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Implementation of Congressional Intent: A Study of Amnesty Policy and the Immigration and Naturalization Service

William Arp, III* and Sherrie L. Baver**

In 1990, the United States Border Patrol arrested approximately one million illegals (Dillin, 1990). Significant as this number may seem, it parallels the rate of arrest that existed prior to the passage of the Immigration and Control Act of 1986 (IRCA). This phenomenon suggests that the Act has failed to accomplish one of its primary objectives: to control illegal immigration to the United States.

The IRCA represented the first major change in US immigration policy in twenty-two years. In seeking to prevent illegal entry and to gain control over the undocumented population already in the country, it contained two key provisions. First, it sanctioned fines, prison terms, or both, against employers who knowingly hire illegal aliens. The intent of Congress was clear: to use employer sanctions to reduce the "pull" or attractiveness of American jobs to aliens contemplating illegal entry into the country.

Second, it granted "amnesty", or temporary residence status, to all illegal aliens who could prove that their residency began prior to 1 January 1982. Proof of residency required documentation and a general knowledge of the requirements for eligibility. Prior to the passage of IRCA, the House Judiciary Committee (1981) stated that amnesty would satisfy the major goal sought especially by organized labour: "to remove illegal population that adversely impacts the economic structure of American society." Thus, the US Congress sought to protect the jobs of US citizens by adjusting the residency status of persons who had resided illegally in the United States for several years, and by removing the incentive for employers to profit unduly from the practice of hiring undocumented workers at lower wages.

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Colbert Rhodes' study on amnesty (1986) established a credible list of problems associated with government attempts to deport undocumented persons:

- lack of means for deportation of illegal aliens back to the country of origin;
- massive deportation may appear inhumane to the rest of the world;
- deportation may cause economic hardship for the receiving country;
- cheap and tractable labour can be a desirable commodity; and
- political pressure from established ethnic groups within the country will seek adjustment of status for illegal co-ethnics through legislation.

It is likely that the inclusion of amnesty within IRCA was designed to counter the problems suggested by Rhodes while appeasing immigrants' rights advocates, especially in the Hispanic community, who opposed employer sanction features of the bill.

In general, amnesties are not policies particularly favoured by citizens, and the 1986 amnesty faced strident challenges. Opponents of congressional consideration of amnesty argued that it would:

- take jobs away from blacks, Hispanics and youth;
- reward those who broke the law while denying foreign students and temporary workers (who entered legally) the right to remain in the country;
- deny government-subsidized benefits (e.g. medical assistance) to illegal persons who had secured temporary residency status and who were paying taxes; and
- create a demand for fraudulent documentation (The House Judiciary Subcommittee Report, 1971-72).

Nevertheless, in order to satisfy labour interests, Congress included the amnesty provision in the 1986 law and selected the Immigration and Naturalization Service (INS) to operationalize IRCA and its major components – employer sanctions and amnesty. The present study targets the implementation process of IRCA as it impacted on amnesty and seeks to address the general question, “Could INS implementation have been more effective?” The more specific question is: “Did INS regulatory interpretations of IRCA and subsequent procedures serve to (a) exacerbate an already confusing programme and (b) distort the intent of Congress?”

IMPLEMENTATION THEORY

Implementation of a law is a process fraught with obstacles. Successful implementation of any policy can be measured only insofar as it corresponds to the “actual” intent of Congress. In this context, implementation as a part of the policymaking process may be seen as a product of “intent and action” (Rein and Rabinowitz, 1978). The actual implementation of IRCA may therefore be seen as a process literally searching for “balance” between written policy and the procedures that must be developed to bring about desired results.

Theoretical policy explanations generally criticize either the vague and ambiguous designs in the law made by legislators or the lack of resources provided to INS as the implementing agency (Edwards, 1980; Nakamura and Smallwood, 1980; Palumbo, 1988; 1994). But for implementation to proceed effectively, implementors must not only have resources and the ability to use them, they must also desire to carry out the policy mandate (Sharkansky, 1970; Ingram and Mann, 1980). This study suggests that INS as implementors did not favour the goals of IRCA and therefore sought not to carry out the intentions of Congress by employing a policymaking strategy known as “nondecisionmaking.”

Nondecisionmaking encompasses actions by individuals, groups and even implementing agencies, that are intended to redefine, manipulate, suffocate or kill agreed policy goals in order to negate their impact (Bachrach and Baratz, 1962; Di Nitto and Dye, 1987). According to Frohock (1979), “the two key ingredients of a nondecision are present if reform fails: (1) the idea of what might have been, and (2) the explanation of the failure to reach it as the absence of needed decisions.” The technique of nondecisionmaking is exercised by dominant groups such as INS, who possess, control and manipulate vast economic resources. It is also suggested by Frohock (1979) that those who have the resources and power can also obstruct reform “simply by doing nothing.”

As a powerful organization controlling vast resources, developing the guidelines for amnesty eligibility, and as the sole implementor of IRCA, INS possessed the ability to engage in nondecisionmaking activity (Bachrach and Baratz, 1970). We suggest that INS may have ignored known realities associated with illegal aliens and should have informed and thus dictated the development of implementing guidelines and requirements that would fulfil the legislative intent of the US Congress’ amnesty programme.

Our theoretical premise is that the intent of a legislative measure is often transformed by implementation procedures utilized to define and acti-

vate it within US society. The US government, via IRCA, sought to gain control over the illegal population residing in the country by legalizing the status of some through amnesty and forcing the ineligible residents to leave. Clearly, the US Congress was trying to serve two "Masters": the American labourer who wanted illegals thrown out of the country, and conversely the owners of businesses who needed the cheap and tractable labour provided by illegal residents. INS' purpose was to implement the preceding balanced objectives thereby satisfying the legislated intent of Congress.

METHODOLOGY

This study provides a structural analysis of the implementing procedures employed by INS and their attempt to implement congressional intent. The roles of Qualified Designated Entities (QDEs) are explained and the results of interviews completed with their directors in Arizona and New York provide unique perspectives on IRCA's implementation procedures. The Arizona and New York studies represent separate and independent surveys which provide the perspective of illegal workers regarding eligibility criteria used by INS to legalize their status. The collective successes and difficulties experienced by illegal aliens also provide data on the appropriateness and feasibility of INS implementation guidelines and procedures.

Community-based organizations in Arizona and New York became INS certified QDEs. These operated under a cooperative agreement with INS to process illegal workers and their applications for legalization of status. Generally, QDEs are considered trustworthy by the illegal resident population because they are well-established within the community and offer assistance in a relatively risk-free environment.

Arizona study

In April 1988, we asked all 26 QDEs registered by INS in Arizona to participate in a study which sought to measure the impact of IRCA. Nine QDEs responded affirmatively but follow-ups with the others were unsuccessful. Later contact with participating QDEs revealed that only 12 QDEs within Arizona remained functional towards the end of the amnesty programme. During the first phase of the survey, data were successfully solicited from 9 of the 12 QDEs still functioning.

QDEs are indigenous community organizations situated within Spanish-speaking localities in Maricopa County, Arizona. Historically, they have sought to represent the economic and political interests of illegal aliens.

Our questionnaire was designed to ascertain the perspectives of the QDEs regarding amnesty and to discover those characteristics which may have served to constrain, limit or promote the effectiveness of the provision of amnesty within IRCA.

The second phase of the survey required collection of survey data from the 308 illegal aliens who, as of June, 1988, still resided within Maricopa County, even though the deadline for submitting applications for regular legalization of status had expired. This survey included both illegal residents who failed to complete the application process for legalization of their status and those whose applications had been rejected. Respondents were asked why they failed to come forward and complete the application process to upgrade their residency status or why their applications had been rejected. The surveys were conducted in Spanish and English.

The third phase focused on Arizona residents who previously had been undocumented residents, had completed the application process and had received temporary legal residence. Data were collected from 286 temporary legal residents. The areas surveyed in phases two and three were Phoenix, Glendale, Queen Creek, Chandler Heights and Tolleson. Most respondents were located through the indigenous Latino community organizations selected by INS as QDEs.

Individual-level data collected were subjected to a discriminant analysis. Discrimination analysis, as the procedure is also known, identifies boundaries between groups of objects. The analysis pinpointed variables which limited, constrained or prevented participation of illegal aliens in the amnesty programme.

New York study

Data for the New York study were collected in two ways. First, information from the QDEs was collected between 1987 and 1989 through participation-observation at meetings of the Mayor's Immigration Advisory Committee and later at meetings of the Office of Immigrant Affairs Advisory Committee. Second, a survey was conducted in the Summer of 1989 involving 171 amnesty applicants attending INS certified English and Civic classes.

Many of the questions replicated those from an earlier survey conducted in New York for the INS in December 1987. Although the 1989 survey covered only those who were successful applicants, it provided insights into the problems shared by those who were successful and those who were not.

IMPLEMENTATION: A STRUCTURAL ANALYSIS

Guidelines, resources and disposition of implementors

Implementation of IRCA was placed solely in the hands of INS; the philosophy of implementation embraced by INS is articulated in Section 115 of the IRCA:

It is the sense of Congress that – (1) the immigration laws of the United States should be enforced vigorously and uniformly, and (2) in the enforcement of such laws, the Attorney General shall take due and deliberate actions necessary to safeguard the constitutional rights, personal safety, and human dignity of United States citizens and aliens.

At the request of INS, Congress provided implementation phase-in provisions for employer sanctions and amnesty. Prior to the development of specific guidelines, INS sought input from voluntary organizations and others in the Washington area. Phase 1 of the implementing process included press conferences and meetings held by INS district offices throughout the country. A questionnaire was utilized at these meetings to solicit the advice of concerned groups and individuals in the development of the agency's public education efforts. The questions attempted to ascertain those parts of the amnesty programme that may be confusing to applicants, the fears applicants may have regarding the amnesty programme, and how INS could maximize turnout of applicants. In phase 2, INS drafted regulations, issued contracts for QDEs services and acquired equipment and materials for amnesty offices. In phase 3, the proposed regulations were distributed to select groups for their comments.

The law provided for temporary residency status for illegal aliens who could prove that they had entered the United States before 1 January 1982, and had thereafter lived in the US continuously except for an occasional short absence. Further requirements under the amnesty provision were:

- applications had to be made within a 12-month period beginning 5 May 1987;
- the applicant had not been convicted of a felony or more than three misdemeanours;
- if eligible for amnesty, the applicant must register under the Military Selective Service Act;
- the application fee must be paid;
- the applicant had not participated in acts which harmed others because of their race, religion or nationality; and
- the applicant had undergone a medical examination.

The deadline for applying for regular amnesty was 5 May 1988 and the guidelines required extensive documentation to determine eligibility.

It was INS' intention to be ready to accept applications for amnesty by 5 May 1987. A concerted effort was made to open more than 100 amnesty offices nationwide and to have QDEs in place to assist illegals in the application process. Although community organizations assisted INS to reach its goal on time, they and INS officials anticipated difficulties in the implementation of amnesty provisions because of the historical enforcement role of INS, a role that had also fostered distrust on the part of the very people that INS wanted to reach. It was therefore important for INS to stress that the amnesty programme would not be used as an enforcement tool or to locate illegal aliens.

Selected QDEs made a number of suggestions to INS prior to the development of implementing guidelines for amnesty, including a strong reunification programme for those family members who were ineligible for legalization, lessening of documentation, lowering of fees and elimination of the requirement to take medical examinations only from "selected civil surgeons."

This stage of the policy process provides very clear examples of non-decisionmaking. The procedures employed by INS supposedly had sought to incorporate the views of groups, individuals and especially INS-approved QDEs situated within illegal residents' communities. INS had given the appearance of wanting to cooperate with groups representing illegal aliens by requesting their comments, suggestions and recommendations regarding the establishment of eligibility guidelines affecting the implementation of amnesty. However, the predetermined implementation philosophy of INS seemed to exclude comments and suggestions which could possibly threaten or potentially dilute the articulated "intent of Congress" (Carrasco, 1989).

QUALITATIVE DATA ANALYSIS OF QUALIFIED DESIGNATED ENTITIES (QDEs)

Latino community organizations (INS-appointed QDEs) were surveyed to determine their degree of input during the implementation stages of IRCA, their perspectives of the eligibility guidelines regulating legalization, and the variables or factors that they considered had served to limit or constrain undocumented persons from participating in the legalization provision of IRCA.

Eight of the nine QDEs surveyed had attempted to actively influence the structure of the legalization provision. Some lobbied through their

national offices and the Arizona congressional delegation to influence the focus of the provision. Others participated in various legislative hearings and locally networked with other immigration non-profit agencies via meetings and legislative feedback. Eight provided INS with input and information regarding the proposed development of guidelines and regulations, and the Arizona Immigration Steering Committee, which included all QDEs in the State of Arizona, met regularly to draft responses to INS proposed guidelines.

QDEs were unanimous in their view that the undocumented workers failed to come forward because of the excessive documentation required, lack of strong family unification provisions, the financial cost for those seeking to legalize their status, and fear of INS. QDEs identified major flaws within INS implementation guidelines and philosophy and not only warned INS but also cautioned the US Congress (during its deliberations) that participation in the amnesty programme would suffer if family unification provisions were not strengthened, documentation requirements were not relaxed, and eligibility fees were not reduced.

QUANTITATIVE ANALYSIS OF INDIVIDUAL DATA – ARIZONA

The dependent variable in this phase of the study is amnesty. The INS had the responsibility for determining who would be eligible for temporary residency status – amnesty – based upon satisfaction of eligibility guidelines/completion of the application process. The dependent variable in surveys 1 and 2 was labelled “not completing application” and “completing application” respectively. “Not completing application” was coded “0” and “completing application” was coded “1”.

Fourteen independent variables were analysed to ascertain those factors which may have limited, constrained, eliminated or promoted the opportunity for illegal aliens to acquire amnesty. These independent variables were also dichotomies, assigned a value of one if checked as a reason for difficulty in applying for amnesty and a value of zero if not checked. The pertinent independent variables are money, residency, documents, family deportation, agency help, programme (understanding), lose welfare, my reasons, farmer, paid in cash, from Mexico, sex, age and married.

Results

Table 1 (page 439) shows the standardized and unstandardized discriminant function coefficients. These coefficients were used to obtain a discriminant score for the function by multiplying each coefficient by its

respective variable value and summing the products plus the constant. The resultant score locates the individual case on a continuum representing the function. Discriminant scores were computed for each individual and then plotted as histograms shown in Figures 2, 3 and 4 (pages 442 and 443), which shows the clustering of individual cases within the two known groups.

Variables in the function represent the concerns of QDEs and serve as the foundation for eligibility guidelines established by INS. Table 1 indicates that variables "Paid in Cash", being a "Farmer" and understanding the "Programme" were the most significant in discriminating between the illegal groups. Of lesser, but still considerable significance were the variables "My Reasons", being able to show "Residency", "Age", feeling the "Agency Could Help", and being able to gather work "Documents". Further indication of their importance and rank is the positive direction and the greater magnitude of their coefficients.

Residency is a significant variable with an impressive coefficient of .26214. Proof of residency is dependent upon the ability of illegal aliens to secure adequate documentation and, in this regard, these two variables are interrelated with a coefficient of .52 .

The second most significant variable was the requirement for excessive documentation mandated by INS to apply for amnesty. Considering that illegal aliens typically attempted to conceal their identity, they were now being asked to reveal their true identity in order to acquire temporary resident status and a work permit. Many had to rely on affidavits secured through a recent or previous employer. Many employers charged exorbitant fees, ranging from \$25 to \$500, for producing an affidavit supporting resident requirements (Arp, 1989). Many documents were fraudulent which created an impossible situation for illegal aliens who had to obtain affidavits from employers. The INS continuously warned illegal workers not to use false documents. Detection by INS would often result in penalties, including ineligibility to legalize, deportation, fines and/or imprisonment. The fee requirement for legalization also proved to be a significant variable regarding registration of illegal aliens. It is well-documented that foreign workers are usually disadvantaged and likely to be employed in low-level, poorly-paying jobs (Briggs, 1984; Marshall, 1982; North and Houstoun, 1976). This ability to pay the required fee was always questionable. Applicants who feared the deportation of relatives, loss of welfare benefits and were of the opinion that agencies did not help, were less likely to complete the application process than applicants who experienced no such difficulties (Arp, 1990). Illegal aliens who did not understand the programme represented the third largest coefficient.

Occupations and stability of employment were also major factors affecting the gathering of needed documentation. Thus, illegal residents employed in the secondary labour market (service) therefore had a greater opportunity to secure amnesty than did farm workers. In all likelihood, instability and seasonality of an occupation were directly related to the illegal alien's ability to secure proof of his or her residency.

The coefficient "paid in cash" reflects the large percentage of farm workers who received payment in this way. The arrangement between employer and employee benefited both: the employer made more profit and did not have to fear the Internal Revenue Service; the illegal alien did not have to prove identification which is required to cash a cheque. Married applicants were more likely to complete the application process than non-married applicants and females were more likely to complete the process than males. Table 1 also shows that the younger the applicant, the less likely he or she was to complete the application process.

Respondents to the survey 2 group, who worked primarily in the secondary labour market, experienced fewer problems raising the required application fees than did farm workers. Stability of regular employment (not included as a variable within this study) appears to have only provided the survey 2 group with the required fees and also provided them with a more permanent residency than their counterpart. This occupational factor serves indirectly to explain differences in the rate of completion of the application process for legalization of their status.

ANALYSIS OF INDIVIDUAL DATA – NEW YORK

Amnesty is the dependent variable in this survey of sampled illegal aliens who had completed the application process and received temporary residency status. The intent was to ascertain perceived barriers in the application process for amnesty recipients (Table 2, page 440). They also were asked why they thought others did not apply for the legalization programme (Table 3, page 440). The explanatory variables are fear of INS, lack of documentation; fear of family separation; eligibility; confusion caused by INS policy, high application costs, and New York's informal economy.

Forty-six per cent of respondents in the New York study indicated that they were afraid of INS. While this cannot be regarded as a valid explanation of why others did not apply, it does indicate widespread concern about amnesty being used as a means of entrapment. Perhaps this fear could have been lessened, but during the first six months, INS in New York did not consistently mention the possibility of applying for

amnesty through QDEs. Thus while “fear of the INS” *per se* cannot be seen as a major deterrent, indirectly it may have caused potential applicants to delay acquiring the necessary documentation.

The main concern among the New York group of amnesty recipients was documentation; 59 per cent considered “having papers” was the key determinant of their amnesty status. The second greatest perceived barrier was confusion caused by INS implementation. According to Coronado Communications (1987), 57 per cent admitted being very or somewhat confused by INS directives.

Fear of family separation was mentioned by 47 per cent of respondents as a concern, many having noted that they were the only family member in the United States or that all other family members were legal. Not one respondent mentioned fear of family separation as a reason why others might not have applied. “Eligibility”, or what the Arizona study labelled “Residency”, was a concern expressed by 44 per cent of New York’s undocumented workers. High fees were also a relatively minor concern and when asked why others did not apply, only 2 per cent thought that money had been a barrier. The results of this survey confirm the findings of North and Portz (1988) that too much complexity was associated with eligibility requirements. Respondents did not cite fear of INS, concerns about family separation or high costs as major factors.

The New York study examined a non-related INS variable as a potential disincentive to apply. Researchers examining New York City’s low application rate during the amnesty period hypothesized that because large numbers of the city’s illegal alien population worked in ethnic business enclaves, they felt safe and sheltered from the threat of employer sanctions and, therefore, had little incentive to apply (Meissner and Papademetriou, 1988). Ninety-one per cent of applicants surveyed disagreed with the use of employer sanctions to force their participation in IRCA’s programme. The successful amnesty applicants in New York had a great deal in common with their counterparts in Arizona. The variables, Documentation, Residency/Eligibility, and Lack of Understanding of the Programme/Confusion about the Programme indicate that illegal residents from the East and West shared the same concerns regarding INS implementation procedures.

CONCLUSIONS

We contended that implementation of a programme was a bureaucratic function that duplicates and activates legislative intent. INS was chosen by the US Congress to carry out the implementation of IRCA and its

historical amnesty programme. Our structural analysis of INS procedures shows that INS symbolically opened its development of eligibility procedures to community-based Latino organizations, especially QDEs. These organizations disagreed with the stringent requirements proposed by INS and advised the agency to require less documentation and proof of residency. INS failed to consider their suggestions, although they knew that illegal residents usually hid their true identities when residing in the United States.

On the basis of results from the Arizona and New York studies, documentation was the key to amnesty, and INS understood the regulatory effect of requiring extensive documentation. Under INS implementing rules, without sufficient or proper documentation, residency could not be established for upgrading the status of illegal residents. Proof required the submission of documents such as passports, rent receipts, utility bills, birth or baptismal records, deeds, census records, police records, bank books, school records, telephone receipts, insurance records, drivers' licences, social security cards, separation or divorce decrees, and affidavits from past and present employers. Some who were eligible for the programme did not apply because they could not produce the necessary documentation.

Capacity to pay the required fees for processing applications was another barrier placed in the path of illegal residents: \$75.00 for basic counselling services and \$25.00 for photography and fingerprinting assistance; additional fees of \$185.00 were set per application and a fee of \$420 for family applications. INS and its officials were aware of the inability of many illegal persons to pay these fees.

Various Hispanic and religious groups, through letters, petitions, telephone calls, INS implementing conferences, and state officials and lobbyists, informed INS of the impracticality of their proposed eligibility requirements. The suggestions of community-based organizations, which would later become certified QDEs, were ignored or excluded and were not reflected in substantive changes made by INS. An overall assessment of QDE's efforts to impact on implementation virtually begins and ends with answers provided to INS' inquiries. Nondecision-making emerges as the primary factor defining INS implementation procedures.

Instead of seeking a proper balance between the written words of IRCA and the intent of Congress, INS developed guidelines that ignored the relevant facts presented by respected QDEs and Latino groups. In reality, the role of INS did not change very much. Instead of preventing illegal entry along the Mexican border, INS sought to prevent illegal

entry through amnesty offices throughout the United States. The fear generated by INS and confirmed by the Arizona and New York studies, may be considered a natural reaction for an illegal population. The number of illegal aliens who did not come forward as a result of INS' long-standing enforcement image will never be known.

This study concludes that the eligibility requirements promulgated by INS to regulate participation under the amnesty provisions of IRCA served to limit and constrain participation in that programme and award only those who were narrowly defined by implementing rules and procedures. Future studies in this area should focus upon "policy design" as a potential variable determining IRCA's impact on the legislation of undocumented residents in the United States.

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TABLE 1
DISCRIMINANT FUNCTION COEFFICIENTS

Variables	Unstandardized Func 1	Standardized
Money	.1320420	.06445
Residency	.5292510	.26214
Documents	.4400682	.21969
Family/Deport	- .1082425	- .04662
Agency help	- .5758335	- .22049
Programme	- 1.109596	- .43226
Lose welfare	- .5444793	- .21220
My reasons	- .7757887	- .35697
Farmer	- .9946559	- .45774
Paid in cash	- 1.467183	- .59966
From Mexico	- .0199669	- .00594
Sex	- .0495274	- .02309
Age	- .0271612	- .24158
Are you married	.3344953	.16286

CANONICAL DISCRIMANANT FUNCTIONS

Eigenvalue	Pct of variance	Cum Pct	Canonical*After Corr	***Lambda	Wilks' Chisquare	DF	Sig
9.3571	100.00	100.00	.7588	.4242	388.273	14	.0000

TABLE 2
NEW YORK SURVEY QUESTIONS
Illegal residents (numbers and percentages)

	Very	Somewhat		Not		DK/NA
1. Were you afraid of letting the INS know you are here?	66	13 (46%)		92 (54%)		
2. Were you worried about not having proof of residency?	91	10 (59%)		68 (40%)		1%
3. Were you worried about family separation?	77	3 (47%)		91 (53%)		
4. Were you worried about being eligible?	57	18 (44%)		96 (56%)		
5. Were you worried about knowing how to apply?	69	15 (49%)		87 (51%)		
6. Were you confused by INS handling of the programme?	82	16 (57%)		72 (42%)		1%
7. Were you worried about not having the money to apply?	66	9 (44%)		95 (55%)		1%
8. Do you agree with the statement, "It is easy to live in New York City without being discovered so why apply."	6	9 (9%)		156 (91%)		

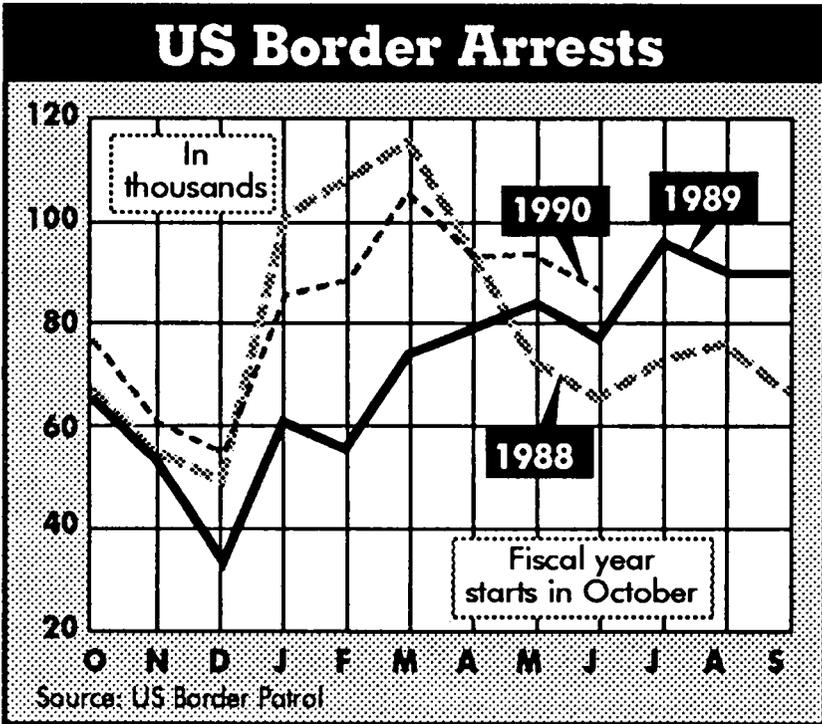
- 1) Responses of "Very" and "Somewhat" are summed to produce stated percentages.
 2) DK = Don't know
 NA = Not applicable

TABLE 3
WHY ILLEGALS DID NOT APPLY FOR AMNESTY

Reasons	Number of Responses
1. Fear of INS	97
2. Lack of documentation	22
3. Not eligible	18
4. Apathy	10
5. Too confusing	7
6. Lack of money	3
7. Don't know	14

Opinions of illegal residents now approved for amnesty – New York City Survey.

FIGURE 1



Stuart in *The Cristian Science Monitor* © 1990 TCSPS

FIGURE 2

DISCRIMINANT ANALYSIS: Histogram for Group 1 Survey I

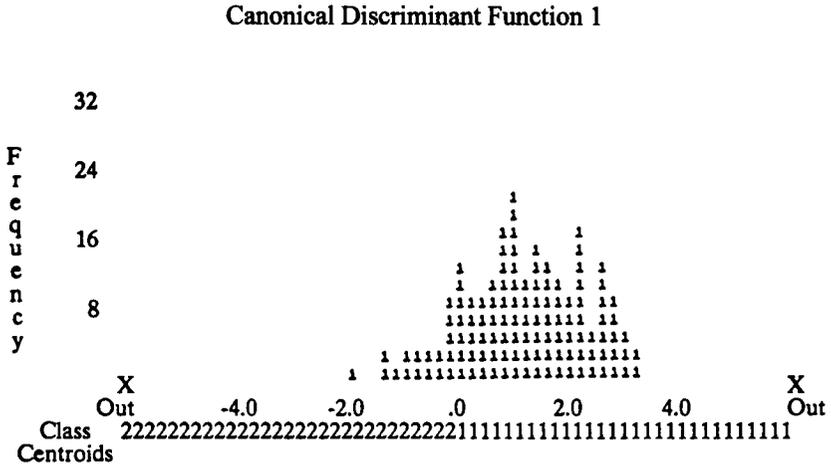


FIGURE 3

DISCRIMINANT ANALYSIS: Histogram for Group 2 Survey II

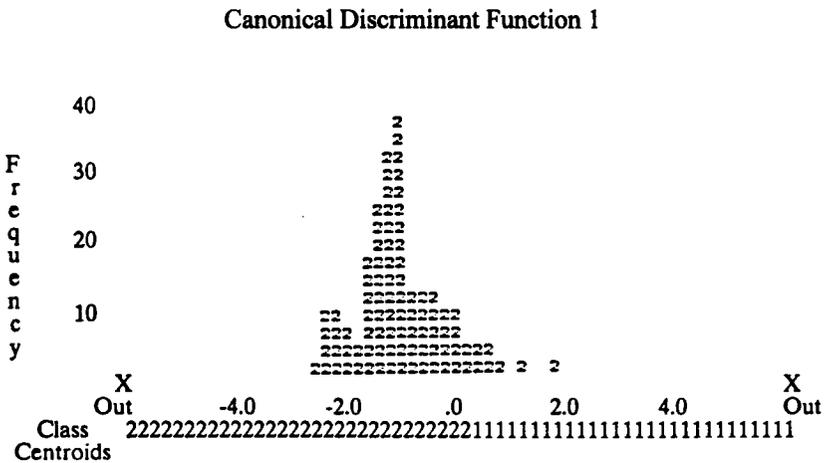
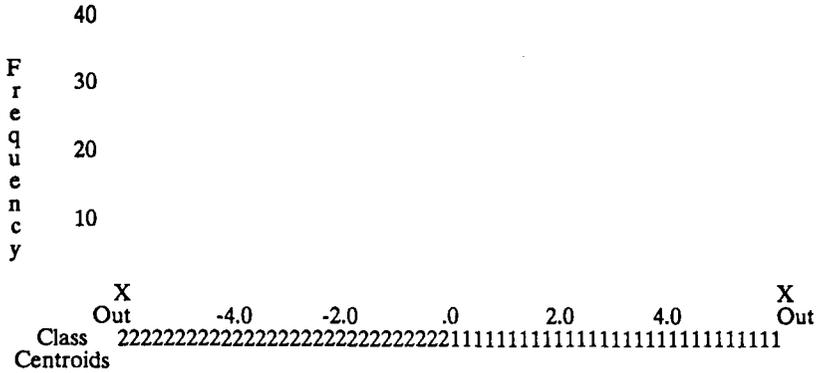


FIGURE 4

DISCRIMINANT ANALYSIS: All-groups stacked Histogram

Canonical Discriminant Function 1



Actual Group	No. of Cases	Predicted Group 1	Group Membership 2
Group 1 Survey I	226	190 84.1%	36 15.9%
Group 2 Survey II	230	21 9.1%	209 90.9%

Per cent of "grouped" cases correctly classified: 87.50%.

Classification Processing Summary

594 cases were processed.
 0 cases were excluded for missing or out-of range group codes.
 138 cases had at least one missing discriminating variable.
 456 cases were used for printed output.

**MISE EN OEUVRE DES MESURES VOULUES
PAR LE CONGRES DES ETATS-UNIS : UNE ETUDE
DE LA POLITIQUE D'AMNISTIE ET DES SERVICES
D'IMMIGRATION ET DE NATURALISATION**

La Loi de 1986 sur la réforme et la régulation de l'immigration (Immigration Reform and Control Act – IRCA) présente deux aspects: l'amnistie et les sanctions à l'égard des employeurs. Cette loi doit permettre d'avoir sous contrôle la population des immigrants clandestins aux Etats-Unis et d'en freiner l'accroissement. L'article examine, à travers l'analyse de données recueillies pour l'Arizona et New York, le rôle de l'INS dans la mise en oeuvre du volet amnistie de l'IRCA. Il démontre que le Service d'immigration et de naturalisation, qui a pourtant supervisé le plus vaste programme d'amnistie de l'histoire, a, par son interprétation restrictive des intentions du Congrès américain, exclu ou limité la possibilité pour les bénéficiaires de solliciter et d'obtenir un droit de résidence permanent.

**PUESTA EN PRACTICA DE UN INTENTO DEL CONGRESO:
UN ESTUDIO SOBRE LA POLITICA DE AMNISTIA
Y EL SERVICIO DE INMIGRACION Y NATURALIZACION**

La Ley de Reforma y Control de la Inmigración de 1986 (IRCA) comprendía dos características claves: la amnistía y las sanciones a los empleadores. Esta Ley tenía por objeto controlar y frenar el incremento de la población indocumentada en los Estados Unidos. En este artículo se examina el papel que desempeña el Servicio de Inmigración y Naturalización en la puesta en práctica del aspecto relacionado con la amnistía en la Ley de Reforma y Control de la Inmigración gracias a datos compilados y examinados procedentes de Arizona y Nueva York. Los resultados demuestran que si bien el Servicio de Inmigración y Naturalización ha previsto el mayor programa de amnistía de su historia, su interpretación restrictiva del intento del Congreso de los Estados Unidos prescribe y limita a los beneficiarios que podrían solicitar y adquirir la residencia permanente.