

FY2021 Refugee Ceiling Increase

May 11, 2021

On May 3, 2021, President Joe Biden issued an emergency [presidential determination \(PD\)](#) to raise the FY2021 refugee ceiling to 62,500. It followed an earlier emergency PD on FY2021 refugee admissions signed by President Biden on April 16, 2021. The [first emergency PD](#) revised the allocations in the [original FY2021 PD](#) issued by President Donald Trump, but left the refugee ceiling unchanged at 15,000.

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 May 2021 [emergency PD](#), President Biden offered the following explanation for raising the FY2021 refugee ceiling from 15,000 to 62,500:

Upon additional briefing and a more comprehensive presentation regarding the capacity of the executive departments and agencies charged with administering USRAP [U.S. Refugee Admissions Program] to increase refugee admissions while responding to other demands, and given the ongoing unforeseen emergency refugee situation, I now determine, consistent with my Administration’s prior consultation with the Congress, that raising the number of admissions permissible for FY 2021 to 62,500 is justified by grave humanitarian concerns and is otherwise in the national interest.

The Biden Administration had proposed increasing the FY2021 refugee cap to 62,500 in a report provided to the Judiciary Committees in advance of February 2021 consultations on an emergency PD. Instead, in an unexpected move, President Biden [retained the pre-existing refugee cap](#) of 15,000 in his April 2021 emergency PD.

The May 2021 emergency PD allocates the new 62,500 refugee ceiling by region. It increases the allocation provided for each region and the unallocated reserve in the [earlier emergency PD](#) (see [Table 1](#)).

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Table 1. FY2021 Revised Refugee Ceiling and Allocations Under Emergency PDs

Region	April 2021 PD	May 2021 PD
Africa	7,000	22,000
East Asia	1,000	6,000
Europe and Central Asia	1,500	4,000
Latin America and the Caribbean	3,000	5,000
Near East and South Asia	1,500	13,000
Unallocated Reserve	1,000	12,500
Total	15,000	62,500

Source: U.S. President (Biden), “Emergency Presidential Determination on Refugee Admissions for Fiscal Year 2021,” Presidential Determination No. 2021–05 of April 16, 2021, 86 *Federal Register* 21159, April 22, 2021; U.S. President (Biden), “Emergency Presidential Determination on Refugee Admissions for Fiscal Year 2021,” Presidential Determination No. 2021–06 of May 3, 2021, 86 *Federal Register* 24475, May 7, 2021.

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

In a [statement](#) accompanying the new emergency PD, President Biden suggested the symbolic value of increasing the refugee ceiling to 62,500. He maintained that the prior ceiling of 15,000 “did not reflect America’s values as a nation that welcomes and supports refugees.” In his words, “it is important to take this action today to remove any lingering doubt in the minds of refugees around the world who have suffered so much, and who are anxiously waiting for their new lives to begin.” The President also made clear that he did not expect the new, higher ceiling to be met. He referenced “the damage of the last four years” to the refugee program that “will take some time” to address, and stated, “the sad truth is that we will not achieve 62,500 admissions this year.”

According to [FY2021 refugee admissions data](#), a total of 2,334 refugees had been admitted to the United States as of April 30, 2021. By region, these admissions were as follows: Africa (755), East Asia (187), Europe and Central Asia (692), Latin America and the Caribbean (141), and Near East and South Asia (559).

In his May 2021 [statement](#), President Biden looked ahead to setting the FY2022 refugee admissions ceiling. He commented that his FY2022 budget “reflects my commitment to the goal of 125,000 refugee admissions in the first fiscal year of my presidency.” He also noted that it would be difficult to achieve that level of admissions, and that “we might not make it the first year.” As in his comments about the FY2021 refugee ceiling, he cast efforts in future years to “help these fully-vetted refugees fleeing horrific conditions in their home countries” as an assertion of “American leadership and American values.”

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