

Refugees and Asylees: 2008

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The United States provides refuge to persons who have been persecuted or have a well-founded fear of persecution through two programs: one for refugees (persons outside the U.S.) and one for asylees (persons in the U.S.). 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 2008.¹

A total of 60,108 persons² were admitted to the United States as refugees during 2008 (see Figure 1). The leading countries of nationality for refugees were Burma, Iraq, and Bhutan. During 2008, 22,930 individuals were granted asylum, including 12,187 who were granted asylum affirmatively by U.S. Citizenship and Immigration Services (USCIS)³ and 10,743 who were granted asylum defensively by an immigration judge during removal proceedings. The leading countries of nationality for persons granted asylum were China, Colombia, and Haiti.

DEFINING “REFUGEE” AND “ASYLUM” STATUS

To be eligible for refugee or asylum status, an applicant must meet the definition of a refugee set forth in 101(a)(42) of the Immigration and Nationality Act (INA): a person who is unable or unwilling to return to his or her country of nationality⁴ 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.⁵ An applicant for refugee status is outside the United States, while an applicant seeking asylum status is in the U.S. or at a U.S. port of entry. Although the INA definition of refugee indicates that the individual is outside his or her country of nationality, the INA also provides the President with the authority to designate countries whose nationals may

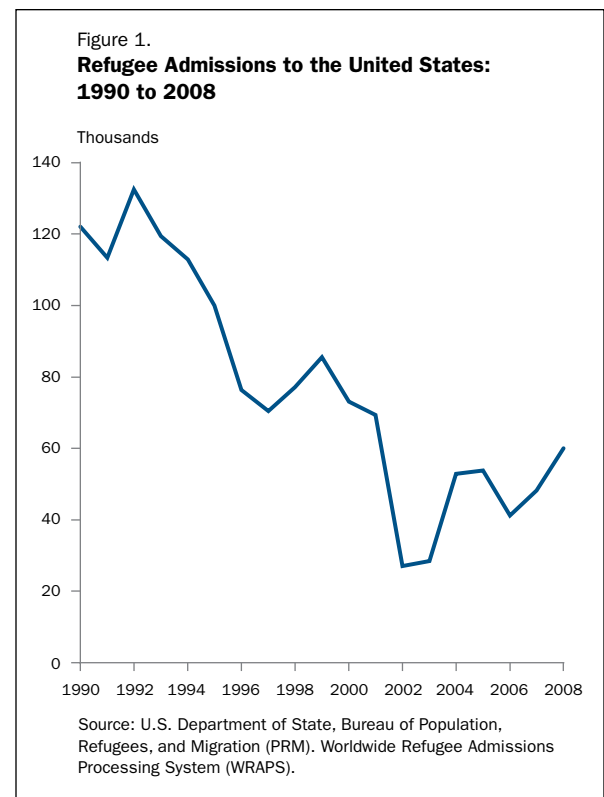
be processed for refugee status within their respective countries (i.e., in-country processing). In 2008, nationals of Cuba, Vietnam, republics of the former Soviet Union, and Iraq were designated for in-country processing. In-country processing was also conducted for extraordinary individual protection cases for which resettlement was requested by a U.S. ambassador.

REFUGEES

History of Refugee Legislation

The first refugee legislation in the United States was the Displaced Persons Act of 1948, which brought 400,000

¹ In this report, years refer to fiscal years (October 1 to September 30).
² Refugee data in this report differ slightly from numbers reported by the Department of State. DOS refugee numbers include Amerasians, whereas DHS reports Amerasians as lawful permanent residents.
³ Affirmative asylum data are current as of November 2008 and may differ slightly from year-end 2008 numbers reported by Asylum Division, USCIS.
⁴ Or, if an applicant is considered “stateless,” his or her country of last habitual residence.
⁵ This definition was expanded in 1996 (under the Illegal Immigration Reform and Immigrant Responsibility Act) to include persons who have been forced to abort a pregnancy or undergo involuntary sterilization or who have been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program. The definition, as established in 1980, excludes those who have ordered, incited, assisted or otherwise participated in the persecution of others.



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 used the Attorney General's parole authority to bring large groups of persons into the country for humanitarian reasons beginning in 1956 with nationals of Hungary and culminating with hundreds of thousands of Indochinese parolees in the 1970s.

The 1967 United Nations Protocol Relating to the Status of Refugees (which the United States ratified 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 principles outlined in the Protocol in passing the Refugee Act of 1980, which established a geographically- and politically-neutral refugee definition. The Refugee Act of 1980 also made a distinction between refugee and asylum status and allowed certain refugees to be processed while in their countries of nationality.

Admission Ceilings

Before the beginning of each fiscal year, the President consults with Congress to establish an overall refugee admissions ceiling as well as five regional allocations and an unallocated reserve. The total ceiling for refugee admissions increased from 70,000 in 2007 to 80,000 in 2008, due to the expected resettlement of Iraqi, Bhutanese, and Iranian refugees in the Near East/South Asia region (see Table 1).

Table 1.
Refugee Admissions Ceilings: Fiscal Years 2006 to 2008

Region	Ceiling		
	2008	2007	2006
Total	80,000	70,000	70,000
Africa	16,000	20,000	20,000
East Asia	20,000	15,000	13,000
Europe/Central Asia	3,000	15,000	9,500
Latin America/Caribbean	3,000	5,000	5,000
Near East/South Asia	28,000	5,000	2,500
Unallocated Reserve	10,000	10,000	20,000

Source: U.S. Department of State, *Proposed Refugee Admissions for FY 2008—Report to Congress*.

Eligibility Requirements

In order to qualify for refugee status, an applicant must meet the following: (1) be of special humanitarian concern to the United States; (2) meet the refugee definition as set forth in section 101(a)(42) of the INA; (3) be admissible under the INA; and (4) not be firmly resettled in any foreign country. A person who USCIS has determined meets the refugee definition may nonetheless be inadmissible to the United States due to criminal, security, or other grounds.

Table 2.
**Refugee Arrivals by Category of Admission:
Fiscal Years 2006 to 2008**

Category of admission	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	60,108	100.0	48,218	100.0	41,150	100.0
Principal Applicant	25,355	42.2	19,912	41.3	16,384	39.8
Dependents	34,753	57.8	28,306	58.7	24,766	60.2
Spouse	10,406	17.3	7,414	15.4	6,055	14.7
Child	24,347	40.5	20,892	43.3	18,711	45.5

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM), Worldwide Refugee Admissions Processing System (WRAPS).

Application Process

The United States Refugee Admissions Program (USRAP) has a priority system for determining access to the program, including individuals referred by the United Nations High Commissioner for Refugees, a U.S. Embassy, or certain nongovernmental organizations (priority one), groups of special humanitarian concern (priority two), and family reunification cases (priority three). Once an individual has been referred to USRAP, an Overseas Processing Entity, working on behalf of the U.S. Department of State, conducts pre-screening interviews and completes the required documents for submission to USCIS. Once all application materials have been submitted, a USCIS officer interviews the applicant and determines whether the applicant is eligible for refugee resettlement to the United States. Security checks must be completed before an application is approved. Individuals who are found eligible must satisfy health requirements 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 resettlement, the International Organization for Migration (IOM) makes arrangements for his/her travel to the United States. After arrival, refugees may request documentation for travel outside the United States by applying for a refugee travel document.

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 the principal applicant's admission. A following-to-join derivative is a spouse or child who 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 applicant and spouse and/or child existed prior to the principal's admission into the United States.

Authorization for Employment

Refugees (including spouses and children over the age of 14) are authorized to work in the United States. One year after being admitted to the United States, refugees should apply for legal permanent resident status.

DATA

The refugee data presented in this report were obtained from the Worldwide Refugee Admissions Processing System (WRAPS) of the Bureau of Population, Refugees, and Migration (PRM) of the U.S. Department of State. Refugee Processing Center employees in the United States and Overseas Processing Entities enter data into WRAPS.

TRENDS AND CHARACTERISTICS

Trends in Admission

The total number of refugees admitted to the United States increased 25 percent from 48,218 in 2007 to 60,108 in 2008, following a 17 percent increase from 2006 to 2007. Despite these increases, the annual number of refugee admissions was substantially lower during 2000 to 2008 compared to the 1990 to 1999 period (see Figure 1). Refugee arrivals averaged over 100,000 each year of the early 1990s and then declined, reaching 68,925 by 2001. This decline primarily reflects the shift in refugee program focus to smaller groups in dispersed areas. Refugee admissions decreased further to 26,773 in 2002, due partly to changes in security procedures and admission requirements after September 11, 2001. With the exception of 2005 to 2006, refugee arrivals grew each year from 2002 and 2008.

Category of Admission

Principal applicants accounted for 25,355 (42 percent) of the 60,108 refugees admitted to the United States in 2008 (see Table 2). Dependent children and spouses represented 41 percent and 17 percent, respectively, of refugee admissions.

Country of Nationality

In 2008, the leading countries of nationality for refugee admissions were Burma (30 percent), Iraq (23 percent), and Bhutan (8.9 percent) (see Table 3). Sixty-two percent of refugees were from these three countries. Iraqi refugee admissions increased over eight-fold from 1,608 in 2007 to 13,823 in 2008.⁶ The number of refugees from Bhutan increased from 0 in 2007 to 5,320 in 2008. As part of a 2008 multilateral agreement with six other nations, the United States agreed to resettle up to 60,000 Bhutanese refugees.

⁶As of November 2008.

Table 3.

Refugee Arrivals by Country of Nationality: Fiscal Years 2006 to 2008

(Ranked by 2008 Country of Nationality)

Country	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	60,108	100.0	48,218	100.0	41,150	100.0
Burma	18,139	30.2	13,896	28.8	1,612	3.9
Iraq	13,823	23.0	1,608	3.3	202	0.5
Bhutan	5,320	8.9	—	—	3	—
Iran	5,270	8.8	5,481	11.4	2,792	6.8
Cuba	4,177	6.9	2,922	6.1	3,143	7.6
Burundi	2,889	4.8	4,545	9.4	466	1.1
Somalia	2,523	4.2	6,969	14.5	10,357	25.2
Vietnam	1,112	1.9	1,500	3.1	3,039	7.4
Ukraine	1,022	1.7	1,605	3.3	2,483	6.0
Liberia	992	1.7	1,606	3.3	2,402	5.8
Other	4,841	8.1	8,086	16.8	14,651	35.6

— Represents zero or rounds to zero.

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM), Worldwide Refugee Admissions Processing System (WRAPS).

Table 4.

Refugee Arrivals by Age, Gender, and Marital Status: Fiscal Years 2006 to 2008

Age	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	60,108	100.0	48,218	100.0	41,150	100.0
0 to 17 years	21,637	36.0	18,202	37.7	15,431	37.5
18 to 24 years	9,429	15.7	9,088	18.8	8,056	19.6
25 to 34 years	10,906	18.1	8,058	16.7	6,365	15.5
35 to 44 years	8,058	13.4	5,586	11.6	4,942	12.0
45 to 54 years	5,000	8.3	3,552	7.4	3,059	7.4
55 to 64 years	2,812	4.7	2,192	4.5	1,782	4.3
65 years and over	2,266	3.8	1,540	3.2	1,515	3.7
Gender						
Male	30,939	51.5	25,202	52.3	21,188	51.5
Female	29,169	48.5	23,016	47.7	19,962	48.5
Marital status						
Married	23,010	38.3	16,971	35.2	13,890	33.8
Single	33,970	56.5	28,740	59.6	24,556	59.7
Other	3,128	5.2	2,507	5.2	2,704	6.6

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM), Worldwide Refugee Admissions Processing System (WRAPS).

Age, Gender, and Marital Status

The majority of refugees (52 percent) admitted to the United States in 2008 were under 25 years of age, with 36 percent under age 18 (see Table 4). A slight majority of refugees were male (52 percent). More than half of all refugees admitted in 2008 (57 percent) were single; 38 percent were married.

Table 5.

Refugee Arrivals by State of Residence: Fiscal Years 2006 to 2008

(Ranked by 2008 State of Residence)

State	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	60,108	100.0	48,218	100.0	41,150	100.0
California	9,472	15.8	6,699	13.9	5,163	12.5
Texas	5,113	8.5	4,394	9.1	2,764	6.7
Florida	3,715	6.2	2,691	5.6	2,582	6.3
New York	3,628	6.0	2,978	6.2	2,303	5.6
Michigan	3,292	5.5	1,283	2.7	641	1.6
Arizona	3,006	5.0	1,992	4.1	1,649	4.0
Illinois	2,429	4.0	1,872	3.9	1,227	3.0
Georgia	2,325	3.9	1,609	3.3	1,442	3.5
North Carolina	2,274	3.8	1,805	3.7	1,228	3.0
Washington	2,254	3.7	2,215	4.6	2,458	6.0
Other	22,600	37.6	20,680	42.9	19,693	47.9

Source: U.S. Department of State, Bureau of Population, Refugees, and Migration (PRM), Worldwide Refugee Admissions Processing System (WRAPS).

State of Residence

The largest percentages of refugees admitted to the United States in 2008 settled in California (16 percent) and Texas (8.5 percent) (see Table 5). Other major refugee receiving states included Florida (6.2 percent), New York (6.0 percent), Michigan (5.5 percent), and Arizona (5.0 percent). Nearly one-half of all refugees settled in one of these six states.

ASYLEES

Filing of Claims

Generally, any alien present in the United States or at a port of entry may apply for asylum regardless of his or her immigration status. Asylum may be obtained in two ways: affirmatively through a USCIS Asylum Officer or defensively in removal proceedings before an immigration judge of the Executive Office for Immigration Review (EOIR) of the Department of Justice. To obtain asylum, an alien must apply within one year from the date of last arrival or establish that an exception applies based on changed or extraordinary circumstances. An alien applies for asylum in the United States by filing Form I-589, *Application for Asylum and for Withholding of Removal*.

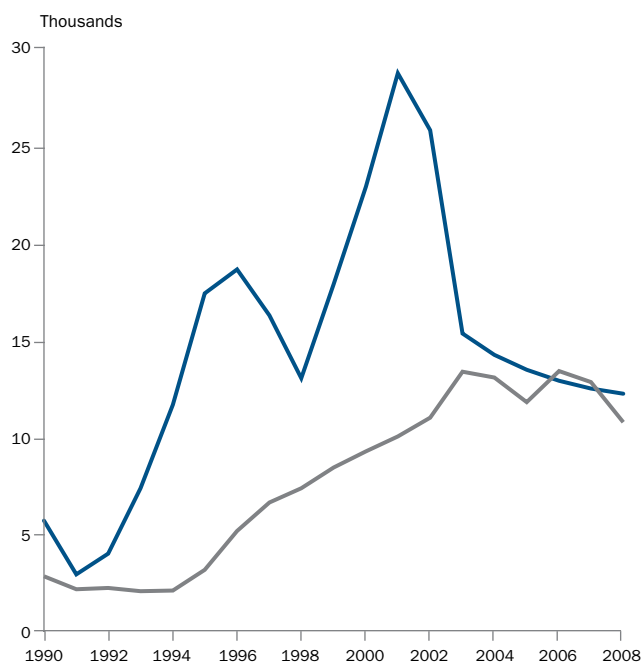
Adjudication of Claims

The Asylum Officer Corps 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 to obtaining asylum apply. Individuals may be barred from obtaining asylum for committing certain crimes, posing a national security threat, engaging in persecution of others, or firmly resettling in another country before coming to the United States.

Individuals granted asylum are authorized to work in the United States. In addition, an asylee is entitled to benefits including employment assistance, a social security card, and social services. If an applicant in a valid immigration status (e.g., foreign student) fails to establish eligibility for asylum before USCIS, the application

will be denied by USCIS, and the applicant will remain in his or her valid status. If the applicant is not in a valid status, and USCIS finds the applicant ineligible for asylum, USCIS places the applicant in removal proceedings before EOIR. Aliens may also be placed directly in removal proceedings by immigration enforcement officials because they are undocumented, are in violation of their status when apprehended, or were caught attempting entry into the United States without proper documentation. During the proceedings, an immigration judge may grant asylum or deny the application for asylum and issue an order of removal. The applicant may appeal the denial to the Board of Immigration Appeals and seek further review by a U.S. Court of Appeals.

Figure 2.
Annual Flow of Affirmative and Defensive Asylees: 1990 to 2008



Source: U.S. Department of Homeland Security, Refugee, Asylum, and Parole System (RAPS), and Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice (DOJ).

Table 6.**All Asylees by Country of Nationality: Fiscal Years 2006 to 2008**

(Ranked by 2008 Country of Nationality)

Country	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	22,930	100.0	25,124	100.0	26,203	100.0
China	5,459	23.8	6,359	25.3	5,593	21.3
Colombia	1,646	7.2	2,177	8.7	2,961	11.3
Haiti	1,237	5.4	1,648	6.6	2,995	11.4
Venezuela	1,057	4.6	1,152	4.6	1,359	5.2
Iraq	1,002	4.4	671	2.7	370	1.4
Ethiopia	899	3.9	843	3.4	774	3.0
Indonesia	580	2.5	776	3.1	742	2.8
Russia	574	2.5	496	2.0	431	1.6
Guatemala	552	2.4	680	2.7	632	2.4
Nepal	497	2.2	413	1.6	376	1.4
All other countries, including unknown . . .	9,427	41.1	9,909	39.4	9,970	38.0

Source: U.S. Department of Homeland Security, Refugee, Asylum, and Parole System (RAPS) and Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice (DOJ).

Table 7.**Affirmative Asylees by Country of Nationality: Fiscal Years 2006 to 2008**

(Ranked by 2008 Country of Nationality)

Country	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	12,187	100.0	12,317	100.0	12,851	100.0
China, People's Republic	2,040	16.7	1,819	14.8	1,532	11.9
Colombia	1,115	9.1	1,494	12.1	2,182	17.0
Venezuela	763	6.3	837	6.8	1,080	8.4
Haiti	727	6.0	1,061	8.6	2,425	18.9
Iraq	594	4.9	395	3.2	179	1.4
Ethiopia	588	4.8	494	4.0	430	3.3
Guatemala	389	3.2	546	4.4	472	3.7
Indonesia	385	3.2	566	4.6	428	3.3
Russia	376	3.1	288	2.3	228	1.8
Nepal	350	2.9	283	2.3	211	1.6
All other countries, including unknown . . .	4,860	39.9	4,534	36.8	3,684	28.7

Source: U.S. Department of Homeland Security, Refugee, Asylum, and Parole System (RAPS).

Table 8.**Defensive Asylees by Country of Nationality: Fiscal Years 2006 to 2008**

(Ranked by 2008 Country of Nationality)

Country	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	10,743	100.0	12,807	100.0	13,352	100.0
China	3,419	31.8	4,540	35.4	4,061	30.4
Colombia	531	4.9	683	5.3	779	5.8
Haiti	510	4.7	587	4.6	570	4.3
Iraq	408	3.8	276	2.2	191	1.4
Albania	320	3.0	420	3.3	506	3.8
Ethiopia	311	2.9	349	2.7	344	2.6
Venezuela	294	2.7	315	2.5	279	2.1
India	272	2.5	357	2.8	450	3.4
Guinea	238	2.2	324	2.5	358	2.7
Russia	198	1.8	208	1.6	203	1.5
All other countries, including unknown . . .	4,242	39.5	4,748	37.1	5,611	42.0

Source: Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice (DOJ).

DATA

The affirmative asylee data presented in this report were obtained from the Refugee, Asylum, and Parole System (RAPS) of USCIS. Defensive asylee data were obtained from EOIR.⁷ These data refer to individuals, not cases, which may represent more than one individual.

TRENDS AND CHARACTERISTICS**Trends in Admission**

The total number of persons granted asylum in the United States decreased from 25,124 in 2007 to 22,930 in 2008. The number of persons who were granted asylum affirmatively through USCIS decreased from 12,317 in 2007 to 12,187 in 2008 (see Figure 2). The number of persons granted asylum defensively by an immigration judge or the Board of Immigration Appeals of EOIR also decreased, from 12,807 in 2007 to 10,743 in 2008.

Country of Nationality

The leading countries of nationality for persons granted asylum in 2008 were China (24 percent), Colombia (7.2 percent), Haiti (5.4 percent), and Venezuela (4.6 percent) (see Table 6). Nationals of these countries accounted for 41 percent of persons granted asylum.

In 2008, the top countries of nationality for affirmative asylees were China (17 percent), Colombia (9.1 percent), and Venezuela (6.3 percent) (see Table 7). These three countries accounted for the nationality of 32 percent of all persons granted asylum affirmatively. Forty-one percent of defensive asylees were from China (32 percent), Colombia (4.9 percent), and Haiti (4.7 percent) (see Table 8).

⁷ EOIR data do not include all following-to-join derivatives.

Table 9.

Affirmative Asylees by Age, Gender, and Marital Status: Fiscal Years 2006 to 2008

Age	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	12,187	100.0	12,317	100.0	12,851	100.0
0 to 17 years	1,505	12.3	1,647	13.4	1,966	15.3
18 to 24 years	2,023	16.6	1,784	14.5	1,723	13.4
25 to 34 years	3,699	30.4	3,572	29.0	3,741	29.1
35 to 44 years	2,874	23.6	3,125	25.4	3,285	25.6
45 to 54 years	1,480	12.1	1,597	13.0	1,549	12.1
55 to 64 years	445	3.7	441	3.6	448	3.5
65 years and over	161	1.3	151	1.2	139	1.1
Gender						
Male	6,554	53.8	6,410	52.0	6,804	52.9
Female	5,633	46.2	5,907	48.0	6,047	47.1
Marital status						
Single	5,711	46.9	5,578	45.3	6,171	48.0
Married	5,828	47.8	6,071	49.3	6,083	47.3
Other	642	5.3	659	5.4	587	4.6
Unknown	6	—	9	0.1	10	0.1

— Represents zero or rounds to zero.

Source: U.S. Department of Homeland Security, Refugee, Asylum, and Parole System (RAPS).

Age, Gender, and Marital Status

Demographic information was available only for affirmative asylees. Of the 12,187 persons granted asylum affirmatively in 2008, more than four-fifths were between the ages of 18 and 54 (see Table 9). Slightly more than half were male, and 48 percent were married.

State of Residence

Leading states of residence for individuals granted asylum affirmatively were California (34 percent) and Florida (20 percent) (see Table 10). Other major receiving states included New York (10 percent), Maryland (4.6 percent), Virginia (4.3 percent), Washington (2.7 percent), and Massachusetts (2.2 percent).

Table 10.

Affirmative Asylees by State/Territory of Residence: Fiscal Years 2006 to 2008

(Ranked by 2008 State/Territory of Residence)

State or territory of residence	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	12,187	100.0	12,317	100.0	12,851	100.0
California	4,180	34.3	4,005	32.5	2,907	22.6
Florida	2,401	19.7	2,944	23.9	5,215	40.6
New York	1,219	10.0	1,283	10.4	1,376	10.7
Maryland	565	4.6	467	3.8	503	3.9
Virginia	530	4.3	338	2.7	239	1.9
Washington	335	2.7	477	3.9	263	2.0
Massachusetts	270	2.2	281	2.3	173	1.3
Texas	229	1.9	254	2.1	196	1.5
U.S. Virgin Islands	192	1.6	219	1.8	119	0.9
Michigan	185	1.5	186	1.5	149	1.2
Other	2,081	17.1	1,863	15.1	1,711	13.3

Source: U.S. Department of Homeland Security, Refugee, Asylum, and Parole System (RAPS).

FOR MORE INFORMATION

Visit the Office of Immigration Statistics Web page at <http://www.dhs.gov/immigrationstatistics>.