

Refugees and Asylees: 2005

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Each year thousands of persons who fear or face persecution in their country of origin seek asylum or refugee status in the United States. Those living outside the United States may be referred for refugee status, and if approved, enter the United States as refugees. Individuals already living in the United States or appearing at a U.S. port of entry may apply for asylum. This Office of Immigration Statistics *Annual Flow Report* provides information on the number of persons admitted to the United States as refugees or granted asylum in the United States in 2005¹.

The refugee data presented in this flow report were derived from data on refugee admissions by country of origin that are maintained in the Worldwide Refugee Admissions Processing System (WRAPS) of the Bureau of Population, Refugees, and Migration (PRM) of the U.S. Department of State. The asylee data were obtained from the Refugee, Asylum, and Parole System (RAPS) of U.S. Citizenship and Immigration Services (USCIS) of the U.S. Department of Homeland Security, and the Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice.

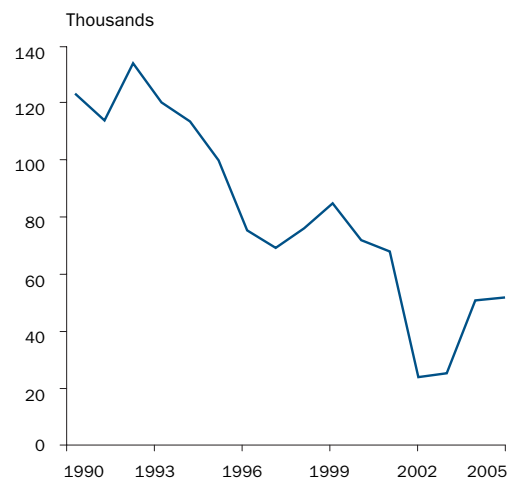
In 2005, 53,813 persons were admitted to the United States as refugees (see Figure 1). The leading countries of origin² for refugees were Somalia, Laos, and Cuba. Also in 2005, 25,257 individuals were granted asylum, including 13,520 who were granted asylum affirmatively through USCIS and 11,737 who were granted asylum defensively by an immigration judge. The leading countries of origin for asylum cases were China, Colombia, and Haiti.

DEFINING "REFUGEE"

A refugee is an alien outside the United States who is unable or unwilling to return to his or her country of origin because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. 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 generally conforms to the international definition of refugee contained in the 1951 United Nations Convention relating to the Status of Refugees. In addition, the INA allows the President to designate certain nationalities

¹ In this report, years refer to fiscal years (October 1 to September 30).
² Refers to country of nationality or the country credited with the admission.

Figure 1.
**Refugee Arrivals to the United States:
 1990 to 2005**



Source: U.S. Department of State, Bureau of Population, Refugees, and Migration, Worldwide Refugee Admissions Processing System (WRAPS), Fiscal Years 1990 to 2005.

Table 1.
Refugee Admissions Ceilings: 2003 to 2005

Region	Ceiling		
	2005	2004	2003
Total	70,000	70,000	70,000
Africa	20,000	30,000	20,000
East Asia	13,000	8,500	4,000
Europe/Central Asia	9,500	13,000	16,500
Latin America/Caribbean	5,000	3,500	2,500
Near East/South Asia	2,500	3,000	7,000
Unallocated reserve	20,000	12,000	20,000

Source: U.S. Department of State, *Proposed Refugee Admissions for FY 2005 - Report to Congress*.



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that may be processed for refugee status within their homelands. In 2005, the designated areas included Cuba, Vietnam, and the countries of the former Soviet Union.

History of Refugee Legislation

The first refugee legislation in the United States was the Displaced Persons Act of 1948, which brought 400,000 Eastern Europeans to the United States. Other ad hoc refugee related legislation followed, including the Refugee Relief Act of 1953 and the Fair Share Refugee Act of 1960. The United States began use of the Attorney General's parole authority to bring refugees into the country in 1956, culminating in the parole of several hundred thousand Indochinese as part of the Indochinese Refugee Act of 1977.

The 1967 United Nations Protocol Relating to the Status of Refugees (which the United States signed in 1968) prohibited any nation from returning a refugee to a country where his or her life or freedom would be threatened. Congress enacted legislation to bring U.S. law into compliance with the obligations it assumed under the Protocol in the form of the Refugee Act of 1980, which established a geographically and politically neutral adjudication standard for refugee status. The Refugee Act also made a distinction between refugee and asylee status and allowed certain refugees to be processed while in their countries of origin.

Admission Ceilings

At the beginning of each fiscal year, the President consults with Congress to establish a worldwide refugee admissions ceiling for that year and to set allocations for each of the six geographic regions. In the case of an unforeseen emergency, the total ceiling and regional sub-ceilings may be adjusted. In 2005, the total ceiling for refugee admissions was 70,000. This ceiling was unchanged from 2004 and 2003 (see Table 1).

Eligibility Requirements

In order to qualify for refugee status, an 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 may derive status and also enter the United States as refugees, either accompanying or following to join the principal refugee. Eligibility for refugee status is determined on a case-by-case basis. Applicants with criminal records or serious health problems may be inadmissible to the United States even if USCIS has determined them to be a refugee. The United States Refugee Program (USRP) also has a priority system for processing applications including individual referrals (priority one), groups of special humanitarian concern (priority two), and family reunification cases (priority three).

Table 2.

Refugee Arrivals by Category of Admission: Fiscal Years 2003 to 2005

Category	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	53,813	100.0	52,868	100.0	28,422	100.0
Principal applicant	18,252	33.9	17,835	33.7	10,483	36.9
Dependents						
Spouse	8,523	15.8	7,012	13.3	4,073	14.3
Parent	208	0.4	134	0.3	88	0.3
Child	25,006	46.5	25,677	48.6	12,721	44.8
Sibling	799	1.5	1,029	1.9	455	1.6
Other	1,025	1.9	1,181	2.2	602	2.1

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration, Worldwide Refugee Admissions Processing System (WRAPS), Fiscal Years 2003 to 2005.

Table 3.

Refugee Arrivals by Country of Origin: Fiscal Years 2003 to 2005

(Ranked by 2005 country of origin)

Country	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	53,813	100.0	52,868	100.0	28,422	100.0
Somalia	10,405	19.3	13,331	25.2	1,993	7.0
Laos	8,517	15.8	6,005	11.4	13	-
Cuba	6,361	11.8	2,958	5.6	303	1.1
Russia	5,982	11.1	1,446	2.7	1,394	4.9
Liberia	4,289	8.0	7,140	13.5	2,957	10.4
Ukraine	2,889	5.4	3,482	6.6	5,065	17.8
Sudan	2,205	4.1	3,500	6.6	2,140	7.5
Vietnam	2,079	3.9	1,007	1.9	1,472	5.2
Iran	1,856	3.4	1,787	3.4	2,471	8.7
Ethiopia	1,665	3.1	2,710	5.1	1,704	6.0
Other	7,565	14.1	9,502	18.0	8,910	31.3

- Figure rounds to 0.0.

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration, Worldwide Refugee Admissions Processing System (WRAPS), Fiscal Years 2003 to 2005.

Table 4.

Refugee Arrivals by Age, Gender, and Marital Status: Fiscal Years 2003 to 2005

Age	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	53,813	100.0	52,868	100.0	28,422	100.0
0 to 17 years	20,219	37.6	19,742	37.3	8,108	28.5
18 to 24 years	9,636	17.9	10,026	19.0	5,563	19.6
25 to 34 years	8,422	15.7	8,582	16.2	4,748	16.7
35 to 44 years	6,797	12.6	6,000	11.3	3,698	13.0
45 to 54 years	4,049	7.5	3,642	6.9	2,654	9.3
55 to 64 years	2,364	4.4	2,446	4.6	1,675	5.9
65 years and over	2,326	4.3	2,430	4.6	1,976	7.0
Gender						
Male	27,513	51.1	26,740	50.6	14,262	50.2
Female	26,300	48.9	26,128	49.4	14,160	49.8
Marital status						
Married	18,798	34.9	16,686	31.6	10,033	35.3
Single	31,044	57.7	33,160	62.7	16,684	58.7
Other	3,971	7.4	3,022	5.7	1,705	6.0

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration, Worldwide Refugee Admissions Processing System (WRAPS), Fiscal Years 2003 to 2005.

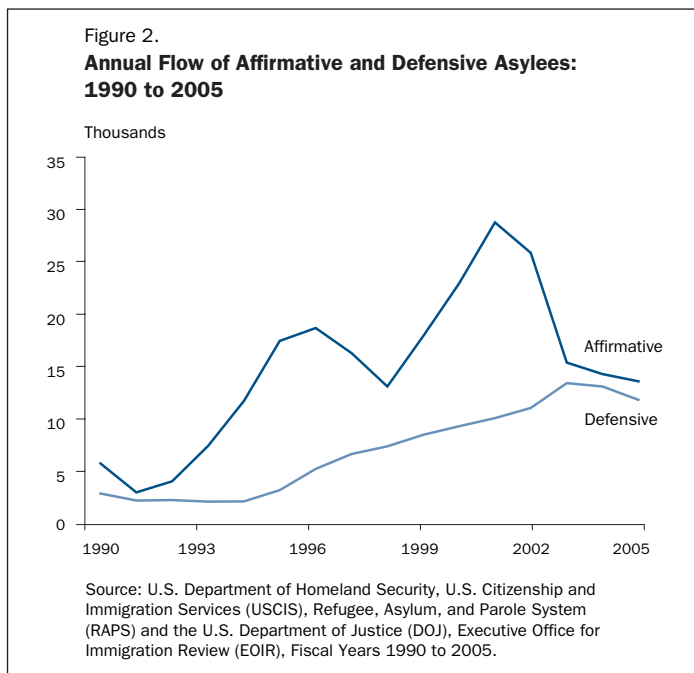
Table 5.

Refugee Arrivals by State of Residence: Fiscal Years 2003 to 2005

(Ranked by 2005 state of residence)

State	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	53,813	100.0	52,868	100.0	28,422	100.0
California	7,516	14.0	6,757	12.8	4,205	14.8
Minnesota	6,357	11.8	5,932	11.2	1,793	6.3
Florida	4,793	8.9	2,963	5.6	928	3.3
Texas	3,247	6.0	3,382	6.4	1,554	5.5
Washington	2,847	5.3	3,016	5.7	2,771	9.7
New York	2,568	4.8	3,047	5.8	2,281	8.0
Arizona	1,872	3.5	1,978	3.7	970	3.4
Georgia	1,866	3.5	2,155	4.1	1,109	3.9
Wisconsin	1,851	3.4	1,658	3.1	242	0.9
Ohio	1,560	2.9	1,432	2.7	656	2.3
Other	19,336	35.9	20,548	38.9	11,913	41.9

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration, Worldwide Refugee Admissions Processing System (WRAPS), Fiscal Years 2003 to 2005.



Application Process

Applicants to the USRP are usually referred by officials from the United Nations High Commissioner for Refugees (UNHCR) or a U.S. Embassy or Consulate. Some applicants may apply to the USRP directly if they are of certain nationalities designated as being of special humanitarian concern to the United States. Once an individual has been referred, an Overseas Processing Entity conducts a pre-screening interview and completes the required documents for submission to USCIS. Once all application materials have been submitted, an immigration officer interviews the applicant to determine whether he/she meets the definition of a refugee. Individuals who are found eligible must satisfy medical and security criteria and be assigned to a sponsor. A “sponsor” is a resettlement agency that is responsible for meeting the refugee

at the airport, making housing arrangements, and preparing a resettlement plan.

If an applicant is approved for relocation, he/she is assigned a refugee admission number, and the International Organization for Migration (IOM) makes arrangements for their travel to the United States. After arrival, refugees are not permitted to travel outside the country unless they obtain permission to return before traveling.

Spouses and unmarried children under the age of 21 may obtain derivative refugee status from the principal applicant. An “accompanying derivative” is a spouse or child who enters with the applicant or within four months after admission. A “following-to-join derivative” is a spouse or child that joins the principal applicant more than four months after his/her admission to the United States. It is possible to apply for derivative refugee benefits up to two years after the principal refugee is admitted to the United States using Form I-730, Refugee/Asylee Relative Petition, as long as the relationship between the principal and spouse and/or child existed when the application was filed and continues to exist.

Authorization for Employment

Refugees (including spouses and children over the age of 14) are authorized to work in the United States. Initially, an I-94 (Arrival/Departure Record) with a refugee admissions stamp or a social security card may be used as authorization to work. The refugee may then submit form I-765, Application for Employment Authorization, in order to obtain an Employment Authorization Document (I-766). One year after being admitted to the United States, refugees may apply for legal permanent resident status.

DATA

The refugee data presented in this flow report were derived from data on refugee admissions by country of origin that are maintained in the Worldwide Refugee Admissions Processing System (WRAPS) of the Bureau of Population, Refugees, and Migration (PRM) of the U.S. Department of State. Overseas Processing Entities and immigration workers in the United States enter data into the system. The majority of the data come from USCIS, and the remainder includes medical and language information that is entered upon arrival in the United States.

RESULTS

Category of Admission

Of the 53,813 refugees admitted to the United States in 2005, only 18,252 (34 percent) were principal applicants (see Table 2). Dependent children and spouses represented 46 percent and 16 percent, respectively, of refugee admissions. Three additional classes including parents, siblings, and other comprised the remaining 4 percent.

Country of Origin

In 2005, the leading countries of origin for refugees were Somalia (19 percent), Laos (16 percent), Cuba (12 percent), and Russia (11 percent) (see Table 3). Almost 60 percent of refugees were from these four countries.

Age, Gender, and Marital Status

The majority of refugees (55 percent) admitted to the United States in 2005 were less than 25 years of age, with 38 percent under 18 (see Table 4). A slight majority of refugees were male (51 percent). More than half of all refugees admitted in 2005 (58 percent) were single, 35 percent were married, and 7 percent fell into other or unknown marital status categories.

State of Residence

The largest percentages of refugees admitted to the United States in 2005 settled in California (14 percent) and Minnesota (12 percent) (see Table 5). Other major refugee receiving states included Florida (8.9 percent), Texas (6.0 percent), Washington (5.3 percent), and New York (4.8 percent). Over one-half of all refugees settled in these six states.

DEFINING “ASYLEE”

An “asylee” is an alien in the United States who is unable or unwilling to return to his/her country of origin due to persecution or a well-founded fear of persecution. Asylees must meet the same criteria as refugees; however, whereas a refugee is located outside the United States at the time of application, an asylee is located in the United States or at a port of entry. U.S. asylum policy is governed by the Refugee Act of 1980. The Refugee Act established a statutory process for granting asylum consistent with the 1951 Convention Relating to the Status of Refugees.

Filing of Claims

Any alien present in the United States or at a port of entry may apply for asylum regardless of his/her immigration status. Asylum may be obtained in two ways: affirmatively through a USCIS asylum officer or defensively with an immigration judge as part of a removal hearing. In order to obtain affirmative asylum, the alien must apply within one year from the date of last arrival in the United States by filing form I-589, Application for Asylum and for Withholding of Removal, to USCIS. Submission is followed by fingerprinting and a background security check of the applicant.

Adjudication of Claims

The Asylum Officer Corps (AOC) within USCIS is responsible for the adjudication of asylum claims filed with the agency. During the interview, an Asylum Officer determines whether the applicant meets the definition of a refugee and whether any bars apply. Individuals may be barred from being granted asylum, for

Table 6.

Persons Granted Asylum by Country of Origin: Fiscal Years 2003 to 2005

(Ranked by 2005 country of origin)

Country	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	25,257	100.0	27,169	100.0	28,684	100.0
China	5,225	20.7	4,302	15.8	5,999	20.9
Colombia	3,375	13.4	4,368	16.1	4,561	15.9
Haiti	2,962	11.7	2,319	8.5	1,728	6.0
Venezuela	1,114	4.4	1,255	4.6	350	1.2
Ethiopia	728	2.9	1,010	3.7	808	2.8
Albania	695	2.8	899	3.3	964	3.4
Cameroon	647	2.6	863	3.2	998	3.5
Russia	488	1.9	552	2.0	668	2.3
Indonesia	469	1.9	528	1.9	581	2.0
Armenia	426	1.7	545	2.0	867	3.0
Other	9,128	36.1	10,528	38.8	11,160	38.9

Source: U.S. Department of Homeland Security, U.S. Citizenship and Immigration Service (USCIS), Refugee, Asylum, and Parole System (RAPS) and the U.S. Department of Justice (DOJ), Executive Office for Immigration Review (EOIR), Fiscal Years 2003 to 2005.

Table 7.

Persons Granted Asylum Affirmatively by Country of Origin: Fiscal Years 2003 to 2005

(Ranked by 2005 country of origin)

Country	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	13,520	100.0	14,207	100.0	15,310	100.0
Haiti	2,309	17.1	1,786	12.6	1,162	7.6
Colombia	2,225	16.5	2,898	20.4	2,971	19.4
China	2,217	16.4	900	6.3	2,398	15.7
Venezuela	961	7.1	1,198	8.4	315	2.1
Ethiopia	464	3.4	752	5.3	569	3.7
Cameroon	384	2.8	593	4.2	812	5.3
Guatemala	253	1.9	204	1.4	155	1.0
Russia	236	1.7	231	1.6	287	1.9
Nepal	231	1.7	162	1.1	143	0.9
Zimbabwe	204	1.5	239	1.7	193	1.3
Other	4,036	29.9	5,244	36.9	6,305	41.2

Source: U.S. Department of Homeland Security, U.S. Citizenship and Immigration Service (USCIS), Refugee, Asylum, and Parole System (RAPS), Fiscal Years 2003 to 2005.

example, if they were convicted of certain crimes. The 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) revised the law so that aliens appearing at ports of entry with no documentation are referred to asylum officers for credible fear interviews instead of to exclusion hearings.

If asylum is granted, the asylee is entitled to benefits including employment authorization and assistance, a social security card, and other assistance and services. If the claim is not granted, the applicant is referred to the Executive Office for Immigration Review (EOIR) of the Department of Justice for removal proceedings. Applicants who fail to keep a scheduled appointment for an asylum interview are immediately referred to EOIR for removal proceedings. Aliens may also be placed in removal proceedings because they are undocumented, in violation of their status when

Table 8.**Persons Granted Asylum Defensively by Country of Origin:
Fiscal Years 2003 to 2005**

(Ranked by 2005 country of origin)

Country	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	11,737	100.0	12,962	100.0	13,374	100.0
China	3,008	25.6	3,402	26.2	3,601	26.9
Colombia	1,150	9.8	1,470	11.3	1,590	11.9
Haiti	653	5.6	533	4.1	566	4.2
Albania	608	5.2	724	5.6	717	5.4
Indonesia	374	3.2	421	3.2	366	2.7
India	310	2.6	450	3.5	595	4.4
Armenia	268	2.3	299	2.3	412	3.1
Ethiopia	264	2.2	258	2.0	239	1.8
Cameroon	263	2.2	270	2.1	186	1.4
Guinea	257	2.2	258	2.0	155	1.2
Other	4,582	39.0	4,877	37.6	4,947	37.0

Source: U.S. Department of Justice (DOJ), Executive Office for Immigration Review (EOIR), Fiscal Years 2003 to 2005.

Table 9.**Persons Granted Asylum Affirmatively by Age, Gender, and Marital Status:
Fiscal Years 2003 to 2005**

Age	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	13,520	100.0	14,207	100.0	15,310	100.0
0 to 17 years	2,057	15.2	2,104	14.8	2,055	13.4
18 to 24 years	1,761	13.0	1,991	14.0	2,133	13.9
25 to 34 years	3,938	29.1	4,324	30.4	4,645	30.3
35 to 44 years	3,705	27.4	3,465	24.4	3,919	25.6
45 to 54 years	1,541	11.4	1,669	11.7	1,734	11.3
55 to 64 years	373	2.8	435	3.1	519	3.4
65 years and over	145	1.1	219	1.5	305	2.0
Gender						
Male	6,996	51.7	7,582	53.4	8,092	52.9
Female	6,524	48.3	6,625	46.6	7,218	47.1
Marital status						
Single	6,066	44.9	6,510	45.8	6,491	42.4
Married	6,890	51.0	6,991	49.2	8,082	52.8
Other	564	4.2	706	5.0	737	4.8

Source: U.S. Department of Homeland Security, U.S. Citizenship and Immigration Service (USCIS), Refugee, Asylum, and Parole System (RAPS), Fiscal Years 2003 to 2005.

apprehended, or caught trying to enter the United States without proper documentation. Cases referred to an immigration court are usually resolved within six months of the application date. The immigration judge may grant asylum or issue a denial and order of removal.

Coercive Population Control (CPC)

Special procedures exist for adjudicating cases based on coercive population control (CPC). Section 601 of the IIRIRA stipulates that a person qualifies as a refugee or asylee if he/she was forced to undergo, has a well-founded fear of being compelled to undergo, or resists a coercive population-control procedure. Prior to 2005, there was an annual ceiling of 1,000 for persons who could be

granted refugee or asylee status under this provision. The Real ID Act of 2005 eliminated the annual cap on asylum approvals based solely on CPC.

DATA

The affirmative asylee data presented in this flow report were derived from data on applications for asylum maintained in the Refugee, Asylum, and Parole System (RAPS) of the U.S. Citizenship and Immigration Services (USCIS) of the U.S. Department of Homeland Security. The defensive asylee data were obtained from the Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice.

RESULTS**Trends in Admission**

The total number of persons granted asylum decreased from 27,169 in 2004 to 25,257 in 2005. The number of persons who became asylees affirmatively through USCIS dropped from 14,207 in 2004 to 13,520 in 2005 (see Figure 2). Likewise, the number of asylees who were granted asylum defensively through an Immigration Court (EOIR) declined slightly from 12,962 in 2004 to 11,737 in 2005.

Country of Origin

The leading countries of origin for persons granted asylum in 2005 were China (21 percent), Colombia (13 percent), Haiti (12 percent), Venezuela (4.4 percent), Ethiopia (2.9 percent), Albania (2.8 percent), Cameroon (2.6 percent), Russia (1.9 percent) and Indonesia (1.9 percent)(see Table 6). These countries accounted for the origin of over 60 percent of asylees.

In 2005, 13,520 persons were granted asylum affirmatively. The top countries of origin for affirmative asylees were Haiti (17 percent), Colombia (17 percent), and China (16 percent)(see Table 7). These three countries accounted for the origin of 50 percent of all affirmative asylees in 2005.

Of the 11,737 persons granted asylum defensively in 2005, over 40 percent were from one of three countries: China (26 percent), Colombia (10 percent), or Haiti (6 percent) (see Table 8).

Age, Gender, and Marital Status

Demographic information was available only for affirmative asylees. Of the 13,520 persons granted asylum affirmatively in 2005, 81 percent were between the ages of 18 and 54 (see Table 9). Only 15 percent were under 18 years of age, and individuals aged 55 or over accounted for less than 4 percent. In 2005, 52 percent of affirmative asylees were male. Fifty one percent were married and 45 percent were single.

State of Residence

The largest percentages of individuals granted asylum affirmatively were living in Florida (38 percent) and California (20 percent)(see Table 10). Over one-half of those granted asylum affirmatively resided in these two states. Other major receiving states for affirmative asylees included New York (11 percent), Maryland (6.4 percent), Georgia (2.6 percent), and Virginia (2.5 percent).

FOR MORE INFORMATION

Visit the Office of Immigration Statistics web page at <http://www.dhs.gov/immigrationstatistics> or <http://uscis.gov/graphics/shared/statistics>.

Table 10.

Persons Granted Asylum Affirmatively by State of Residence: 2003 to 2005

(Ranked by 2005 state of residence)

State	2005		2004		2003	
	Number	Percent	Number	Percent	Number	Percent
Total	13,520	100.0	14,207	100.0	15,310	100.0
Florida	5,119	37.9	5,338	37.6	3,978	26.0
California	2,644	19.6	2,604	18.3	4,703	30.7
New York	1,445	10.7	1,019	7.2	1,207	7.9
Maryland	863	6.4	1,268	8.9	1,528	10.0
Georgia	349	2.6	163	1.1	77	0.5
Virginia	338	2.5	451	3.2	603	3.9
Washington	216	1.6	245	1.7	95	0.6
Massachusetts	199	1.5	271	1.9	216	1.4
Texas	196	1.4	175	1.2	251	1.6
Michigan	175	1.3	210	1.5	322	2.1
Other	1,976	14.6	2,463	17.3	2,330	15.2

Source: U.S. Department of Homeland Security, U.S. Citizenship and Immigration Service (USCIS), Refugee, Asylum, and Parole System (RAPS), Fiscal Years 2003 to 2005.