

IRCA Legalization Effects:  
Lawful Permanent Residence and Naturalization through 2001

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## Introduction

Two groups of immigrants were eligible for legalization under the Immigration Reform and Control Act (IRCA) of 1986. Aliens who had been unlawfully residing in the United States since before January 1, 1982 (pre-1982 immigrants) were legalized under Section 245A of the Immigration and Nationality Act (INA). Aliens employed in seasonal agricultural work for a minimum of 90 days in the year prior to May, 1986 (SAWs) were legalized under Section 210A of the INA.

This paper presents summary statistics on the transitions in legal status of the IRCA population through 2001. The primary focus is on naturalization since a considerable amount of information already exists about IRCA immigrants through the time they became lawful permanent residents (LPRs). Surveys conducted for the two reports mandated by IRCA contain a wealth of information on the social and economic characteristics of the pre-1982 IRCA population. The first survey, Legalized Population Survey (LPS) by the U.S. Immigration and Naturalization Service (INS) under the direction of John A. Bjerke examined pre-1982 IRCA immigrants at the time they applied for legalization (see U.S. Immigration and Naturalization Service, 1992). The second survey, Legalized Population Follow-up Survey (LPS2), by the Bureau of International Labor Affairs in the U.S. Department of Labor under the direction of Shirley J. Smith with Roger G. Kramer and Audrey Singer examined the group five years later (see Bureau of International Labor Affairs, 1996).

Naturalization rates through 2001 of IRCA LPRs are compared to other LPRs by country of birth and year granted permanent residence. In addition, for IRCA LPRs who naturalized, a preliminary look is provided on changes in their state of residence and occupation/labor force status between the time of immigration and naturalization. This information, data limitations notwithstanding, may shed some light on the socioeconomic achievement of IRCA immigrants.

## Data

Data were obtained from the administrative systems of INS. All immigrant records (from the OF-155A application from the Department of State for new arrivals from abroad and the I-485 application from INS for adjustments of status within the United States) were matched with naturalization records (from the N-400 application) from 1973 through 2001 based on alien or A-number. Variables in the matched file include: country of birth, class of admission, occupation/labor force status, and zip code of intended residence at immigration, and, if the immigrant had naturalized, occupation/labor force status and zip code of intended residence at naturalization. Note that in comparisons with IRCA LPRs, the non-IRCA population is restricted to immigrants who were ages 16 and over when granted permanent residence because N-400 naturalization applicants must be at least 18 years of age. Unlike IRCA LPRs, the non-IRCA population includes large numbers of

children who may have derived or acquired citizenship through their parents and would therefore not have filed an N-400 application.

### Findings

As indicated in [Exhibit 1](#), three million persons applied for legalization. The applicants represented most legalization eligible aliens given an estimated illegal immigrant population of 3-5 million in 1986 (Hoefler, 1991). The approval rates for temporary and permanent residence were fairly high among both legalization (pre-1982 applicants) and SAW applicants. Nearly 2.7 million persons--nearly nine in ten applicants for temporary residence--were ultimately approved for permanent residence.

By 2001, one-third of IRCA LPRs had naturalized. The naturalization rate for pre-1982 LPRs was nearly twice the rate for the SAWs. This is not unexpected given pre-1982 LPRs were considered more likely to have become long term U.S. residents than SAWs. Note that the naturalization rate of pre-1982 LPRs (40% in 2001) is consistent with LPS2 data indicating that about one-half of this population intended to naturalize (Bureau of International Labor Affairs, 1996). The much higher rate of naturalization among nonimmigrant visa overstays compared to illegal entrants is also consistent with LPS2 data indicating that the former were better educated and more English language proficient than the latter. Among the SAWs, about the same proportion from Group I and Group II had naturalized by 2001 despite the fact that Group I was required to have spent more time in the U.S. than Group II.

The impact of IRCA was much more concentrated with respect to legal immigration than naturalization (see [Exhibit 2](#) and [Exhibit 3](#)). IRCA LPRs represented more than 40% of all immigrants in fiscal years 1989-1991 but never accounted for more than 23% of naturalizations in any one year. The peak in IRCA naturalizations probably occurred in 1996 when one-quarter million became citizens. By then, the entire cohort had become eligible to naturalize. This was also a period when many immigrants were naturalizing because of concern over legislation restricting public benefits for noncitizens (e.g. Proposition 187 in California in 1994, the Personal Responsibility and Work Opportunity Act of 1996, and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996). Fluctuations in IRCA naturalizations since 1996 are partly attributable to a backlog in application processing at INS.

The naturalization rate through 2001 for IRCA LPRs compared to other LPRs by country of birth is shown in [Exhibit 4a](#). Country of birth was categorized as Mexico and non-Mexico since 75% of the IRCA population was born in Mexico (compared to 12% for the non-IRCA population) and Mexican born immigrants have historically had among the lowest naturalization rates. The non-IRCA category is restricted to immigrants granted permanent residence between 1979-82 to correspond with the period of entry into the U.S. of most IRCA immigrants.

By 2001, IRCA LPRs had naturalized at about 60% of the rate of other LPRs (33% vs. 56%). However, country of origin accounts for much of that difference. Among Mexican

born LPRs, the naturalization rate for IRCA immigrants was about three-fourths that of other immigrants (27% vs. 35%). Among non-Mexican born LPRs, the naturalization rate of IRCA immigrants was nearly 90% that of other immigrants (52% vs. 59%).

Naturalization rates through 2001 for IRCA LPRs by category of admission are shown in [Exhibit 4b](#). (The enforced voluntary departure (EVD) category is excluded from this and Exhibits 5 and 6 because the numbers are so small). Among both Mexican and non-Mexican born LPRs, pre-1982 nonimmigrant overstays were most likely to naturalize, followed by pre-1982 illegal entrants and SAWs. The fact that Mexican born SAWs were only about one-half as likely to naturalize as other IRCA Mexican born LPRs raises the issue of how many Mexican born SAWs are really U.S. residents. Non-Mexican SAWs, on the other hand, were about as likely to opt for citizenship as non-Mexican pre-1982 illegal entrants (48% vs. 50%).

The data in [Exhibit 5](#) and [Exhibit 6](#) show how naturalization rates through 2001 for IRCA and other LPRs vary by country of origin and year granted permanent residence. Immigrants admitted for permanent residence after 1992 were excluded because most were not eligible to apply for naturalization before 1997 so their naturalization histories are very incomplete. As indicated in both exhibits, among pre-1982 LPRs the first to be granted permanent residence were more likely to naturalize by 2001 than those granted permanent residence later. And, the naturalization rate of the first nonimmigrant overstays admitted, that is in 1989, was higher than that of non-IRCA LPRs granted permanent residence in any year between 1973-91. However, it may be premature to attach much significance to these findings since the cumulative naturalization rates of each entry year IRCA cohort may converge. Note also the stability in the naturalization rate of the non-IRCA non-Mexican population. For LPRs admitted between 1973-1991 the naturalization rate ranges only between 51%-61%. The spread in naturalization rates is much larger among Mexican non-IRCA LPRs during the same time period (22%-45%) due to the much slower pace at which this immigrant population has naturalized.

[Exhibit 7](#) shows the occupation/labor force status at naturalization for IRCA LPRs by each category at immigration. These data are subject to some error since they are based on self-reporting by immigrants and data entered by personnel who receive very limited coding instruction. In addition, the occupation/labor force status at naturalization is unknown for about 20% of LPRs. The data show that the proportion of IRCA LPRs in the same occupational category at immigration and at naturalization was highest among laborers (39%), followed by service workers and professional, managerial, and technical workers (33%). LPRs in farming and sales occupations were least likely to be in the same occupations at naturalization. Some upward mobility is suggested by the movement of 7%-19% of IRCA LPRs, including 9% of SAWs, into professional, managerial and technical occupations by the time of naturalization. On the other hand, some degree of lateral movement or downward mobility is implied by the movement of nearly 30% of IRCA LPRs in precision production and farming to laborer occupations at the time of naturalization. Overall, the net direction of movement is not obvious from these data.

In terms of geographic mobility, [Exhibit 8](#) shows that 23% of IRCA LPRs were living in a different state at naturalization than at immigration. This is much lower than the migration rate for LPRs admitted in 1979-82 but about the same as that of other immigrants admitted between 1989-91(25%). Pre-1982 LPRs were somewhat more likely than SAWs to have moved. Specific flows will be more fully investigated in subsequent analysis.

### Conclusions

The findings in this paper indicate that through 2001, immigrants granted permanent residence under IRCA naturalized at just over one-half the rate of other immigrants who came to live in the U.S. at the same time. Once differences in Mexican vs. non-Mexican origins are taken into account, the naturalization rate of IRCA LPRs is reasonably close to that of other immigrants. Many IRCA LPRs appear to have changed occupation or labor force status between the time of immigration and naturalization but more detailed and accurate information on their employment and earnings is need to adequately evaluate the significance of these changes.

Future legalization programs might consider obtaining information on indirect effects, namely the immigration and subsequent naturalization of the many family members sponsored for lawful permanent residence by legalization principals. This paper focused only on principals because family members could not be identified. More than 140,000 legalization dependents adjusted to permanent residence between 1992-1994 under provisions of the Immigration Act of 1990, but there is no way to link them to IRCA legalization principals. In addition, collection of information on the social and economic status of legalization beneficiaries at the time of naturalization would provide more current data with which to evaluate their assimilation and adaptation into U.S. society.

## References

Bureau of International Labor Affairs. 1996. *Effects of the Immigration Reform and Control Act: Characteristics and Labor Market Behavior of the Legalized Population Five Years Following Legalization*. U.S. Department of Labor, Washington, DC.

Hoefler, Michael D. 1991. "Background of U.S. Immigration Policy Reform." Pp. 17-44 in *U.S. Immigration Policy Reform in the 1980s A Preliminary Assessment*, edited by F.L. Rivera-Batiz, S.L. Sechzer, and I.N. Gang. New York: Praeger.

U.S. Immigration and Naturalization Service, 1992. *Immigration Reform and Control Act: Report on the Legalized Alien Population*. U.S. Department of Justice, Washington, DC.

## Exhibit 1- IRCA Legalization: Temporary Residence, Permanent Residence, and Naturalization through 2001

<u>Category of Admission</u>	<u>Applicants for temporary residence</u> (1)	<u>Applicants granted permanent residence</u> (2)	<u>Percent of applicants granted permanent residence</u> (3)=(1)/(2)	<u>Applicants who naturalized</u> (4)	<u>Naturalized as a % of applicants granted permanent residence</u> (5)=(2)/(4)
Total	3,040,475	2,688,730	88%	889,033	33%
Legalization applicants					
Total	1,763,434	1,595,766	90%	634,456	40%
Entered illegally prior to 1/1/1982 (W16)	1,444,925	1,312,058	91%	480,871	37%
Overstayed nonimmigrant visa prior to 1/1/82 (W26)	311,071	277,337	89%	149,676	54%
Blanket enforced voluntary departure/unknown (W36)	7,438	6,371	86%	3,909	61%
SAW applicants					
Total	1,277,041	1,092,964	86%	254,577	23%
Group I Seasonal agricultural workers 1984-86 (S16)	67,308	59,975	89%	12,124	20%
Group II seasonal agricultreal workers in 1986 (S26)	1,209,733	1,032,989	85%	242,453	23%
Unknown	473	-----	-----	-----	-----

Source:  
Column (1) - Legalization Application Processing System (LAPS) and Statistics Division, U.S. Immigration and Naturalization Service, as of August, 1992.  
Columns (2) and (4) - Statistics Division, U.S. Immigration and Naturalization Service.

**Exhibit 2- Persons Granted Permanent Residence by Fiscal Year, Total and IRCA Legalization**

Fiscal Year	All Immigrants	IRCA. total		Pre-1982			SAWS			
	Number	Number	As % of all immigrants	Total	Illegal entrants W16	Nonimmigrant overstays W26	EVD/ unknown W36	Total	I-1984-86 S16	II-1986 S26
1989	1,090,956	478,883	44%	478,882	383,852	94,905	125	1	--	1
1990	1,543,812	880,940	57%	824,272	683,240	137,551	3,481	56,668	56,668	--
1991	1,837,207	1,134,509	62%	215,399	180,575	32,962	1,862	919,110	1,293	917,817
1992	972,557	165,089	17%	47,915	39,863	7,328	724	117,174	2,008	115,166
1993	905,111	16,702	2%	16,702	14,049	2,545	108	--	--	--
1994	791,218	4,083	1%	4,083	3,456	607	20	--	--	--
1995	723,641	2,898	0%	2,898	2,335	546	17	--	--	--
1996	916,521	3,037	0%	3,037	2,534	488	15	--	--	--
1997	781,892	1,300	0%	1,300	1,055	232	13	--	--	--
1998	653,207	820	0%	818	693	121	4	2	--	2
1999	644,788	6	0%	4	4	--	--	2	2	--
2000	841,001	271	0%	267	232	33	2	4	2	2
2001	1,058,903	192	0%	189	170	19	--	3	2	1
Total	12,760,814	2,688,730	21%	1,595,766	1,312,058	277,337	6,371	1,092,964	59,975	1,032,989

Note: Due to the elimination of duplicate records, immigrant totals in this table will differ slightly from those shown in the INS Statistical Yearbook.

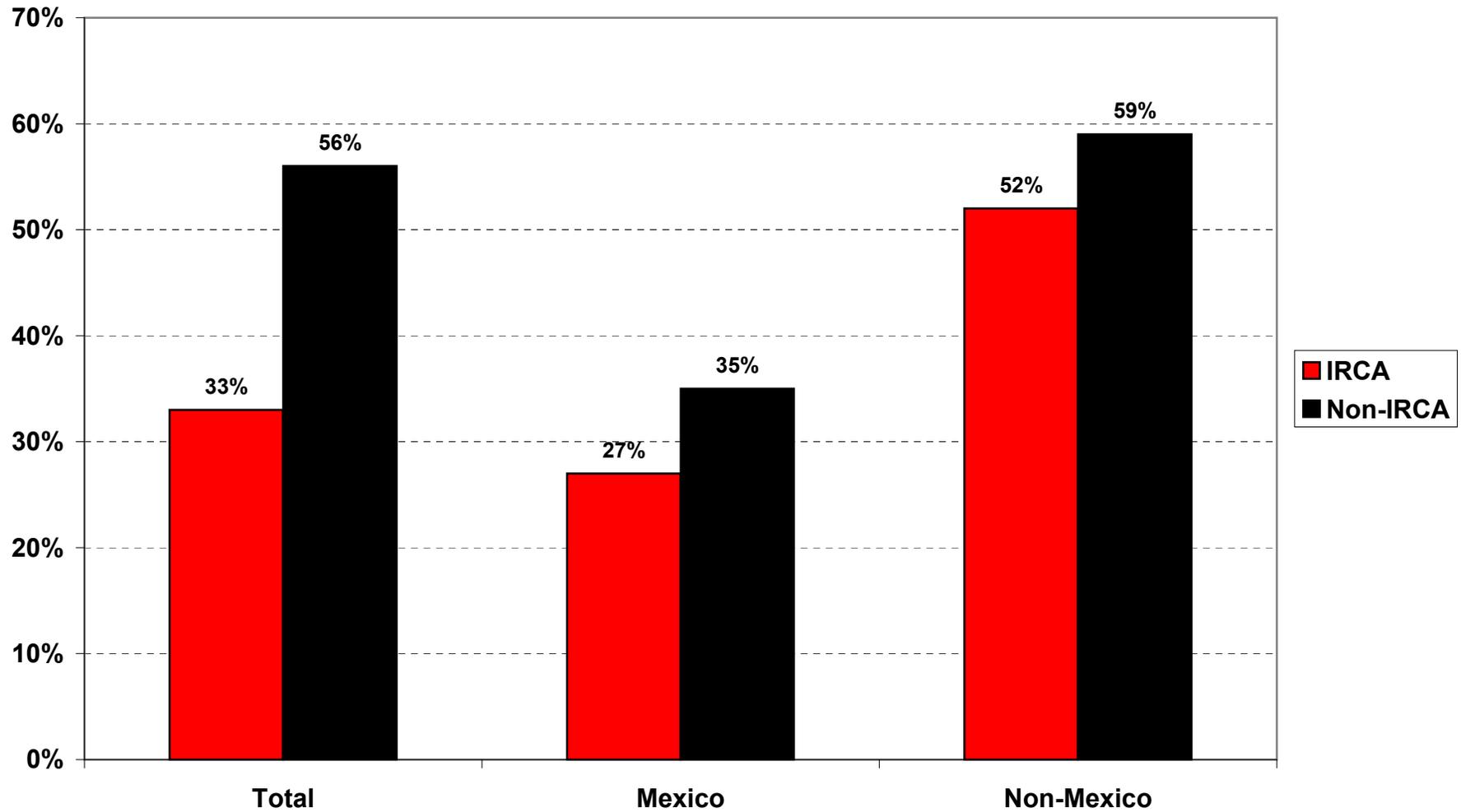
Source: U.S. Immigration and Naturalization Service, Statistics Division.

### Exhibit 3- Persons Naturalized by Fiscal Year, Total and IRCA Immigrants

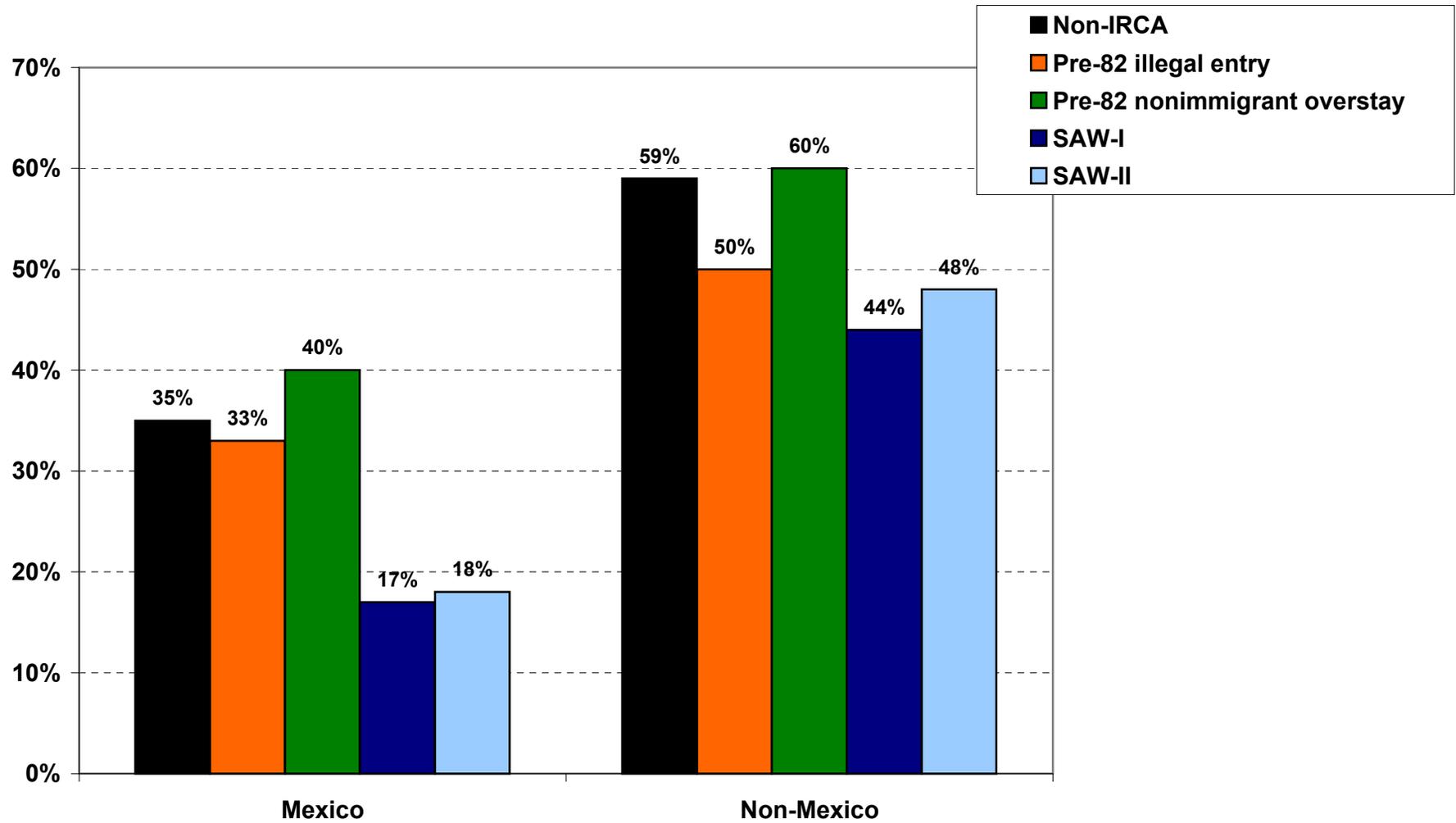
Fiscal Year	All naturalizations	IRCA, total		Pre-1982			SAWS			
	Number	Number	As % of total naturalizations	Total	Illegal entrants W16	Nonimmigrant overstays W26	EVD/ unknown W36	Total	I-1984-86 S16	II-1986 S26
1990	270,101	133	0%	112	40	67	5	21	3	18
1991	308,058	115	0%	114	24	89	1	1	--	1
1992	240,252	218	0%	205	64	140	1	13	4	9
1993	314,681	881	0%	862	332	526	4	19	7	12
1994	434,107	11,048	3%	10,862	4,248	6,602	12	186	19	167
1995	488,088	65,490	13%	64,417	36,710	27,249	458	1,073	602	471
1996	1,044,689	227,905	22%	168,199	124,531	42,216	1,452	59,706	3,333	56,373
1997	598,225	136,084	23%	83,782	66,505	16,736	541	52,302	1,899	50,403
1998	463,060	85,647	18%	55,865	45,007	10,577	281	29,782	1,205	28,577
1999	839,944	151,829	18%	102,846	83,675	18,758	413	48,983	2,176	46,807
2000	888,788	135,385	15%	96,517	78,982	17,079	456	38,868	1,799	37,069
2001	608,205	74,298	12%	50,675	40,753	9,637	285	23,623	1,077	22,546
Total	6,498,198	889,033	14%	634,456	480,871	149,676	3,909	254,577	12,124	242,453

Source: U.S. Immigration and Naturalization Service, Statistics Division.

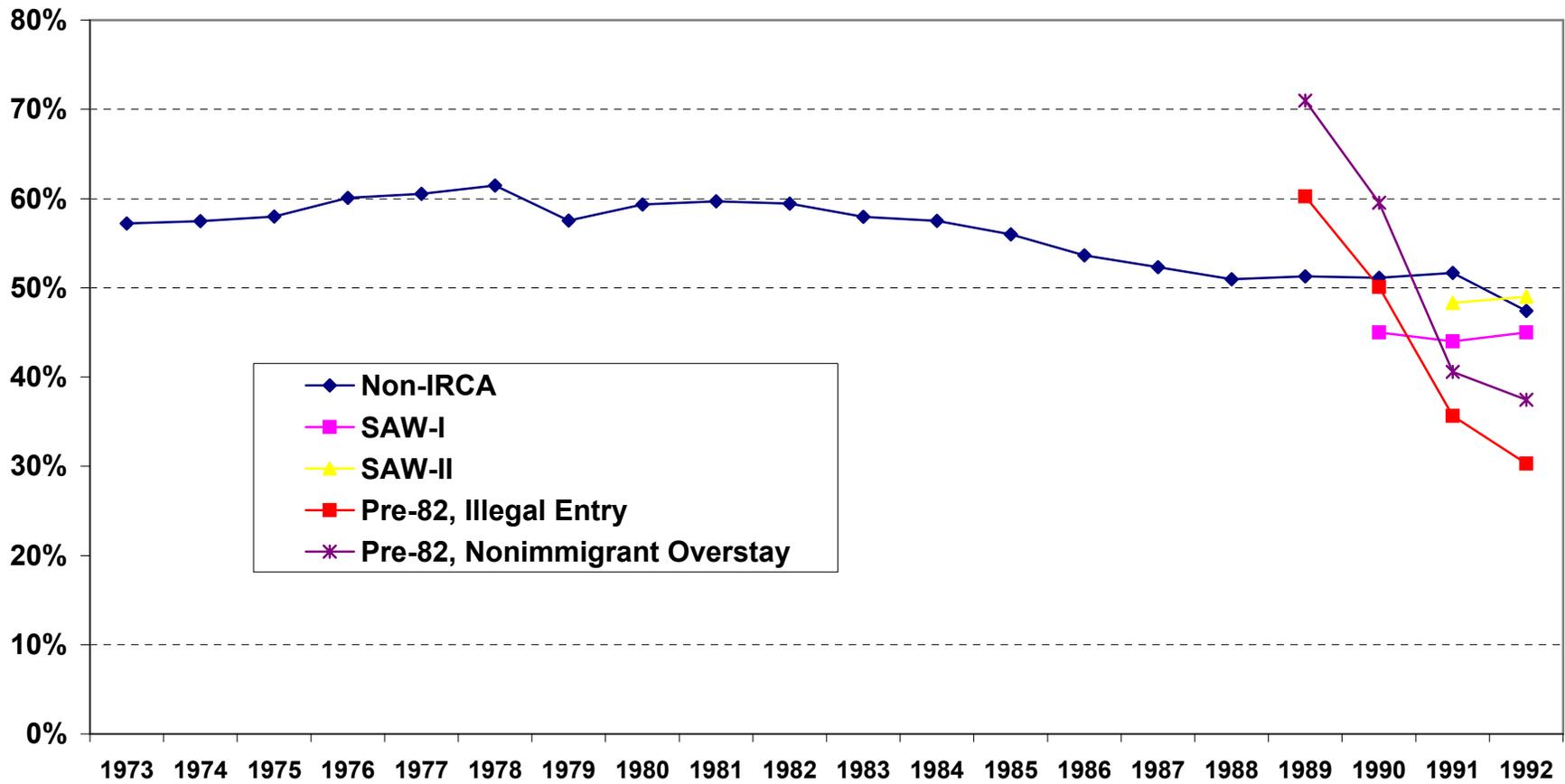
**Exhibit 4a- Naturalization Rates through 2001: IRCA and Non-IRCA Immigrants (1979-82) by Country of Birth**



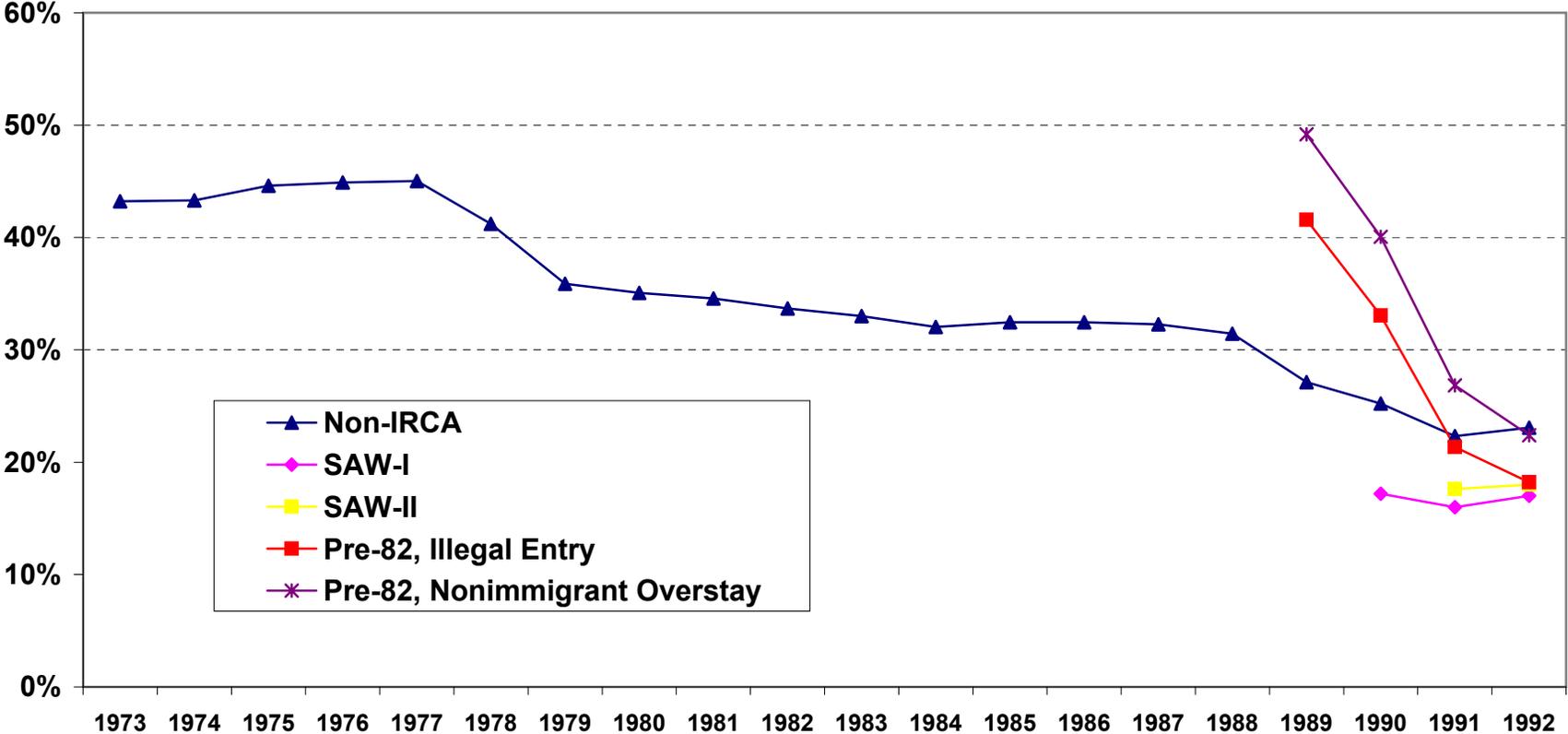
**Exhibit 4b- Naturalization Rates through 2001: IRCA Immigrants by Category of Admission and Non-IRCA Immigrants (1979-82) by Country of Birth**



**Exhibit 5- Percent Naturalized through 2001:  
Non-Mexican Immigrants by Year Granted Permanent Residence**



**Exhibit 6- Percent Naturalized through 2001:  
Mexican Immigrants by Year Granted Permanent Residence**



**Exhibit 7- Occupation/Labor Force Status at Naturalization based on Occupation/Labor Force Status at Immigration:  
IRCA Immigrants who Naturalized by 2001**

Occupation/labor force status at immigration	<u>Occupation/labor force status at naturalization</u>									Total
	Professional, managerial, technical	Sales	Administrative support	Precision production	Laborer	Service	Farming	No Occupation	Unknown	
Professional, managerial, technical	33%	5%	10%	4%	10%	10%	0%	8%	20%	100%
Sales	15%	15%	16%	3%	11%	10%	0%	13%	17%	100%
Administrative support	19%	5%	26%	4%	15%	7%	1%	8%	15%	100%
Precision production	8%	2%	5%	21%	29%	9%	1%	8%	17%	100%
Laborers	6%	2%	7%	8%	39%	9%	1%	11%	16%	100%
Service	7%	3%	7%	3%	14%	33%	1%	15%	17%	100%
Farming	8%	3%	5%	8%	28%	14%	4%	6%	23%	100%
Pre-1982	5%	1%	3%	7%	31%	9%	16%	7%	21%	100%
SAW	9%	3%	5%	8%	28%	14%	3%	6%	23%	100%
No occupation	8%	7%	15%	3%	12%	9%	1%	27%	17%	100%
Unknown	9%	4%	10%	6%	23%	13%	1%	17%	18%	100%
Total	10%	4%	9%	7%	23%	15%	2%	12%	19%	100%

Note: Except for farming, all categories at immigration refer to pre-1982 immigrants.

Source: U.S. Immigration and Naturalization Service, Statistics Division.

**Exhibit 8- Intended State of Residence at Immigration and Naturalization: Non-IRCA Immigrants (1979-82) and IRCA Immigrants who Naturalized by 2001**

