Annual Flow Report

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Refugees and Asylees: 2007

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Each year thousands of persons who fear or face persecution in their country of nationality [1] 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 in the United States or arriving 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 2007. [2]

A total of 48,217 persons were admitted to the United States as refugees during 2007 (see Figure 1). The leading countries of nationality for refugees were Burma, Somalia, and Iran. Also in 2007, there were 25,270 individuals granted asylum, including 12,463 who were granted asylum affirmatively by U.S. Citizenship & Immigration Services (USCIS) and 12,807 who were granted asylum defensively by an immigration judge during removal proceedings. The leading countries of nationality for granted asylum cases were China, Colombia, and Haiti.

DEFINING "REFUGEE" AND "ASYLEE"

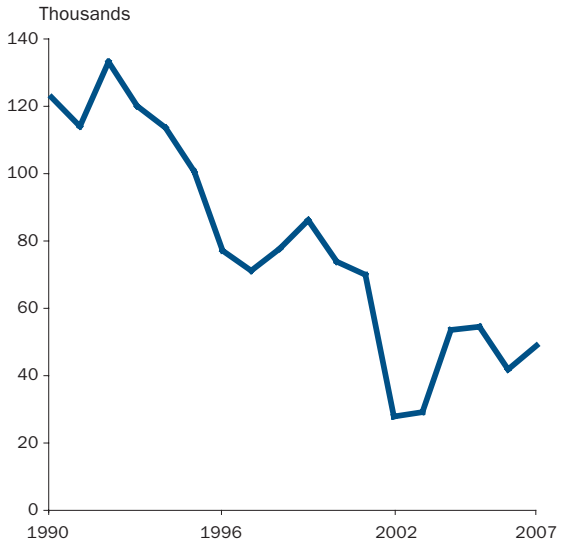
Refugees and asylees must meet the definition of a refugee set forth in section 101(a)(42) of the Immigration and Nationality Act (INA) for purposes of adjudication; however, whereas a refugee is located outside the United States at the time of application, an asylum-seeker is located in the United States or at a port of entry. According to the INA, a refugee is a person who is unable or unwilling to return to his or her country of nationality 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 was incorporated into the INA by the Refugee Act of 1980, and conforms to the international definition of refugee contained in the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol. In addition, the INA allows the President to designate certain nationalities that may be processed for refugee status within their countries of nationality. In 2007, nationals of Cuba, Vietnam, and the countries of the former Soviet Union were designated, as were extraordinary individual protection cases for whom resettlement is requested by a U.S. ambassador in any location in the world.

REFUGEES

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

Figure 1.
Refugee Admissions to the United States: 1990 to 2007



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

[1] In cases with no country of nationality, refers to country of last residence.

[2] In this report, years refer to fiscal years (October 1 to September 30).

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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 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 a worldwide refugee admissions ceiling for that year and to set allocations for each of the five geographic regions in addition to an unallocated reserve. In the case of an unforeseen emergency, the total ceiling and regional sub-ceilings may be adjusted. In 2007, the total ceiling for refugee admissions was 70,000. This ceiling was unchanged from 2006 and 2005 (see Table 1).

Table 1.

Refugee Admissions Ceilings: Fiscal Years 2005 to 2007

Region	Ceiling		
	2007	2006	2005
Total	70,000	70,000	70,000
Africa	22,000	20,000	20,000
East Asia	11,000	15,000	13,000
Europe/Central Asia	6,500	15,000	9,500
Latin America/Caribbean	5,000	5,000	5,000
Near East/South Asia	5,500	5,000	2,500
Unallocated Reserve	20,000	10,000	20,000

Source: U.S. Department of State, *Proposed Refugee Admissions for FY 2007 – Report to Congress.*

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. A person who USCIS has determined to be a refugee 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 2005 to 2007

Category of admission	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	48,217	100.0	41,150	100.0	53,738	100.0
Principal Applicant	19,911	41.3	16,384	39.8	20,260	37.7
Dependents	28,306	58.7	24,766	60.2	33,478	62.3
Spouse	7,414	15.4	6,055	14.7	8,511	15.8
Child	20,892	43.3	18,711	45.5	24,967	46.5

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 referrals from the United Nations High Commissioner for Refugees, a U.S. Embassy, or certain nongovernmental organizations for individuals (priority one), groups of special humanitarian concern (priority two), and family reunification cases (priority three). Once an individual has been referred, 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 meets the definition of a refugee and is otherwise admissible to the United States. Security checks must also be completed before an application is approved. Individuals who are found eligible must satisfy medical 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 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 and continues to exist through the derivatives' subsequent admission.

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Authorization for Employment

Refugees (including spouses and children over the age of 14) are authorized to work in the United States. The refugee submits Form I-765, *Application for Employment Authorization*, at the time of entry in the U.S. in order to obtain an *Employment Authorization Document* (I-766). One year after being admitted to the United States, refugees must apply for legal permanent resident status.

DATA

The refugee data presented in this flow report were derived from data on refugee admissions 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 Refugee Processing Center employees in the United States enter data into the system.

RESULTS

Trends in Admission

The total number of refugees admitted to the United States increased 17 percent from 41,150 in 2006 to 48,217 in 2007. The annual average number of refugee arrivals declined from approximately 100,000 during the 1990s to 50,000 during the 2000 to 2007 period. This decline is partly due to changes in security procedures after 9/11 and admission requirements resulting from the USA PATRIOT Act of 2001 and the REAL ID Act of 2005.

Category of Admission

Principal applicants accounted for 19,911 (41 percent) of the 48,217 refugees admitted to the United States in 2007 (see Table 2). Dependent children and spouses represented 43 percent and 15 percent, respectively, of refugee admissions.

Table 3.

Refugee Arrivals by Country of Nationality: Fiscal Years 2005 to 2007

(Ranked by 2007 Country of Nationality)

Country	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	48,217	100.0	41,150	100.0	53,738	100.0
Burma	13,896	28.8	1,612	3.9	1,447	2.7
Somalia	6,969	14.5	10,357	25.2	10,405	19.4
Iran	5,481	11.4	2,792	6.8	1,856	3.5
Burundi	4,545	9.4	466	1.1	214	0.4
Cuba	2,922	6.1	3,143	7.6	6,360	11.8
Russia	1,773	3.7	6,003	14.6	5,982	11.1
Iraq	1,608	3.3	202	0.5	198	0.4
Liberia	1,606	3.3	2,402	5.8	4,289	8.0
Ukraine	1,605	3.3	2,483	6.0	2,889	5.4
Vietnam	1,500	3.1	3,039	7.4	2,009	3.7
Other	6,312	13.1	8,651	21.0	18,089	33.7

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 2005 to 2007

Age	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	48,217	100.0	41,150	100.0	53,738	100.0
0 to 17 years	18,202	37.8	15,430	37.5	21,838	40.6
18 to 24 years	9,088	18.8	8,057	19.6	9,141	17.0
25 to 34 years	8,058	16.7	6,365	15.5	8,138	15.1
35 to 44 years	5,585	11.6	4,942	12.0	6,460	12.0
45 to 54 years	3,552	7.4	3,059	7.4	3,821	7.1
55 to 64 years	2,192	4.5	1,782	4.3	2,237	4.2
65 years and over	1,540	3.2	1,515	3.7	2,103	3.9
Gender						
Male	25,201	52.3	21,188	51.5	27,484	51.1
Female	23,016	47.7	19,962	48.5	26,254	48.9
Marital status						
Married	17,101	35.5	14,457	35.1	19,557	36.4
Single	28,739	59.6	24,555	59.7	31,590	58.8
Other	2,377	4.9	2,138	5.2	2,591	4.8

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

Country of Nationality

In 2007, the leading countries of nationality for refugee admissions were Burma (29 percent), Somalia (14 percent), and Iran (11 percent) (see Table 3). Nearly 55 percent of refugees were from these three countries. The number of refugees from Burma increased more than eight-fold from 1,612 in 2006 to 13,896 in 2007. This increase was largely due to the Secretary of State's decision to exempt specific groups from certain inadmissibility grounds. Somalia had been the leading country of nationality for refugee admissions in 2005 and 2006. The number of refugees from Somalia decreased 33 percent between 2006 and 2007. This decrease was largely due to an increase in denials with this long-standing refugee population.

Age, Gender, and Marital Status

The majority of refugees (57 percent) admitted to the United States in 2007 were under 25 years of age, with 38 percent under age 18 (see Table 4). A slight majority of refugees were male (52 percent). More than half of all refugees admitted in 2007 (60 percent) were single, 36 percent were married.

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Table 5.

Refugee Arrivals by State of Residence: Fiscal Years 2005 to 2007

(Ranked by 2007 State of Residence)

State	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	48,217	100.0	41,150	100.0	53,738	100.0
California	6,699	13.9	5,163	12.5	7,505	14.0
Texas	4,394	9.1	2,764	6.7	3,243	6.0
Minnesota	3,198	6.6	4,578	11.1	6,357	11.8
New York	2,978	6.2	2,303	5.6	2,561	4.8
Florida	2,691	5.6	2,582	6.3	4,799	8.9
Washington	2,215	4.6	2,458	6.0	2,841	5.3
Arizona	1,992	4.1	1,649	4.0	1,868	3.5
Illinois	1,872	3.9	1,227	3.0	1,463	2.7
North Carolina	1,805	3.7	1,228	3.0	1,259	2.3
Georgia	1,609	3.3	1,442	3.5	1,870	3.5
Other	18,764	38.9	15,756	38.3	19,972	37.2

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 2007 settled in California (14 percent) and Texas (9 percent) (see Table 5). Other major refugee receiving states included Minnesota (6.6 percent), New York (6.2 percent), Florida (5.6 percent), and Washington (4.6 percent). Nearly one-half of all refugees settled in one of these six states. The number of refugees who settled in Minnesota decreased by approximately 30 percent from 2006 to 2007, largely due to the decline in Somali refugees.

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 of Immigration Review (EOIR) of the Department of Justice. To obtain affirmative 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 (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 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.

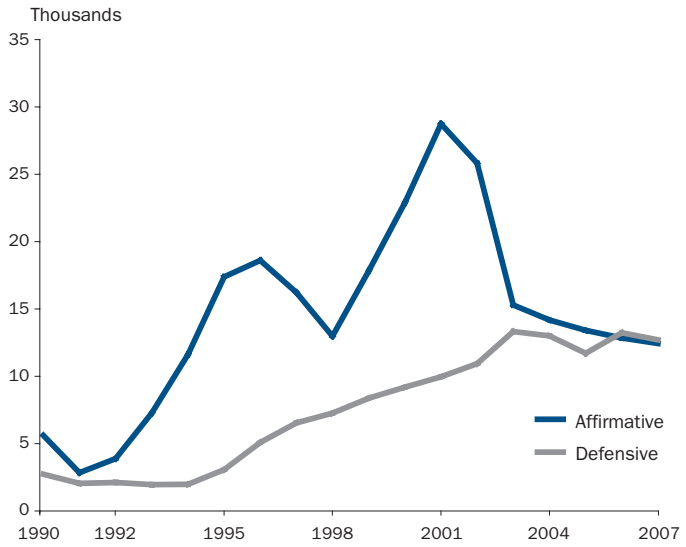
Individuals granted asylum are authorized to work in the United States. In addition, an asylee is entitled to benefits including employment assistance, a social security card, and social services. If an applicant in a valid status (e.g. foreign student) fails to establish eligibility for asylum before USCIS, the application will be denied by USCIS and the applicant will remain in valid status. If the applicant is not in valid status and USCIS finds the applicant ineligible for asylum, USCIS places the applicant in removal proceedings before the Executive Office for Immigration Review (EOIR) of the Department of Justice. Aliens may also be placed directly in removal proceedings by immigration enforcement officials because they are undocumented, in violation of their status when apprehended, or caught trying to enter the United States without proper documentation. During the proceedings, an immigration judge may grant asylum or issue a denial and an order of removal. The applicant may appeal the denial to the Board of Immigration Appeals and thereafter to a U.S. Court of Appeals.

Coercive Population Control (CPC)

A special provision exists for adjudicating cases based on resistance to coercive population control (CPC) programs (e.g., forced abortions or involuntary sterilizations). Section 101(a)(42) of the INA specifically incorporates such resistance into the definition of a refugee. Prior to 2005, there was an annual ceiling of 1,000 persons who could be granted refugee or asylee status under this

Figure 2.

Annual Flow of Affirmative and Defensive Asylees: 1990 to 2007



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

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Table 6.

All Asylees by Country of Nationality: Fiscal Years 2005 to 2007

(Ranked by 2007 Country of Nationality)

Country	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	25,270	100.0	26,207	100.0	25,171	100.0
China	6,361	25.2	5,575	21.3	5,228	20.8
Colombia	2,180	8.6	2,968	11.3	3,363	13.4
Haiti	1,660	6.6	2,998	11.4	2,938	11.7
Venezuela	1,170	4.6	1,363	5.2	1,104	4.4
Ethiopia	846	3.3	775	3.0	728	2.9
Indonesia	777	3.1	742	2.8	470	1.9
Iraq	685	2.7	366	1.4	286	1.1
Guatemala	681	2.7	637	2.4	386	1.5
El Salvador	569	2.3	596	2.3	244	1.0
Cameroon	505	2.0	587	2.2	645	2.6
All other countries, including unknown	9,836	38.9	9,600	36.6	9,779	38.9

Source: U.S. Department of Homeland Security 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 2005 to 2007

(Ranked by 2007 Country of Nationality)

Country	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	12,463	100.0	12,855	100.0	13,414	100.0
China	1,821	14.6	1,514	11.8	2,214	16.5
Colombia	1,497	12.0	2,189	17.0	2,212	16.5
Haiti	1,073	8.6	2,428	18.9	2,285	17.0
Venezuela	855	6.9	1,084	8.4	951	7.1
Indonesia	567	4.5	428	3.3	95	0.7
Guatemala	547	4.4	477	3.7	246	1.8
Ethiopia	497	4.0	431	3.4	462	3.4
El Salvador	431	3.5	501	3.9	179	1.3
Iraq	409	3.3	175	1.4	192	1.4
Cameroon	302	2.4	228	1.8	382	2.8
All other countries, including unknown	4,464	35.8	3,400	26.4	4,196	31.3

Source: U.S. Department of Homeland Security.

Table 8.

Defensive Asylees by Country of Nationality: Fiscal Years 2005 to 2007

(Ranked by 2007 Country of Nationality)

Country	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	12,807	100.0	13,352	100.0	11,757	100.0
China	4,540	35.4	4,061	30.4	3,014	25.6
Colombia	683	5.3	779	5.8	1,151	9.8
Haiti	587	4.6	570	4.3	653	5.6
Albania	420	3.3	506	3.8	610	5.2
India	357	2.8	450	3.4	311	2.6
Ethiopia	349	2.7	344	2.6	266	2.3
Guinea	324	2.5	358	2.7	257	2.2
Venezuela	315	2.5	279	2.1	153	1.3
Iraq	276	2.2	191	1.4	94	0.8
Egypt	231	1.8	240	1.8	194	1.7
All other countries, including unknown	4,725	36.9	5,574	41.7	5,054	43.0

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

provision. Applicants beyond the 1,000 cap who were otherwise approved were given conditional grants of asylum. The REAL ID Act of 2005 eliminated the annual cap on asylum approvals based solely on CPC, and conditional grants of asylum are no longer issued.

DATA

The affirmative asylee data presented in this flow report were derived from data on applications for asylum maintained in Refugee, Asylum, and Parole System (RAPS) of USCIS. Defensive asylee data were obtained from EOIR.[3]

RESULTS

Trends in Admission

The total number of persons granted asylum in the United States decreased from 26,207 in 2006 to 25,270 in 2007. The number of persons who were granted asylum affirmatively through USCIS decreased from 12,855 in 2006 to 12,463 in 2007 (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 13,352 in 2006 to 12,807 in 2007.

Country of Nationality

The leading countries of nationality for persons granted asylum in 2007 were China (25 percent), Colombia (8.6 percent), Haiti (6.6 percent), and Venezuela (4.6 percent) (see Table 6). These countries of nationality accounted for 45 percent of asylees.

The top countries of nationality for affirmative asylees were China (15 percent), Colombia (12 percent), and Haiti (8.6 percent) (see Table 7). These three countries of nationality accounted for 35 percent of all affirmative asylees in 2007. These same three countries accounted for more than 45 percent of defensive asylees: China (35 percent), Colombia (5.3 percent), and Haiti (4.6 percent) (see Table 8).

[3] Data in this report do not include some following to join derivatives.

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Table 9.

Affirmative Asylees by Age, Gender, and Marital Status: Fiscal Years 2005 to 2007

Age	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	12,463	100.0	12,855	100.0	13,414	100.0
0 to 17 years	1,674	13.4	1,967	15.3	2,043	15.2
18 to 24 years	1,801	14.5	1,712	13.3	1,763	13.1
25 to 34 years	3,605	28.9	3,736	29.1	3,901	29.1
35 to 44 years	3,163	25.4	3,289	25.6	3,667	27.3
45 to 54 years	1,616	13.0	1,562	12.2	1,524	11.4
55 to 64 years	447	3.6	450	3.5	372	2.8
65 years and over	157	1.3	139	1.1	144	1.1
Gender						
Male	6,488	52.1	6,807	53.0	6,946	51.8
Female	5,975	47.9	6,048	47.0	6,468	48.2
Marital status						
Single	5,640	45.3	6,167	48.0	6,015	44.8
Married	6,144	49.3	6,096	47.4	6,837	51.0
Other	668	5.4	584	4.5	545	4.1
Unknown	11	0.1	8	0.1	17	0.1

Source: U.S. Department of Homeland Security.

Table 10.

Affirmative Asylees by State/Territory of Residence: Fiscal Years 2005 to 2007

(Ranked by 2007 State/Territory of Residence)

State	2007		2006		2005	
	Number	Percent	Number	Percent	Number	Percent
Total	12,463	100.0	12,855	100.0	13,414	100.0
California	4,074	32.7	2,926	22.8	2,607	19.4
Florida	3,011	24.2	5,270	41.0	4,942	36.8
New York	1,288	10.3	1,340	10.4	1,466	10.9
Washington	481	3.9	264	2.1	211	1.6
Maryland	468	3.8	516	4.0	812	6.1
Virginia	335	2.7	254	2.0	349	2.6
Massachusetts	272	2.2	171	1.3	213	1.6
U.S. Virgin Islands	232	1.9	128	1.0	64	0.5
Texas	224	1.8	181	1.4	240	1.8
Michigan	198	1.6	150	1.2	176	1.3
Other	1,880	15.1	1,655	12.9	2,334	17.4

Source: U.S. Department of Homeland Security.

Age, Gender, and Marital Status

Demographic information was available only for affirmative asylees. Of the 12,463 persons granted asylum affirmatively in 2007, more than four-fifths were between the ages of 18 and 54(see Table 9). Slightly more than half were male, and 49 percent were married.

State of Residence

The largest percentages of individuals granted asylum affirmatively were living in California(33 percent) and Florida (24 percent) (see Table 10). Fifty-seven percent of affirmative asylees were located in one of these two states. Other major receiving states included New York (10 percent), Washington (3.9 percent), Maryland (3.8 percent), Virginia (2.7 percent), and Massachusetts (2.2 percent).

FOR MORE INFORMATION

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

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