

ANALYSIS OF MODES OF ENTRY AND LEGAL STATUSES OF AFRICAN IMMIGRANTS IN THE UNITED STATES

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ABSTRACT

The paper discusses the diverse modes of entry and legal statuses of African immigrants in the United States. This is vital as it will have a bearing on the integration of the immigrants within the American society. Like all U.S. immigrant groups, most African immigrants are admitted through family reunification channels; however, African immigrants are much more likely than other groups to be admitted as refugees or through the diversity visa program which aims to increase flows from underrepresented countries by allowing immigration from those countries of individuals without a formal job offer or strong family ties in the U.S.A.

INTRODUCTION

According to Ettis (2001), African migration to North America dates back to the earliest days of European colonization. The first recorded passage of slaves from Africa to this region occurred in 1519, to Puerto Rico. Between 1519 and 1867 when slave trade ended, an estimated 10 Million African slaves were taken from Africa to the Western hemisphere, 360,000 landed in what is today the United States of America. Thus, forced African migration preceded the formation and independence of the United States. “With the ending of slavery and the slave trade in the late 1800s and subsequent severe restrictions on flows from Africa, there was very little immigration from Africa to the United States until the end of the 20th century(Thomas, 2011)”. After decolonization, many Africans came to the United States seeking an education. Originally, these immigrants came with the sole purpose of advancing themselves before returning to their respective countries. However, in recent years there has been an increase in the number of African immigrants interested in gaining permanent residence in the United States. Additionally, the number of Africans migrating to the United States is steadily increasing. Among the factors which contribute to this out flow of people from Africa to the United States of America, lack of academic or professional recognition, political persecution/search for freedom make the main reason why African academicians and professionals have left their countries of birth. Education is probably the second most important reason while economic interests may hold the third place, the fourth and last is probably professional pursuits. In each one of these factors, there are sub factors which either strengthen or weaken them. For instance, there is an economic motive in professional pursuits and various economic activities. The manner in which Africans enter into the United States and the legal status they hold after their entry will have an influence on the kinds of jobs they do as well as services they receive including education and health care. Additionally their integration into the American society will be linked to their legal status.

The purpose of this paper therefore, is to examine the diverse modes of entry and legal statuses of African immigrants in the United States in comparison with other U.S immigrants overall. Three items will be discussed namely:

- I. Citizenship and legal status of African immigrants in comparison with other immigrant groups.
- II. The admission classes of African immigrants in comparison with other immigrant groups.
- III. Analysis of geographic patterns associated with various admission classes.

Background

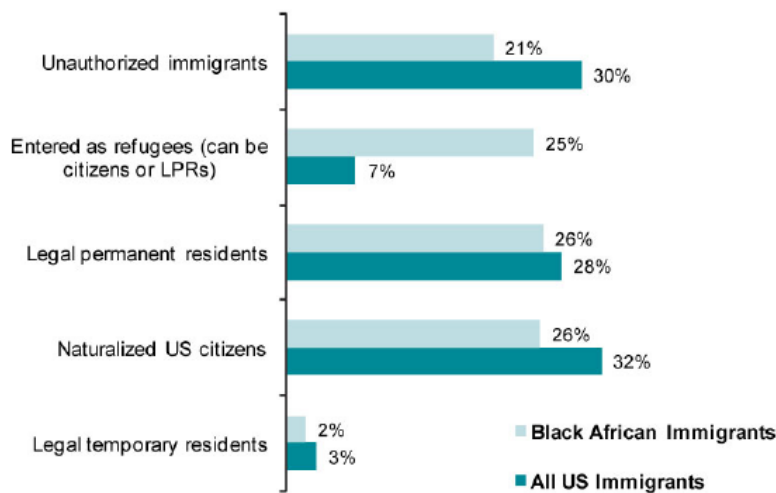
According to United States Census Bureau data collected using American Community Surveys (2009); African immigrants numbered about 1.5 million or 4% of the nation's total of 38 Million immigrants in 2009 and were far outnumbered by immigrants of Latin American, Asian, and European decent. Though currently small in number, African immigrants are among the fastest growing immigrant populations in the United States of America. The American Community Survey data farther reveals that the largest percentages of African immigrants hail from the Western Africa (37%), East Africa (28%) and North Africa (19%). These three Sub-regions have always topped the distribution, but the rankings have changed over time. The percentage of immigrants from Western Africa has remained relatively steady over the past three decades. Just under 40% of all African immigrants were from West Africa in 1980, 1990, 2000 and 2007. According to Terrozas (2009), the top countries of origin for African immigrants were Nigeria, Ethiopia, Egypt, Ghana, and Kenya. We now turn to the diverse modes of entry as well as the legal statuses of African immigrants once they arrive in the United State. We will first examine the citizenship status of African immigrants after which we will discuss the legal admission classes.

Citizenship and legal status of African immigrants in the U.S.A

According to Capps, McCabe, and Fix (2011), 30% of all immigrants in the United States were unauthorized as of 2007: they had either entered the United States illegally (usually across the border with Mexico) or overstayed a valid visa. As shown on **Figure 1**, among African immigrants the estimated unauthorized share was somewhat lower (21%). African immigrants are much more likely than other immigrants to have entered the United States as refugees or gained asylum after coming to the country. "Since 1980 the United States has recognized the international definition of refugees as "fleeing persecution or a well founded fear of persecution (U.S. Office of Refugee Settlement)". Within the past three decades the instability within several African countries has led to the recognition of many immigrants from these regions as refugees- a designation allowing them to receive resettlement services and public benefits upon their arrival.

As indicated on **Figure 1**, in 2007, about 25% of African immigrants in the United States had entered as refugees or received asylum versus 7% of all U.S immigrants overall. Another quarter of African immigrants are Legal Permanent Residents (LPRs) who did not come as refugees. These immigrants entered the United States through one of three types of visa programs: family reunification, employment, or diversity.

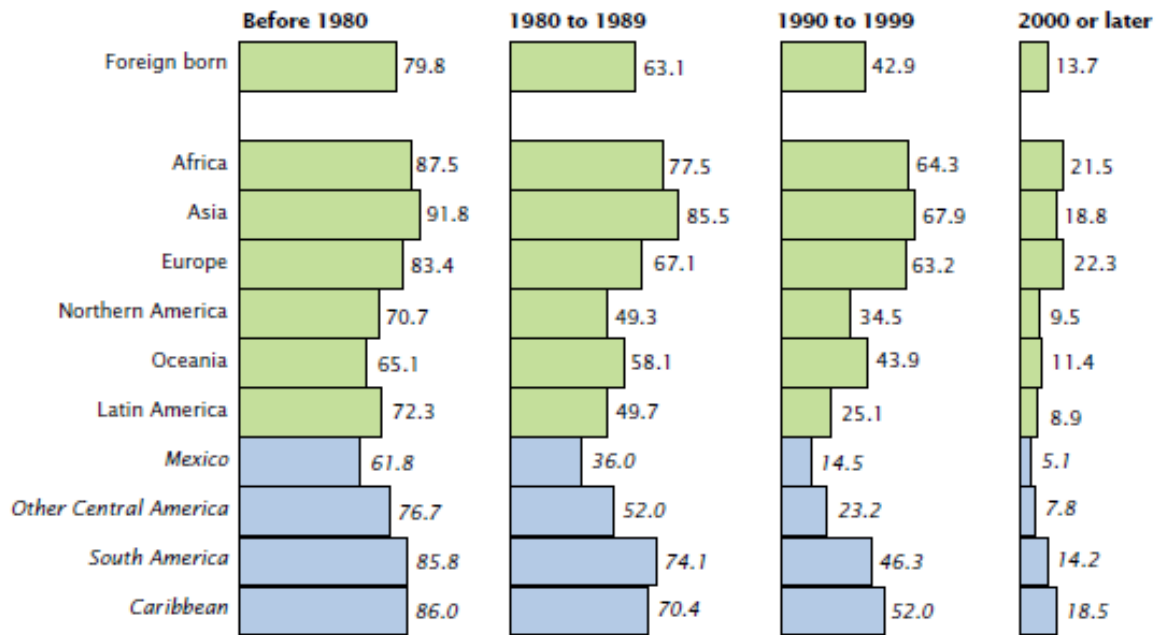
Figure 1. Citizenship and Legal Status of Black African Immigrants, United States, 2006-08



Source: MPI analysis of US Current Population Survey 2006-08 data pooled, augmented with assignments of legal status to noncitizens by Jeffrey S. Passel, Pew Hispanic Center.

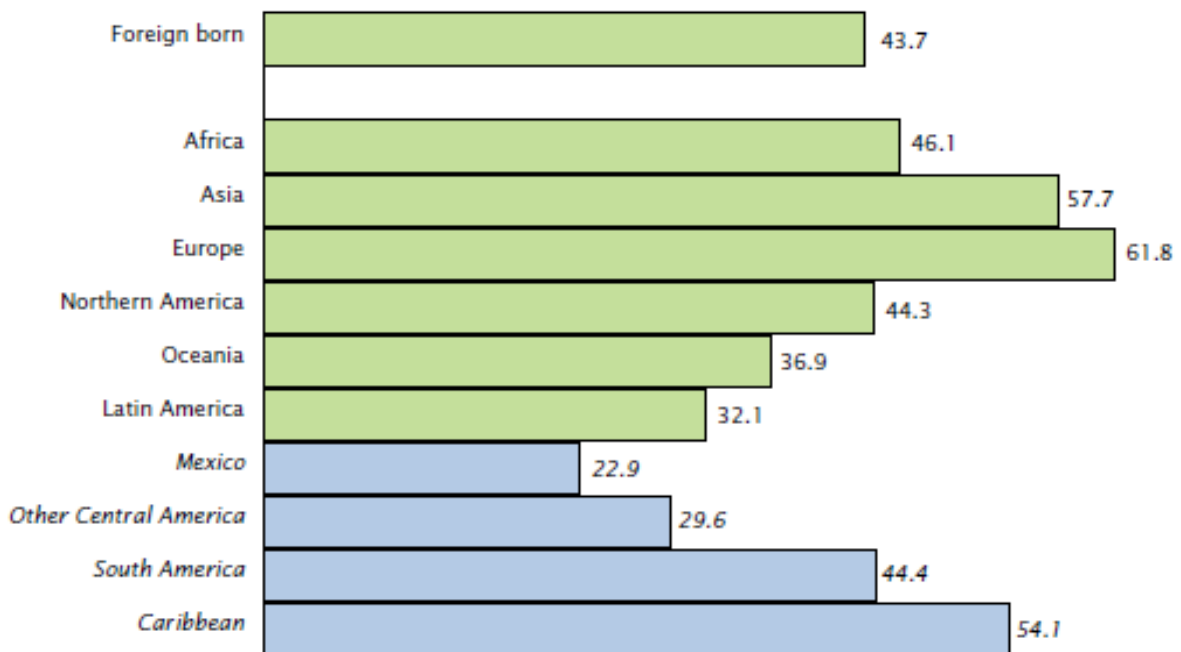
While many earlier African immigrants have become U.S. Citizens (**Figure 2**), the overall citizenship rate among African immigrants is low. Of all foreign born immigrants who arrived before 1980, 80% were U.S. citizens in 2010, 65% of the foreign born who arrived between 1980 and 1989 were naturalized citizens while 42.9% of those who arrived between 1990 and 1999 were naturalized citizens. Of the African immigrants who arrived before 1980, about 87.5% were naturalized, 77.5% of those who arrived between 1980 and 1989 were naturalized U.S citizens, 64.3% of those who came between 1990 and 1999 were naturalized. **Figure 3** shows that in 2009 naturalization rates for African immigrants (46%) and all U.S immigrants overall (44%) were comparable. The reason why the percentage for naturalized citizens is lower than for earlier arrivals is because there are very many immigrants who have come in the last few years and have not met the five year requirement as permanent residents before they can apply for Citizenship. About 60% of immigrants from Egypt were naturalized U.S citizens, making them the most likely of all African groups to naturalize. Immigrants from Algeria (56.1% and Morocco (52.8%) were also more likely to become naturalized U.S citizens than other African groups. Naturalization rates were comparatively lower for African born from Cameroon (24%), Senegal (26.2%), Zimbabwe (32.2%) and Kenya (33.3%)

Small shares of African immigrants have been admitted as temporary immigrants including students and those with temporary work permits.” In 2007 about 2% of African immigrants held these types of temporary visas, close to the average of 3% of all immigrants (Capps, McCabe, and Fix, 2011)”. Finally, there is a small group of African immigrants that are allowed to stay in the United States temporarily due to political conflicts or natural disasters in their home countries. The United States has designated two types of temporary legal Status-Temporary Protected Status (TPS) and Deferred Enforcement Departure (DED) on a country by country basis for short periods. TPS and DED allow immigrants to work in the United States and protect them from deportation.



Source: U.S. Census Bureau, American Community Survey, 2010.

Figure 2. Percent Naturalized by Period of Entry: 2010



Source: U.S. Census Bureau, American Community Survey, 2010.

Figure 3. Percent Naturalized: 2010

Legal Admissions by class for All U.S immigrants and African immigrants

As shown on **Table 1**, the annual flow of immigrants to the United States is about 1 million, with approximately 10% (100,000) coming from Africa. Family reunification is the most important mode of legal admission to the United States, including people who enter through marriage or who are sponsored to immigrate by their parents, siblings, or adult children .In Fiscal year 2010, two thirds of the approximately one million

immigrants legally admitted to the United States were admitted through family provisions (either as immediate relatives of U.S. citizens or through other family preferences).

As shown on **Figure 4**, 14% of all the immigrants who were legally admitted to the United States were in the category of employment (or as spouses or children of those admitted for employment (Capps, McCabe, and Fix, 2011)). Only 5% of the immigrants from Africa were admitted for employment, a proportion substantially lower than that of all U.S immigrants overall.

African immigrants are much more likely to have been admitted through the diversity program or as refugees than immigrants from other world regions. Table 1 reveals that in Fiscal year 2010 almost half of the African immigrants (46%) were in these two admission classes versus just 18% of all U.S immigrants. According to McCabe (2011), African nationals arriving in the United States as refugees between 2001 and 2010 accounted for 28.4% (149,755) of total refugee arrivals during this period. Refugee arrivals from Somalia alone accounted for 11.3% of all refugee arrivals. McCabe (2011) further reports that between 2001 and 2010 the leading origin countries of African immigrants were Somalia (59,840 or 40%) of the total African refugee arrivals, Liberia(23,948 or 16.0%), Sudan (18,869 or 12.6%), Ethiopia(11,400 or 7.6%), Burundi(9,869 or 6.6%), the Democratic Republic of Congo (7,900 or 5.3%), Eritrea (6,493 or 4.3%), and Sierra Leone(6,280 or 4.2%). During the same period, the African nationals accounted for 21.2% (58,232 of the 274,848 total individual granted asylum. The leading countries of origin for African nationals granted asylum were Ethiopia (17.1%)of total African asylum grants), Cameroon(10.5%), and Egypt(8.5%) .The overrepresentation of African immigrants among U.S. refugees owes to several factors among the main ones identified by (Attoh, 2010) being: religious and ethnic strife as in Sudan; clan warfare, droughts, and famine as in Somalia; genocide and political persecution as in Rwanda and Sudan; civil strife as in Liberia, and other forms of instability in various countries of Africa.

Nearly half of all immigrants who received green cards through the diversity visa lottery program in 2010 were born in Africa. “Established by the Immigration Act of 1990, the U.S Diversity Immigration Visa program offers certain persons from countries with low rates of immigration to the United States the opportunity to enter a “green card lottery” administered by the United States Department of State. The African born accounted for 48% (23,903) of the 49,769 persons who obtained Legal Permanent Residence through the program in 2010(McCabe, 2011)”. McCabe(2011), argues that although diversity immigrants make up only a small share of persons granted legal Permanent Residence status each year(about 5% in 2010), diversity immigrants from five African countries- Ethiopia(3,987), Egypt(3,447), Nigeria(2,279), and Ghana(2,086)- collectively accounted for 14.5% of all Africans who obtained Legal Permanent Residence in 2010. An estimated 4,550 Africans received temporary protection from removal under Temporary Protection Status and Deferred Enforced Departure. United Citizenship and Immigration Services (USCIS) has estimated that 700 individuals from Sudan and 250 individuals from Somalia benefit from TPS. USCIS has also estimated that 3,600 Liberians reside in the United States under Deferred Enforced Departure.

	Total Admissions	Family Preferences (US citizens and others) (%)	Refugees and Asylees (%)	Diversity (%)	Employment and Other (%)	
<i>All immigrants</i>	1,042,625	66	13	5	16	
<i>All immigrants from Africa**</i>	101,355	48	22	24	6	
Country of Origin	Cape Verde	1,668	98	-	0	1
	Malawi	164	79	2	7	13
	Senegal	1,285	73	7	11	9
	Gambia	859	70	17	3	9
	Nigeria	13,376	70	1	22	7
	Ghana	7,429	66	2	28	4
	Angola	148	61	20	9	9
	Mali	528	60	19	5	16
	Burkina Faso	377	57	14	24	5
	Ethiopia	14,266	52	19	28	1
	Uganda	1,085	52	27	12	9
	Sierra Leone	2,011	51	24	21	4
	South Africa	2,758	49	0	10	41
	Kenya	7,421	44	19	31	6
	Togo	1,563	44	24	30	2
	Benin	486	37	13	46	5
	Zimbabwe	1,274	36	43	5	17
	Côte D'Ivoire	1,621	35	41	17	7
	Sudan	2,397	35	44	20	2
	Tanzania	1,850	33	56	4	7
	Guinea	1,379	30	56	8	6
	Cameroon	4,161	28	32	37	2
	Liberia	4,837	28	55	16	1
	Eritrea	1,656	27	47	23	3
Congo, Republic	968	21	53	23	4	
Rwanda	489	18	70	9	3	
Somalia	4,558	17	82	1	1	
Congo, Democratic Republic	1,764	9	59	31	2	
Burundi	841	3	91	4	2	
(Includes North Africa)						
Balance of Africa	18,136	50	8	34	8	

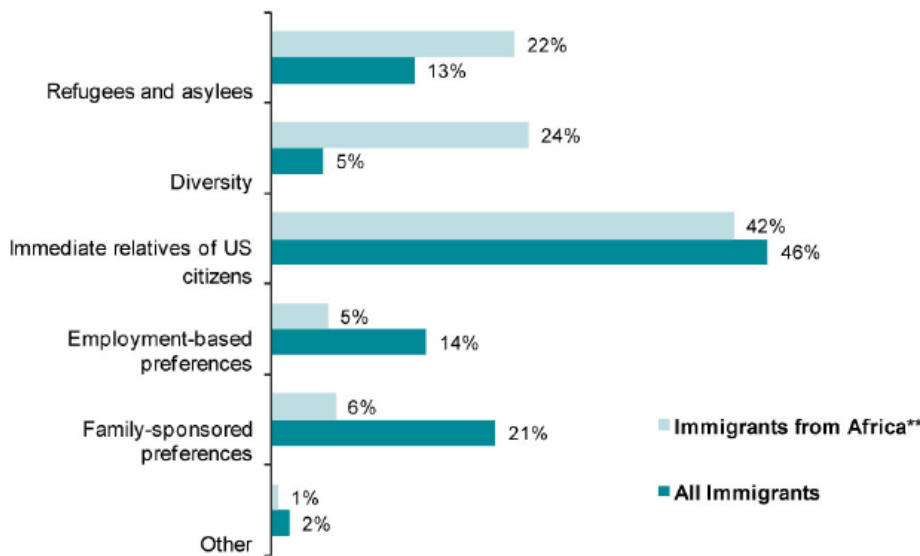
Note: * Legal admissions include immigrants obtaining permanent residency upon arrival in the United States as well as those who apply for and receive LPR status after substantial periods of residency in the country without such status.

** Includes African immigrants of all races; the legal admissions data disaggregate by country of origin and not by race.

Source: DHS, "Table 10: Persons Obtaining Legal Permanent Resident Status by Broad Class of Admission and Region and Country of Birth: Fiscal Year 2010."

Table 1. Legal Admissions," by Class, for African Immigrants and Sub-Saharan Origin Countries, FY 2010

Figure 4. Legal Admissions* by Class for All US immigrants and African Immigrants,



Note: * Legal admissions include both immigrants obtaining permanent residency upon arrival in the United States as well as those who apply for and receive LPR status after substantial periods of residency in the country without such status.
 ** Includes African immigrants of all races; the legal admissions data disaggregate admissions by country of origin and not by race.
 Source: US Department of Homeland Security (DHS), "Table 10: Persons Obtaining Legal Permanent Resident Status by Broad Class of Admission and Region and Country of Birth: Fiscal Year 2010," in *Yearbook of Immigration Statistics* (Washington, DC: DHS, 2010, revised March 30, 2011), www.dhs.gov/files/statistics/publications/LPR10.shtm.

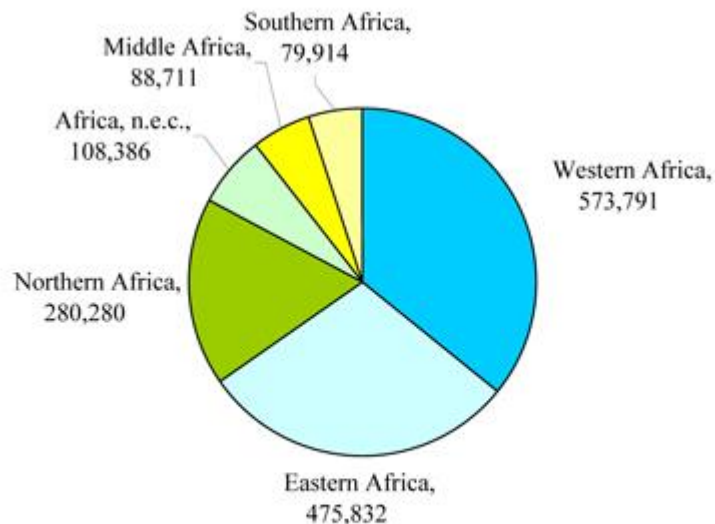
Regional Comparisons

We will now compare the admission classes to find out if there are regional differences among African immigrants from different sub-regions. As far as refugee admissions are concerned, the principal source regions are Eastern and Central Africa. These are the most troubled and unstable regions producing a large number of refugees who are running away because of political, religious, ethnic, or environmental issues in their home country. With respect to the diversity visa program, the largest numbers have come from the western and eastern sub regions of the continent. According to (Healthe,1993)the shares of immigrants admitted through family reunification channels were highest for African countries with the longest history of emigration to the United States led by Cape Verde (98%), followed by Malawi, Senegal, Gambia, Nigeria, and Ghana. All these countries except for Malawi are in the Western Africa region. The most probable reason is that the Western Africa region is the leading sending region of migrants to the United States as shown on **Figure 5**. These African immigrants are likely to petition for their family members to join them in the United States. As shown on Table 1, the shares of family based admissions are lowest in countries where refugees comprise the largest class of admissions most notable in the countries of Central and Central Africa such as Zimbabwe, Sudan, Tanzania, Congo, Eritrea, Rwanda, Somalia and Burundi.

Summary and Conclusions

The largest influx of African immigrants to the United States is a recent phenomenon which has accelerated since the 1980s. The number of African immigrants in the United States increased from just fewer than 200,000 in 1980 to about 1.5 Million in 2009. Almost two thirds of African immigrants to the United States are from the Western and Eastern regions of Africa. The top countries of origin for African immigrants are: Nigeria, Ethiopia, Egypt, Ghana, and Kenya. The classes of admission for African immigrants are very diverse.

In 2010 48% of the African immigrants had got their admission through family relationships, 24% through the diversity visa lottery program, 22% as refugees, 5% through employment and the remainder through other means. The paper shows that there are major differences between African immigrants in comparison with all U.S immigrants in almost every admission class. Within Africa, there are also regional differences with respect to the admission classes for instance a large number of refugees are from Eastern and Central Africa while the numbers of admissions for family reunification are highest for Western Africa.



Source: 2010 American Community Survey, Table B05006: "Place of Birth for the Foreign-Born Population in the United States."
n.e.c. = "not elsewhere classified."

Figure 5. African Foreign-Born Population by Region of Birth, 2010

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