS allowed them to file until January 3, 1995). The 187,000 Salvadorans who had registered for Temporary Protected Status (TPS) in 1991 became eligible to file for asylum at the expiration of their TPS period in 1992. They were later granted additional time under deferred enforced departure periods which extended until December 1994, and they ultimately had until January 31, 1996 to apply for asylum under the ABC agreement. The number of ABC claims filed by principals from El Salvador surged during fiscal year 1996 before the filing deadline. These claims are heard under the pre-reform regulations as well as other stipulations of the settlement agreement. Applications filed after the ABC filing deadline were processed as reform filings, except those ABC cases that were closed by the EOIR or federal courts

and were not previously filed with the INS. Under the settlement, once the INS identifies the latter cases, they are treated as ABC filings instead of reform filings. During 2001, 573 cases were identified as either filed or reopened as ABC cases, compared with 722 in 2000.

On November 19, 1997 the Nicaraguan Adjustment and Central American Relief Act (NACARA) was signed into law. Section 203 of the NACARA permits certain Guatemalans, Salvadorans, and nationals of former Soviet bloc countries to apply for suspension of deportation or special rule cancellation of removal under the more generous standards in effect before the 1996 immigration law. Individuals granted relief under NACARA 203 are permitted to remain in the United States as lawful permanent resident aliens. All persons eligible for ABC benefits with asylum applications pending with the INS, also are eligible to apply for the NACARA benefits with the INS Asylum Program. Certain qualifying family members may also apply for NACARA benefits. In fiscal year 2001 there were 30,107 applications filed under NACARA 203 provisions compared to almost 57,000 in 2000. There were 18,012 cases granted and 72,121 pending applications at the end of the fiscal year compared to about 9,000 and 62,000, respectively, in 2000.

Cases completed (Tables 25, 27, 28)

During fiscal year 2001, the Asylum Officer Corps completed work on 67,935 claims and adjudicated about 69 percent (47,043) of them (Table 25). The remaining 31 percent were administratively closed or referred to an immigration judge with or without an interview prior to the expiration of the filing deadline. The number of cases approved in 2001 was 20,306, representing 43 percent of the cases adjudicated. The corresponding approval rate was 44 percent in 2000. The cases approved represented 28,728 individuals—principals, spouses, and children (Tables 27 and 28). The principals on the cases approved were in rank order by nationality: Colombia (5,672 granted cases), the People's Republic of China (4,803), Armenia (1,432), Burma (1,312), and Somalia (1,248) (Table 27).

There are special procedures for adjudicating cases based on coercive population control. Section 601 of the IIRIRA stipulates that a person qualifies as a refugee or asylee persecuted for political opinion if forced to undergo, has a well founded fear of being compelled to undergo, or resists a coercive population-control

procedure. It sets a combined annual ceiling of 1,000 persons who may be granted refugee or asylee status under this provision. Both the INS and the Executive Office for Immigration Review (EOIR) grant conditional asylee status to qualified applicants each year under this provision—status that is not subject to the 1,000 annual ceiling (currently, there are more than 1,000 conditional grants in a year). At the beginning of a new fiscal year, the INS Asylum Division issues 1,000 final grants—counted toward the annual ceiling of the previous year—to those who have received a conditional asylee status from either agency in previous fiscal years. The selection criterion for final grants is the date of the conditional grants. Those who received their conditional grants earlier would receive their final grants first. At the beginning of fiscal year 2002, the INS issued the 1,000 fiscal year 2001 final grants for asylum status to 337 individuals who received their conditional grants from the INS, 629 whose conditional grants were made by immigration judges, and 34 whose conditional grants were made by the Board of Immigration Appeals. The People’s Republic of China was the country of origin of all grants. No one was granted refugee status in fiscal year 2001 based on coercive population-control measures.

Cases pending

The number of asylum cases pending adjudication decreased about 1 percent between the beginning (335,000) and the end (331,000) of fiscal year 2001. Of total pending cases, approximately 286,000 will potentially qualify the asylum applicants for lawful permanent residence under NACARA or the Haitian Refugee Immigration Fairness Act (HRIFA) of 1998. Cases filed by nationals of El Salvador (49 percent of total pending), Guatemala (29), Haiti (5), and Nicaragua (4), accounted for about 87 percent of the pending cases as of the end of September 2001. The ABC cases, which also can be handled under the NACARA provisions, comprised 97 percent of the Salvadoran and Guatemalan cases filed, and 76 percent of all pending cases as of the end of September 2001. As many as 13,000 Nicaraguan and 2,000 Cuban nationals with pending cases also will be eligible for NACARA benefits. Not more than 14,000 Haitian nationals with pending cases are eligible for benefits under HRIFA.

Credible fear interviews

During fiscal year 2001, 12,961 aliens appeared at ports of entry without proper documents and requested asylum.

Most of these aliens were subsequently referred to asylum officers for credible fear interviews. Nationals of the People’s Republic of China submitted the most applications (3,818), followed by Colombia (2,199), Haiti (1,061), and Sri Lanka (974). These four countries accounted for about 62 percent of all applications in 2001. Some applicants change their mind and decide to withdraw their request for a credible fear interview before an interview takes place. The Asylum Officer Corps made 12,258 credible fear determinations in 2001, and found sufficient evidence of credible fear in 95 percent of the cases. These cases were referred to immigration judges for adjudication.

Understanding the Data

Data Collection

Prior to April 1, 1991, data on asylum applicants reflect cases filed with INS district directors and, subsequently, cases filed with INS asylum officers on Form I-589 (*Request for Asylum in the United States*). A centralized, automated data system (Refugee, Asylum, and Parole System—RAPS) supports the processing of the existing caseload and new asylum applications. The system supports case tracking, schedules and controls interviews, and generates management and statistical reports. The system reports asylum casework by nationality and other characteristics of asylum applicants. Data can be reported by case or by the number of persons covered, since a case may include more than one person. Data on asylum applicants have been collected by the INS for selected nationalities since July 1980, and for all nationalities since June 1983.

As with refugees, the Immigration and Naturalization Service collects data on asylees adjusting to lawful permanent resident status in the Computer Linked Application Information Management Systems (CLAIMS) (see Immigrants section). Adjustment to immigrant status was the only point at which detailed characteristics of asylees were collected prior to 1992. The RAPS system provides data on selected characteristics of asylum seekers and asylees at an earlier time.

The number of asylum applications filed is defined here as the sum of new applications received and applications reopened during the year. Tables 27 and 28 show the number of applications that were reopened during the year.

Most of these are cases that had been closed earlier without a decision. The tabulations also show the number of cases referred to immigration judges, with and without an interview. A referral due to failure to keep an appointment for an interview without good cause is considered comparable, for statistical purposes, to a closed case. The approval rate is calculated as the number of cases granted/approved divided by the number of cases adjudicated, which is defined as the cases granted/approved, denied, and referred to EOIR following an interview (including referrals under the filing deadline).

The data on credible fear claims are collected in the Asylum Pre-screening System (APSS). These data are not stored in RAPS and are not reflected in the detailed tables for this section.

Limitations of Data

The statistics shown here for fiscal year 2001 differ slightly from preliminary statistics released by the INS Asylum Division in October 2001. The data presented in this section were tabulated from the RAPS system eleven months after the close of fiscal year 2001 and incorporate late additions and corrections to the database. These data revisions affected prior years, particularly 2000. Therefore, numbers cited in this section for 2000 do not necessarily match the corresponding numbers in the fiscal year 2000 *Yearbook*. Since asylum claimants can reopen a case, some of the decisions categorized in the detailed tables in this edition of the *Yearbook* are possibly a change from a completion category in some previous fiscal year. In addition, technical limitations of the data file used to produce these tables preclude a precise count of the number

of pending applications at either the beginning of a fiscal year or the end of the year. That is because reopened cases in the data file do not indicate the date the cases were previously considered complete.

Data on applicants for asylum collected by the Immigration and Naturalization Service historically have covered only cases filed with the INS. Information has not been available on cases filed by aliens after the INS has placed the alien in removal proceedings before an immigration judge in the Executive Office for Immigration Review (EOIR). The two agencies are working to integrate their data systems to provide these data in the future. Asylum was granted by EOIR to approximately 9,800 individuals in 2001; therefore, the total number of individuals granted asylum by both agencies was about 38,500, compared to 32,000 in 2000.

Principal applicants whose asylum applications are successful can apply for their spouses and minor children, whether they are in the United States or abroad, and these relatives also receive status as asylees. The RAPS system collects information on the spouses and children of asylum applicants only if they are included on the principal's application. Information regarding relatives whose principals petition for them after receiving asylum is collected by CLAIMS and is not included in any table in this publication. The data collected by the INS at the time asylees adjust to permanent resident status include all aliens who adjust regardless of whether they were granted asylum by the INS, immigration judges, or the Board of Immigration Appeals. Adjustment data also include all spouses and children of persons granted asylum.