



U.S. Refugee Admissions in FY2021

April 27, 2021

On April 16, 2021, President Joe Biden issued an emergency [presidential determination](#) (PD) on FY2021 refugee admissions. The emergency PD revised the allocations in the [original FY2021 PD](#) issued by President Donald Trump in October 2020. The new PD left the earlier one's refugee ceiling of 15,000 unchanged.

The refugee provisions in the Immigration and Nationality Act ([INA §207](#)) authorize the President, after consulting with members of the House Judiciary Committee and the Senate Judiciary Committee, to issue a PD before the beginning of the fiscal year. In the PD, the President sets the refugee ceiling for the year and allocates that ceiling among refugees of special humanitarian concern to the United States. INA Section 207(b) further allows the President, after congressional consultation, to issue an emergency determination in the middle of a fiscal year in the event of “an unforeseen refugee emergency situation.”

In the [emergency PD](#), President Biden announced that

an unforeseen emergency refugee situation now exists due to new or increasing political violence, repression, atrocities, or humanitarian crises in countries including Burma, the Democratic Republic of the Congo, Ethiopia, Hong Kong and Xinjiang (China), South Sudan, Syria, and Venezuela, as well as changing conditions caused by the coronavirus disease 2019 pandemic.

He further stated that he had determined that “the allocation of admissions among refugees of humanitarian concern set forth in [the original FY2021 PD] prevents the United States Refugee Admissions Program from responding to this unforeseen emergency refugee situation.” A February 2021 [Department of State \(DOS\) report](#), which was provided to the Judiciary Committees in advance of the emergency consultations, discussed aspects of the emergency situation.

That DOS report detailed the Administration's proposal to increase the FY2021 refugee ceiling to 62,500. The [emergency PD](#) that was issued two months later instead retained the 15,000 ceiling set in the earlier PD. The new PD stated that “the admission of up to 15,000 refugees remains justified by humanitarian concerns and is otherwise in the national interest.” It also noted, “Should 15,000 admissions ... be reached prior to the end of the fiscal year and the emergency refugee situation persists, a subsequent Presidential Determination may be issued to increase admissions, as appropriate.”

The emergency PD reallocated the refugee ceiling of 15,000 by region (see [Table 1](#)). By contrast, the original FY2021 PD, like the FY2020 PD, had [allocated refugee admissions by population group](#). PDs for prior years had allocated refugee admissions by region.

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Table I. FY2021 Revised Refugee Allocations

Region	Allocation
Africa	7,000
East Asia	1,000
Europe and Central Asia	1,500
Latin America and the Caribbean	3,000
Near East and South Asia	1,500
Unallocated Reserve	1,000
Total	15,000

Source: White House, *Memorandum for the Secretary of State on the Emergency Presidential Determination on Refugee Admissions for Fiscal Year 2021*, April 16, 2021.

Notes: The unallocated reserve is to be used if, and where, a need develops for refugee slots in excess of a region's allocation.

A return to regional allocations, according to the [DOS report](#), “would ensure that resettling vulnerable refugees everywhere is central to [the U.S. Refugee Admissions Program], would reflect the urgent need for resettlement across all regions, and would avoid discrimination by the type of persecution or country of origin.” Under the original FY2021 PD, some refugees who had been approved for resettlement could not be admitted to the United States because they did not fit into one of the [FY2021 population categories](#).

Following the Administration's [February 2021 consultations](#) with Congress, observers anticipated the issuance of an emergency determination that would increase the refugee ceiling to 62,500. When the emergency PD with an unchanged refugee cap was issued on April 16, 2021, it was met with support from some but [furor from refugee advocates](#).

Later that same day, the White House [press secretary issued a statement](#) that the emergency PD “has been the subject of some confusion.” While not directly addressing the decision to leave the FY2021 refugee ceiling at 15,000, she said the following about the President's earlier proposal to increase the ceiling: “Given the decimated refugee admissions program we inherited, and burdens on the [Office of Refugee Resettlement](#), his initial goal of 62,500 seems unlikely.”

The press secretary further announced that “we expect the President to set a final, increased refugee cap for the remainder of this fiscal year by May 15.” In remarks on April 17, 2021, as reported in the press, [President Biden confirmed](#) that the Administration would raise the FY2021 refugee ceiling.

It remains unclear, however, how many refugees will be admitted to the United States in FY2021. According to [DOS data](#), U.S. refugee admissions totaled 2,050 in the first half of FY2021. By region, these admissions were as follows: Africa (682), East Asia (171), Europe and Central Asia (602), Latin America and the Caribbean (141), and Near East and South Asia (454). FY2020 refugee admissions totaled 11,814, the lowest in the 40-year history of the U.S. refugee admissions program.

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