

# Refugee, Asylee and Related Terms

Foreign-born individuals come to the U.S. due to different circumstances to live and/or work, and different terms are used to refer to these individuals.

**DHS provides post-resettlement services to these groups of legally resettled individuals. These short-term support services include health screenings, English as a second language education, vocational assessment and training, employment services, medical screening, cash assistance, self-sufficiency services, case management, and related services and support.**

## **Refugee -**

- Lives outside the country of his/her nationality or usual residence because he/she is unable or unwilling to return to and live in that country because of persecution or well-founded fear of persecution based on race, religion, nationality, membership of a particular social group, or political opinion.
- Enters U.S. legally with U.S. Department of State involvement.
- Goes through a rigorous screening process including background checks and interviews prior to resettlement to the U.S.

## **Unaccompanied Refugee Minor -**

- Meets criteria as a refugee.
- Is typically between the ages of 15 and 17 but could be younger and is unaccompanied by a parent or legal guardian.
- Enters U.S. legally with U.S. Department of State involvement.
- Goes through a rigorous screening process including background checks and interviews prior to resettlement to the U.S.
- Qualifies legally for all services provided to children served in the state's foster care system.

## **Asylee (Asylum Seeker) -**

- Travels to the U.S. on his/her own and subsequently applies for and is granted asylum by U.S. Department of Homeland Security.
- Does not enter the United States as a refugee, but may enter as a student, tourist, businessman or woman, or as an undocumented individual.
- Must meet the definition of a refugee and meet an application deadline to qualify as an asylee.

## **Cuban/Haitian Entrant -**

- Includes any individual granted parole status by the U.S. Department of Homeland Security as a Cuban/Haitian Entrant (status pending) or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti, and who has not acquired any other status under the Immigration and Nationality Act; or is the subject of exclusion or deportation proceedings; or has an application for asylum pending.

## **Special Immigrant Visa (SIV) Holder -**

- Includes individuals from Iraq and Afghanistan who are granted SIV status overseas by the U.S. Department of State for their service to the U.S. government in Iraq and Afghanistan.
- Are brought to the U.S. for resettlement by the U.S. Department of State.

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## **Other Residency Terms**

### **Lawful Permanent Resident -**

- Is a foreign-born person from anywhere in the world who is lawfully able to reside permanently in the United States.
- Are granted admission to the United States on the basis of family relation or job skill.
- Generally, have “green cards” and are permitted to apply for naturalization after five years of U.S. residence.
- Refugees and asylees may adjust to LPR status after one year of continuous residence.
- May be issued immigrant visas by the U.S. Department of State overseas or adjust to LPR status with the Immigration and Naturalization Service after entering the U.S.

### **Immigrant -**

- Is an individual from anywhere in the world who makes a conscious decision to leave his or her home and move to a foreign country with the intention of settling there. They often research destinations and employment opportunities and study the language and go through a lengthy vetting process to immigrate to a new country. Many become lawful permanent residents and eventually citizens.

### **Migrant Workers/Temporary Workers -**

- Are foreign-born individuals who come to the U.S. to work temporarily and not to settle in the U.S.
- Their employers generally must complete a nonimmigrant petition on their behalf with the U.S. Citizen and Immigration Service to permit them to work. There are some exceptions.
  - » Migrant workers include individuals who are not able to return to a permanent place of residence because of the distance between the place of work and the place of residence.
  - » Seasonal worker is a worker, other than a migrant worker, employed on a seasonal or temporary basis.
  - » These workers tend to include people working temporarily or seasonally in farm fields, orchards, canneries, plant nurseries, fish/seafood packing plants, and can also include people in construction, meatpacking, landscaping, day laborers, and disaster response demolition and clean-up.

### **Undocumented Individual (formerly referred to as illegal alien) -**

- Is a foreign-born person who either enters the U.S. without legal permission or who enters legally such as with a tourist visa or other nonimmigrant temporary visa and then fails to leave the U.S. when their permissible time ends.

### **Unaccompanied Undocumented Child -**

- Is age 18 and younger, is unaccompanied by a parent or legal guardian and has no lawful immigration status.
- Is placed in the care and custody of the U.S. Dept. of Health & Human Services (DHHS).
  - » In 2019, 72% of Unaccompanied Undocumented Children entering the U.S. were ages 15-18; 71% were male; and countries of origin included Guatemala (45%), Honduras (30%), El Salvador (18%) and other (7%).

#### **SOURCES:**

Office of Refugee Resettlement, federal Administration for Children & Families website: <https://www.acf.hhs.gov/orr/resources>

National Conference of State Legislators, Common Immigration Terms webpage: <https://www.ncsl.org/research/immigration/common-immigration-terms.aspx>

Lutheran Immigration and Refugee Services, webpage: “The Difference Between Refugees, Asylum Seekers, and Migrants,” <https://bit.ly/3vZ2rHd>

U.S. Citizenship and Immigration Services, webpage: “Temporary (nonimmigrant) Workers” <https://www.uscis.gov/working-in-the-united-states/temporary-nonimmigrant-workers>

NCSL: <https://www.ncsl.org/research/immigration/common-immigration-terms.aspx>