To the Graduate Council:

I am submitting herewith a thesis written by Sarah Ellen Hendricks entitled “Skin Color Bias in the Immigration Process: A Multi-Methods Approach.” I have examined the final electronic copy of this thesis for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts, with a major in Sociology.

_____

Stephanie A. Bohon, Major Professor

We have read this thesis and recommend its acceptance:

_____

Wornie L. Reed

_____

Jon Shefner

Accepted for the Council:

_____

Carolyn R. Hodges, Vice Provost and
Dean of the Graduate School

(Original signatures are on file with official student records.)

Skin Color Bias in the Immigration Process:

A Multi-Methods Approach

A Thesis
Presented for the
Master of Arts
Degree
The University of Tennessee, Knoxville

Sarah Ellen Hendricks
May 2008

Acknowledgements

I would like to recognize my thesis advisor, Dr. Stephanie Bohon, for encouraging me to use multiple methods and providing just the right amount of guidance for this project. I would also like to acknowledge all of the participants who volunteered their time and shared their experiences with and stories about the application process for legal permanent residency for this project. Thank you.

Abstract

This study looks at the intersection of the literature on immigration and on phenotype and life chances. As immigrant populations in the United States have shifted from European countries of origin to Latin American and Asian countries of origin in recent decades, the phenotype of these populations of immigrants is increasingly distinct from the privileged mainstream U.S. population with European origins. Do darker shades of skin color lead to correspondingly different experiences in the United States immigration system?

This study uses data from the New Immigrant Survey 2003 to explore the relationship between skin color and the duration of the legal permanent residency application process. The findings are supplemented by interviews with immigrants and agencies, providing a more nuanced understanding of the variety of experiences within the immigration process.

Table of Contents

1. Introduction 1
1.1 Immigration and the Legal Permanent Residency Process 1
1.2 Phenotype and Immigration 4
1.3 The Context: Migration, Discrimination and the US Legal System 5
1.4 The LPR Application Process 14
1.5 The Central Question: Phenotype and the LPR Process 16
2. Data and Methods 18
2.1 Quantitative Data and Methods 18
2.2 Immigrant Characteristics 25
2.3 Qualitative Data and Methods 28
3. Findings 32
3.1 Model 1: Bivariate Model 32
3.2 Model 2: Socioeconomic Variables 35
3.3 Model 3: Demographic Variables 38
3.4 Model 4: Full Model 39
4. Qualifications of the Quantitative Model 47
5. Discussion and Conclusions 49
Works Cited 55
Appendix 59
Vita 65

List of Tables

Table 1: Descriptive Statistics of Respondents in the OLS Data..... 26

Table 2. Description of Immigrants Interviewed..... 29

Table 3. Description of Agencies Interviewed 31

Table 4. OLS Regression Results: Length of Legal Permanent Resident Immigration Process and Skin Color..... 33

Table 5. OLS Regression Results: Length of Legal Permanent Resident Immigration Process and Skin Color, with Race/Skin Color Interactions 63

1. Introduction

1.1 Immigration and the Legal Permanent Residency Process

The purpose of this research project is to investigate whether the phenotypical preferences based on skin color in the United States manifests in a longer legal permanent residency application process for immigrants with dark skin color than for those with lighter skin color. This project is thus focused on a very specific phenomenon, the length of the legal permanent residency process, and this process is influenced by wide scale structural forces as well as individual agency.

Structural forces create shifting economic barriers and possibilities for individuals and communities around the globe, to which people respond from their own embedded contexts according to the choices they perceive. Macro structural theories of immigration recognize political and economic forces that both create displacement in peripheral countries and demand for unskilled labor in core countries. Responses of people in communities affected by economic changes frequently include migration, both nationally and internationally (Massey, Durand, and Malone 2002; Portes and Böröcz 1989). The government of the receiving country, typically a developed country, sets the legal context for the reception of the immigrants who tend to originate in less developed countries. The US government sets the terms of reception for migrants entering the United States, determining whether or not they have legal documents or rights, determining various temporary and permanent visa opportunities and restrictions, and determining whether or not immigrants have the possibility of pursuing naturalization and achieving citizenship.

In this study, *naturalization* is defined as the several legal steps involved in becoming a US citizen. In the United States, this is a three-step process. The first step involves the actual act of immigrating either with or without a visa. The second step involves applying for and receiving legal permanent residency. The third step involves applying for and receiving citizenship. For simplicity, I refer to this third step as the *citizenship process.* This thesis, however, is primarily concerned with the second step of the naturalization process.

Although there are numerous legal articles regarding the changing rights and entitlements accorded by the various laws addressing U.S. immigration, there are few sociological studies that investigate the bureaucratic aspects of the naturalization process. The US citizenship process has received some limited scholarly attention (Alvarez 1987; DeSipio 1987; North 1987; Portes and Curtis 1987), particularly due to funding provided by the National Association of Latino Elected Officials (NALEO) Education Fund for the NALEO Citizenship Project in 1985, but no sociological studies that I have found thus far focus on the process of gaining legal permanent residency (LPR, also known as a "green" card).

The LPR process is worth exploration, as the increasing number of immigrants in the United States reached an all-time high of 36 million foreign-born individuals living in the United States in 2005. In addition, 1,266,264 individuals became legal permanent residents in 2006 alone (Jeffrys 2007) – a figure that does not include those who started the process but dropped out or were ejected somewhere along the way. Despite the increasing proportion of minorities in the US population, and the accompanying raging public debate over immigration reform and enforcement – referred to as "Smoke and

Mirrors" by Massey, Durand and Malone (2002), significant gaps remain in the sociological investigation of the LPR process.

The attainment of LPR status grants immigrants long-term legal rights and greater access to economic opportunities, and it opens the possibility of citizenship. Immigrants who naturalize have virtually full legal rights and responsibilities of citizens. Since LPR is a prerequisite for applying for citizenship, barriers in the LPR process also constitute barriers to citizenship. Most importantly in the short-run, LPR status allows an individual to pursue almost any form of work in the United States, and it is well known that income (a by-product of work) has significant consequences for all areas of life.

The attainment of LPR status means significant changes in rights and opportunities for immigrants, and the specific opportunities that LPR offers is defined by the formal immigration legislation. However, the annual number of immigrant visas that lead to LPR is limited (except for visas for immediate family members of US citizens). Furthermore, the number of LPRs issued and to which types of visa-holders changes as laws are altered or added. Within the bureaucracy, individual immigration officers that process the applications for legal permanent residency perform a gate-keeping role, limiting and determining who is able to become a full citizen, thus influencing the future constituency and political landscape of the United States. The purpose of this study is to explore how long it takes immigrants to receive LPR, and whether or not differential processing time is linked to discriminatory actions on the part of the bureaucrats who process LPR applications.

1.2 Phenotype and Immigration

Numerous studies in recent decades have found that persons with darker phenotypes within a given racial group face structural disadvantages and discrimination in a number of facets of life in the United States. For example, Hunter (2002) proposes that light skin is considered to be more beautiful, operating as a form of social capital both within a racial group and in the wider US society. She finds this to be true for both African American and for Mexican American women. Murgia and Telles (1996) find that Mexican American children with darker skin color and Indian features complete fewer years of school than the lighter-skinned children with more European features. Hersch (2007) finds that darker-skinned legal immigrants from all backgrounds tend to earn less than lighter-skinned immigrants. Recognizing differences in phenotypes when studying the naturalization process may allow for a more nuanced understanding of how discrimination might be used to perpetuate the power of the light-skinned in the United States, especially as the largest immigrant groups originate from Asian and Latin American countries where populations tend to have a wide range of medium skin tones.

As social relationships tend to reproduce existing social inequalities and maintain the status quo in many aspects of social life, as described by Hunter (2002), Murgia and Telles (1996), and Hersh (2007), discrimination based on skin color is likely to surface in the immigration process. This research project explores the extent to which this general bias in favor if light skin in US society influenced the naturalization process among persons who received legal permanent residency in 2003. Several studies have noted the lack of consistency between regional offices responsible for the naturalization process as well as variation between individual immigration officers (Alvarez 1987; North 1987). I

ask whether this space for bureaucratic discernment in the immigration bureaucracy allows for discrimination based on skin color in the application process for legal permanent residency. In particular, this investigation seeks to reveal whether immigrants' skin color predicts the length of time from when the first petition for an immigrant visa is mailed to when the permanent resident card is received.

1.3 The Context: Migration, Discrimination and the US Legal System

Although this study focuses specifically on discrimination based on phenotype in the US naturalization system, the immigrants themselves and the institutions that they encounter as they pursue permanent residency operate at the intersection of multiple social, economic and institutional processes. The immigrants' experiences with the naturalization process are shaped by the forces causing international migration, the legal and bureaucratic framework that controls immigration to the United States and the possible phenomenon of phenotype-based discrimination.

International Migration and US Immigration Policy

Massey, Durand and Malone (2002) provide a summary of the theories that explain international migration, which serve to illustrate the larger context of this study. Political-economic factors typically are the drivers that initiate migration by changing conditions in less-developed sending countries, causing economic strife or physical displacement, and by creating the demand for labor in the industrialized receiving countries. Receiving countries, usually the industrialized core countries, recruit

immigrants to fill labor needs. When the first individuals migrate from a community and settle in a new country, they tend to maintain social connections to family members and friends in their original communities. The cost of migration then decreases as social networks across borders increase over time, providing social capital and guidance for following flows of migrants. Institutions in the receiving countries are erected to prevent immigration, but institutions also arise to protect immigrants and advocate for their rights. On the individual level, people evaluate the costs and benefits of migrating, which include the costs of moving and the benefits of higher wages in core countries; however, families, households and communities seek to diversify their sources of income by sending members to work in other cities or other countries as a means to survive unpredictable local economic collapses. The economic, social and psychological forces pushing and pulling migrants along historically-created networks are rarely addressed by US immigration policy and the associated institutions that these policies maintain, except in reactionary circumstances.

US immigration laws and institutions, together with economic and social aspects of society, shape the reception of immigrants and influence their subsequent chances. Portes and Böröcz discuss how the "governmental policy, public opinion, labor market demand and pre-existing ethnic communities interact in a variable geometry which can channel newcomers of similar endowments into very different paths" (1989: 620). The visa status of foreign-born individuals living in the United States delimits the economic and political freedom available under US law, with unauthorized immigrants at the bottom of the social stratum (with few political rights) and naturalized citizens at the top. Where an immigrant fits along the visa continuum influences his or her freedoms.

Immigrants without current visas, for example, live with the threat of deportation; students and their spouses with nonimmigrant visas cannot work; legal permanent residents can work and have almost unlimited freedom to re-enter the United States when returning from travel abroad, but they cannot vote; naturalized citizens cannot run for President of the United States, but they are otherwise equal to US-born citizens.

The populations of foreign-born individuals in the United States in different visa categories are growing at different rates, with the populations in the groups with legally limited opportunities growing faster than the population of permanent residents and naturalized citizens. For example, the number of legal permanent residencies granted exceeds the number of naturalizations, according to data provided by the Department of Homeland Security's *Yearbook of Immigration Statistics*; in 2006, 702,589 immigrants naturalized and 1,266,264 immigrants received permanent residency. The difference remains when accounting for the five-year period that most individuals must hold their permanent residency before applying for citizenship (spouses of US citizens must hold their permanent residency for three years); in 2001, 1,058,902 individuals received their permanent residency that would have been eligible to apply for citizenship in 2006. In another comparison, the number of unauthorized entries, as estimated by the Pew Hispanic Center, has exceeded the number of individuals arriving with immigrant visas each year since 1995 (Passel 2005).

The current per-country limit on the number of immigrant visas available that applies to most immigrant visa categories does not reflect the reality of the economic and social forces described above that cause immigration. For example, the visas available to Mexicans fell over time from an unlimited supply (due to a farm worker program set in

place during the labor shortage in 1942) prior to 1965, with a peak of 438,000 Mexicans entering the United States in 1959, to the inclusion of Mexican immigrants in the *worldwide* caps of 226,000 visas for family preference categories and 140,000 for employment preference categories in 1982. During this period of decreasing visa availability, the number of unauthorized entries was roughly inversely proportional to the number of entry visas available (Massey, Durand, and Malone 2002). Then as focus on border enforcement increased and entering without authorization became more risky, the number of Mexican migrants who settled and stayed in the United States increased, instead of entering temporarily to work and then returning home. In 1986, the US Congress passed the Immigration Reform and Control act which both further increased funding for enforcement and provided an amnesty for the immigrants living in the United States without authorization. Three million persons became legal residents (2.3 million of which were Mexicans) and eventually eligible as US citizens to petition for family members to join them through a family reunification visa. Congress then passed the Immigration Act of 1990, severely curtailing the number of family-reunification visas available – the means by which most Latin American and Asian immigrants legally enter the United States. The illegal immigration from Latin America today echoes to some extent the illegal immigration that occurred after the Immigration Act of 1965 cut off legal avenues for Irish immigrants(Law 2002). In other words, the restricted supply of visas falls far below the demand by Mexicans for these visas. Without access to legal means of entry, many Mexicans (and others) enter illegally, instead.

Illegal immigration is thus one consequence of laws that fail to account for the current reality of a demand for immigrant workers, political and economic destabilization

in sending countries, and social networks that facilitate this movement. Another consequence of current immigration laws that cap visa categories is a large backlog of family members of permanent residents or US citizens on a waiting list for many years for an immigrant visa. These are two consequences of the high demand for restricted numbers of immigrant visas. Certainly, a high demand for a restricted number of visas confers a privileged status upon those who receive them. I argue, then, that it is reasonable to ask whether or not giving this right of privilege-granting to bureaucrats allows them to favor certain people and characteristics over others.

Bureaucratic Processes

Various studies have investigated how patterns of privilege express themselves in the bureaucratic processes within the larger legal framework. Neumayer (2006), for example, observes unequal access to ports of entry, with officers facilitating access for residents from privileged Western nations and restricting access for residents of peripheral nations. Heyman (2004) also investigates how ports of entry enforce global inequalities, particularly focusing on social class. He finds that agents conducting primary inspections assume that migrants with visible signs of money are traveling across the U.S./Mexican border in order to visit or shop while the agents suspect that migrants from an apparently lower class background desire to work illegally and therefore are more likely to be sent to secondary inspections for more thorough scrutiny.

Though no sociological literature that I have found focuses on the process of acquiring LPR, a handful of studies that look at the citizenship process have informed

this project. These studies were sponsored by the Citizenship Project of the National Association of Latino Elected Officials in 1985. These studies reveal a lack of standardization between the 34 district offices across the United States as well as variation between individual immigration agents. North (1987) provides a standard overview of the citizenship application process and discusses these district and individual variations, with different application-processing techniques, examination standards, and award systems. Most strikingly, the examiner who conducts the preliminary interview has the ability to make the questions simple or very difficult. In addition, North notes that "the system provides no information on the amount of time it takes to move from one step to the next in the process," (1987: 320) one of the basic issues faced by an applicant.

Alvarez (1987) seeks to understand the citizenship process through an ethnographic study of 38 recently-nationalized immigrants and describes the variations between district offices, particularly in the examination. Some individuals only had to answer three questions while others were asked up to fifteen questions. Participants consistently reported that the ambiguities of the process created significant apprehension, leading to his conclusion that the difficulty of the process—including arbitrary procedures for citizenship examinations—was the most important barrier to pursuing US citizenship. Is there enough ambiguity and space for discernment in the immigration system for officers to favor lighter-skinned applicants for LPR than their darker counterparts?

Phenotype-based Discrimination

Colorism, or the preference of lighter skin over darker shades of skin, is a close cousin of racism, but manifests slightly differently. Both colorism and racism result from white privilege. As Feagin notes, "the racial hierarchy and status continuum run from 'highly civilized' whites to 'uncivilized' blacks, from high intelligence to low intelligence, from privilege and desirability to lack of privilege and undesirability" (2002: 968). In this context, "color hierarchy" could be substituted for "racial hierarchy" and describe the phenomenon of colorism. Omi and Winant (1994) offer that race is neither fixed or essential, nor is it simply an illusion; instead, it is "a concept which signifies and symbolizes social conflicts and interests by referring to different types of human bodies" (1994: 55). The human bodies, or phenotypes, are biologically determined but are not differentiated genetically. The social meaning attributed to the phenotypes is "a dimension of human representation" and thus forms a structuring element of society and changes over time. As an element of the phenotype, skin color contributes to this conceptualization of race.

Although the concepts are closely connected, colorism differs from racism in two primary ways. First, colorism is perpetuated both within racial groups and reinforced by outsiders. An implication of this may be that affirmative action and other programs targeted at decreasing the effects of racism for "deserving" individuals have the insidious effect of deepening the skin color hierarchy, as Hochschild and Weaver (2007) suggest. In their study of African Americans, Hochschild and Weaver (2007) identify a second difference between racism and colorism: race provides a focus for political mobilization

while political mobilization around colorism—although a widely recognized phenomenon—threatens to be divisive.

Colorism is rooted in centuries of history in the United States, though this phenomenon is not solely attributable to US society. The children of miscegenation between European colonists and African slaves were frequently granted favored status by the master, creating a hierarchy among the slaves (see Jones 2000 for a nuanced account of the historical development of colorism). Then between 1850 and 1920, the US census enumerators recorded race as "black," "mulatto," or "white," presumably by phenotypical indications; these records were used by Hill (2000) who found that those identified as mulatto had attained, on average, a higher occupational status than those identified as "black." Studies indicate that this social hierarchy, or status continuum, continues today with African American men, for example, expressing preferences for lighter skinned African American women as partners (eg. Seltzer and Smith 1991; Thompson and Keith 2001).

Colorism is not only experienced by African Americans, but also by various other ethnic groups. Lighter skin color is associated with higher occupational attainment and salaries for immigrants (Hersch 2007) and higher levels of education among Mexican Americans (Murgia and Telles 1996), whereas darker skin color and more Indian facial features are associated with higher levels of depression for Mexican American men (Codina and Montalvo 1994) and lower levels of occupational prestige (Arce, Murphy, and Frisbie 1987). General preference for lighter skin among Hispanics prevails among Hispanics both in Chilé and in the United States (Uhlmann, Dasgupta, Elgueta, Greenwald, and Swanson 2002).

Hunter (2002) proposes that lighter skin color is considered more beautiful and therefore works as a type of social capital for women. She finds that lighter skin predicts higher spousal status for African American women as well as higher educational attainment and personal earnings for both African American and Mexican American women. The perspective that light skin color functions as a form of social capital offers one example of how white privilege manifests.

The emergent research on skin color bias in Asian cultures corroborates the trend of preferring lighter skin as well. The preference for lighter skin is rooted in the old social hierarchy, where servants worked outside and developed dark skin while the wealthier class remained indoors and retained lighter skin tone. Thus, lighter skin is considered to be more beautiful, of a higher status, and therefore preferred, -- a bias that the cosmetic industry has reinforced through building a market for skin lightening products (Rondilla and Spickard 2007).

Social psychological literature explores this process of attributing qualities to a person based on perception. This is referred to as *attribution theory.* One review of this literature is offered by Kelley and Michela (1980). Attribution theory offers an explanation of how assumptions, prejudice and stereotypes of others affect one's perception and therefore subsequent behavior, which occurs throughout society. This thesis explore whether or not this is also possible in the naturalization process, particularly with regard to obtaining legal permanent residency.

1.4 The LPR Application Process

An overview of the steps of the application process for LPR will be useful in considering where possible barriers exist. The Immigration and Nationality Act of 1965 established the current immigration visa categories, prioritizing immigration through family networks and based on employers' needs, though the details have been altered through several subsequent laws.

The primary immigrant visas available are for family members of US citizens and residents and for employment purposes. Carrion (2004) explains the various visa categories and processes. The first step for an individual who is interested in becoming a permanent resident of the United States is to apply for an immigrant visa. The application requires photographs, medical examinations, and detailed personal information and proof of identity. For most of the visas available, a family member or employer must also sponsor the immigrant.

If already inside the United States, either working, traveling, or studying, then the immigrant applies to the US Department of Homeland Security's US Citizen and Immigration Services (USCIS, formerly the Immigration and Naturalization Services, or INS) for an *adjustment of status*. The immigrant is formally applying for permission to stay in the United States permanently rather than temporarily. These immigrants are called *adjustees.* If not inside the United States, then the immigrant's sponsor files a petition for the immigrant at US consulate, and the petition is then adjudicated by the USCIS. These immigrants are later called *new arrivals*.

Once the petition is approved by the USCIS for adjustees, and if there is a visa available, the immigrant is required to submit biometric information, i.e. provide

fingerprints, through an approved office to initiate the background check. Many of the family and employment-based visas are oversubscribed, with a backlog of applicants waiting for a visa to be available. Once a visa becomes available the immigrants may continue with the application process, often starting with the resubmission of background forms to bring biographical information current. The final step in the process for adjustees is the interview with an officer of the USCIS. The immigrant is informed at the conclusion of the interview whether the applicant passed. This is usually the last step of the process, with a successful interview indicating that the permanent residency card will be mailed to the immigrant within 3-6 months.

The process is similar for immigrants applying from outside the United States, except the applicants meet with a US consular officer for the interview. As Carrion warns, "The U.S. consul has, within the confines of the law, almost complete discretion as to whom and under what circumstances a visa to the United States will be granted" (2004: 4). After passing the interview, the officer stamps the applicant's passport with an immigrant visa and hands the immigrant a sealed file. Upon arrival at a port of entry, the immigrant presents his visa and the sealed package to the immigration officers, undergoes another short interview and provides fingerprints. The immigrant receives the permanent residency card in the mail one to six months later.

This process differs in some respects for other immigrants applying for other types of visas. For example, refugees and asylees must provide additional proof that demonstrates probable persecution in their home country due to political circumstances. Refugees usually apply from a third country and asylees apply from within the United States. Immigrants from countries with low admission through the employment and

family-based visas may enter the diversity lottery, and 40,000 of those who entered every year are offered a diversity visa. These differences influence the length of this part of the naturalization process, but the basic steps – application, submitting biometrics for the background check, and the interview – remain the same for all immigrants.

1.5 The Central Question: Phenotype and the LPR Process

Although most phenotype studies were conducted in the 1980s, and increased computerized processing of forms may have decreased some of the variability that results from discrimination at the bureaucratic level, there is no evidence to suggest that the human-driven bureaucratic processes have become more consistent and less biased over time. The lack of standardization uncovered in the citizenship process is likely to exist in the LPR process as well, and its effects are unknown. What function does the lack of standardization serve? Who is able to accurately decipher the requirements of the process sufficiently to complete the process? Furthermore, for immigrants initiating the legal permanent residency process from their home countries, the process involves both the Department of State's consular offices and the Department of Homeland Security's USCIS offices. The numerous visa categories also add variation and potentially more space for bureaucratic discernment when compared to the citizenship process, for which legal permanent residency is a prerequisite.

Portes and Curtis (1987) find that perceived discrimination in US society has a negative effect on a Mexican immigrant's decision to pursue citizenship at all, though their study did not include phenotype indicators in the model. Does discrimination in the LPR process itself have an effect on potential permanent residents? A better

understanding of the LPR process will help researchers gain a better understanding of the barriers to citizenship and will help inform related public policy and bureaucratic changes in the immigration process.

This literature and these observations about the citizenship process lead to the central question of this study. Is discrimination based on phenotype contributing to the structural barriers in the LPR portion of the naturalization process? Due to the almost nonexistent knowledge of the influences in the permanent residency process and to the evidence of differential life chances based on skin color, the central question of this study focuses on whether persons with darker phenotypes face a longer process in receiving residency than those with lighter phenotypes. I hypothesize that immigrants (particularly Asian and Latin American immigrants) with darker skin color will report longer LPR process times than those with lighter skin color.

2. Data and Methods

2.1 Quantitative Data and Methods

The methods for this paper are primarily quantitative, though qualitative interviews with immigrants and agencies add additional meaning and depth to the findings. Quantitative data for this study are taken from the first wave of the New Immigrant Survey 2003. The New Immigrant Survey is a multi-cohort longitudinal study of new legal immigrants and their children, conducted collaboratively by RAND, Princeton University, New York University, and Yale University. This project is based on the first wave of the NIS, a nationally representative sample draws from administrative records compiled by the U.S. Immigration and Naturalization Service (now the USCIS) of immigrants who gained legal permanent residency status during the period from May to November 2003. These data include 8,573 adult respondents with a response rate of 68.6%.

This sample was drawn as the immigrants received their legal permanent residency and not when they initially applied for LPR. The sample thus includes multiple cohorts of applicants, and the immigration policy and the bureaucracy may have changed substantially over time. It is not possible to control for this variability, so it limits the strength of the results.

The NIS sampling design was stratified according to the sampled individual's immigrant visa category. This design element requires some explanation. A person entering the country with the intent of staying permanently is granted an immigrant visa. Each immigrant visa has different eligibility and regulatory requirements which may

affect the LPR process time. The NIS (2003) divides immigrant visas recipients into four categories: (1) spouses of US citizens, (2) immigrants sponsored by an employer, (3) winners of the diversity lottery, and (4) other, including refugees, asylees, parolees and other family-sponsored immigrants. The survey design includes these strata in order to gather reliable information in all immigrant visa categories, since some categories include up to five times as many immigrants as in other visa categories. In this analysis, the responses will be weighted accordingly.

Participants in the NIS survey include principal immigrants and those accompanying them. Principal migrants are those who received an immigrant visa from the US government according to a particular class of admission, which are grouped into immigrant visa categories in this study, as noted above. Accompanying immigrants are the principal immigrants' spouses and children. In this study, I will only include principal migrants, which will eliminate about a quarter of the original adult sample.

The NIS measures skin color using the NIS skin color scale developed by Massey and Martin (2003) . The scale is this study's variable of interest, with an 11-point scale ranging from "0," which represents albino phenotype, to "10," which represents the darkest phenotype possible. The interviewer rated the skin color of the respondent following the last interview session. Since the NIS (2003) researchers conducted only 40% of the interviews face-to-face, they were unable to collect skin color data on most of the remaining 60% of the participants (although in some cases they met with immigrants who completed a phone interview and were thus able to record skin color). As a consequence, approximately 2/3 of the cases had unknown skin color effects, yielding a final sample size of 3053. Skin color also changes according to the season due to

exposure to the sun, so I added seasonal control variables of summer, winter and spring/fall, to reflect the season of the interview.

The measurement of skin color is recorded by researchers and thus may influence reliability, but with 255 investigators conducting these interviews, it was not possible to control for the investigator. In another study using a smaller sample from the NIS (2003) skin color data, the researchers controlled successfully for interviewer bias and found bias to be unlikely (Hersch 2007). I also found it necessary to collapse the 11-point scale, found in the Appendix, into a 5-point scale due to problems of heteroskedasticity. I combined 0-2 on the scale to create the category "light," 3 and 4 for the category "medium-light," 5 and 6 for the category "medium," 7 and 8 for the category "medium-dark, and 9 and 10 for the category "dark." This categorization may also improve inter-observer reliability, if such issues exist.

In a study using different data, Hill (2002) finds that the race of the interviewer biases the interviewer-based skin color assessment in two ways. First, white interviewers report significantly darker skin colors for African Americans than black interviewers, while black interviewers reported significantly lighter skin colors for whites. Second, the interviewers perceived greater variation in skin color of persons in their own race than in individuals of the other race. Unfortunately, the NIS did not collect data on the race of the interviewer. Consequently, any findings using the NIS skin color scale should be taken cautiously.

The dependent variable used in this study is years to legal permanent residency once the process has been initiated. This variable is based on this question: "*Now I have some questions about the process that led to your obtaining the immigrant visa you now*

have. In what year did you or your sponsor, or your spouse or parent, or your spouse's or parent's sponsor file the first application or petition to start the [LPR] process?" The difference between this year and 2003 – when all of the participants received LPR – was calculated to produce the length of the residency process.

It is worth noting that the NIS sample is a sample of legal permanent residents. That is, all of the respondents were successful in obtaining legal permanent residency. In this way, they are not a representative sample of US immigrants nor are they representative of immigrants who apply for permanent residency. In addition, using a sample of immigrants who have successfully completed the process may result in the right censorship of the coefficients for LPR process time. This means that the average length of time for each category may in fact fall more toward the right on the "x" axis, i.e. take longer, if another sample of immigrants were used that included those who are still waiting for their LPR. The findings presented here, therefore, represent a conservative picture of the current LPR process.

In order to gain an understanding of the influence of skin color on the permanent residency process, I conduct regression model-building, starting with the relationship between skin color and length of process, controlling for the season of the interview, then adding three additional vectors in successive models. The vectors are composed as follows:

1) **Socioeconomic Status (SES):** employment earnings and education attainment
2) **Demographic Characteristics (Dem):** age, gender and marital status

3) **Immigration Background (IB):** adjustee vs. new arrival, ever previously entering the United States without legal documents, immigration visa category and country of origin

One major factor affecting the length of the LPR application process is likely to be socioeconomic status, measured in this study through employment earnings and education attainment. These two factors influence the decision to pursue citizenship (Yang 1994), and thus may also influence the speed of the LPR process through the motivation of the immigrant as well as through societal experiences and influences.

The minimal cost of filing paperwork for all aspects of immigration (including visa applications and citizenship applications) easily exceeded $1,000 as of June 2007, not including additional fees for legal consultation and services. Immigrants from the working class may allow the process to draw out longer in order to save the funds necessary for each step. Furthermore, the currency in many countries is weaker than the dollar (excepting the Euro and the English pound), so the cost is comparatively more for persons working in these countries. Bias in favor of higher socioeconomic status immigrants may also play a role in receiving LPR and citizenship in a timely manner.

I use the combined earned income of the respondent and his or her spouse (if applicable) to measure income. Unfortunately, the NIS dataset—like most datasets—has high rates of missing responses for reported income. I therefore impute income, using a multiple imputation procedure based on the full model, in order to generate values for the missing cases, and I create a dichotomous variable to control for the missing data (1=missing on income; 0=not missing). When checking the Gauss Markov assumptions

on my models, I also found a non-normal distribution for income, which I addressed by removing the fourteen cases with highest leverages and residuals based on Cook's D values, and nonlinearity, which I corrected by transforming income by taking its natural log. Income also appears to have correlated error terms, which may be due to imputation. This variable is thus problematic and the coefficients for income reported in this study should be viewed cautiously. Despite these difficulties, income remains in the model due to its importance as a socioeconomic status control.

Level of education is the other variable in the socioeconomic status vector. The higher the education of the immigrant, the greater human capital of the immigrant, and therefore the naturalization process is likely to proceed more quickly. I again failed to find identical variance when using the number of years of schooling reported, so I collapsed the education variable into five categories to avoid heteroskedasticity.

The demographic characteristics included are age, gender and marital status. These three factors were also found to be significant in studies of motivation behind pursuit of naturalization (Yang 1994), and therefore should be held constant in this current study. As in other cases, there are some data limitations on measurement. Age, for example, is reported in the NIS only in grouped birth cohorts, rather than single years of age, which would be preferable. For the purposes of this study, I also collapsed those who are married with those who are cohabiting in a marriage-like relationship.

The vector of immigrant background characteristics includes four variables. The first variables distinguish adjustees from new arrivals. Adjustees and new arrivals work with different bureaus of the federal government and the processes may vary, though the underlying laws and requirements remain the same.

The control variable for entering the United States without documents is a rough measurement at best since people may decide against mentioning unauthorized entries. This measure also does not control for the other possibility of being present in the United States without documents, such as when a traveler stays past the expiration of the visitor's visa. This is not as grave an offense according to US immigration law (since *entering* without documents violates criminal law but *being* without documents does not) but it may add time to the process, because immigrants are required to provide sufficient proof to the immigration officers that, at the time of arrival, they did not plan to stay in the United States permanently and that their plans changed thereafter. The immigration officers may decide that the proof initially provided was not sufficient and request additional documentation from the immigrant.

United States immigration laws sets overall and per-country limits on the number of people who can obtain LPR each year, and these limits differ across immigration visa categories. Only visas granted to immediate relatives of US citizens– spouses, parents, and children under the age of 21 – remain unlimited. Because the likelihood of obtaining LPR is affected by the number of immigrants from a particular country, the backlog and waiting period per country changes continually, as is depicted in the US Department of State's monthly *Visa Bulletin*, and waiting periods for LPR can last anywhere from less than one year to over 20 years. The backlog depends both on the legal limits on immigrants entering the country and number of individuals from a given country interested in immigrating to the United States that are on the waiting list.

In an attempt to control for the effects of these limits, the immigration background vector model includes country controls. The NIS controlled for twenty-six country and

groups of countries, but including all of these countries strained the limits of parsimony of a sample of approximately 3,000. I collapsed these 26 countries into nine categories based on geopolitical regions. Clearly, the entirety of the variability due to international politics, legislative categories and bureaucratic processes is not captured by this model.

2.2 Immigrant Characteristics

Descriptive statistics are presented in Table 1. The immigrants in this sample waited an average of four years and five months for their Legal Permanent Residency status, with a minimum of less than a year and maximum of 27 years. More of the immigrants fell on the lighter side of the skin color scale, with 23.6% of the respondents identified as having light skin color, 33.9% with medium-light skin color, and 27.0% with medium skin color, substantially fewer (10.4%) with medium-dark skin color, and the remaining 4.5% with dark skin. The investigators recorded the skin color of about one-third (32.1%) of the participants in the summer months when skin color is likely to be darker, slightly more than one-quarter (27.0) in the winter months when skin color is likely to be lighter, and the rest (40.9%) in the spring or fall months when skin color changes.

The socioeconomic status of the immigrants is estimated through income and level of education. The average earned income of both spouses is $36,950.00, although 40% did not disclose their income. About one-third of the respondents did not graduate from high school, with 18.4 not reaching high school and 13.4 attending some high school. More than half of the immigrant continued education at the college level, 22.1%

Table 1: Descriptive Statistics of Respondents in the OLS Data

Variable	Mean
Process time	4 yrs 5 mos (4.21)*
Light Skin	23.6
Medium-light skin	33.9
Medium skin	27.7
Medium-dark skin	10.4
Dark skin	4.5
Skin color recorded in summer	32.1
Skin color recorded in winter	27.0
Skin color recorded in spring/fall	40.9
Income	$36,697.39 ($27544.78)
Missing income response	40.0
Less than high school	18.4
Some high school	13.4
High school diploma	14.6
Some college	22.1
College degree or higher	31.6
Married or Marriage-like	68.7
Male	51.4
Born after 1980 (18-24 years old)	7.0
Born 1968-1979 (24 to 38 years)	50.1
Born 1050-1964 (39 to 53 years)	27.0
Born before 1950 (older than 53)	16.0
Visa: Spouse of U.S. Citizen	17.9
Visa: Spouse of LPR	2.4
Visa: Parent of U.S. Citizen	12.0
Visa: Child of U.S. Citizen	2.4
Visa: Family, Fourth Preference	4.6
Visa: Employment Preference	17.6
Visa: Diversity Immigrants	18.6
Visa: Refugee/Asylee/Parolee	7.1
Visa: Legalization	9.3
Visa: Other	8.3
Previous undocumented experience	19.9
Adjustee	54.8
Born in Mexico	13.3
Born in China	6.4
Born in India	6.4
Born in other Asian countries	10.2
Born in other Latin American countries	26.3
Sub-Saharan African countries	8.8
Europe/Australia/Canada	19.0
Middle Eastern/North African countries	4.5
Born in the Philippines	5.2

*Means or percentages shown (standard deviations in parentheses)

Source: Jasso, Guillermina, Douglas S. Massey, Mark R. Rosenzweig and James P. Smith. "The New Immigrant Survey 2003 Round 1 (NIS-2003-1) Public Release Data." March 2006. Retrieved 8/21/07. Funded by NIH HD33843, NSF, USCIS, ASPE & Pew. http://nis.princeton.edu.

completing some college and 31.6% earning an undergraduate degree and/or additional certification.

In terms of demographics, about half of the respondents were male (51.4%) and more than 2/3 of the respondents were married or in a marriage-like relationships (68.7%). A large majority of the respondents (50.1%) are between 24 and 38 years old. The immigration background of the respondents is diverse. Roughly equal numbers of respondents had petitioned for LPR as a spouse of a US citizen (17.9%), under an employment visa (17.6) and under the diversity lottery (18.6). On the other end of the spectrum, fewer immigrants received LPR in this sample as adult children of US citizens (2.4%), as spouses of LPRs (2.4%) and under the family, fourth preference visa (4.6%). Family-sponsored visas are divided into four preferences, each with their own numerical limit as well as with a combined global numerical limit of 480,000. The first preference includes unmarried children of US citizens over the age of twenty-one (limited to 23,000 visas annually) ; the second preference includes spouses and unmarried children of legal permanent residents (limited to 114,200 anually); the third preference includes married children of US citizens over the age of twenty-one (limited to 23,400 annually); and the fourth preference includes siblings of US citizens (limited to 65,000 annually). Any visa not used in a higher preference becomes available for the next preference. Visas for immediate relatives, including parents, spouses and children of US citizens are not limited.

One-fifth (19.9%) of the respondents reported previous experiences of entering the United States without a visa, and slightly more than half of the respondents were already living in the United States under a nonimmigrant visa (for travel or studying, for

example) or without documents and requested adjustment of status based on the immigrant visa categories. Again, these are referred to as *adjustees.*

An examination of country of birth shows that the largest country of origin was Mexico, with 13.3% of the respondents born in Mexico. The next largest countries of origin include China and India, each the birth place of 6.4% of the respondents, and the Philippines, birthplace of 5.2% of the respondents. Of the countries combined in categories, over a quarter of the respondents were born in a Latin American country other than Mexico (26.3%), about one-fifth (19.0%) of the respondents came from Europe, Australia or Canada, 10.2% came from Asian countries (except China, India, or the Philippines), 8.8% came from Sub-Saharan African countries, and 4.5% came from the Middle East and North African countries.

2.3 Qualitative Data and Methods

The qualitative data were gathered through interviews with ten immigrants who have applied and received legal permanent residency. Two more were conducted of respondents who were of limited applicability to this study because they have not progressed through the process to the point of completing the interview for their legal permanent residency. The immigrant informants are described in Table 2. The two respondents who had not received legal permanent residency highlight the possible existence of right censorship in the quantitative sample, as it excludes the experiences of all immigrants who were denied, dropped out, or were not eligible to complete the process. Respondents were found through an adult English language learning school that agreed to solicit participants from its classes, and the other respondents were identified

Table 2. Description of Immigrants Interviewed

Gender	Country of Origin	Skin Color	Current Age	Immigrant Visa Type	Adjustee?
Female	Mexico	Light	24	Spouse of U.S. resident, then as victim of domestic violence	Yes
Female	Panama	Medium-light	42	Spouse of U.S. resident, then as spouse of U.S. citizen	Yes
Female	Pakistan	Medium-light	29	Spouse of U.S. permanent resident, then as spouse of U.S. citizen; Also sponsored her parents	No
Male	Sudan	Dark	36	Refugee	No
Male	Israel	Light	30	Spouse of U.S. citizen	Yes
Female	Mexico	Medium-light	54	Spouse of U.S. resident, then spouse of U.S. citizen	Yes
Male	Mauritania	Dark	45	Asylee	No
Female	Romania	Light	29	Diversity lottery winner, an accompanying immigrant	No
Male	Bolivia	Medium-light	24	Spouse of U.S. citizen	No
Female	Peru	Medium	31	Spouse of U.S. citizen	No
Male	Mexico	Medium	No information	Applied, did not receive	n/a
Male	Mexico	Medium-dark	No information	Applied, did not receive	n/a

through my acquaintances. Respondents came from a variety of continents, including North and South America, Sub-Saharan Africa, the Middle East, and Europe. Unfortunately, no Asian immigrants participated.

Of the ten eligible immigrant informants, five were female and five were male. They come from nine different countries and range from 29 to 54 years old. The immigrant visas they held included refugee, asylee, winner of the diversity lottery, and the remaining six applied as spouses. An immigrant may first apply under one immigrant visa category, and then re-apply under another category, which occurred with several informants who first applied as spouses of legal permanent residents and then re-applied as spouses of citizens.

Five of the informants applied for an immigrant visa at a consular office outside the United States, completed their interviews there, and then arrived in the United States to complete the process at the airport upon arrival. The USCIS then sent their legal permanent resident card in the mail. The four adjustees were already in the United States due to a non-immigrant visa (or without a visa) and then applied to the USCIS to adjust their status and dealt with the USCIS in the Department of Homeland Security office for the entire process. These factors are accounted for, albeit imperfectly, in the OLS model through the adjustee variable and the country of origin variable.

Interviews were also conducted with two agencies that help immigrants through the immigration process, as are described in Table 3. An interview conducted with a third agency is also of limited applicability, as this agency works extensively with immigrants´ rights but does not have sufficient intimate experience with the immigration process to offer many insights. Questions for both immigrants and agencies focused on

Table 3. Description of Agencies Interviewed

Agency	**Description**
Lawyer	Assists only with family-based petitions Also practices criminal law Sponsored his wife for the permanent resident process
Religious Non-profit Organization	Assists with family-based petitions, refugees and asylees
Immigrant Advocacy Organization	Does not work directly with the immigration process Advocates for changing the immigration legislation

the experiences of immigrants with the immigration process, the informants´ own critiques of the process and how it can be improved, and whether the informants thought that discrimination influenced the process. Each interview lasted from 30 to 60 minutes, and the interviews were conducted in Spanish and English.

3. Findings

3.1 Model 1: Bivariate Model

Using ordinary least squares regression, I employed OLS regression using model-building to investigate the relationship between skin color and the length of the LPR processes, presented in Table 4. Model 1 displays the reduced model with the seasonal control to more consistently estimate skin color, revealing that immigrants in each of the skin color categories except the darkest take significantly longer than the migrants with the lightest skin color to get through the LPR process. Coefficients are measured in years, but I transform the fractions into rounded months as I discuss the findings, providing the coefficient in parentheses, to create a discussion more consistent with common parlance.

Compared to the lightest category, the next three phenotypes take about nine months (.765 of a year), one year and five months (1.408) and almost a full year (.976) longer to complete the LPR process, respectively. The middle phenotype has the largest coefficient, perhaps due to the high number of immigrants originating in Mexico and China where skin tone tends to fall in the medium range. The model is statistically significant with an F-statistic of 8.05 ($p < .001$), though the model accounts for only about 1.4% of the variance in LPR process time. The season that the skin color was recorded is also significant, with those whose phenotype was recorded in winter months ($p < .01$) and in the fall and spring months ($p < .05$) experiencing a faster LPR process time by up to six months, which corresponds with relatively lighter skin color in these months than in the peak summer months.

Table 4. OLS Regression Results: Length of Legal Permanent Resident Immigration Process and Skin Color

VARIABLES	Model 1		Model 2		Model 3		Model 4	
Light Skin	---		---		---		---	
Medium-light skin	0.765***	(0.21)	0.598**	(0.21)	0.587**	(0.20)	-0.072	(.16)
Medium skin	1.408***	(0.22)	1.098***	(0.22)	1.011***	(0.21)	0.111	(.17)
Medium-dark skin	0.976**	(0.29)	0.659*	(0.29)	0.535	(0.28)	0.009	(.23)
Dark skin	0.665	(0.42)	0.453	(0.41)	0.337	(0.40)	0.522	(.34)
Skin Color Recorded in Summer	---		---		---		---	
Skin Color Recorded in Winter	-0.574**	(0.20)	-0.624**	(0.20)	-0.509**	(0.19)	-0.280	(0.14)
Skin Color Recorded in Spring/Fall	-0.461*	(0.18)	-0.387*	(0.18)	-0.326	(0.17)	0.044	(0.13)
Log of income, in thousands			-0.167**	(0.05)	-0.139**	(0.05)	0.120**	(0.04)
Missing income response			-1.038***	(0.16)	-0.911***	(0.15)	-0.387**	(0.12)
Less than high school			0.120	(0.25)	-0.230	(0.25)	-0.078	(0.20)
Some high school			0.720**	(0.27)	0.674*	(0.26)	-0.140	(0.20)
High school diploma			---		---		---	
Some college			-0.346	(0.25)	-0.449	(0.24)	0.028	(0.18)
College degree or higher			-1.179***	(0.24)	-1.373***	(0.24)	-0.582**	(0.18)
Married or Marriage-like					-0.973***	(0.18)	0.033	(0.16)
Male					0.465**	(0.15)	0.146	(0.12)
Born after 1980 (18-23 years old)					---		---	
Born 1965-1979 (24 to 38 years)					2.065***	(0.30)	0.666**	(0.26)
Born 1950-1964 (39 to 53 years)					3.784***	(0.31)	1.246***	(0.28)
Born before 1950 (older than 53)					2.173***	(0.34)	1.487***	(0.34)
Visa: Spouse of U.S. Citizen							---	
Visa: Spouse of LPR							4.974***	(0.37)
Visa: Parent of U.S. Citizen							-0.662*	(0.29)
Visa: Child of U.S. Citizen							2.137***	(0.44)
Visa: Family, Fourth Preference							11.206***	(0.32)
Visa: Employment Preference							1.368***	(0.25)
Visa: Diversity Immigrants							0.284	(0.27)
Visa: Refugee/Asylee/Parolee							3.300***	(0.25)
Visa: Legalization							3.934***	(0.26)
Visa: Other							5.845***	(0.25)
Previous undocumented experience							0.343	(0.18)
Adjustee							0.465**	(0.15)

Table 4. Continued.

VARIABLES	Model 1	Model 2	Model 3	Model 4	
Born: Mexico				---	
Born: China				-0.850**	(0.28)
Born: India				-0.851**	(0.31)
Born: Other Asian Countries				-0.856***	(0.24)
Born: Other Latin American Countries				-0.687***	(0.19)
Born: Sub-Saharan Africa				-0.695*	(0.32)
Born: Europe Australia, North America				-0.654**	(0.24)
Born: Middle East, North Africa				-0.528	(0.33)
Born: Philippines				0.296	(0.31)
Constant	3.912***	5.310***	3.460***	1.670***	
Observations	3053	3053	3053	3053	
Adjusted R-squared	0.014	0.056	0.113	0.501	
F	8.048***	16.150***	23.940***	86.15***	

Standard errors in parentheses
*** p<0.01, ** p<0.05, * p<0.1

Source: Jasso, Guillermina, Douglas S. Massey, Mark R. Rosenzweig and James P. Smith. "The New Immigrant Survey 2003 Round 1 (NIS-2003-1) Public Release Data." March 2006. Retrieved 8/21/07. Funded by NIH HD33843, NSF, USCIS, ASPE & Pew. http://nis.princeton.edu.

When asked, none of the immigrant informants believed that discrimination based on skin color affected the process as they experienced it. However, the key informants in the agencies expressed the belief that discrimination and personal bias influence the process. Although they could offer no evidence, it appeared that this belief was based largely on the fact that bureaucrats are give the latitude to discriminate in the LPR process. The lawyer informant stated:

> *The immigration officers …have a lot of, a lot of discretion. And the decisions that they are making just impact people's lives in the most basic way – where are you going to live, who're you going to be married to, who's going to take care of your kids, I mean, everything…. The double-edged sword in it, in the whole system, is the discretion.*

3.2 Model 2: Socioeconomic Variables

Socioeconomic variables added to the OLS model, shown in Model 2, decrease the effect of skin color by up to four months, though the relationship remains significant for the same three categories, medium-light skin, medium skin and medium-dark skin when compared to the lightest skin color category ($p < .01$; $p < .001$; $p < 05$ respectively). Both income and the control for missing information for income are significant, so the coefficient for income should be regarded with caution. Education level is important. Those who have not completed high school experience an immigration process of nearly nine months (.720) longer ($p < .01$) than those with a high school diploma, and those who have a college degree or more education experience a process one year and two months (1.179) shorter ($p < .001$) than those with a high school

diploma. This model captures 6.0% of the variability in the LPR process time with an F-statistic of 16.15 ($p < .001$).

A number of the informants identified two aspects of the immigration process that require financial resources as unreasonable and problematic. The first aspect covers the fees involved with the immigration process. These fees include filing fees that accompany many of the applications, fees for an interview if an immigrant applies through a US consulate in another country, and fees for a lawyer if a lawyer is necessary. One informant from Africa who hired a lawyer stated, "For asylum I paid eight hundred [dollars]. Everywhere you go, someone want your money, money, money. You know it's not easy." The key informant from the law office also pointed to the fees, saying,

> *I think the fees are way too high for most people. The people that are coming here generally, I mean, to pay $1000 to get a green card is a lot of cash. I mean it's a lot of cash. Now, the government argues that we have to charge you that much in order to have an efficient system. Well, the system isn't very efficient. I mean it's not very fast. And they say, well they need to increase funds and then we'll make it fast. Well it's still the same old system that it was before. So the fees are too high.*

The second aspect of the immigration process that requires financial resources is the eligibility requirement for family-based petitions, mandating that the immigrant prove an income of at least 125% of the U.S. poverty line, or alternatively substantial assets in case of financial need. If an immigrant does not meet this requirement, someone else who does meet the requirement must sponsor the immigrant, agreeing to take financial

responsibility in case of a financial emergency. The stated purpose of this requirement is to prevent immigrants from laying claim to welfare benefits (something they are not eligible for until after a significant time in the United States), but it creates a substantial barrier for many otherwise qualified immigrants. The immigrant from Bolivia who stumbled on this requirement shared:

> *If a person from another country is legally married with an American citizen, it does not seem necessary to require a third person to sign for this support. This was the one difficulty for my wife and me. It is not easy to find someone to accept responsibility for another person who he has never met and doesn't know if the person is an honest man or honest woman or if the person is coming to this country to cause trouble. I asked some good friends but they could not support me because they didn't earn much money. And I asked the parents of my friends and they didn't want to because they didn't know me or what kind of person I am. It is understandable. But if the investigation concludes that we are legally married, I would change this.*

Both agency informants also identified this minimum income requirement as a stumbling block for many otherwise eligible immigrants. The lawyer also made the point that there are a lot of people in the United States already who don't make this amount of money, and the government does not kick them out. In other words, immigrants are held to a higher standard than US citizens.

3.3 Model 3: Demographic Variables

The third model in the OLS regression table includes the demographic variables of age, marital status and gender. These demographic controls decrease the effect of skin color only slightly and leave two of the skin color groups – the medium-light and the medium groups— experiencing a significantly longer immigration process time than the group with the lightest skin color ($p < .01$ and $p < .001$ respectively). Interestingly, the process takes almost a complete year (.973) less for married immigrants than for those not married ($p < .01$), and nearly six months (.465) faster for women than men ($p < .001$).

The visa category is not yet controlled for, so this likely reflects the facilitated process for those immigrants who marry a US citizen, and perhaps certain visa categories attract more men than women. Race was originally included in this model as well, but due to multicollinearity with countries of origin, I omitted race. (See Appendix 1 for a model with race instead of country of origin.) Age also influences the length of the immigration process time, with the youngest group (18-23 years) experiencing a significantly faster process time than all the older adults, two years faster than the 24 to 38 year olds (2.065; $p< .001$), two years and two months faster than those older than 53 (2.173; $p< .001$), and three years and nine months faster than the 39 to 53 year olds (3.784; $p< .001$). This model accounts for 11.3% of the variability in the LPR process time with an F-statistic of 23.94 ($p < .001$). None of the informants pointed to any of these demographic factors directly.

3.4 Model 4: Full Model

The final model in the OLS regression table includes the four immigration background variables, including if an individual is an adjustee, if an individual has ever entered the United States without legal permission, the visa category and the countries of origin. With these additions, the model now explains 50.1% of the variation in the length of the LPR process, with an F-statistic of 86.15 ($p < .001$), and none of the skin color categories remain significant. When trying this model-building sequence on samples limited to Mexican and Chinese immigrants only (not shown), the same pattern emerges, with the immigration background characteristics explaining away the initial skin color effect. Gender and marital status also fell from significance in this final model, also mediated by the immigration background variables.

The strongest predictors are the visa categories, with the immigrants arriving with a 4th preference family visa taking more than eleven years (11.206; $p < .001$) longer than the reference category of spouses of US citizens. The immigration process takes five years (4.974) longer for spouses of lawful permanent residents, four years (3.934) longer for holders of legalization visas, three years (3.300) longer for asylees and parolees, two years (2.137) longer for children of US citizens, and one year and four months (1.368) longer for those with employment visas than the process takes for spouses of US citizens ($p < .001$ for all these categories). Surprisingly, the process takes about eight months (.662) less for parents of US citizens than for spouses of US citizens ($p < .05$).

Surprisingly, having entered previously without documents does not significantly change the process time, even though this was the case for 19.9% of the respondents. It may be the case that the immigrants did not report this on their petition for an immigrant

visa, it may be the case that the legalization opportunity offered in 1986 continues to decrease this effect, or there may be overlap between this category and those born in Mexico. It is also likely that entry without documentation significantly increases the total time (from entry into the US to LPR), but not LPR process time, per se. A cross tabulation of respondents (not shown) born in Mexico and respondents who entered the country illegally revealed that, of the 606 respondents who had entered the country without authorization, 210 or 35% were born in Mexico. Consequently, controlling for Mexican origin may suppress process time effects.

Country of origin also influences the length of the immigration process. Compared to immigrants from Mexico, the LPR process time takes about ten months less for immigrants from China (.850; $p < .01$), India (.851, $p<.01$), and other Asian countries (.856; $p<.001$), and about six months less for immigrants from other Latin American countries (.687; $p<.001$), Sub-Saharan African countries (.695; $p<.05$) and Europe, Australia and Canada (.654; $p<.01$). The process takes about as long for immigrants from the Middle East and North Africa and the Philippines as it does for those from Mexico. The process takes about five months longer (.404 of a year) for immigrants already in the United States and requesting an adjustment of status than for the immigrants applying for LPR from outside the country ($p < .01$). Overall, these models demonstrate that the initial relationship between medium skin color and the length of the immigration process is mediated by these immigration characteristics in this final vector. This does not mean that discrimination does not exist. It merely suggests that discrimination may be occurring at an institutional level. That is, we see effects on country of origin and visa type—effects that are likely the result of laws that restrict the number of LPRs issued.

The consequence of these laws is that Mexicans, for example, have a considerably longer process time than Canadians, when all other factors have been controlled. [See skin color distribution per country category in Appendix.]

My immigrant informants identified several immigrant background factors as influencing the process, but not skin color. None of the informants believed skin color influenced the process, nor did they report experiencing bias due to skin color themselves. The full model then supports the informants, that skin color is not a direct factor in the immigration process.

The informants' experiences do confirm that many other factors in the immigrant background vector influence the process. First, the country of origin makes a difference in the way the immigrants are treated according to the informant from Panama. In reflecting on what she has heard from other immigrants, she seemed sure that the USCIS officers treat people from certain countries differently. She said:

> *They treat the people from Venezuela badly, due to the problem with Hugo Chavez. It is interesting, stressful, because they [the USCIS officers] have a psychological stereotype and ask questions according to the country, awful questions, like the FBI. They behave like the FBI….for those from Mexico it is worse. They don't have any chance because if they enter illegally, they are breaking the law…for people from Peru it is like those from Panama. It is stressful but in the end it works out…it depends on the country.*

She thus believes that country of origin strongly influences the process, which is somewhat supported by the quantitative analysis, and she connects illegal presence in the

United States with being Mexican. Indeed, the cross tabulation between Mexicans and unauthorized entry in this sample of legal residents revealed that, of the 407 Mexican respondents, 210 (52%) had previously entered the country without authorization.

According to current immigration law, a person may be forgiven for overstaying a visitor's visa if they marry a US citizen, and can adjust their status in the United States. However, starting in 2001, those that enter the United States without documents and marry a US citizen are required to return to their home country for three years if they had been in the United States for less than one year, and ten years if they had been in the United States for more than a year, as was explained by the immigrant services informant. She explained the difficulties surrounding those who enter the United States without authorization:

> *They never get forgiven of that unless they show extreme hardship. So it's not even like, I have this man who's down there now, he's waiting for his waiver to be adjudicated, and he's got a wife and two kids and they are all US citizens and they've been without him for a while now because they've been waiting for so long. It's not enough that, yeah, he's the father and they need financial help and the kids need a father and the mom and dad love each other and want to be together. Like that's not enough, somebody's gotta be like dying, really sick and cannot function without help. It's crazy. And it's up to the consulate, whoever's adjudicating it. It's discretionary. They can use their discretion to say, 'Oh, yes, this is extreme hardship,' or 'This isn't.' So, no matter what we say, it's always possible that they decide to deny it and they could never come here legally. They would have to wait the 10 years. So that's a big mess…*

The individuals experiencing this barrier to LPR are among those that are right censored in the quantitative analysis. This barrier results in dissuading immigrants from trying to correct their situation. Some try, as the immigrant services informant continued to explain, "I mean, a lot of people are willing to do anything. A lot of people are willing to go for it and just hope that it works. Honestly, I've been here for a little over two years and I haven't heard of anybody get to the final process yet."

The lawyer recognized the importance of the limits placed on visa categories. He shared, "…So when I talked to people and they say, you know I'm a US citizen and my brother and sister are still in Honduras or somewhere. I say that you know you can apply but you're talking at least 15 years or more. And that's because they only issue a certain number of visas per year for a category and there are obviously more people want to come than they want to let in." He is referring to the fourth and last preference category within the family-based visas, applications of brothers and sisters of US citizens.

The background check (a factor not measured in the NIS) was mentioned as a barrier by three of the informants[1]. The informant from Israel, the woman from Pakistan who applied for her parents, and the immigrant services informant pointed to the background check as holding up the process. The informant from Israel had a successful interview in April, seven months before I interviewed him, and the officer told him at the end of the interview that he passed and the only thing missing was the background check.

[1] These two examples of the background check increasing the length of the LPR process time may be influenced by heightened demands for Homeland Security due to the attacks on September 11, 2001, particularly for immigrants from countries in the Middle East. The Middle East in this context includes both Israel and Pakistan.

And uh, that's where it's still at. Yeah, so, since that point I keep calling and asking them what's going on and I put in two requests to research the file or whatever and I guess it's stuck on the FBI background check. Which, you know, I can't really figure it out. They're supposed to have a lot of stuff on me, you know, I work at [a high security governmental research center], you know. Before I started working there they had like six months before I got my security clearance where they had to check my background and everything. So you know I can get into [my office building], which is a secure area, but they can't punch my name into the computer and you know find out that I don't have any criminal background or something. So, I don't know, that's where it's at.

The woman from Pakistan identified a possible gender bias with the background check as well. Once she naturalized, she sponsored her mother and father. She explained:

It took two years for my mother [to receive her green card] but my father, he had to wait. They didn't tell him anything. We went together [to the US consulate in Pakistan] but they told him: 'You don't come until we call.' They will call you when they receive the file. He's still waiting. Even I have sent 2-3 emails to them and they just said it is in the administrative process. Even my friend it happened the same thing, her mom got the visa but her [mother's] husband is still waiting. I don't know, maybe they are doing an investigation right now. Security, it's a good step. They have to check every person who comes here, but why does it take more than two years?

In the stories shared by the informants, those that applied from their home countries through a consulate generally experienced a faster process time than those who applied through the USCIS in the United States. The woman from Romania who received a diversity lottery visa experienced the unusual situation of having the option of choosing. She and her husband were already students in the United States, and her husband won the diversity lottery. They thus had the option of filing for the diversity visa and permanent residency within the United States or returning to Romania to apply through the US consulate.

They initially tried to adjust their status with the USCIS, but the regional personnel were not clear about her rights, particularly whether or not she could apply with her husband, as they had married after he entered the lottery. She reports, "[the USCIS] didn't encourage me to apply from here, saying my husband should apply first for adjustment of status, and I should wait and apply later." After internet searches, reading the text of the immigration law, phone calls, a visit to a lawyer, and a visit to the Atlanta USCIS regional office, "finally we called the American embassy in Bucharest and we talked to some Romanian officers at a consulate there and they were very clear about my options. They were advising us, saying that we should do the whole procedure through them." They then prepared paperwork before going back to Romania, and then after a several days in Bucharest completing the final requirements, she and her husband were granted the diversity visa to return to the United States. When returning to the United States, they completed the biometrics requirement for LPR at the airport and received their permanent residency card in the mail one month later. This may be explained by the fact that the USCIS handles the whole gamut of immigration cases, but

the diversity lottery is usually attended by the consulate. The consulate then had its own procedures where the law is ambiguous, while the USCIS officers were not familiar with this particular circumstance.

4. Qualifications of the Quantitative Model

The qualitative interviews contribute a more nuanced understanding of the dependent variable, process time. The survey question captured the length in one number, and explains variations in the length through adding the control variables. The interviews suggest additional, uncontrolled factors and add the human element of impressions, thoughts and interactions during the process.

These characteristics of participants and their application process also reveal how ambiguous the dependent variable may be for the respondents. The control categories for visa type group respondents according to their final visa category, but the question in the NIS survey asking about "*the process that led to your obtaining the immigrant visa you now have*," was worded: when did you or your sponsor "*file the first application or petition to start the process?*" Some respondents may have identified sending in the first petitions for any visa toward the legal permanent residency as the beginning point, even though they might have received an immigrant visa in a different category. Other respondents may have considered the question asking when they first applied for legal permanent residency, once they held the immigrant visas, as did the respondents from Mauritania and from Sudan.

Another source of uncontrolled variability in the dependent variable is that some visa categories require a very different process from other categories, and require a different bureaucracy, which changes over time. An immigrant applies for an asylum visa from neither the native country nor the United States, but from a third country. Refugees may apply for permanent residency after living in the United States with an

immigrant visa, but diversity lottery visa winners may apply for permanent residency immediately from their home country, enter the country with the diversity visa and finish the process with fingerprints at the port of entry. Some visa categories, such as the refugee visa, benefits immigrants from particular countries because the US government passes specific legislation that creates a certain number of visas linked to specific countries and conflicts for a given amount of time.

My experience recording skin color for informants during the interview also suggests caution with this measure. Although broadly useful in some situations, skin color as a proxy for phenotype has disadvantages. A person with light skin, dark hair and brown eyes has a qualitatively different phenotype than a person with light skin, blond hair and green eyes. Another related aspect is that the distribution of skin color in a population varies according to the country of origin, as someone from an African country with medium toned skin on the NIS scale may fall in lightest 10% of the population, while someone from a European country with medium toned skin may fall in the darkest 10% of the country's population. These variations made it challenging to place a person in one of the five categories that I used, much less assign a number on a continuous 11-point scale, though practice may facilitate this ability to some degree.

5. Discussion and Conclusions

Many researchers have found that lighter skin color serves as a source of cultural capital within minority groups and in society at large. This study does not find this preference for lighter skin reproduced in the immigration bureaucracy in the form of a longer LPR process time; the initial relationship is mediated and explained by other factors, particularly the immigration background characteristics.

Although the results of this study lack evidence for skin color discrimination in the bureaucratic proceedings of the immigration process, we must also qualify this finding with evidence that other studies present, suggesting that colorism and racial biases may be influencing who receives legal entry into the United States through other avenues. This influence may originate in either the US society and/or in the sending society.

Through the political process, US society determines the structure of the immigration system. Immigration legislation tends to pass Congress when the country is experiencing an economic depression and the hardships are blamed on foreigners (Massey, Durand, and Malone 2002). This nativism, defined by Sanchez (drawing on John Higham) as a fear of foreignness "energized by a defensive nationalism" (1997: 1019), is exacerbated by the fact that the phenotypes of the majority of today's immigrants fit existing stigmatized racial categories. This racialized nativism manifests in the immigration legislation, though it is somewhat tempered by pro-immigrant interest groups and economic interests, and likely overpowers the more nuanced and subtle societal bias toward people with lighter skin. This is consistent with Hochschild and

Weaver's findings (2007) that individuals tend to politically mobilize around race rather than skin color.

The experiences of the immigrants with the US immigration system as presented by this study to some extent reflect the racialized nativism on which the immigration law is founded. The diversity visa lottery, for example, was created in 1990 as a backlash against the unexpected number of Mexican and Asian immigrants who legalized following the 1986 legislation as a way to allow more "underrepresented" European immigrants into the country. The same legislation curtailed the number of immigrant family visas available, thus effectively limiting legal access to an immigrant visa, particularly for Mexicans who rarely fit into other visa categories. This may be reflected in this study's findings that immigrants from Mexico experience a longer process time than those from other countries except for the Philippines and Middle Eastern countries.

The effects of the countries of birth on the length of the LPR process, however, might not be completely explained by the legally set limits on the number of immigrant visas granted each year. If data were available on the size of the backlog per country per visa category, these legal constraints could be controlled and the possibility of bureaucratic discrimination based on country of origin could be investigated. The potential for institutional racism on the bureaucratic level remains.

Colorism and racial biases in the sending countries may be influencing who receives a facilitated legal entry into the United States as well. For example, this study found that the immigrants completing a college degree or higher experiences a faster immigration process. If bias in favor of lighter skin (or a particular racial category) exists in the sending society, then those with lighter complexions may more easily attain a

college education and enjoy higher levels of income than those individuals with a darker complexion. This bias in the sending country may then be translated into the significantly faster immigration process time for those with a higher socioeconomic status.

Even if the immigrant completed their education in the United States, skin color may also be a factor. In their study, Murgia and Telles (1996) find that lighter-skinned Mexican students in five southwestern states completed less years of schooling than their darker-skinned and more Indian looking counterparts, suggesting that the colonial racial hierarchies persist and are perpetuated through differential treatment by teachers. This skin color bias may thus influence the length of the immigration process through the socioeconomic status vector if indeed lighter-skinned individuals experience privileges in terms of higher income levels (Hersch 2007) and more years of schooling (Murgia and Telles 1996).

In addition, the distribution of skin colors among the population of one society may be very different from the distribution in another society. To use two extreme examples, someone from a Sub-Saharan African country with skin color on the lighter end of the range for that society may have dark skin color in Europe, Australia or Canada. The contrary is also true; someone with a relatively dark skin color in a European society may travel to a Sub-Saharan African country and have a very light complexion. When an individual migrates from one country to another, then the social privileges or disadvantages associated with their skin color changes. This study tested for skin color bias operating in the US immigration bureaucracy. Thus, someone with skin color recorded in the NIS as medium, or "5" on the 11-point scale, may have enjoyed the

privileges of having a light skin color in the sending country but stands out phenotypically in the United States as non-white.

Several studies recognize the difficulty immigrants face as they navigate through the racial status symbols of the United States. Waters (1994) looks at the racialization process among second generation immigrants from the Dominican Republic as they variously adapt to the African-American culture and/or struggle to maintain a separate ethnic identity. Smith (2005) similarly looks at the racialization process among immigrants from Mexico who do not fit a pre-existing racial category in New York City but are non-white from the vantage of the United States as a society that privileges whites. Bohon and Gorman (2006) look at new immigrants and whether skin color influences their health. They find that immigrants to the United States with darker skin tones report poorer health in general, but darker skin tones are also associated with improved health when comparing their current health to their health before they migrated. The authors hypothesize that those with darker skin tones may have experienced greater discrimination in their countries of origin than in the United States.

This study also focuses on a social bias and how it affects individuals that have migrated from one society to another. Social biases enter the equation from both societies. The sending society (where the individuals have socialized) gives them one particular set of social advantages and disadvantages as well as a certain self-image. Then, the society to which one moves offers a different set of advantages and disadvantages, and challenges one's self-identity with new definitions.

Thus, while there is no evidence from this study of discrimination based on skin color in the bureaucratic process of immigration, the other significant factors suggest that

larger social biases are in operation. The lawyer interviewed, when asked about discrimination based on skin color, eloquently supported this argument:

> *I think the problem in terms of immigration is on a broader racism issue. I mean the country as a whole. Listen to the debates. Listen to the tone of the debates about building a wall between Mexico and the US. I think it's broader racism that's worldwide that's been there since the dawn of humanity and is always going to be there. And it's the feeling that we're here and we don't want to let anybody else in, which in this country is always funny to me because we would all have to leave except for the people we pushed over seven mountain ranges. Everybody else would have to leave because none of us were here.*

Thus, broader forces, including racism, nativism, socioeconomic advantage, and political decisions, intersect to create the immigration laws and manifest in the differing immigrant experiences with the immigration process. Furthermore, understanding the LPR process as a determinant of eligibility for citizenship highlights the importance of the varying experiences between groups of people arriving to the United States. The literature looking at why the long time residents of the United States from Mexico have such a low rate of naturalization suggests that experiences with discrimination in US society reduces motivation to pursue naturalization (Portes and Curtis 1987) and that the process itself is long, inconsistent between different regional offices, and difficult to navigate (Alvarez 1987; North 1987). This present study places the immigration process in the context of assimilation into the United States, contributing to a more comprehensive understanding of the factors that influence how some groups of

immigrants experience advantages in the form of a facilitated, faster process and others experience barriers in the form of a prolonged naturalization process.

Works Cited

Alvarez, Robert R. 1987. "A Profile of the Citizenship Process among Hispanics in the United States." *International Migration Review* 21:327-351.

Bohon, Stephanie A. and Bridget K. Gorman. 2006. "Crossing Borders, Changing Colors: The Impact of Immigration on the Link between Skin Color and Health." in *Southern Demographic Association*. Durham, NC: unpublished.

Carrion, Ramon. 2004. *U.S.A. Immigration Guide*. Naperville: Sphinx Publishing.

DeSipio, Louis. 1987. "Social Science Literature and the Naturalization Process." *International Migration Review* 21:390-405.

Feagin, Joe R. 2002. "White Supremecy and Mexican Americans: Rethinking the "Black-White Paradigm"." *Rutgers Law Review* 54:958-987.

Hersch, Joni. 2007. "Profiling the New Immigrant Worker: The Effects of Skin Color and Height." in *American Association for the Advancement of Science*. San Fransisco, CA.

Heyman, Josiah McC. 2004. "Ports of Entry as Nodes in the World System." *Identities: Global Studies in Culture and Power* 11:303-327.

Hill, Mark E. 2000. "Color Differences in the Socioeconomic Status of African American Men: Results of a Longitudinal Study." *Social Forces* 78:1437-1460.

—. 2002. "Race of the Interviewer and Perception of Skin Color: Evidence from the Multi-City Study of Urban Inequality." *American Sociological Review* 67:99-108.

Hochschild, Jennifer L. and Vesla Weaver. 2007. "The Skin Color Paradox and the American Racial Order." *Social Forces* 86:643-670.

Hunter, Margaret L. 2002. ""If You're Light You're Alright": Light Skin Color as Social Capital for Women of Color." *Gender and Society* 16:175-193.

Jeffrys, Kelly. 2007. "U.S. Legal Permanent Residents: 2006." Department of Homeland Security, Office of Immigration Statistics.

Jones, Trina. 2000. "Shades of Brown: The Law of Skin Color." *Duke Law Journal* 49:1487-1557.

Law, Anna O. 2002. "The Diversity Lottery Visa -- A Cycle of Unintended Consequences in United States Immigration Policy." *Journal of American Ethnic History* 21:3-29.

Massey, Douglas S., Jorge Durand, and Nolan J. Malone. 2002. *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration*. New York: Russell Sage Foundation.

Massey, Douglas S. and Jennifer A. Martin. 2003. "The NIS Skin Color Scale."

Murgia, Edward and Edward E. Telles. 1996. "Phenotype and Schooling among Mexican Americans." *Sociology of Education* 69:276-289.

Neumayer, Eric. 2006. "Unequal Access to Foreign Spaces: How States Use Visa Restrictions to Regulate Mobility in a Globalized World [online]." Pp. 72-84 in *London: LSE Research Online*.

North, David S. 1987. "The Long Grey Welcome: A Study of the American Naturalization Program." *International Migration Review* 21:311-326.

Omi, Michael and Howard Winant. 1994. *Racial Formation in the United States: From the 1960s to the 1990s*. New York: Routledge.

Passel, Jeffery S. 2005. "Unauthorized Migrants: Numbers and Characteristics." Pew Hispanic Center.

Portes, Alejandro and József Böröcz. 1989. "Contemporary Immigration: Theoretical Perspectives on its Determinants and Modes of Incorporation." *International Migration Review* 23:606-630.

Portes, Alejandro and John W. Curtis. 1987. "Changing Flags: Naturalization and Its Determinants among Mexican Immigrants." *International Migration Review* 21:352-371.

Rondilla, Joanne L. and Paul R. Spickard. 2007. *Is Lighter Better?: Skin-Tone Discrimination Among Asian Americans* Lanham: Rowan & Littlefield.

Sánchez, George. 1997. "Face the Nation: Race, Immigration, and the Rise of Nativism in Late Twentieth Century America." *International Migration Review* 31:1009-1030.

Seltzer, Richard and Robert C. Smith. 1991. "Color Differences in the Afro-American Community and the Differences They Make." *Journal of Black Studies* 21:279-286.

Smith, Robert Courtney. 2005. "New Destinations: Mexican Immigration in the United States." in *New Destinations: Mexican Immigration in the United States*, edited by V. Zuñiga and R. Harnandez-Leon. New York: Russell Sage Foundation.

Thompson, Maxine S. and Verna M. Keith. 2001. "The Blacker the Berry: Gender, Skin Tone, Self-Esteem, and Self-Efficacy." *Gender and Society* 15:336-357.

Uhlmann, Eric, Nilanjana Dasgupta, Angelica Elgueta, Anthony G. Greenwald, and Gane Swanson. 2002. "Subgroup Prejudice Based on Skin Color Among Hispanics in the United States and Latin America." *Social Cognition* 20:198-225.

Waters, Mary C. 1994. "Ethnic and Racial Identities of Second-Generation Black Immigrants in New York City." *International Migration Review* 28:795-820.

Yang, Philip Q. 1994. "Explaining Immigrant Naturalization." *International Migration Review* 28:449-477.

Appendix

NIS SKIN COLOR SCALE

The New Immigrant Survey measured respondent skin color using a scale designed by Douglas S. Massey (one of the Principal Investigators) and Jennifer A. Martin (NIS Project Manager), based on an idea originally developed by Massey, Charles, Lundy, and Fischer (2003) in their work on the National Longitudinal Study of Freshmen.

The scale is an 11-point scale, ranging from zero to 10, with zero representing albinism, or the total absence of color, and 10 representing the darkest possible skin. The ten shades of skin color corresponding to the points 1 to 10 on the Massey and Martin Skin Color Scale are depicted in a chart, with each point represented by a hand, of identical form, but differing in color. The Scale was constructed with assistance from a graphic designer. The M&M Scale is for use by interviewers, who essentially memorize the scale, so that the respondent never sees the chart.

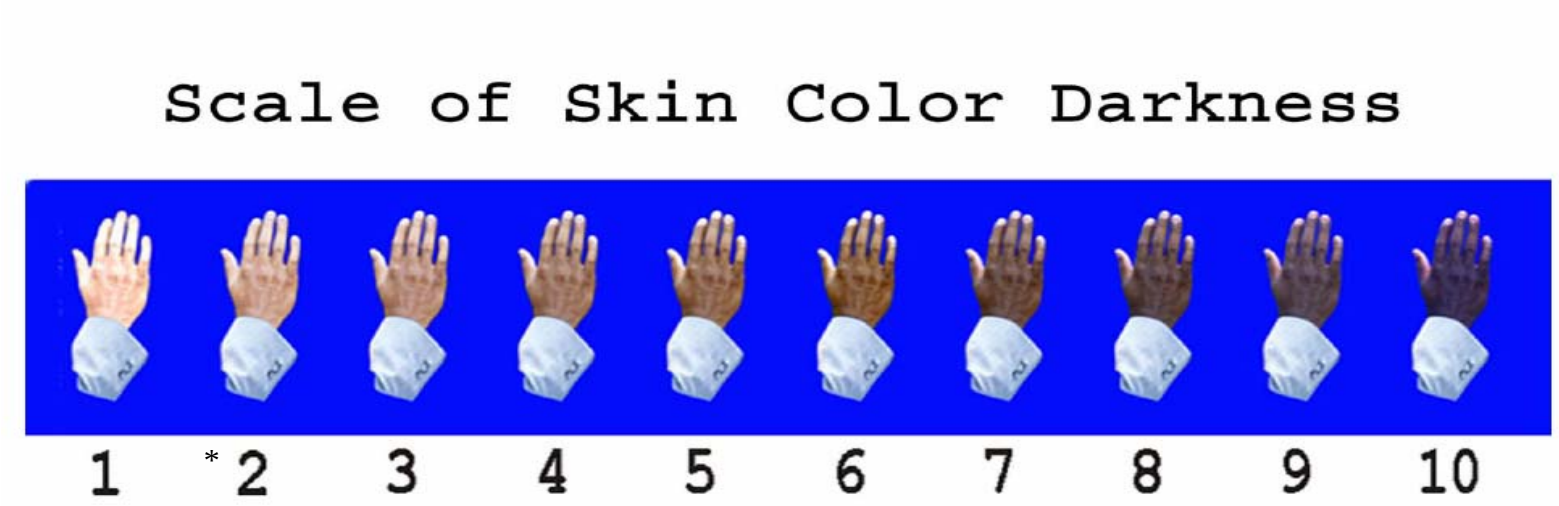
A facsimile of the NIS Skin Color Scale appears in Figure 1.

The Martin and Massey NIS Skin Color Scale was first printed in an appendix to the Field Interviewer Manual during the baseline round of the New Immigrant Survey. The Manual included the following instruction:

> As you know, human beings display a wide variety of physical attributes. One of these is skin color. Unfortunately discrimination on the basis of skin color continues to be a reality in American life. Substantial evidence suggests that lighter skinned people fare better in a variety of social and economic settings than those with darker skins. In order to detect such discrimination, it is important that the NIS include a measure of skin color. We therefore ask interviewers to use the Scale of Skin Color Darkness as a guide to rate the skin color of each respondent on a scale of 0 to 10, where 0 is the lightest possible skin color (such as that of an albino) and 10 is the darkest possible skin color. Please rate the skin color of ALL respondents upon the completion of the interview, be they of European, Asian, Latin American, or African origin.
>
> It is very important that we obtain this information for everyone, not just those of obvious African ancestry. It is important that you become familiar with the scale so that you do not access it during the interview. Respondents should never see the scale.

Users of the NIS Skin Color Scale are requested to kindly notify the NIS Project staff by emailing the Project Manager, Jennifer A. Martin (nis@opr.princeton.edu).

Suggested citation: Massey, Douglas S., and Jennifer A. Martin. 2003. The NIS Skin Color Scale.

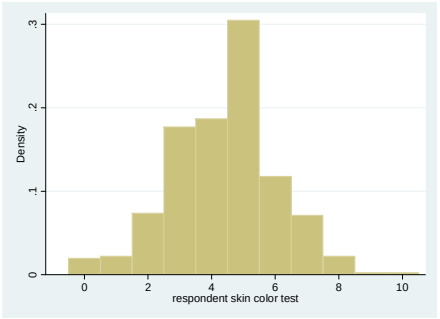


*There should also be a “0” on the scale, referring to albino skin color or lack of pigment in the skin.

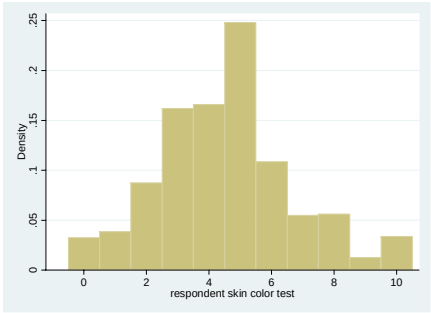
REFERENCE

Massey, Douglas S., Camille Z. Charles, Garvey Lundy, and Mary J. Fischer. 2003. *The Source of the River: The Social Origins of Freshmen at America's Selective Colleges and Universities*. Princeton: Princeton University Press.

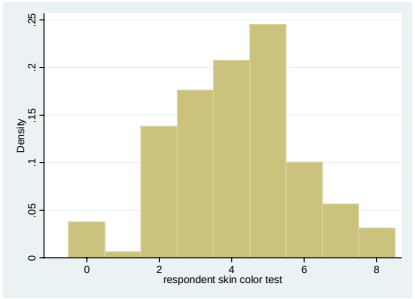
Mexico



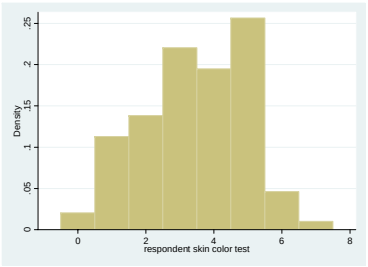
Other Latin America



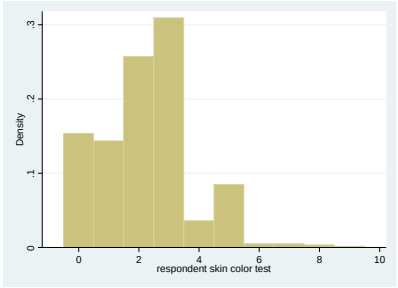
The Philippines



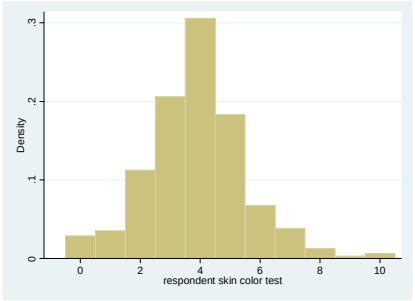
China



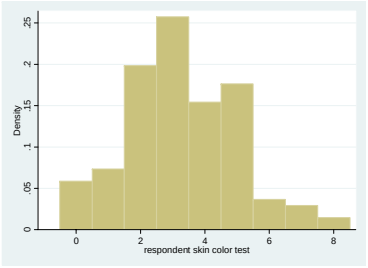
Europe, Australia, and North America



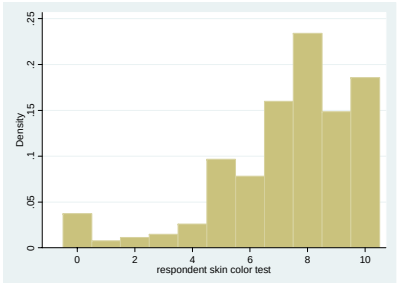
Other Asian Countries



Mid-East and Northern Africa



Sub-Saharan Africa



India

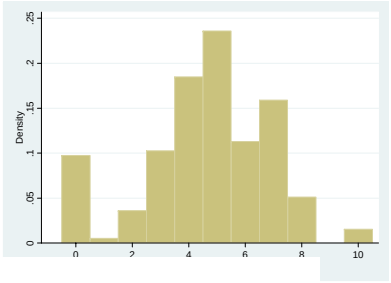


Figure 1. Histograms of NIS skin color scale results, by country of origin.

Table 5. OLS Regression Results: Length of Legal Permanent Resident Immigration Process and Skin Color, with Race/Skin Color Interactions

VARIABLES	Model 1		Model 2		Model 3		Model 4		Model 5	
Light skin	---		---		---		---		---	
Medium skin	0.78***	(0.17)	0.56**	(0.17)	0.31	(0.17)	-0.09	(0.13)	---	
Dark skin	0.48*	(0.24)	0.25	(0.24)	0.09	(0.29)	-0.11	(0.22)	---	
Skin color measured in Summer	---		---		---		---		---	
Skin color measured in Winter	-0.50*	(0.20)	-0.566**	(0.20)	-0.43*	(0.19)	-0.27	(0.14)	-0.27	(0.15)
Skin color measured in Fall/Spring	-0.40*	(0.18)	-0.34	(0.18)	-0.25	(0.17)	0.01	(0.13)	0.01	(0.13)
Log of income, in thousands			-0.162**	(0.05)	-0.14**	(0.05)	0.13**	(0.04)	0.12**	(0.04)
Missing income response			-1.020***	(0.16)	-0.90***	(0.16)	-0.43***	(0.12)	-0.43***	(0.12)
Less than high school			0.19	(0.25)	-0.25	(0.25)	0.02	(0.20)	0.03	(0.20)
Some high school			0.78**	(0.27)	-0.69**	(0.26)	-0.06	(0.20)	-0.05	(0.20)
High school diploma			---		---		---		---	
Some college			-0.31	(0.25)	-0.35	(0.24)	0.04	(0.18)	0.03	(0.18)
College degree or higher			-1.176***	(0.24)	-1.28***	(0.24)	-0.56**	(0.18)	-0.56**	(0.19)
Married or Marriage-like					-1.04***	(0.18)	0.08	(0.16)	0.08	(0.16)
Male					0.59**	(0.15)	0.11	(0.12)	0.11	(0.12)
(18-24)					---		---		---	
Born 1965-1979 (24 to 38 years)					2.07***	(0.30)	0.63*	(0.26)	0.63*	(0.26)
Born 1950-1964 (39 to 53 years)					3.82***	(0.31)	1.20***	(0.29)	1.21***	(0.28)
Born before 1950 (older than 53)					2.13***	(0.34)	1.49***	(0.34)	1.50***	(0.34)
White					---		---		---	
American Indian/Alaskan Native					0.80	(0.45)	0.83*	(0.34)	---	
Asian					0.97**	(0.18)	-0.21	(0.18)	---	
African American/Black					-0.39	(0.29)	0.23	(0.25)	---	
Pacific Islander					2.07**	(0.82)	1.25*	(0.63)	---	
Hispanic					0.79***	(0.21)	0.05	(0.18)	0.06	(0.18)
Visa: Spouse of U.S. Citizen							---		---	
Visa: Spouse of LPR							5.06***	(0.38)	5.06***	(0.38)
Visa: Parent of U.S. Citizen							-0.61*	(0.29)	-0.62*	(0.29)
Visa: Child of U.S. Citizen							2.15***	(0.44)	2.14***	(0.44)
Visa: Family, Fourth Preference							11.30***	(0.32)	11.24***	(0.32)
Visa: Employment Preference							1.40***	(0.25)	1.38***	(0.25)
Visa: Diversity Immigrants							0.22	(0.27)	0.21	(0.27)
Visa: Refugee/Asylee/Parolee							3.09***	(0.24)	3.08***	(0.24)
Visa: Legalization							3.60***	(0.24)	3.58***	(0.24)
Visa: Other							5.89***	(0.25)	5.87***	(0.25)
Previous undocumented experience							0.52**	(0.18)	0.54**	(0.18)
Adjustee							0.51**	(0.16)	0.50**	(0.16)

Table 5. Continued

VARIABLES	Model 1	Model 2	Model 3	Model 4	Model 5	
Light+Native American/Pacific					1.01	(0.54)
Medium+Native Amer./Pacific					0.63	(0.50)
Dark+Native American/Pacific					0.45	(0.92)
Light + Asian					-0.29	(0.23)
Medium + Asian					-0.28	(0.21)
Dark + Asian					0.04	(0.43)
Light + African American/Black					1.03	(0.97)
Medium + African American/Black					0.19	(0.32)
Dark + African American/Black					0.06	(0.23)
Light + Pacific Islander					2.45	(1.50)
Medium + Pacific Islander					0.04	(0.79)
Dark + Pacific Islander					3.41**	(1.32)
Light + White					---	
Medium + White					-0.09	(0.16)
Dark +White					-0.30	(0.34)
Constant	4.24	5.54	3.58	1.10	1.13	
Observations	3034	3034	3034	3034	3034	
Adjusted R-squared	0.01	0.05	0.11	0.50	0.50	
F	7.05***	17.25***	21.27	97.00	77.31	

Standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

Source: Jasso, Guillermina, Douglas S. Massey, Mark R. Rosenzweig and James P. Smith. "The New Immigrant Survey 2003 Round 1 (NIS-2003-1) Public Release Data." March 2006. Retrieved 8/21/07. Funded by NIH HD33843, NSF, USCIS, ASPE & Pew. http://nis.princeton.edu.

Note: Due to problems with multicolinearity, I removed the countries of birth when adding racial categories to the model.

Vita

Sarah Hendricks had a broad social conscience even as a child when growing up in Blacksburg, Virginia. This translated into an undergraduate major in Sociology from Princeton University, several years working as a community organizer in Chicago, Illinois, and then two years of service as a volunteer with Americorps Vista in rural southwestern Virginia. She returned to the study of sociology, earning a master's degree from the University of Tennessee in May 2008.