

9 FAM PART IV Appendix O, 300 REFUGEES, ASYLEES, AND DEFECTORS

9 FAM PART IV Appendix O, 301 MISUSE OF TERMINOLOGY

(TL:VISA-142; 4-22-96)

A person requesting refugee status under INA 101(a)(42) may not know that the term “refugee” has a specific meaning in U.S. law and may describe himself or herself as seeking “asylum” or “temporary asylum” or as being a “defector.” Consular officers should consider an individual for the appropriate type of admission, regardless of whether the individual uses the correct term to describe the type of admission being sought.

9 FAM PART IV Appendix O, 302 INTERPRETATION OF TERMS

(TL:VISA-142; 4-22-96)

“Asylum” is granted to a person who is a “refugee” and who is physically present in the United States or at a port of entry to the United States. Posts should handle requests for “temporary asylum” or “temporary refuge” in accordance with the instructions contained in 2 FAM . The term “defector” refers to circumstances covered by INA 212(a)(3)(D)(iii).