

PRIMARY AVENUES FOR LAWFUL ENTRY INTO THE U.S.

REFUGEES & ASYLUM SEEKERS



The information provided below is a summarized version of the American Immigration Council's fact sheet titled: "How the United States Immigration System Works." Published: June 24, 2024

Refugees and asylum seekers are eligible to become Lawful Permanent Residents as a refugee or one year after receiving asylum.

The goal of humanitarian-based immigration is to provide safety for those fleeing persecution in their home country.

Important Immigration Terms

Lawful Permanent Resident (LPR)

Also known as a "green card" holder or a non-citizen who is granted the right to live permanently in the U.S.

Persecution

Unfair or cruel treatment of a person based on their race, membership in a particular social group, political opinion, religion, or national origin.

4 Principles of U.S. Immigration Laws



Humanitarian
Protections



Bringing Skills to
U.S. Economy



Reunification of
Families



Promoting
Diversity

Refugees vs. Asylum Seekers



Refugees

Refugees are admitted to the United States based on the inability to return to their home countries because of a “well-founded fear of persecution.”

Each year, the president, in consultation with Congress, determines the number of refugee admissions. Refugees apply for admission from outside the United States.



Asylum Seekers

Asylum is available to people who arrive or are already in the United States. This protection is granted based on the same protected grounds as refugees.

Types of Asylum

There are 2 types of asylum applications:

- **Affirmative Asylum**
For those proactively seeking asylum
- **Defensive Asylum**
For those facing deportation

Timeline for Asylum Seekers

Affirmative Asylum

Currently, affirmative asylum **applications take 5-6 years to** obtain an interview with U.S. Citizenship and Immigration Services (USCIS).

Then, USCIS can take another **1-10 years to approve or deny the** application. If the application is denied, the client will be removed from the U.S.

Defensive Asylum

Currently, defensive asylum applications filed with the U.S. Immigration Court take **4-5 years to obtain a final hearing.**

Then, the Immigration Judge will decide whether to approve or deny. If denied, the client will be removed from the U.S.