

The Annual Presidential Determination on Refugee Admissions: How a Single Decision Facilitates Humanitarian Protection and Safeguards American Interests

Under the Refugee Act of 1980, the number of refugees admitted to the United States is determined on an annual basis, in order to provide flexibility in adapting to rapidly changing humanitarian crises around the world. Unlike most immigration laws, the President, in consultation with Congress, is given the power to determine the admissions number, another nod to the important foreign policy and humanitarian concerns that are reflected in U.S. refugee policy. The Trump administration set the Fiscal Year 2017 admissions goal at 45,000 persons, the lowest goal ever in the history of the modern refugee program.

As the September 30 deadline for setting the admissions goal nears, there are reports that the administration may further cut the target number, leaving thousands of refugees without life-saving resettlement and threatening the very existence of the U.S. Refugee Admission Program. To put the significance of this decision in context, the following discussion explains some of the most frequently asked questions about the importance of continuing to admit refugees in large numbers. The capacity exists to admit at least 75,000 refugees in the coming year and the need to do so is critical, both for individual refugees and for the interests of the United States. Continued reductions in refugee admissions keeps refugees needing resettlement in protracted unsafe situations, undermining U.S. humanitarian commitments and leadership abroad. It weakens the use of resettlement as a foreign policy and national security tool and ignores the important economic and cultural contributions of refugees.

Who Are the Refugees Who Come to the United States?

What do we mean by refugee?

In the simplest terms, a refugee is someone who has had to flee their home to escape persecution, war, or other disaster and seeks refuge, or protection, elsewhere. The legal definition of refugee in the United States, however, is more complicated and is based on international treaties and domestic U.S. law. Under the Refugee Act of 1980, a person is a refugee if they are unable or unwilling to return to their country of origin because they have suffered or fear they will suffer persecution based on nationality, race, religion, political opinion, or membership in a particular social group.

What is the difference between seeking asylum and being a refugee?

Under U.S. law, the difference between asylum status and refugee status is largely based on where the person sought protection. If you are outside the United States and seek U.S. protection, your case is processed through the U.S. Refugee Admissions Program. Refugees

processed abroad have already been identified and brought to the attention of the U.S., usually by the Office of the United Nations High Commissioner for Refugees (UNHCR), as refugees likely to qualify for admission to the United States. Asylum-seekers, on the other hand, are people who self-identify as individuals needing protection either at the border or once they are in the United States. Under U.S. law, anyone physically present in the United States may apply for asylum. Both refugees and asylees have to meet the same rigorous legal qualifications to be granted humanitarian protection status.

Where do refugees come from?

Refugees come from all over the world, depending on current crises and conflicts. Right now, there are 25.4 million individuals identified by [UNHCR](#) as refugees, including 19.9 million under UNHCR's mandate and 5.4 million Palestinian refugees. Of the refugees under UNHCR's mandate 57% come from just three countries: Syria (6.3 million), Afghanistan (2.6 million), and South Sudan (2.4 million).

Does the U.S. take refugees from all over the world?

Yes. Refugees admitted to the United States come from all over the world, but nationalities change as world events shift. For instance, according to the [Migration Policy Institute](#), the top nationalities for refugee admissions in 1993 were people from the former Soviet Union, Vietnam, Laos, Iraq, Cuba, Ethiopia, Somalia, Bosnia, and Haiti. Ten years later, in 2003, the Soviet Union continued to lead the list, but the other major countries had shifted to Liberia, Iran, Sudan, Somalia, the former Yugoslavia, Ethiopia, Vietnam, Afghanistan, and Sierra Leone. By [2013](#), the top countries of origin had shifted to Iraq, Burma, Bhutan, Cuba, Somalia, Iran, the Democratic Republic of Congo, Sudan, Eritrea, and Ethiopia.

How are Refugee Numbers Determined?

What is the legal basis for admission?

The Refugee Act of 1980 (Public Law 96-212), adopted with bipartisan support in both the Senate and House of Representatives, created a framework for the admission of refugees and asylees to the United States, established the basis for legal permanent residency for refugees and asylees, and provided comprehensive and uniform provisions for the effective resettlement and integration of those refugees who are admitted. Signed by President Jimmy Carter, it became effective on April 1, 1980. The Act recognized that it was the historic policy of the U.S. to respond to the urgent needs of persons subject to persecution in their homelands and to provide assistance, asylum, and resettlement opportunities to admitted refugees.

Who decides how many refugees are admitted each year?

The President consults with Congress and sets an annual target for refugee admissions. By law this ceiling shall be "justified by humanitarian concern or otherwise in the national interest." The Presidential Determination should be issued before the new fiscal year begins on Oct. 1.

Although the PD is set by the President, how does Congress demonstrate its intent to support or question/oppose a certain PD?

Under [INA 207\(d\) and \(e\)](#), the President is required to consult with the House and Senate Judiciary Committees. In this consultation, cabinet-level representatives must explain the intended number of refugees to be admitted and provide an analysis of their impact on the United States' economy and foreign policy, among other things. Congress adopted the consultation process to ensure that it could provide input into the resettlement process. Congress also plays a critical role in shaping resettlement through the annual appropriations process, by funding resettlement and integration programs that welcome refugees.

How many refugees live in the United States?

What is the total number of refugees admitted to the United States?

Since 1980, approximately [3 million](#) refugees have been admitted to and resettled in the United States.

How many refugees are admitted every year?

The number varies based on the annual Presidential Determination, efficiency of processing, and exigent circumstances that may make it more difficult to reach the goal. On average, since 1980, the annual Presidential Determination number has exceeded 95,000 persons. Since the year 2000, Presidential determinations have ranged from a low of 70,000 to a high of 110,000 refugees. The actual number of refugees admitted has varied from a low of 27,131 (in the year after the 9/11 attacks) to 84,995 in 2016. Although President Obama authorized 110,000 admissions for Fiscal Year 2017, President Trump later decreased that number to 50,000. Ultimately over 53,700 refugees were admitted in fiscal year 2017.

What is the current refugee admission number?

For Fiscal Year 2018, President Trump authorized 45,000 refugee admissions. As of August 1, only 18,214 refugees had actually been admitted, and it is likely that the final admissions numbers will be no more than 20,000 persons--the lowest number ever in the history of the refugee program.

Why should the US admit refugees?

What impact does refugee resettlement have on foreign affairs?

Does the US have a history of admitting refugees?

Long before the United States formally recognized "refugees," its [history](#) was built on offering a new home to people fleeing persecution. Many of the earliest colonists to the United States came to this country hoping to freely practice their religion; in the 19th century waves of immigrants from Europe sought not only economic opportunity, but political and religious freedom. After World War II, when hundreds of thousands of people were displaced, President

Truman used existing immigration laws to help resettle many people who might otherwise have been forced to return to countries that had fallen under Soviet control.

The United States was an active participant in international efforts to establish universal protections for refugees. Congress subsequently passed laws assisting displaced persons and refugees, particularly those fleeing Communism. Later laws were designed to assist specific groups of refugees, such as Cubans fleeing Castro, Vietnamese and other Southeast Asians following the Vietnam War, and individuals from the former Soviet Union. The Refugee Act of 1980 created a more standardized process for admitting refugees from all over the world, continuing to adhere to the basic principle that the U.S. has always been a refuge for those “yearning to breathe free.”

What impact does a refugee crisis have on international relations?

When millions of people are on the move, their suffering becomes a global issue. Neighboring countries feel the pressure first, as they attempt to house and care for people under emergency situations, but over time that pressure is felt regionally and then internationally as refugees attempt to find safe spaces. For example, as the crisis in Syria escalated, Jordan became the first stop for many refugees; today one in fourteen residents of Jordan is a refugee according to UNHCR. Over time, millions of refugees have sought refuge throughout the Middle East and Europe, risking death to find safety. The political and financial costs of the Syrian refugee crisis cannot be handled without international support. This dynamic is repeated time and again around the world, requiring an international response to refugee flows.

Does the U.S. have an obligation to help?

For many U.S. citizens, there is a moral obligation to help people in need, and that has been reflected in the U.S. government’s international humanitarian policies. But there is also a legal obligation. The United States is a signatory to numerous international agreements to protect refugees and other vulnerable persons, and honoring those commitments is important to our international credibility. Because the U.S. has long been a world leader in refugee resettlement, it sets an example for other countries. If it reverses course, other countries are likely to do so as well. The impact of the U.S. pullback is dramatic: in 2017, available global resettlement spots fell by 46% compared to 2016, There was a 94% gap between resettlement needs and actual slots made available by all countries in 2017,

Beyond the legal commitment, however, assisting refugees meets important foreign policy and national security objectives.

How does assisting refugees meet foreign policy and national security objectives?

Refugee crises don’t occur in a vacuum. Political instability, wars, regional tensions, natural disasters, religious and political persecution, and other international events often lead to forced migration. U.S. foreign interests are affected every day by regional instabilities and international unrest, and providing ways to assist individual refugees and countries affected by refugee crises can be an important foreign policy tool.

National security experts have repeatedly warned that backing away from refugee resettlement plays into the hands of those who seek to do us harm, particularly when it appears that we are rejecting specific refugees based on religion or other characteristics. This allows groups like ISIS to argue that the U.S. cannot be trusted or that it seeks the destruction of certain people. As one national security [expert](#) noted, our actions can essentially create the talking points for our enemies unless we are smart and thoughtful in how we treat the rest of the world.

Is it necessary to resettle refugees to advance our foreign policy and national security interests?

Refugee resettlement is a relatively small, but important, component of broader strategies to assist refugees and host countries around the world. In fact, resettlement and foreign assistance go hand in hand. On average, the United States has provided approximately [\\$33.2 billion dollars annually in foreign assistance to 142 countries](#), far more than it spends on refugee resettlement. But resettlement plays an important role because some refugees can never return home or cannot find safety in their host country. The resettlement of those individuals is a priority and the U.S. signals its support for global solutions and international cooperation by taking a share of those people in need of resettlement.

What impact does refugee resettlement have on our domestic policies?

Does the admission of refugees benefit our economy?

Refugee resettlement plays an important role in [state](#) and local economic growth. Refugees are entrepreneurs, consumers, and taxpayers, contributing to economic growth and creating jobs.

Once resettled in the U.S., refugees quickly find jobs and become reliable employees. A recent [study](#) by the Fiscal Policy Institute found that “employers that hire refugees see positive outcomes for their businesses” in areas such as retention of workforce, improved efficiency, and improvement among managers as they learn to work with a more diverse group of people. Refugees are revitalizing cities and rural communities across the U.S., filling empty jobs in industries such as hospitality, food service, and meat-packing, and are [starting businesses](#) to create local jobs. Refugees fuel job growth.

People admitted as refugees are far more likely to become entrepreneurs, at a rate nearly 50 percent higher than among people born in the U.S. [Forty percent](#) of all Fortune 500 companies were founded by refugees, immigrants or their children. Immigrants tend to have higher rates of entrepreneurial activity than other segments of our population, and to invest in businesses that offer everyday goods and services, a critical component of a strong economy.

Is resettling refugees a drain to the economy?

While there are some upfront costs associated with resettling refugees, [numerous studies](#) have found that refugees quickly begin to contribute more to the local economy than they receive in

short-term federal assistance. In [Cleveland, Ohio](#), for example, a long-term study of the impact of refugee resettlement in the area found positive economic contributions through consumer spending, payment of state and local taxes, entrepreneurship, home purchases, and job creation. A 2017 study by the Partnership for a New American Economy found that refugee households earned [77.2 billion dollars in](#) 2015, resulting in 6.4 billion dollars in state and local taxes and 14.5 billion dollars in federal taxes. Big cities and small towns alike have often made refugee resettlement a priority as part of their plans for economic development because the investment in welcoming refugees nets a positive return in revenue, human capital, and cultural diversity.

Can refugees be resettled safely in the United States?

Refugees are subject to intensive screening and review before they are admitted to the United States. Each refugee is hand-selected by the Department of Homeland Security and screened by security agencies in an exhaustive process that involves DHS, FBI, DoD, DoS, HHS, and the US intelligence community. At the end of 2017, most refugees waited at least two years from the time of initial identification to arrival in the United States; that time has now stretched to 3 to 5 years because of new levels of processing and vetting requirements.

There is no evidence that this extended time period has helped protect the United States and many experts believe it is unnecessarily exposing individuals to harm, separating families, and undermining U.S. interests abroad. Even before the high level of vetting that exists today, the refugee program has historically been a low-risk admissions program. In fact, a [Cato](#) Institute study assessing risks associated with immigrants and terrorism found that no refugees admitted to the United States after passage of the 1980 Refugee Act have committed a lethal terror attack on U.S. soil.

Do refugees become U.S. citizens?

Yes. Under section 209 of the Immigration Act, refugees are permitted to seek lawful permanent resident status one year after being admitted to the United States. This is an important step towards citizenship, and reflects Congress's intention to provide a permanent home for resettled refugees. People admitted as refugees tend to [naturalize](#) at a higher rate than other immigrants. In 2014, naturalized refugees voted at a slightly higher rate than other naturalized immigrants or native-born Americans. In other words, refugees are highly likely to make a successful transition to their new home and are determined to participate fully in their communities.

Do Americans welcome refugees?

Despite rhetoric to the contrary, America remains a warm and welcoming nation.

- [Veterans say Iraqi families who aided our troops deserve visas](#) - Boston Globe
- [This small town in America's Deep South welcomes 1,500 refugees a year](#) - The Guardian
- [How Dallas Became One Of America's Most Refugee-Friendly Cities](#) - BuzzFeed
- [Monthly potluck connects Tucson refugees, community members](#) - KGUN
- [Faith leaders unite in San Bernardino in favor of refugees](#) - The Sun
- [Welcome notes greet incoming refugees](#) - College Heights Herald
- [A pastor in the Bible Belt opened his church to refugees. Here's what happened.](#) - Los Angeles Times
- [Minneapolis City Council passes resolution to support Syrian refugee resettlement](#) - Minnesota Daily
- [Burlington leaders support Syrian refugees](#) - WCAX
- [For Syrian Refugees In Connecticut, A Helping Hand From Private Volunteers](#) - NPR
- [What It Takes to Settle Refugees: The people of Erie, Pennsylvania, have welcomed immigrants and refugees, and believe that their town is better off for having done so.](#) - The Atlantic
- [New Milford group forms to help resettle refugees](#) - News Times
- [As Number Of Syrian Refugees Resettled In Mass. Increases, Community Shows Support](#)- WBUR