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Refugee

Under United States law a refugee is an individual who:

- Is located outside of the United States
- Is of special humanitarian concern to the United States
- Demonstrates that they were persecuted or fear persecution due to race, religion, nationality, political opinion, or membership in a particular social group
- Is not firmly resettled in another country
- Is admissible to the United States

A refugee does not include anyone who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

For the legal definition of refugee, see section 101(a)(42) of the [Immigration](#) and Nationality Act (INA).

The Refugee Process

You must receive a referral to the U.S. Refugee Admissions Program (USRAP) for consideration as a refugee.

If you receive a referral, you will receive help filling out your application and then be interviewed abroad by a USCIS officer who will determine whether you are eligible for

refugee resettlement.

Your case may include your spouse, child (unmarried and under 21 years of age), and in some limited circumstances, other family members. If your case is referred to the USRAP, you will receive help filling out your paperwork. You will be interviewed abroad by a USCIS officer who will determine whether you are a refugee.

There is no fee to apply for refugee status. The information you provide will not be shared with your home country.

Coming to the United States

If you are approved as a refugee, you will receive a medical exam, a cultural orientation, help with your travel plans, and a loan for your travel to the United States. After you arrive, you will be eligible for medical and cash assistance.

Bringing Your Family to the United States

If you are a refugee in the United States and want your family members who are abroad to join you, please contact the law offices of Gopal & Pedigo, PLLC, for your spouse and unmarried children under 21. You must file within two years of your arrival to the United States unless there are humanitarian reasons to excuse this deadline. You may also be eligible to file an Affidavit of Relationship for your spouse, child (unmarried, under 21), or parents. The Affidavit of Relationship is the form used to reunite refugees and asylees with close relatives who are determined to be refugees but are outside the United States. The Affidavit of Relationship records information about family relationships and must be completed in order to begin the application process for relatives who may be eligible to enter the United States as refugees through the U.S. Refugee Admissions Program.

Working in the United States

As a refugee, you may work immediately upon arrival to the United States. When you are admitted to the United States you will receive a Form I-94 containing a refugee admission stamp. Additionally, a Form I-765, Application for Employment Authorization, will be filed for you in order for you to receive an Employment Authorization Document (EAD). While you are waiting for your EAD, you can present your Form I-94, Arrival-Departure Record, to your employer as proof of your

permission to work in the United States.

For more information on employment in the United States, please call the law offices of Gopal & Pedigo, PLLC.

Filing for a Permanent Residency (Green Card)

If you are admitted as a refugee, you must apply for a green card one year after coming to the United States. To apply for permanent residency, please call the law offices of Gopal & Pedigo, PLLC. There is no fee for refugees to file the Form I-485, but you must pay the fingerprinting/biometric fee.

Traveling Abroad

If you have refugee status and want to travel outside the United States, you will need to obtain a Refugee Travel Document in order to return to the United States. If you do not obtain a Refugee Travel Document in advance of departure, you may be unable to re-enter the United States. If you return to the country from which you fled, you will have to explain how you were able to return safely.

Please call the law offices of Gopal & Pedigo, PLLC if you should need any assistance.

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