



Legal Pathways Used by Newly Admitted Immigrants

Immigration law is the gateway through which every legally admitted immigrant to the U.S. passes. The law helps determine the size and characteristics of immigrant flows and provides a perspective for understanding the changing mix of immigrants over time. This chapter examines how those coming to New York City navigate the paths made available by U.S. immigration law, also known as classes of admission, to become legal permanent residents (LPRs) of the U.S.

For nearly 50 years, immigration to the U.S. has been shaped by the landmark *Immigration and Nationality Amendments of 1965* (hereafter referred to as the 1965 Act). This law replaced the national origins quotas of the 1920s, which heavily favored northern and western Europe, with a visa system that placed all countries on an equal footing. The 1965 Act (as amended in 1976 and 1978) emphasized family reunification, but also opened the door to those with occupational skills required in the U.S., and the admission of refugees and asylees.

The 1990 Immigration Act, the biggest change in immigration law since 1965, maintained the priority given to family reunification, but placed an increased premium on skills. It also permanently put into place a program to diversify the source countries of immigrants to the U.S. Under the new law, which took effect in 1992, most prospective immigrants could choose one of four tracks to enter the U.S.: a family track, an employment track, a diversity track intended to provide people without family in the U.S. a chance to immigrate, and a track that provided for the entry of refugees and asylees.

The discussion that follows is divided into four sections. The first section (please see the box on page 160 and Table 6-1) explains the data sources used in this chapter and how these data differ from those used in earlier chapters. The second section dissects

immigration law, details classes of admission, and notes how these classes have been amended in recent decades. The third section examines how the share of immigrants entering through each class of admission has changed over the past three decades for the city overall and for the U.S. The final section focuses on the top 20 recently admitted immigrant groups and examines their immigration trajectories and paths of admission over the past three decades. It groups these countries by their trajectory—some have seen their numbers increase over this period, while others have reached a plateau or are in decline—and by the primary strategy they have used to gain admission to the U.S. (This section is available only as a chapter supplement at www.nyc.gov/population, along with data on classes of admission for each country for the past three decades.)

VISA ALLOCATION UNDER THE 1990 IMMIGRATION ACT

All immigrants legally admitted to the U.S. must obtain a visa from any one of the pools defined by immigration law. These visa pools are referred to as classes of admission because each represents a category defined by the law through which one gains permanent resident status. As a result, the law itself can promote immigration from some places and discourage it from others. This in turn helps explain not only how groups have come to settle in the U.S., but also provides insight into future flows. Thus comprehending the impact of immigration laws through an analysis of class of admission is essential for those seeking to understand immigration flows to New York City.

The visa allocation system, as defined by the 1965 Act, is presented in Table 6-2 alongside the 1990 Act and is divided into four major categories:

DATA SOURCES

This chapter is based on administrative data from the Office of Immigration Statistics (OIS)¹ at the U.S. Department of Homeland Security (DHS) on persons who have been granted lawful permanent residence² in the United States. The data are derived from administrative records provided by the OIS via annual immigrant tape files for the fiscal years 1982 to 2001 and special tabulations for 2002 to 2011. These newly admitted legal permanent residents (LPRs), also known as recipients of “green cards,” either arrived from outside of the U.S. with valid immigrant visas issued by a U.S. Department of State consular office in their home countries (new arrivals) or were already in the U.S. in a temporary status and adjusted to legal permanent residence (adjustees) by applying to the U.S. Bureau of Citizenship and Immigration Services within DHS. In 2011, 55 percent of all LPRs were adjustees.³

As OIS data are derived from administrative records, they are prone to the limitations associated with using such data for statistical purposes. One problem concerns administrative delays in the processing of visa applications where increases/declines in annual flows (Table 6-1) may not be associated with changes in the propensity of immigrants to come to the city.⁴

While OIS data focus on the *flow* of newly admitted immigrants, earlier chapters presented American Community Survey (ACS) data on the total *stock* of the foreign-born population residing in the city in 2011, sometimes by their year of arrival. The foreign-born population in the ACS is comprised of more than just recent LPR entrants. The foreign-born also include non-immigrants—those temporarily admitted to the U.S., such as students, employees of multinational corporations, foreign government officials, temporary workers and trainees—as well as a segment of the unauthorized immigrant population. Therefore, summing the post-2000 flow of newly admitted immigrants to New York from the OIS data will not equal the number of immigrants in the 2011 ACS data who reported that they entered the country over the same time period.

A comparison of the foreign-born that entered during the past decade, as measured in the ACS and OIS, would also show differences due to internal migration, which often occurs as part of the immigrant settlement process. Thus a newly admitted immigrant who first settled in New York in 2008 (and hence was included in the OIS data for the city), may not have been a resident of the city in 2011 (and thus was excluded from the 2011 ACS data for the city). In contrast, a newly admitted immigrant who may have initially resided elsewhere, and subsequently moved to the city in 2011, would be included in the ACS data for the city, but not in the OIS data. As a result, a recent immigrant may be captured by one data source, but not the other.

Given the conceptual differences in data from the OIS and ACS, caution needs to be exercised when comparing data from these two sources. Nevertheless, these data complement each other and each offers a unique dimension on immigration to the city. Since OIS data are singularly focused on the annual legal *flows* into the city, they contain a rich trove of information on the changing legal pathways immigrants use to gain admission to the U.S. Once admitted, LPRs are able to open the door for their family members to legally immigrate to the U.S. Anyone interested in current issues related to immigration would be well-served by studying the latest trends in immigration in the context of class of admission.

Many tables in this chapter show country of birth detail. While earlier chapters looked at the top 20 groups with the largest *overall* foreign-born population, this chapter focuses on the top 20 countries in the OIS data in the 2002-2011 period—countries that had the largest number of newly admitted *LPRs in the past decade*. The top 20 OIS list includes Uzbekistan, Ghana, and Nigeria, which were not among the top 20 foreign-born groups shown in earlier chapters. They have replaced Italy, the United Kingdom, and El Salvador, which were among the top 20 foreign-born groups, but are not among the top 20 source countries in the OIS data. While discussing the top 20 source countries in this chapter, the more expansive term “immigrant” is often used, but it only refers to the subset of immigrants who are newly admitted LPRs.

family-related immigrants, employment preferences, diversity visas, and refugees and asylees.

Family-Related Immigrants

Under the 1990 Immigration Act, those seeking to immigrate by way of family ties entered within the *family preferences* or as *immediate relatives of U.S. citizens*. The family preferences included visas allotted in the first, second, third, and fourth preferences. Unmarried and married adult children of U.S. citizens were eligible for entry under the first and third preferences, respectively. Siblings of American citizens entered under the fourth preference. The second preference was the only category through which LPRs could reunify with their spouses, minor children, and unmarried children 21 and over. The family preferences were subject to numerical limits; however, any unused visas from a preference category were assigned to the next highest preference. Visas for reunification with immediate relatives of U.S. citizens, defined as minor children, spouses of U.S. citizens, and parents of U.S. citizens over the age of 21, were not subject to numerical limits. Each country was allotted a maximum of 20,000 visas; however, visas for immediate relatives were not counted toward this limit.

The minimum allotment for family-related immigrants was 480,000 visas, including 226,000 visas for the family preferences and 254,000 visas for immediate relatives. Since immediate relatives were not subject to any numerical limits, if more than 254,000 visas were required, this increase would be accommodated. If any of the 254,000 visas for immediate relatives were unused they were allotted to the family preferences.

Employment Preferences

The 1990 Immigration Act provided more opportunities for those in skilled occupations. Prior to the 1990 law, visas were allotted equally to members of the professions of exceptional ability (27,000 visas) and to those, either skilled or unskilled, in occupations where labor was in short supply (27,000 visas). In response to appeals from employers, the 1990 Act substantially increased the number of visas

Table 6-1
Persons Admitted for
Lawful Permanent Residence
New York City, 1982–2011*

Year	Number
TOTAL, 1982–2011	2,932,071
1982–1991	898,213
1982	75,443
1983	75,035
1984	87,364
1985	85,835
1986	89,810
1987	92,296
1988	88,165
1989	90,871
1990	103,049
1991	110,345
1992–2001	1,002,190
1992	113,246
1993	119,258
1994	117,090
1995	105,728
1996	125,645
1997	100,970
1998	76,586
1999	76,787
2000	81,539
2001	85,341
2002–2011	1,031,668
2002	84,102
2003	66,104
2004	77,011
2005	102,545
2006	137,009
2007	105,110
2008	111,813
2009	117,255
2010	115,217
2011	115,502

*Data are for compiled for federal fiscal year: October 1 to September 30

Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape File and Special Tabulations, Fiscal Years 2002–2011
Population Division-New York City Department of City Planning

Table 6-2
Outline of the U.S. Visa Allocation System for Fiscal Years 1982–2011

Visa Allocation System after the 1976 and 1978 Amendments, and the 1980 Refugee Act <i>(in effect during the period 1982–1991)</i>		The Immigration Act of 1990* <i>(in effect during the period 1992–2011)</i>	
FAMILY-RELATED VISAS		FAMILY-RELATED VISAS	
Family Preferences: 216,000		Family Preferences:** 226,000	
First	Unmarried sons and daughters of United States citizens and their children 54,000	First	Unmarried sons and daughters of United States citizens and their children 23,400
Second	Spouses and unmarried sons and daughters of permanent resident aliens 70,200	Second	Spouses and unmarried sons and daughters of permanent resident aliens 114,200
Fourth	Married sons and daughters of United States citizens and their spouses and children 27,000	Third	Married sons and daughters of United States citizens and their spouses and children 23,400
Fifth	Brothers and sisters of United States citizens (at least 21 years of age) and their spouses and children 64,800	Fourth	Brothers and sisters of United States citizens (at least 21 years of age) and their spouses and children 65,000
Immediate relatives of United States citizens: No numerical limit		Immediate relatives of United States citizens: No numerical limit	
Spouses		Spouses	
Minor Children		Minor Children	
Parents of United States citizens at least 21 years of age		Parents of United States citizens at least 21 years of age	
EMPLOYMENT PREFERENCES: 54,000		EMPLOYMENT PREFERENCES: 140,000	
Third	Members of the professions of exceptional ability and their spouses and children 27,000	First	Priority workers 40,040
Sixth	Workers in either skilled or unskilled occupations in which laborers are in short supply in the United States and their spouses and children 27,000	Second	Professionals with advanced degrees 40,040
		Third	Skilled and needed unskilled workers 40,040
		Fourth	Special immigrants 9,940
		Fifth	Employment creation (investors) 9,940
DIVERSITY* Started only in 1987; visas varied by year		DIVERSITY 55,000	
REFUGEE AND ASYLEE ADJUSTMENTS Set by the President, in consultation with Congress		REFUGEE AND ASYLEE ADJUSTMENTS Set by the President, in consultation with Congress	
<small>*Countries "adversely affected" by the 1965 law were allotted 5,000 visas in 1987 and 1988. This was increased to 15,000 for 1989, 1990 and 1991. "Natives of under-represented" countries were provided 10,000 visas in 1990 and 1991.</small>		<small>*Visas for legalization dependents—the immediate relatives of those legalized under the 1986 Immigration Reform and Control Act—are not shown. These visas totaled 55,000 annually during the 1992-1994 transition period. Also during this period, diversity visas totaled 40,000 annually, increasing to 55,000 from 1995 onwards.</small>	
		<small>**The figure of 226,000 is the minimum number of family preference visas available. The upper limit is 480,000 minus the number of immediate relatives admitted in the prior year.</small>	

for workers with skills, from 27,000 to 130,000; the number of visas for the less skilled was reduced from 27,000 to 10,000.

The 1990 Act established five new *employment preferences*. The first preference, with an allotment of 40,040 visas, was for priority workers and included aliens with extraordinary ability, outstanding professors or researchers, and multinational executives. The second preference provided 40,040 visas for professionals with advanced degrees. The third preference, which was open to skilled workers, professionals with a bachelor's degree, and to needed unskilled workers, also had an allotment of 40,040 visas, 10,000 of which were reserved for unskilled workers. Skilled workers generally needed to have a college degree or specialized experience. The fourth preference (9,940 visas) was aimed at *special immigrants*, which included religious workers, employees of the U.S. government abroad, and aliens serving in the U.S. armed forces. The fifth preference was also allotted 9,940 visas and aimed at persons willing to invest at least \$500,000 in certain businesses that employ a minimum specified number of workers.

Diversity Visas

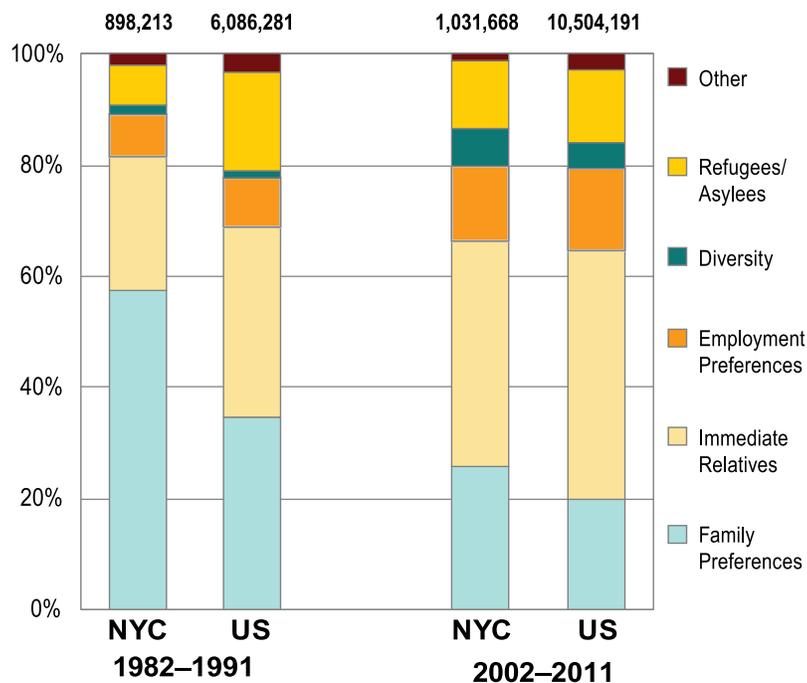
The passage of the 1965 Act dramatically increased immigration to the U.S. from Latin America and Asia. Moreover, by the late 1970s, European immigration began to decline, and the 1965 law's emphasis on family reunification began to adversely affect prospective European immigrants as many no longer had close kin in the U.S. Various attempts were made in the 1980s to invigorate immigration from Europe by instituting programs aimed at diversifying immigration. As part of the 1986 Immigration Reform and Control Act (IRCA), 5,000 visas were allotted in 1987 and 1988 to 36 countries deemed "adversely affected" by the 1965 law. The Immigration Amendments of 1988 increased the annual allotment for adversely affected countries to 15,000 for 1989, 1990, and 1991. Also included as part of these amendments was a program for natives of "underrepresented" countries, which provided 10,000 visas to aliens in 1990 and 1991 for countries where immigration was less than 5,000 in 1988.

The idea of creating a pool of visas to diversify immigration became permanent in the 1990 Immigration Act. By providing an entry path for those with no close relatives in the U.S., these visas were meant to sustain a diverse mix of immigrants, thereby redressing some of the perceived inequities in a system based on reunification with close relatives. Under the 1990 law, 40,000 visas would be made available on the basis of a lottery during a transition period (1992 to 1994), with 40 percent of all visas reserved for Ireland. A permanent program was put in place in 1995, with 50,000 visas available annually for nations from which immigration was less than 50,000 over the previous 5 years, with each nation limited to 7 percent of the total pool. (The 50,000 immigrant threshold did not include immigrants who were exempt from numerical limits, such as immediate relatives or refugees.) Most countries competed for an allotment under the permanent diversity visa program, with the federal government establishing ceilings by region of the world. Applicants for diversity visas needed to have at least a high school education or equivalent, or a minimum of two years in a skilled occupation within five years of the application date.

Refugees and Asylees

The criterion for refugee status was established by the Refugee Act of 1980, which defines a refugee as a person with a "well founded fear of persecution." The number of refugees permitted to enter the U.S. is set annually by the president in consultation with the Congress. The granting of refugee status is a political decision, as much as a humanitarian one, and is closely related to foreign policy objectives. For example, persons from communist nations have historically been granted refugee status, while other victims of political oppression have not been granted entry under this category. In general, persons victimized by poverty are not eligible for refugee status. Asylees differ from refugees in that the former seek asylum once they are inside the U.S., while the latter apply for refugee status while living outside the U.S. Prior to 2005, there was a 10,000 annual limit on the number of persons authorized to adjust status as asylees. The REAL ID Act of 2005 removed that cap

Figure 6-1
Immigrants Admitted by Class of Admission
New York City and the United States,
1982–1991 and 2002–2011



Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape Files, 2002–2011 Yearbook of Immigration Statistics, and Special Tabulations for New York City, Fiscal Years 2002–2011 Population Division–New York City Department of City Planning

thereby clearing out the existing backlog in addition to paving the way for an increase in the annual number of asylees adjusting status. Both refugees and asylees are given temporary visas and are permitted to adjust their status to LPR after one year.

ANALYSIS OF IMMIGRANTS BY CLASS OF ADMISSION

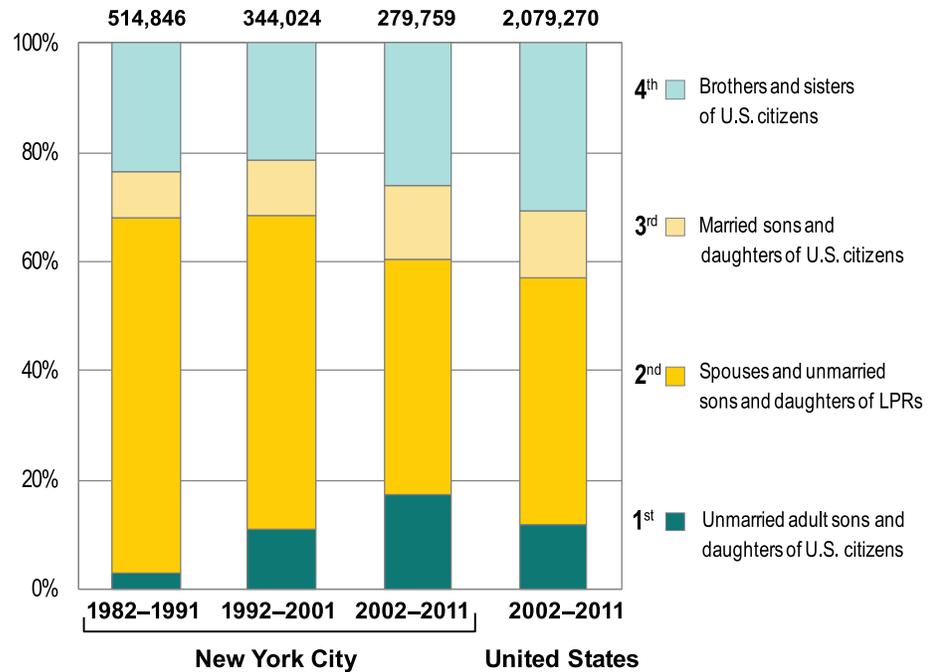
This section examines the legal paths of admission taken by newly admitted immigrants over the last three decades, and how the share entering through these classes of admission has changed for the city and for the U.S. The first time span, 1982-1991, largely represents a period when the 1965 Immigration Act (and subsequent amendments) defined the classes of admission. The 1990 Act took effect in 1992, and thus

the next period, 1992-2001, corresponds to the first 10 years this law was in effect. The most recent period, 2002-2011, reflects the second decade since the law went into effect. These periods hereafter will be referred to as the 1980s, 1990s, and 2000s. Table 6-3 presents data for the classes of admission used by immigrants to New York City in the 1980s, 1990s, and 2000s, while Table 6-4 presents comparable data for the U.S.

In the 2002–2011 period, there were 1,031,700 persons admitted as legal permanent residents in New York City, up 3 percent from the flow in the 1992–2001 period (Table 6-3). This increase, it is important to note, is an artifact of how the data are collated. Since 1990, partly due to administrative issues, immigration has fluctuated from a low of 66,100 in 2003, to a high of 137,000 in 2006. If immigration flows were compared between the 1990–1999 and 2000–2011, they would have shown a decline of 5 percent. Thus, rather than be seen as an increase in the overall propensity of immigrants to come to New York, the 3 percent growth in legally admitted immigrants between 1992–2001 and 2002–2011 should be used as a benchmark when examining changes in the classes of admission used by immigrants entering the city in these two periods.

In addition to the three time periods presented in Tables 6-3 and 6-4, which examine the class of admission for all immigrants to New York and the U.S, respectively, the analysis below refers to Tables 6-5 to 6-9, which present detailed class of admission data for New York’s top sources of LPRs in the 2000s. The analysis is divided into four subsections, each corresponding to a central feature of recent immigration law outlined in the previous section: family-related visas – including family preferences (Table 6-5) and immediate relatives of U.S. citizens (Table 6-6), employment preferences (Table 6-7), diversity immigration (Table 6-8), and refugees/asylees (Table 6-9).

Figure 6-2
Family Preference Immigrants
New York City & the United States, 1982–1991, 1992–2001, and 2002–2011;
and the United States, 2002–2011



Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape Files, 2002–2011 Yearbook of Immigration Statistics, and Special Tabulations for New York City, Fiscal Years 2002–2011 Population Division-New York City Department of City Planning

Family-Related Immigrants

FAMILY PREFERENCES

Historically, immigrants to New York City have disproportionately relied on family preference visas. In the 1980s, 57 percent of immigrants to the city (Table 6-3) were admitted under this class of admission, compared with 35 percent for the nation (Table 6-4). But the use of family preference visas has declined dramatically over the last 30 years, from 514,800 in the 1980s to 279,800 in the last decade. The sharpest decline was from the 1980s to the 1990s, when the number of family preference visas fell by 33 percent, and continued into the 2000s with another loss of 19 percent. The nation, which has not had nearly as high a reliance on family preference visas, actually

showed a 7 percent increase in their use between the 1980s and 1990s, followed by a decline of 9 percent in the 2000s. As a result, the share of immigrants admitted under the family preferences in the last decade has continued to converge for the city (27 percent) and the nation (20 percent) (Figure 6-1).

The drop in the city’s family preferences in the past decade can be entirely explained by the sharp decline (39 percent) in the second preference (spouses and minor children of permanent resident aliens). The reduction in this category was also substantial for the nation in the latest period – 25 percent. The share of all LPRs to New York admitted by way of the second preference has grown smaller over the years. In the 1980s, 37 percent of all immigrants used this path, but by the last decade the share had

Table 6-3
Immigrants Admitted by Class of Admission
New York City, 1982–1991, 1992–2001, 2002–2011*

	Number			Percent Distribution			Percent Change	
	1982–1991	1992–2001	2002–2011	1982–1991	1992–2001	2002–2011	80s to 90s	90s to 00s
ALL IMMIGRANTS	898,213	1,002,190	1,031,668	100.0	100.0	100.0	11.6	2.9
Family-Related Visas	731,657	656,409	718,068	81.5	65.5	69.6	-10.3	9.4
<i>Family Preferences</i>	514,846	344,024	279,759	57.3	34.3	27.1	-33.2	-18.7
First Unmarried sons and daughters of U.S. citizens and their children	14,946	38,359	48,463	1.7	3.8	4.7	156.7	26.3
Second Spouses and unmarried sons and daughters of permanent resident aliens	335,203	197,239	120,535	37.3	19.7	11.7	-41.2	-38.9
Third Married sons and daughters of U.S. citizens and their spouses and children (Fourth preference prior to 1992)	42,855	35,272	37,296	4.8	3.5	3.6	-17.7	5.7
Fourth Brothers and sisters of U.S. citizens at least 21 years of age and their spouses and children (Fifth preference prior to 1992)	121,842	73,154	73,465	13.6	7.3	7.1	-40.0	0.4
<i>Immediate Relatives of U.S. Citizens</i>	216,811	312,385	438,309	24.1	31.2	42.5	44.1	40.3
Spouses	128,231	167,903	248,484	14.3	16.8	24.1	30.9	48.0
Children	36,673	80,261	97,195	4.1	8.0	9.4	118.9	21.1
Parents	51,907	64,221	92,630	5.8	6.4	9.0	23.7	44.2
Employment preferences	67,923	106,855	95,914	7.6	10.7	9.3	57.3	-10.2
First Priority workers	–	13,521	19,784	–	1.3	1.9	–	46.3
Second Professionals with advanced degrees	–	11,440	14,044	–	1.1	1.4	–	22.8
Third Skilled and needed unskilled workers	–	71,397	52,150	–	7.1	5.1	–	-27.0
Skilled and professional workers	–	57,936	47,365	–	5.8	4.6	–	-18.2
Needed unskilled workers	–	13,461	4,785	–	1.3	0.5	–	-64.5
Fourth Special immigrants	–	10,343	7,426	–	1.0	0.7	–	-28.2
Fifth Employment creation (investors)	–	154	2,509	–	0.0	0.2	–	1529.2
Pre-1992 Third preference	18,958	–	–	2.1	–	–	–	–
Pre-1992 Sixth preference	48,965	–	–	5.5	–	–	–	–
Diversity	15,254	88,932	72,014	1.7	8.9	7.0	483.0	-19.0
Refugees/Asylees	64,978	125,836	131,735	7.2	12.6	12.8	93.7	4.7
Other Immigrants	18,401	24,158	13,937	2.0	2.4	1.4	31.3	-42.3

* Data are for compiled for federal fiscal year: October 1 to September 30

– Data category not applicable

Sources:

U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape File and Special Tabulations, Fiscal Years 2002–2011
 Population Division-New York City Department of City Planning

Table 6-4
Immigrants Admitted by Class of Admission
United States, 1982–1991, 1992–2001, 2002–2011*

		Number			Percent Distribution			Percent Change	
		1982–1991	1992–2001	2002–2011	1982–1991	1992–2001	2002–2011	80s to 90s	90s to 00s
ALL IMMIGRANTS		6,086,281	8,131,855	10,510,852	100.0	100.0	100.0	33.6	29.3
Family-Related Visas		4,199,869	5,188,188	6,780,981	69.0	63.8	64.5	23.5	30.7
<i>Family Preferences</i>		2,118,384	2,273,226	2,079,557	34.8	28.0	19.8	7.3	-8.5
First	Unmarried sons and daughters of U.S. citizens and their children	109,288	192,023	248,904	1.8	2.4	2.4	75.7	29.6
Second	Spouses and unmarried sons and daughters of permanent resident aliens	1,112,043	1,235,914	932,768	18.3	15.2	8.9	11.1	-24.5
Third	Married sons and daughters of U.S. citizens and their spouses and children (Fourth preference prior to 1992)	217,740	230,048	257,849	3.6	2.8	2.5	5.7	12.1
Fourth	Brothers and sisters of U.S. citizens at least 21 years of age and their spouses and children (Fifth preference prior to 1992)	679,313	615,241	640,036	11.2	7.6	6.1	-9.4	4.0
<i>Immediate Relatives of U.S. Citizens</i>		2,081,485	2,914,962	4,701,424	34.2	35.8	44.7	40.0	61.3
	Spouses	1,240,863	1,629,977	2,718,106	20.4	20.0	25.9	31.4	66.8
	Children	384,749	640,438	950,181	6.3	7.9	9.0	66.5	48.4
	Parents	455,873	644,547	1,033,137	7.5	7.9	9.8	41.4	60.3
Employment preferences		529,604	1,100,488	1,573,421	8.7	13.5	15.0	107.8	43.0
First	Priority workers	–	220,086	352,583	–	2.7	3.4	–	60.2
Second	Professionals with advanced degrees	–	234,186	437,506	–	2.9	4.2	–	86.8
Third	Skilled and needed unskilled workers	–	565,887	691,438	–	7.0	6.6	–	22.2
	Skilled and professional workers	–	488,643	652,598	–	6.0	6.2	–	33.6
	Needed unskilled workers	–	77,244	38,840	–	0.9	0.4	–	-49.7
Fourth	Special immigrants	–	74,226	78,782	–	0.9	0.7	–	6.1
Fifth	Employment creation (investors)	–	5,452	13,112	–	0.1	0.1	–	140.5
	Pre-1992 Third preference	264,524	340	–	4.3	0.0	–	-99.9	–
	Pre-1992 Sixth preference	265,080	311	–	4.4	0.0	–	-99.9	–
Diversity		67,365	452,323	461,598	1.1	5.6	4.4	571.5	2.1
Refugees/Asylees		1,082,501	990,994	1,386,293	17.8	12.2	13.2	-8.5	39.9
Other Immigrants		206,942	399,862	308,559	3.4	4.9	2.9	93.2	-22.8

* Data are for compiled for federal fiscal year: October 1 to September 30

– Data category not applicable

Sources:

U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape File and Special Tabulations, Fiscal Years 2002–2011
 Population Division-New York City Department of City Planning

Table 6-5
Family Preference Visas by Country of Birth
New York City, 2002–2011*

	NUMBER						SHARE					
	TOTAL	Family Preferences					TOTAL	Family Preferences				
		Total	First	Second	Third	Fourth		Total	First	Second	Third	Fourth
ALL IMMIGRANTS	1,031,668	279,759	48,463	120,535	37,296	73,465	100.0	27.1	4.7	11.7	3.6	7.1
China	169,801	45,696	2,299	9,922	7,340	26,135	100.0	26.9	1.4	5.8	4.3	15.4
Dominican Republic	153,440	83,964	8,024	66,456	2,185	7,299	100.0	54.7	5.2	43.3	1.4	4.8
Bangladesh	52,658	17,013	415	4,845	676	11,077	100.0	32.3	0.8	9.2	1.3	21.0
Jamaica	50,317	17,389	9,477	4,170	1,868	1,874	100.0	34.6	18.8	8.3	3.7	3.7
Guyana	46,431	28,017	8,693	3,657	10,893	4,774	100.0	60.3	18.7	7.9	23.5	10.3
Ecuador	34,817	9,741	1,759	5,210	1,345	1,427	100.0	28.0	5.1	15.0	3.9	4.1
India	27,991	6,330	272	1,297	998	3,763	100.0	22.6	1.0	4.6	3.6	13.4
Haiti	27,461	10,988	2,803	5,754	962	1,469	100.0	40.0	10.2	21.0	3.5	5.3
Trinidad & Tobago	26,006	6,323	2,502	896	1,061	1,864	100.0	24.3	9.6	3.4	4.1	7.2
Pakistan	22,468	7,035	448	2,368	1,207	3,012	100.0	31.3	2.0	10.5	5.4	13.4
Colombia	22,312	4,536	1,406	1,564	547	1,019	100.0	20.3	6.3	7.0	2.5	4.6
Ukraine	19,233	744	288	199	162	44	100.0	3.9	1.5	1.0	0.8	0.2
Philippines	17,909	2,877	285	1,264	530	798	100.0	16.1	1.6	7.1	3.0	4.5
Poland	17,571	3,918	546	812	2,119	441	100.0	22.3	3.1	4.6	12.1	2.5
Uzbekistan	16,476	334	99	64	126	14	100.0	2.0	0.6	0.4	0.8	0.1
Russia	14,364	481	192	139	79	23	100.0	3.3	1.3	1.0	0.6	0.2
Korea	14,060	1,855	341	471	584	459	100.0	13.2	2.4	3.3	4.2	3.3
Ghana	13,419	1,458	611	540	147	160	100.0	10.9	4.6	4.0	1.1	1.2
Mexico	12,820	1,175	86	972	48	43	100.0	9.2	0.7	7.6	0.4	0.3
Nigeria	11,011	1,051	323	339	77	297	100.0	9.5	2.9	3.1	0.7	2.7

*Data are for compiled for federal fiscal year: October 1 to September 30

Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape File and Special Tabulations, Fiscal Years 2002–2011
 Population Division-New York City Department of City Planning

dropped to 12 percent, almost converging with the 9 percent share nationwide. The second preference, however, is still the largest source of family preference visas for the city, numbering 120,500.

The second largest category in the family preference visa system is the fourth preference – brothers and sisters of U.S. citizens. The number of LPRs to New York admitted with fourth family preference visas fell by 40 percent between the 1980s and the 1990s, but remained at that level in the 2000s. The 73,500 LPRs admitted as fourth preference immi-

grants in the 2000s accounted for 7 percent of all LPRs, down from 14 percent in the 1980s.

Visas allocated for the first and third preferences accounted for the smallest share of all family preferences (5 and 4 percent, respectively, in the 2000s). However, these were the only categories that increased between the 1990s and 2000s. The increase was greatest for first preference visas (unmarried adult sons and daughters of U.S. citizens), which grew by 26 percent. With the decline in the use of second preference visas and increases in both the first and third preferences, the distribution within

the family preference visas has become more reflective of the nation (See Figure 6-2).

The number and share of detailed family preference visas for the top immigrant groups are shown in Table 6-5 for the most recent period. While the share of LPRs in the city entering with a family preference has declined to 27 percent in the 2000s, a few countries still show a heavy reliance on this visa category. For example, 60 percent of LPRs from Guyana enter by way of a family preference, as do over one-half of all immigrants from the Dominican Republic (55 percent). Other countries that also exhibit a higher proclivity for family preference visas are Haiti, Jamaica, Bangladesh, and Pakistan.

Certain countries relied disproportionately on specific family preference categories. Nearly one-fifth of immigrants from Jamaica and Guyana entered with first preference visas. Dominicans had the highest percentage, by far, of those who entered with second preference visas (43 percent), and accounted for over one-half of all second preference users in the city. The third preference was most likely to be the visa of choice for Guyanese (24 percent) and Poles (12 percent); as noted earlier, the city average was 4 percent. Finally, Bangladeshis (21 percent) and Chinese (15 percent) were most likely to enter with a fourth preference visa, along with two other South Asian groups, Indians and Pakistanis (13 percent each); the city average was just 7 percent.

IMMEDIATE RELATIVES

While the numerically limited family preference visas are often oversubscribed, entailing long waiting periods, visas for immediate relatives are not subject to numerical limits. Thus someone who is eligible for an immediate relative visa is admitted to permanent residence once the visa processing is completed. Given the lack of numerical limits, this category has increased dramatically over the last three decades. In the U.S. the number of immediate relatives increased 61 percent in the last decade and now accounts for 45 percent of all immigrants. The number of immediate relatives settling in New York City also increased, but to a lesser degree (40 percent). Consequently, for the first time, the number of immediate relatives admitted exceeded the

number of family preference immigrants in New York City. This increase, along with a decline in the number of family preference visas noted earlier, has caused the share of immediate relatives in the city to increase from 31 percent in the 1990s to 43 percent in the last decade, converging with its 45 percent share nationally (Figure 6-1).

The entry of spouses of American citizens, the majority of all immediate relatives, increased by 48 percent, from 167,900 in the 1990s to 248,500 in the last decade. This group now accounts for almost one-quarter of all immigrants to New York City. Visas issued to the children of U.S. citizens increased by 21 percent, the smallest gain among the immediate relative categories, while those issued to the parents of U.S. citizens increased by 44 percent. In the 2000s, children and parents accounted for 9 percent each, roughly comparable for the nation overall.

Immediate relatives accounted for more than one-half of all immigrants from a number of nations in the past decade (Table 6-6). These include immigrants from Colombia (70 percent), Trinidad and Tobago (67 percent), Jamaica (62 percent), Ecuador (54 percent), and Pakistan (53 percent). In addition, two countries that are emerging in the city's immigration firmament, Ghana and Nigeria, had large shares (63 percent and 55 percent, respectively) of immigrants coming in as immediate relatives.

Employment Preferences

The 1990 law's increased emphasis on the entry of those with job skills required in the U.S. was reflected in a 57 percent growth in employment visas used by immigrants to the city, from 67,900 in the 1980s to 106,900 in the 1990s (Table 6-3). As foreseen by the 1990 law, these entrants comprised a larger share of all entrants, increasing from 8 percent in the 1980s to 11 percent in the 1990s. Nationally, employment visas have played a more important role: The number of immigrants admitted with an employment visa more than doubled in the first decade the 1990 law was in effect. But while employment visas nationwide continued to increase by 43 percent over the last decade, New York City experienced a decrease of 10 percent. In the 2000s, just 9 percent of the city's

Table 6-6
Immediate Relatives by Country of Birth
New York City, 2002–2011*

	NUMBER					SHARE				
	TOTAL	Immediate Relatives				TOTAL	Immediate Relatives			
		Total	Spouses	Children	Parents		Total	Spouses	Children	Parents
ALL IMMIGRANTS	1,031,668	438,309	248,484	97,195	92,630	100.0	42.5	24.1	9.4	9.0
China	169,801	40,072	19,338	6,314	14,420	100.0	23.6	11.4	3.7	8.5
Dominican Republic	153,440	68,628	32,046	22,245	14,337	100.0	44.7	20.9	14.5	9.3
Bangladesh	52,658	18,195	8,038	2,622	7,535	100.0	34.6	15.3	5.0	14.3
Jamaica	50,317	31,294	17,092	9,116	5,086	100.0	62.2	34.0	18.1	10.1
Guyana	46,431	17,075	8,220	3,834	5,021	100.0	36.8	17.7	8.3	10.8
Ecuador	34,817	18,792	8,596	4,642	5,554	100.0	54.0	24.7	13.3	16.0
India	27,991	10,737	6,076	1,381	3,280	100.0	38.4	21.7	4.9	11.7
Haiti	27,461	13,016	5,932	3,630	3,454	100.0	47.4	21.6	13.2	12.6
Trinidad & Tobago	26,006	17,408	11,381	3,867	2,160	100.0	66.9	43.8	14.9	8.3
Pakistan	22,468	11,937	6,244	3,702	1,991	100.0	53.1	27.8	16.5	8.9
Colombia	22,312	15,669	9,765	3,535	2,369	100.0	70.2	43.8	15.8	10.6
Ukraine	19,233	5,996	3,576	749	1,667	100.0	31.2	18.6	3.9	8.7
Philippines	17,909	7,720	4,074	1,424	2,222	100.0	43.1	22.7	8.0	12.4
Poland	17,571	6,665	4,713	729	1,223	100.0	37.9	26.8	4.1	7.0
Uzbekistan	16,476	2,802	1,751	436	618	100.0	17.0	10.6	2.6	3.7
Russia	14,364	5,337	2,825	1,073	1,355	100.0	37.2	19.7	7.5	9.4
Korea	14,060	5,317	3,780	478	1,059	100.0	37.8	26.9	3.4	7.5
Ghana	13,419	8,393	4,913	2,907	573	100.0	62.5	36.6	21.7	4.3
Mexico	12,820	6,096	3,797	855	1,444	100.0	47.6	29.6	6.7	11.3
Nigeria	11,011	6,024	3,036	1,644	1,344	100.0	54.7	27.6	14.9	12.2

*Data are for compiled for federal fiscal year: October 1 to September 30

Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape File and Special Tabulations, Fiscal Years 2002–2011
 Population Division-New York City Department of City Planning

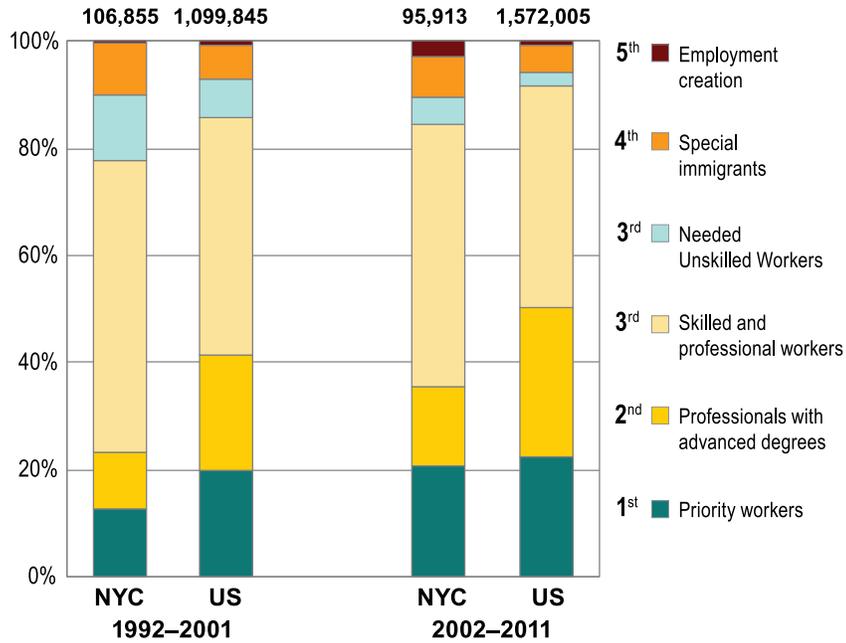
immigrant flow was admitted with an employment visa (Table 6-3), compared with 15 percent for the nation (Table 6-4).

As intended by the 1990 law, those entering with an employment visa were increasingly skilled,⁵ with healthy increases in highly skilled workers admitted under the first and second preference categories. The number of immigrants admitted as priority workers (first preference) increased from 13,500 in 1990s to 19,800 in the 2000s (up 46 percent), while second preference professionals with advanced degrees increased by 23 percent, to

14,000. However, nationwide, these increases were much larger. As a result, 35 percent of the city's employment entrants were priority workers and professionals with advanced degrees (first and second preferences), compared with 50 percent for the nation (Figure 6-3). Thus the city's employment entrants have not kept pace with those entering the nation, both in terms of overall growth and growth in the most highly skilled categories.

Skilled and professional workers—a subset of the third preference category—accounted for the largest number of workers for both the city and the

Figure 6-3
Immigrants Admitted by Detailed Employment Preferences
New York City and the United States
1992–2001 and 2002–2011



Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape Files, 2002–2011 Yearbook of Immigration Statistics, and Special Tabulations for New York City, Fiscal Years 2002–2011 Population Division–New York City Department of City Planning

U.S. Over the last decade, the number of skilled and professional workers admitted to the city declined 18 percent, from 57,900 to 47,400. This decline can be explained in part by the Chinese Displaced Students Act of 1992, which was a response to the events at Tiananmen Square. Under this law, 10,400 Chinese students were admitted under the third employment preference, creating an inordinately large increase in the 1990s. The 18 percent decline in visas in the following decade should therefore be interpreted with caution. With respect to the U.S., the number of skilled and professional workers increased by 34 percent, from 488,600 in the 1990s to 652,600 in the 2000s. This category accounted for 42 percent of all employment visas nationwide and for 49 percent in New York City.

Unskilled third preference visas, the smallest of the employment categories, declined by 65 percent for immigrants to New York, from 13,500 in

the 1990s to 4,800 in the 2000s. The decrease in the number of unskilled workers was also evident in the nation, falling by almost one-half, from 77,200 in the 1990s to 38,800 in the 2000s. Just 3 percent of U.S. employment entrants were third preference unskilled workers, compared with 5 percent for New York.

The fifth employment preference was designed specifically to encourage foreign investment and create employment; these are also known as investor visas. Approximately 10,000 visas were allotted annually to persons willing to invest at least \$500,000 in certain businesses that employed a minimum specified number of workers. But in the first decade (1992–2001) only 5,500 visas were actually granted in the U.S., of which 154 were in New York. In the 2000s there was a dramatic increase in the number of visas issued for the U.S. (13,100); the increase was even more so for New York (2,500), with the Chinese accounting for 2,000 visas, followed by Korea with

Table 6-7
Employment Preference Visas by Country of Birth
New York City, 2002–2011*

	NUMBER								SHARE							
	Employment Preferences								Employment Preferences							
	TOTAL	Total	First	Second	Third Skilled	Third Unskilled	Fourth	Fifth	TOTAL	Total	First	Second	Third Skilled	Third Unskilled	Fourth	Fifth
ALL IMMIGRANTS	1,031,668	95,914	19,784	14,044	47,365	4,785	7,426	2,509	100.0	9.3	1.9	1.4	4.6	0.5	0.7	0.2
China	169,801	11,391	3,283	2,462	3,053	300	277	1,951	100.0	6.7	1.9	1.4	1.8	0.2	0.2	1.1
Dominican Republic	153,440	595	14	19	218	22	282	–	100.0	0.4	0.0	0.0	0.1	0.0	0.2	–
Bangladesh	52,658	1,809	71	165	1,194	34	305	–	100.0	3.4	0.1	0.3	2.3	0.1	0.6	–
Jamaica	50,317	1,431	23	35	742	291	317	–	100.0	2.8	0.0	0.1	1.5	0.6	0.6	–
Guyana	46,431	1,094	16	–	642	206	180	–	100.0	2.4	0.0	–	1.4	0.4	0.4	–
Ecuador	34,817	5,478	24	29	4,806	521	67	–	100.0	15.7	0.1	0.1	13.8	1.5	0.2	–
India	27,991	7,579	1,606	1,672	3,788	67	386	–	100.0	27.1	5.7	6.0	13.5	0.2	1.4	–
Haiti	27,461	158	–	–	–	13	98	–	100.0	0.6	–	–	–	0.0	0.4	–
Trinidad & Tobago	26,006	1,969	24	25	1,145	497	258	–	100.0	7.6	0.1	0.1	4.4	1.9	1.0	–
Pakistan	22,468	1,710	188	295	971	26	209	–	100.0	7.6	0.8	1.3	4.3	0.1	0.9	–
Colombia	22,312	1,190	117	147	672	129	109	–	100.0	5.3	0.5	0.7	3.0	0.6	0.5	–
Ukraine	19,233	806	129	134	425	37	29	–	100.0	4.2	0.7	0.7	2.2	0.2	0.2	–
Philippines	17,909	7,230	113	523	5,760	597	237	–	100.0	40.4	0.6	2.9	32.2	3.3	1.3	–
Poland	17,571	4,536	93	168	4,006	182	57	–	100.0	25.8	0.5	1.0	22.8	1.0	0.3	–
Uzbekistan	16,476	171	27	19	115	–	10	–	100.0	1.0	0.2	0.1	0.7	–	0.1	–
Russia	14,364	1,452	525	367	414	16	98	16	100.0	10.1	3.7	2.6	2.9	0.1	0.7	0.1
Korea	14,060	6,819	450	896	3,731	284	1,040	418	100.0	48.5	3.2	6.4	26.5	2.0	7.4	3.0
Ghana	13,419	212	–	13	67	–	74	–	100.0	1.6	–	0.1	0.5	–	0.6	–
Mexico	12,820	4,901	275	155	3,976	318	131	–	100.0	38.2	2.1	1.2	31.0	2.5	1.0	–
Nigeria	11,011	676	63	59	310	–	210	–	100.0	6.1	0.6	0.5	2.8	–	1.9	–

*Data are for compiled for federal fiscal year: October 1 to September 30

–Indicates cell with fewer than 10 immigrants

Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 1982–2001 Annual Year Immigrant Tape File and Special Tabulations, Fiscal Years 2002–2011
 Population Division-New York City Department of City Planning

400. Nonetheless, this employment category continues to be underutilized, with unused visas going to other employment preferences that demonstrate more demand.

Table 6-7 shows that in numeric terms, the largest users of employment visas on New York City's top list of recent entrants were the Chinese (11,400), followed by Indians (7,600), Filipinos (7,200), and Koreans (6,800). Several countries had a heavy reliance on these visas: Almost one-half (49 percent) of all Koreans entered with employment visas, as did 40 percent of Filipinos, 38 percent of Mexicans, and

27 percent of Indians. Indians had a very large share admitted both as priority workers and professionals with advanced degrees – these 2 categories accounted for 12 percent of all Indian LPRs, well above the city average of 3 percent.

Of particular interest is the large share of Mexican LPRs coming in as skilled third preference workers. Almost one-third (31 percent) of all Mexican LPRs were admitted as skilled and professional workers, compared with just 5 percent for the city overall. The highly selective profile of recent Mexican LPRs stands in stark contrast to the

picture of the total Mexican foreign-born population discussed in Chapter 4.

Diversity Visas

Of all the changes that came with the 1990 Act, the establishment of the diversity visa program as a permanent pathway for entry had the biggest impact in shaping the country mix of immigrants to New York. The diversity visa lottery opened immigration to a whole host of countries that were previously unable to gain entry. Thus what started as a program in the late 1980s to reinvigorate immigration from Europe, with visas set aside specifically for Ireland and Poland, has turned into a gateway for immigrants from all over the world who did not qualify under the family or employment preferences.

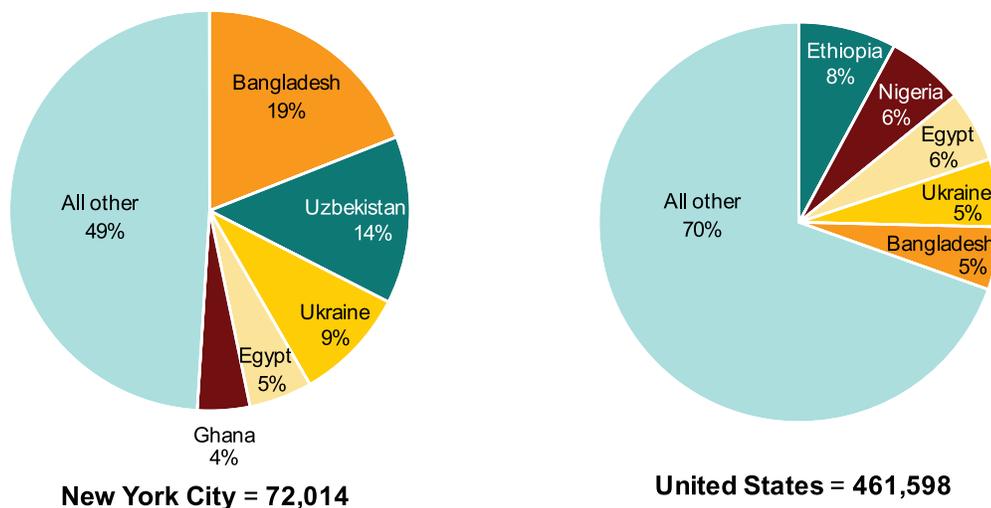
In the first full decade of this program, there were 88,900 diversity immigrants who settled in New York (Table 6-3), but by the 2000s the number of diversity immigrants had declined to 72,000, a drop

of 19 percent. Nationwide, diversity entrants were up 2 percent (Table 6-4). Despite this, the *share* of all immigrants using diversity visas was still higher in New York City (7 percent) than the nation (4 percent).

As earlier noted, diversity visas were initially meant to favor Ireland and Poland, each with a special allotment of visas. Not surprisingly, Polish (10,200) and Irish (12,100) diversity entrants comprised one-quarter of the 88,900 diversity immigrants who settled in New York in the 1990s (data not shown), most arriving in the first part of the decade. With this special preference withdrawn from 1995 onward, the number of Polish diversity immigrants in the 2000s declined to 2,300 (Table 6-8), and those from Ireland dropped to just 130 (data not shown). Thus the overall decline in diversity immigrants in the city can be largely explained by declines in Polish and Irish diversity entrants.

Bangladesh replaced Poland as the top source country for diversity visas in the 2000s, with 13,700

Figure 6-4
Top Five Sources of Diversity Immigrants
New York City and the United States, 2002–2011



Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 2002–2011 Yearbook of Immigration Statistics and Special Tabulations for New York City, Fiscal Years 2002–2011
 Population Division-New York City Department of City Planning

**Table 6-8
Top 20 Users of Diversity Visas
New York City, 2002–2011***

	TOTAL	Diversity Visas		Diversity as a % of Total
		Number	Percent	
ALL IMMIGRANTS	1,031,668	72,014	100.0	7.0
Bangladesh	52,658	13,706	19.0	26.0
Uzbekistan	16,476	9,722	13.5	59.0
Ukraine	19,233	6,593	9.2	34.3
Egypt	10,111	3,664	5.1	36.2
Ghana	13,419	3,042	4.2	22.7
Albania	10,045	2,940	4.1	29.3
Nigeria	11,011	2,865	4.0	26.0
Morocco	5,242	2,588	3.6	49.4
Poland	17,571	2,293	3.2	13.0
Russia	14,364	1,645	2.3	11.4
Germany	4,506	1,459	2.0	32.4
Belarus	4,422	1,345	1.9	30.4
Togo	2,303	1,246	1.7	54.1
Georgia	4,842	1,164	1.6	24.0
Nepal	4,249	1,135	1.6	26.7
Turkey	4,218	1,092	1.5	25.9
Bulgaria	2,277	891	1.2	39.1
Algeria	1,509	800	1.1	53.0
Romania	3,857	630	0.9	16.3
Sri Lanka	2,458	552	0.8	22.5

*Data are for compiled for federal fiscal year: October 1 to September 30

Sources: U.S. Department of Homeland Security Office of Immigration Statistics;
Special Tabulations, Fiscal Years 2002–2011
Population Division-New York City Department of City Planning

LPRs entering with these visas, accounting for 19 percent of all diversity visas in the city. The other top source countries were Uzbekistan (9,700), followed by Ukraine (6,600), and Egypt (3,700). Figure 6-4 shows that the top diversity entrants to the U.S. were from Ethiopia (36,300), Nigeria (28,900), Egypt (26,700), Ukraine (25,300), and Bangladesh (23,400). These 5 countries accounted for 30 percent of the nation's diversity flow, compared with New York's top 5, which accounted for one-half of the city's diversity immigrants (Figure 6-4).

Of particular interest for New York was Uzbekistan, where diversity visas accounted for 59 percent of their total immigrant flow (Table 6-8). Also notable was that including Egypt, 6 of the top 20 source countries for diversity visas were African: Ghana (3,000), Nigeria (2,900), Morocco (2,600), Togo (1,200), and Algeria (800).

Refugees and Asylees

While the number of refugees/asylees in the city grew by 5 percent in the city, they increased by 40

**Table 6-9
Top 20 Refugee and Asylee Adjustees
New York City, 2002–2011***

	TOTAL	Refugees/Asylees		Refugees/ Asylees as a % of Total
		Number	Percent	
ALL IMMIGRANTS	1,031,668	131,735	100.0	12.8
China	169,801	71,979	54.6	42.4
Serbia & Montenegro	9,355	5,244	4.0	56.1
Russia	14,364	4,794	3.6	33.4
Ukraine	19,233	4,243	3.2	22.1
Albania	10,045	3,953	3.0	39.4
India	27,991	3,084	2.3	11.0
Uzbekistan	16,476	2,951	2.2	17.9
Guinea	3,638	2,490	1.9	68.4
Liberia	2,865	1,917	1.5	66.9
Sierra Leone	2,563	1,907	1.4	74.4
Nepal	4,249	1,646	1.2	38.7
Azerbaijan	2,972	1,605	1.2	54.0
Bangladesh	52,658	1,566	1.2	3.0
Belarus	4,422	1,408	1.1	31.8
Pakistan	22,468	1,388	1.1	6.2
Cuba	1,762	1,231	0.9	69.9
Haiti	27,461	1,222	0.9	4.4
Indonesia	2,169	1,116	0.8	51.5
Burma	2,922	1,081	0.8	37.0
Mauritania	1,149	1,080	0.8	94.0

*Data are for compiled for federal fiscal year: October 1 to September 30

Sources: U.S. Department of Homeland Security Office of Immigration Statistics;
Special Tabulations, Fiscal Years 2002–2011
Population Division-New York City Department of City Planning

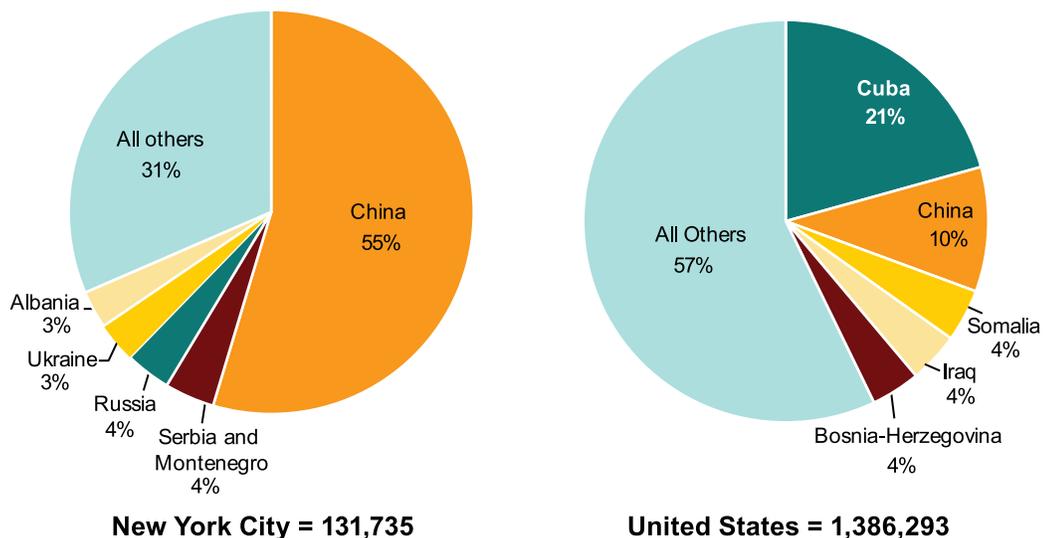
percent nationally, from 986,800 in the 1990s to 1.4 million in the 2000s (Tables 6-3 and 6-4). Refugees/asylees accounted for 13 percent of all immigrants to the nation, about the same as for New York. Most of these increases were the result of a surge in asylees, due to the enactment of the REAL ID Act, which lifted the annual limit on asylee adjustments. The numerical limit of 10,000, prior to 2005, had created a sizeable backlog over the years, with the average asylee waiting over 10 years to achieve legal permanent residency. Within the first few years after the passage of this law, the backlog had been greatly reduced, and both the nation and city witnessed increases in the number of asylees adjusting status. In the 1980s and 1990s, asylees accounted for between 5 and 10 percent of the combined refugee/asylee adjustments nationally because most entrants from Southeast Asia and the former Soviet Union were refugees. With the sharp decline in refugee flows

from the former Soviet Union and enactment of the REAL ID Act, asylees grew to 86 percent of the total refugee/asylee flow (data not shown).

The overall refugee/asylee numbers for New York City increased only modestly between the 1990s (125,800) and in the 2000s (131,700), mostly because of a dramatic drop in refugees from the former Soviet Union. The composition of the refugee/asylee flow shifted dramatically from what was a flow of mostly refugees from the former Soviet Union to a mix of refugees and asylees from China and Eastern Europe. A majority of the flow in the 2000s consisted of 72,000 entrants from China, virtually all of whom were asylees that entered under the REAL ID Act mentioned earlier (Table 6-9).

Figure 6-5 presents data for the top five source countries of refugees/asylees for New York City and the U.S. in the 2000s. China was by far the largest

Figure 6-5
Top Five Sources of Refugee/Asylees
New York City and the United States, 2002–2011



Sources: U.S. Department of Homeland Security Office of Immigration Statistics; 2002-2011 Yearbook of Immigration Statistics and Special Tabulations for New York City, Fiscal Years 2002-2011
 Population Division-New York City Department of City Planning

source country for New York City, accounting for more than half (55 percent) of the total refugee/asylee flow. Serbia & Montenegro was the second largest source country (5,200),⁶ with refugees/asylees accounting for over half (56 percent) of their total flow. Ukraine and Russia—the top refugee sources to the city in the 1990s—saw dramatic declines in these flows in the 2000s, but both countries were still among the top five refugee/asylee source countries.⁷ Nationwide, Cuba was the largest source country for refugees, followed by China, Somalia, Iraq, and Bosnia-Herzegovina. Finally, although their numbers were small, a very high percentage of immigrants admitted to New York from Guinea (68 percent), Liberia (67 percent), and Sierra Leone (74 percent) were refugees/asylees.

Detailed information on how pathways to admission have changed over the past 3 decades for the top 20 sources of newly admitted LPRs is available as a chapter supplement at www.nyc.gov/population. The supplement also has tables that provide this information for all countries that send immigrants to New York.

SUMMARY

Immigrants to New York City have seen their overreliance on family preference visas continue to wane and have dramatically increased their use of immediate relative visas. As a consequence, the distribution of immigrants by broad classes of admission for New York City has nearly converged with the nation. Despite this, the national picture differed from the local one in some important ways. Given the increased emphasis on skills as a basis for entry after the passage of the 1990 Immigration Act, the nation attracted more highly-skilled immigrants via the employment visa categories in the last decade; however, the number of skilled workers in these categories coming to New York City actually fell during that time. The pool of diversity visas did serve to attract new sources of immigration in

both the nation and the city; however, the impact was more pronounced nationally. Perhaps the most startling change was in the refugee/asylee category, after an important change in the law lifted the ceiling on the annual allotment for asylees. Once they were able to adjust status, the way was clear for alleviating what had become a large backlog, allowing for large increases in the number of asylees admitted over the last decade. Locally, this greatly affected immigrants from China, over 40 percent of whom claimed asylum, thus allowing them to take the position as the top source of newly admitted immigrants to New York City for the first time.

Lastly, an analysis of the pathways revealed commonalities among top source countries that provide a better understanding of how immigration is affected by the classes of admission. Among the top sources of newly admitted LPRs, there is a group where immigrant flows have increased — China (due to an increase in asylees), Bangladesh (family preferences), Ecuador (spouses), and Mexico (employment preferences). Conversely, there are a number of countries where flows to the city are waning. For Jamaica, Guyana, Haiti, Dominican Republic, and Colombia, these declines are due to a drop in second preference visas — those reunifying with LPRs, while for Ukraine and Russia, declines were brought about by a fall in refugee admissions. There are a number of countries that rely heavily on employment visas — India, Korea, and the Philippines. Finally, there is a group of emerging source countries, whose flows are likely to increase in the coming decades — Ghana and Nigeria are prominent in this category, having attained a beachhead based on the diversity visa pool.

ENDNOTES

- 1 We would like to thank Mike Hoefer, Nancy Rytina, and John Simanski of the Office of Immigration Statistics for their help in obtaining the data and their technical assistance.
- 2 Permanent resident status confers certain rights and responsibilities. For example, LPRs may live and work permanently anywhere in the United States, own property, and attend public schools, colleges, and universities. They may also join certain branches of the Armed Forces and apply to become U.S. citizens if they meet certain eligibility requirements.
- 3 United States Department of Homeland Security. Yearbook of Immigration Statistics: 2011. Washington, D.C.: U.S. Department of Homeland Security, Office of Immigration Statistics, 2012.
- 4 Administrative delays in processing visa applications were due to a complex set of factors. In 1994, Section 245(i) of the Immigration and Nationality Act allowed unauthorized immigrants who were eligible for legal status to adjust their status to LPR while in the U.S. by applying at a DHS office and paying a penalty. Formerly, these persons had to collect their visas outside the U.S. and were processed overseas by U.S. State Department consular offices. These changes shifted a large portion of the visa processing workload from the State Department to DHS. In 1998, Congress phased out Section 245(i) of the law; however immigrants who had already begun the process of changing their status were grandfathered into the section's benefits. The Legal Immigration and Family Equity Act (LIFE Act) of 2000 extended the qualifying date for Section 245(i) and allowed immigrants who had visa petitions filed between 1998 and April 2001 to qualify for adjustment of status. Again, these changes increased the workload of DHS. Processing delays were also due to a surge in petitions from those legalized under the 1986 Immigration Reform and Control Act (IRCA). Many of the nearly 3 million beneficiaries of IRCA began to naturalize in 1993 and were petitioning to adjust the status of their immediate relatives who were already living in the U.S., further increasing the DHS workload. Overall growth in naturalization applications during this period also stretched resources at DHS.
- 5 It is important to note that large numbers of immigrants with skills enter the nation using non-employment pathways, so generalizations about the skill levels of immigrants cannot be made solely using information on those arriving with employment visas.
- 6 About three-quarters of the refugee/asylee flow from Serbia & Montenegro were asylees and the remaining 25 percent were refugees.
- 7 Asylees accounted for 39 percent of the total Russian refugee/asylee flow while 24 percent of the total Ukrainian flow was comprised of asylees.

Table 6-1 illustrates the effect the backlog had on annual admissions for New York City. The flow of immigrants to New York City grew steadily from 75,400 in 1982 to a high of 125,600 in 1996. The flow then dropped precipitously, reaching a low of 66,100 in 2003, increasing to a high of 137,000 in 2006. The yearly fluctuations in the data are a result of administrative delays in processing and are not necessarily associated with changes in the propensity of immigrants to come to the city. Thus caution is advised when seeking trends from these annual numbers. By combining the data on legal pathways of admission for immigrants into 10 year periods, these ups and downs that are inherent when analyzing administrative records are likely to be smoothed out.

