

Refugees and Asylees: 2010

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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 2010.¹

A total of 73,293 persons² were admitted to the United States as refugees during 2010 (see Figure 1). The leading countries of nationality for refugees were Iraq, Burma, and Bhutan. During 2010, 21,113 individuals were granted asylum, including 11,244 who were granted asylum affirmatively by the Department of Homeland Security³ and 9,869 who were granted asylum defensively by the Department of Justice. The leading countries of nationality for persons granted asylum were China, Ethiopia, 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 United States or arriving 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 2010, certain nationals of Cuba, the 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 consideration was requested by a U.S. ambassador.

REFUGEES

History of Refugee Legislation

The first refugee legislation in the United States was the

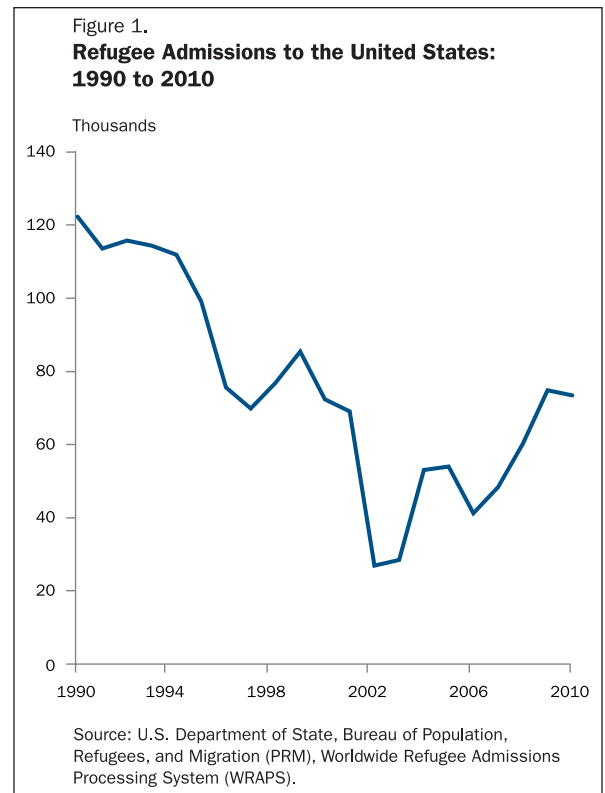
¹ In this report, years refer to fiscal years (October 1 to September 30). Data presented refer to individuals not cases.

² Refugee data in this report differ slightly from numbers reported by the Department of State (DOS). DOS refugee numbers include Amerasians, whereas DHS reports Amerasians as lawful permanent residents.

³ Affirmative asylum data are current as of January 2011 and differ slightly from fiscal year-end 2010 numbers reported by the Asylum Division, U.S. Citizenship and Immigration Services (USCIS) of the Department of Homeland Security.

⁴ Or, if an applicant is considered “stateless,” his or her country of last habitual residence.

⁵ Congress expanded this definition in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 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.



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Displaced Persons Act of 1948, which brought 400,000 Eastern Europeans to the United States. Other refugee-related legislation included 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 refugee applicants to be processed while in their countries of nationality.

Admission Ceilings

Before the beginning of each fiscal year, the President, in consultation with Congress, establishes an overall refugee admissions ceiling as well as regional allocations.⁶ The total ceiling for refugee admissions in 2010 was 80,000. The allocation for the Near East/South Asia region accounted for nearly half of the total ceiling to accommodate refugee arrivals from Iraq and Bhutan (see Table 1).

Table 1.
Refugee Admissions Ceilings: 2008 to 2010*

Region	Ceiling		
	2010	2009	2008
Total	80,000	80,000	80,000
Africa	15,500	12,000	16,000
East Asia	18,000	20,500	20,000
Europe/Central Asia	2,500	2,500	3,000
Latin America/Caribbean	5,500	5,500	5,000
Near East/South Asia	38,000	39,500	28,000
Unallocated Reserve	500	0	8,000

*Ceiling numbers reflect revisions made each fiscal year.
Source: U.S. Department of State, *Proposed Refugee Admissions for FY 2010—Report to Congress*.

Eligibility Requirements

In order to qualify for refugee status, an applicant must (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 whom USCIS has determined meets the refugee definition may nonetheless be inadmissible to the United States due to criminal, security, or other grounds, and therefore ineligible for refugee resettlement.

⁶In many cases, an unallocated reserve is also designated which can be used in any region if the need arises and only after notification to Congress.

Table 2.
**Refugee Arrivals by Category of Admission:
Fiscal Years 2008 to 2010**

Category of admission	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	73,293	100.0	74,602	100.0	60,107	100.0
Principal Applicant	32,251	44.0	32,511	43.6	25,354	42.2
Dependents	41,042	56.0	42,091	56.4	34,753	57.8
Spouse	12,835	17.5	13,440	18.0	10,406	17.3
Child	28,207	38.5	28,651	38.4	24,347	40.5

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) establishes processing priorities to identify individuals and groups who are of special humanitarian concern to the United States and who are eligible for refugee resettlement consideration. Priority categories are Priority One (P1)—individuals referred by the United Nations High Commissioner for Refugees, a U.S. Embassy, or certain non-governmental organizations; Priority Two (P2)—groups of special humanitarian concern; and Priority Three (P3)—family reunification cases.⁷ Once an individual has been referred to the USRAP, an Overseas Processing Entity, working under cooperative agreement with the U.S. Department of State, conducts a pre-screening interview with the applicant and helps with the application for submission to USCIS. A USCIS officer interviews the applicant and determines if 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 for resettlement by USCIS must undergo a medical exam and are assigned a sponsor, a resettlement agency that assists the refugee applicant with housing, employment, and other services upon arrival. The International Organization for Migration (IOM) then makes arrangements for the refugee's travel to the United States. After arrival, refugees are authorized to work and 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 or her admission to the United States. It is possible to apply for derivative refugee status 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 the spouse and/or child existed prior to the principal's admission into the United States.

⁷Priority Three processing was suspended in October 2008 and remains so until new procedures to identify and deter relationship fraud can be established.

Lawful Permanent Residence and Citizenship

One year after being admitted to the United States, refugees are required by statute to apply for legal permanent resident (LPR) status. Refugees granted LPR status may apply for citizenship 5 years after their refugee admission date.

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.

TRENDS AND CHARACTERISTICS OF REFUGEES

In 2010, 73,293 refugees were admitted to the United States—a 1.8 percent decrease from 2009, which had the highest number of refugee arrivals in a decade (See Figure 1). The annual number of refugee arrivals declined during the 1990s reflecting a shift in the refugee program's focus to more diverse populations in dispersed areas. Admissions decreased further, reaching a low point in 2002, due largely to changes in security procedures and admission requirements after September 11, 2001. The number of refugee arrivals subsequently increased and, by 2009, recovered to pre-2001 levels.

Category of Admission

Principal applicants accounted for 32,251 (44 percent) of the 73,293 refugees admitted to the United States in 2010 (see Table 2).⁸ Dependent children and spouses represented 39 percent and 18 percent, respectively, of refugee admissions.

Country of Nationality

In 2010, the leading countries of nationality for refugee admissions were Iraq (25 percent), Burma (23 percent), and Bhutan (17 percent) (see Table 3). Approximately 64 percent of refugees were from these three countries. Other leading countries include Somalia (6.7 percent), Cuba (6.6 percent), Iran (4.8 percent), Democratic Republic of Congo (4.3 percent), and Eritrea (3.5 percent).

Age, Gender, and Marital Status

Thirty-five percent of refugees admitted to the United States in 2010 were under 18 years of age (see Table 4). Refugees are, on average, younger than the U.S. native-born population. In 2010, the median age of refugees arriving in the United States was 24 years; in contrast, the median age of the native-born population in

⁸As of January 2011.

Table 3.

Refugee Arrivals by Country of Nationality: Fiscal Years 2008 to 2010

(Ranked by 2010 country of nationality)

Country of nationality	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	73,293	100.0	74,602	100.0	60,107	100.0
Iraq	18,016	24.6	18,838	25.3	13,822	23.0
Burma	16,693	22.8	18,202	24.4	18,139	30.2
Bhutan	12,363	16.9	13,452	18.0	5,320	8.9
Somalia	4,884	6.7	4,189	5.6	2,523	4.2
Cuba	4,818	6.6	4,800	6.4	4,177	6.9
Iran	3,543	4.8	5,381	7.2	5,270	8.8
Congo, Democratic Republic	3,174	4.3	1,135	1.5	727	1.2
Eritrea	2,570	3.5	1,571	2.1	251	0.4
Vietnam	873	1.2	1,486	2.0	1,112	1.9
Ethiopia	668	0.9	321	0.4	299	0.5
All other countries, including unknown	5,691	7.8	5,227	7.0	8,467	14.1

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 2008 to 2010

Age	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	73,293	100.0	74,602	100.0	60,107	100.0
0 to 17 years	25,373	34.6	25,185	33.8	21,637	36.0
18 to 24 years	11,853	16.2	11,747	15.7	9,429	15.7
25 to 34 years	14,954	20.4	14,842	19.9	10,906	18.1
35 to 44 years	9,587	13.1	10,082	13.5	8,057	13.4
45 to 54 years	5,727	7.8	5,971	8.0	5,000	8.3
55 to 64 years	3,218	4.4	3,649	4.9	2,812	4.7
65 years and over	2,581	3.5	3,126	4.2	2,266	3.8
Gender						
Male	38,624	52.7	38,491	51.6	30,939	51.5
Female	34,669	47.3	36,111	48.4	29,168	48.5
Marital status						
Married	28,567	39.0	29,770	39.9	23,010	38.3
Single	41,022	56.0	40,798	54.7	33,969	56.5
Other*	3,704	5.1	4,034	5.4	3,128	5.2

*Includes persons who were divorced, separated, widowed, or of unknown marital status.

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

2010 was 35 years.⁹ A slight majority of refugees were male (53 percent), and 56 percent were single.

State of Residence

The leading states of residence of refugees admitted to the United States in 2010 were California (12 percent), Texas (11 percent), New York (6.2 percent), and Florida (5.8 percent) (see Table 5). Refugee arrivals in California decreased 24 percent from 11,274 in 2009 to 8,577 in 2010. Refugee admissions in Washington and Pennsylvania both increased in 2010 by 16 percent and 22 percent, respectively.

⁹Calculated from the March 2010 Current Population Survey public use microdata file from the U.S. Census Bureau.

Table 5.

Refugee Arrivals by State of Residence: Fiscal Years 2008 to 2010

(Ranked by 2010 state of residence)

State of residence	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	73,293	100.0	74,602	100.0	60,107	100.0
California	8,577	11.7	11,274	15.1	9,472	15.8
Texas	7,918	10.8	8,195	11.0	5,116	8.5
New York	4,559	6.2	4,411	5.9	3,628	6.0
Florida	4,216	5.8	4,193	5.6	3,715	6.2
Arizona	3,400	4.6	4,312	5.8	3,005	5.0
Georgia	3,224	4.4	3,270	4.4	2,325	3.9
Michigan	3,188	4.3	3,500	4.7	3,292	5.5
Washington	3,004	4.1	2,581	3.5	2,254	3.7
Pennsylvania	2,632	3.6	2,155	2.9	1,729	2.9
Illinois	2,529	3.5	2,560	3.4	2,429	4.0
Other	30,046	41.0	28,151	37.7	23,142	38.5

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

were caught attempting entry into the United States without proper documentation. Such individuals may file for asylum directly with EOIR. 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.

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. The asylee data included in this report do not include follow-to-join derivatives.

ASYLEES

Filing of Claims

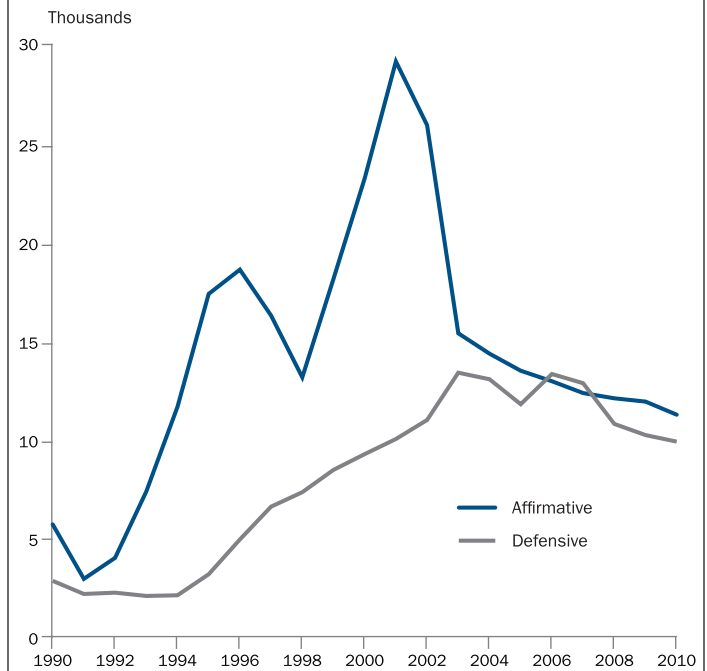
Generally, any alien present in the United States or arriving at a port of entry may apply for asylum regardless of his or her immigration status. Asylum may be obtained in two ways: affirmatively through a USCIS asylum officer or defensively in removal proceedings before an immigration judge of the 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, assesses the credibility of the applicant and determines 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 eligible for certain public 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, where the application is considered anew. Additionally, aliens who have not previously filed for asylum may be placed in removal proceedings by immigration enforcement officials because they are undocumented, are in violation of their status when apprehended, or

Figure 2.
Annual Flow of Affirmative and Defensive Asylees: 1990 to 2010



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 2008 to 2010**

(Ranked by 2010 country of nationality)

Country of nationality	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	21,113	100.0	22,090	100.0	22,832	100.0
China, People's Republic	6,683	31.7	6,118	27.7	5,462	23.9
Ethiopia	1,093	5.2	1,109	5.0	900	3.9
Haiti	832	3.9	1,000	4.5	1,237	5.4
Venezuela	660	3.1	584	2.6	1,050	4.6
Nepal	640	3.0	667	3.0	495	2.2
Colombia	591	2.8	993	4.5	1,646	7.2
Russia	548	2.6	493	2.2	570	2.5
Egypt	536	2.5	481	2.2	416	1.8
Iran	485	2.3	348	1.6	399	1.7
Guatemala	465	2.2	502	2.3	540	2.4
All other countries, including unknown	8,580	40.6	9,795	44.3	10,117	44.3

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 2008 to 2010**

(Ranked by 2010 country of nationality)

Country of nationality	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	11,244	100.0	11,904	100.0	12,075	100.0
China, People's Republic	2,888	25.7	2,700	22.7	2,038	16.9
Ethiopia	686	6.1	700	5.9	586	4.9
Haiti	665	5.9	594	5.0	727	6.0
Venezuela	479	4.3	393	3.3	756	6.3
Nepal	410	3.6	496	4.2	347	2.9
Iran	402	3.6	257	2.2	328	2.7
Russia	389	3.5	366	3.1	372	3.1
Colombia	357	3.2	637	5.4	1,113	9.2
Egypt	320	2.8	308	2.6	234	1.9
Guatemala	299	2.7	347	2.9	378	3.1
All other countries, including unknown	4,349	38.7	5,106	42.9	5,196	43.0

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

Table 8.**Defensive Asylees by Country of Nationality: Fiscal Years 2008 to 2010**

(Ranked by 2010 country of nationality)

Country of nationality	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	9,869	100.0	10,186	100.0	10,757	100.0
China, People's Republic	3,795	38.5	3,418	33.6	3,424	31.8
Ethiopia	407	4.1	409	4.0	314	2.9
India	241	2.4	260	2.6	269	2.5
Colombia	234	2.4	356	3.5	533	5.0
Nepal	230	2.3	171	1.7	148	1.4
Egypt	216	2.2	173	1.7	182	1.7
Somalia	208	2.1	167	1.6	100	0.9
Armenia	206	2.1	196	1.9	141	1.3
Cameroon	196	2.0	203	2.0	161	1.5
Guinea	186	1.9	193	1.9	238	2.2
All other countries, including unknown	3,950	40.0	4,640	45.6	5,247	48.8

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

TRENDS AND CHARACTERISTICS OF ASYLEES

The total number of persons granted asylum in the United States continued to decrease from 22,090 in 2009 to 21,113 in 2010. The number of persons who were granted asylum affirmatively through USCIS decreased from 11,904 in 2009 to 11,244 in 2010 (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 10,186 in 2009 to 9,869 in 2010.

Country of Nationality

The leading countries of nationality for persons granted asylum in 2010 were China (32 percent), Ethiopia (5.2 percent), Haiti (3.9 percent), Venezuela (3.1 percent), and Nepal (3 percent) (see Table 6). Nationals of these five countries accounted for 47 percent of persons granted asylum.

In 2010, the top three countries of nationality for affirmative asylees were China (26 percent), Ethiopia (6.1 percent), and Haiti (5.9 percent) (see Table 7). These three countries accounted for 38 percent of all persons granted asylum affirmatively. The leading countries of nationality for persons granted defensive asylum were China (39 percent), Ethiopia (4.1 percent), India (2.4 percent), Colombia (2.4 percent), and Nepal (2.3 percent) (see Table 8). One-half of defensive asylees in 2010 were nationals of these five countries.

Age, Gender, and Marital Status

For this report, demographic information was available only for affirmative asylees. Seventy-six percent of persons granted asylum affirmatively in 2010 were between the ages of 18 and 44 (see Table 9). Like refugees, affirmative asylees are, on average, younger than the native-born U.S. population: the median age of persons granted affirmative asylum in 2010 was 29 years. Fifty-two percent were male, and 44 percent were married.

Table 9.**Affirmative Asylees by Age, Gender, and Marital Status: Fiscal Years 2008 to 2010**

Age	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	11,244	100.0	11,904	100.0	12,075	100.0
0 to 17 years	1,287	11.4	1,387	11.7	1,488	12.3
18 to 24 years	2,529	22.5	2,402	20.2	2,023	16.8
25 to 34 years	3,743	33.3	3,689	31.0	3,666	30.4
35 to 44 years	2,230	19.8	2,578	21.7	2,841	23.5
45 to 54 years	1,049	9.3	1,318	11.1	1,459	12.1
55 to 64 years	294	2.6	383	3.2	438	3.6
65 and over	112	1.0	147	1.2	160	1.3
Gender						
Male	5,870	52.2	6,374	53.5	6,498	53.8
Female	5,374	47.8	5,530	46.5	5,577	46.2
Marital status						
Single	5,625	50.0	5,603	47.1	5,654	46.8
Married	4,992	44.4	5,657	47.5	5,778	47.9
Other*	623	5.5	621	5.2	631	5.2
Unknown	4	0.0	23	0.2	12	0.1

*Includes persons who were divorced, separated, or widowed.

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

State of Residence

In 2010, the leading states of residence for individuals granted asylum affirmatively were California (37 percent), New York (15 percent), and Florida (13 percent) (see Table 10). Approximately two-thirds of individuals granted affirmative asylum resided in these three states.

FOR MORE INFORMATION

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

Table 10.**Affirmative Asylees by State of Residence: Fiscal Years 2008 to 2010**

(Ranked by 2010 state of residence)

State of residence	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	11,244	100.0	11,904	100.0	12,075	100.0
California	4,168	37.1	4,402	37.0	4,091	33.9
New York	1,722	15.3	1,789	15.0	1,225	10.1
Florida	1,488	13.2	1,647	13.8	2,383	19.7
Virginia	452	4.0	423	3.6	508	4.2
Maryland	393	3.5	399	3.4	567	4.7
Washington	334	3.0	350	2.9	323	2.7
Illinois	285	2.5	202	1.7	150	1.2
Texas	263	2.3	237	2.0	248	2.1
Massachusetts	262	2.3	235	2.0	268	2.2
New Jersey	209	1.9	168	1.4	184	1.5
Other	1,668	14.8	2,052	17.2	2,128	17.6

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