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## The Effect Of Race, Religion, Skin Color, And National Origin On The Duration Of Processing For Permanent Resident Visas?

Lindsey S. Bares  
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THE EFFECT OF RACE, SKIN COLOR, RELIGION  
AND NATIONAL ORIGIN ON THE DURATION OF PROCESSING FOR  
PERMANENT RESIDENT VISAS

by

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B.A. University of Central Florida, 2012

A thesis submitted in partial fulfillment of the requirements  
for the degree of Master of Arts  
in the Department of Sociology  
in the College of Sciences  
at the University of Central Florida  
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2012

## **ABSTRACT**

A great deal of attention has recently been focused on America's undocumented immigrants, a population estimated at around 10 million people (Passel, Capps, and Fix 2004). Much less attention has been paid (in both scholarly and academic circles) to legal immigrants, although in 2010 (the most recent year for which complete data are available), the Department of Homeland Security granted 1,042,625 permanent resident visas. Indeed, since 1994 when the government began to publish the Annual Flow Report, we have granted between 700,000 to around 1,300,000 new legal immigrant visas annually.

Legal immigration into the US involves a process of varying length. That is to say, the elapsed time between applying for a permanent resident's visa and being granted that visa can range from as little as a few months to as long as several years. It is known that the type of visa being applied for (the various types are explained later) accounts for some of the variation in processing length, and also that lost paperwork is a significant factor (Jasso 2011). This study found no evidence of discrimination in regards to the race, skin color, and religion of the survey respondents in terms of the time it took to get their visas processed. The average wait time for visa processing was about 5 years; Mexicans and Filipinos waited longer than immigrants from other countries.

For various reasons discussed in the text, our current immigration system has created a two-tiered family-based immigrant visa system. That is, the system gives heavy preference to family members of persons who are already legal immigrants. The preferential status of so-called family reunification visas has been a point of controversy in immigration advocacy circles and that controversy is also reviewed.

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## CHAPTER ONE: INTRODUCTION

Immigration is a fundamental aspect of American culture and society. Currently, about 25 percent of the United States population are first or second generation immigrants (Massey 2011). While the population of immigrants today is large, there have been many waves of immigrants in various sizes over the past 300 years. Each wave has been shaped by corresponding legislation that reflects the position and attitudes of the American government towards immigrants. In most epochs, that attitude has been generally unfavorable (Alba and Nee 2003).

Inevitably, the immigration debate generates lots of media coverage, anxious hand-wringing about the massive numbers of immigrants crossing the border illegally, how those immigrants use up state resources and funding without paying anything back in taxes or other contributions to societal well-being, and deep-seated concerns about how immigration is detrimental to the “American Way of Life.” (Borjas 1999). While there is understandable concern about the strength of the American economy and a dearth of jobs for low to middle class Americans, it is important to step back from the scathing political rhetoric, get our facts straight, and look at what is currently going on with both legal and illegal immigration into the US (Katz 2010). A sober sociological analysis of immigration is essential. Thankfully, a new data source, the New Immigrant Survey, makes just such an analysis possible, at least on the legal side of the equation.

Unfortunately, immigration laws are vast, complex topics and it is difficult to get a handle on questions that are both important and researchable. This thesis focuses broadly on *visa processing*, or in other words, on the process that immigrants must go through in order to obtain a resident immigrant visa (the “green card,” has varied in color over past 50 years, but in 2010 it was changed

back to green). Jasso (2011) has shown that the delays encountered in the processing of a visa application significantly predict depression and other unwanted outcomes; she also showed that the most important predictors of these delays were lost documentation and the immigrant's country of origin. The negative effects of processing delays on immigrants' emotional well-being are evidence that these delays need to be better understood. Here, I examine the role of race, skin color, religion, and national origin on the length of time an applicant must wait before a resident immigrant visa is granted. Attention is called to these possible antecedents because of the long and documented history of racism and xenophobia in US immigration laws, a history briefly examined in the next section.

After the history of the US legal immigration system is discussed, I will delve further into the literature to discuss the significance of skin color, anti-Muslim affect in America, the role national origins play in the US immigration system, and a brief overview of other visa processing studies. The following chapter covers methods, analysis, results and ends with a discussion about future research.

## **CHAPTER TWO: LITERATURE REVIEW**

### **Racism and Immigration: A Convergent History**

It has been historically documented that the immigration system in the United States previously enforced racist policies in order to give precedence to immigrants from certain countries (i.e. Germany, France, and England) over immigrants from less desirable countries (i.e. Ireland, Italy, Eastern Europe) (Alba and Nee 2003; Bean and Stevens 2003; Zolberg 1999). Assimilation was considered problematic for certain populations (Irish, Italian, Eastern Europeans); indeed, these populations were often considered to be genetically inferior, of subnormal intelligence, and riven with criminal tendencies. Guglielmo and Salerno (2003) point out then when Italian immigrants first came to America, they were seen as outsiders: dark in complexion, culturally different, and often unable to speak English. How they came to be considered “white” is an interesting case study of “how race is made in America” (the subtitle of the Guglielmo and Salerno book). Still, the Italians, Irish and other “undesirables” were legally allowed to emigrate whereas Asians from China and Japan, and, of course, black Africans, were legally excluded (Alba and Nee 2003, Massey 2002, Zolberg 1999). This anti-Asian preference was legislated by the Chinese Immigration Act of 1882; the Japanese were officially excluded through the Gentlemen’s Agreement of 1907 (Alba and Nee 2003). In much of the discussion surrounding these and other anti-immigration bills, explicit reference was made to the need to avoid “mongrelization” of the American population (Bilbo 1947).

A system of permanent quotas was established in 1929 and again it gave preferential treatment to immigrants from Northern and Western Europe. After World War II the United States relaxed its restrictions, thereby allowing Jews from Europe and the Chinese to begin migrating (Alba and

Nee 2003). Although Mexicans had been migrating to work in farms along the border states (mainly Texas) for decades, the United States formalized the process by enacting the Braceros Program in 1952 (Mummert 2005, Alba and Nee 2003; Bean and Stevens 2003). Around this same time, Congress enacted the Walter-McCarran Act which allowed for more immigration from Asia, permitted U.S. citizens to bring their spouses (usually military men who had married abroad), and accepted some refugees fleeing communism (Alba and Nee 2003).

President Kennedy prioritized making the immigrant quota system fairer and claimed in his book of the same title that we were ultimately “a nation of immigrants” (Alba and Nee 2003). The Immigration Act of 1965 swapped the national origins quota system for a total annual quota that was per hemisphere<sup>1</sup> (Alba and Nee 2003).

Law professors Liav Orgad and Theodore Ruthizer (2010) have recently review “race, religion and nationality in immigrant selection 120 years after the Chinese exclusion case.” While many would like to believe that racism disappeared from US immigration policy with the Immigration and Naturalization Act of 1965, Orgad and Ruthizer argue that this is not so, not by any means. While racist exclusion of the Chinese and other Asians was always more explicit, laws specifically forbidding the immigration of blacks were unnecessary because their strict exclusion was always tacitly understood. Our authors conclude: “Some twenty-two years ago, Columbia Law Professor Louis Henkin indicated that even one hundred years after it was decided, the Chinese Exclusion Case was ‘still very much with us.’ As long as Chinese Exclusion is read to permit racial, religious and nationality based classifications, Henkin’s observation is still valid today. To a surprisingly large extent, the power of Congress to regulate immigrant selection based on invidious distinctions

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<sup>1</sup> This act still has racist implications because the Western hemisphere initially had no limit, but in the Immigration Act of 1976 the cap was changed to 120,000 per year maximum with unlimited family reunification visas. The Eastern Hemisphere has a total yearly quota of 170,000

continues to exist and, even more so, continues to be legally permitted to an extent not matched in any other avenue of American jurisprudence.”

Recent studies, utilizing New Immigrant Survey data, found that skin color discrimination continues to exist as an obstacle for recent legal permanent residents (Hersch 2008; Hersch 2011). Controlling for other factors, Hersch finds that lighter skinned immigrants earn 16-23 percent more than darker immigrants. This result is troubling, compounded with the fact that these wage differentials do not diminish over time (Hersch 2011).

### **Anti-Muslim Affect in America**

Akram and Karmely (2005) document how Muslims citizens and non-citizens alike were “targeted” as potential threats to the United States. They note that Government policies targeting the Middle East date back to the Nixon era, and task forces on terrorism and “undesirables” were a mainstay of legislation in almost all presidencies after Nixon. The use of secret evidence to detain non-citizens was widespread and occurred before 1990. The Anti-terrorism and Death Penalty Act (AEDPA) established a terrorist removal court. There are records of people being detained for periods ranging from two to four and a half years (Akram and Karmely 2005). Finally when these grievances came to light, in 2000, Congress voted to cut secret evidence trials from the budget as it was expensive, but it was carried out. By 2001 all support for the repeal had been lost. Following 9/11, the FBI detained around 1200 citizens and non-citizens to try and identify everyone involved in the attack. While many were released, others were held for immigration law violations. Almost all of the detainees came from the regions of South Asia, the Middle East, and North Africa. The

authors go on to detail at length the numerous other violations to both Muslim citizens and non-citizens alike. There is a history of Muslim discrimination for at least the last 30 years in the US.

Another article by Kalkan, Layman, and Uslaner (2009) uses data from the 2004 American National Election Study and from surveys conducted from the Pew Center from 2003-2007 to explore Americans citizen's perceptions of Muslims in the United States. They document a history of anti-Muslim affect that is similar to other out-group minorities like Jews, African-Americans, Gays and Lesbians. They note that groups like Jews or Catholics became white because of their desire to assimilate, while findings from a Pew Research Center poll show that 60 percent of Muslims under 30 consider themselves Muslims first, rather than American. While 9/11 certainly increased American's sense of threat from Muslims, there was already a pattern of distinguishing Muslims as an out-group. Kalkan, Layman and Uslaner (2009) find that while the events of 9/11 cannot be ignored, the main reason for Americans viewing Muslim's as an unfavorable minority is their out-group status, because it was present both before and after 9/11.

### **Country of Origin**

Country of origin is important to investigate in regards to visa processing time because the legal US immigration system was previously embedded in a system that heavily favored certain countries and excluded others. Jasso (2011) shows that rates of lost documents, which contribute to visa processing delays, can be seen distinctly among different countries. Countries like Mexico, Dominican Republic, Vietnam, Philippines, and Haiti have almost double, if not triple, the amount of lost documents of similar "top 10" countries like China and India. Research has not yet been able to determine why there are such wide differentials between certain countries.

## Visa Processing Studies

Only a few studies have examined the visa process and they are usually immigration law review pieces. One study by Kerr and Lincoln (2010) examined H1-B visas (temporary employment visas) and the effect they have on American ingenuity and innovation. They used US patents as proof of creativity and tracked the last name of inventors. Using name recognition software with 99 percent accuracy, they were able to determine country of origin. They found that immigrants make up 47 percent of the United States science and engineering professionals with doctorate degrees. While this seems like a large amount, the authors also found no negative impact on native-born science and engineering professionals. These immigrant scientists are working in highly lucrative fields that bring prestige to US academic and business institutions. The authors stress how important foreign scientific/innovative contributions are while also finding no real detriment to natives working in the same fields.

Another article by Traven (2006) discusses the impact of strict immigration laws on American universities and the creative class at large. The author notes a correlation between harsher immigration laws in the post 9/11 era and a steady reversal in students choosing American universities for their higher education. This is troubling because these students alone contribute about 13 billion dollars in tuition fees and they also enrich the communities in which they reside because they are highly skilled. Traven proposes an amendment to outdated immigration laws that force students on temporary visas to prove that they will return home. He also recommends a revision in policies that detain foreign students, professionals, and professors when they travel abroad. He includes a few anecdotes about professors and students alike being detained and denied

re-entry into the United States for up to two years. Due to many immigrants experiencing visa issues, many other industrialized nations are eager to offer enrollment and temporary citizenship in hopes of attracting the best and the brightest away from the United States.

Jasso (2011) has the most recent and most applicable study on the legal US immigration process. The study examines visa processing in terms of documents lost and the effect that lost documents can have on lengthening the visa process, which in turn correlates with immigrant depression. The study, using New Immigrant Survey data, finds that lost documents significantly delay the visa process and that men have more lost documents than women. It is also discovered that not all immigrants have lost documents, and that certain countries (Mexico, Dominican Republic, and Vietnam) are more likely to have lost documents than others (Jasso 2011).

## CHAPTER THREE: THE CURRENT IMMIGRATION SYSTEM

The current United States legal immigration system is complex and often fragmented, making it difficult to navigate, understand or explain. To illustrate, Jasso (2011) has written an article about migration and stratification illuminating the often contradictory and irrational workflows that can hold up the visa process. The United States policy towards immigration in the post-1965 era has been to focus on family reunification efforts. Unlike the previous epoch of immigration which focused on the national origins quota system, the current system prioritizes the reunion of family members who may still be living abroad. While some scholars debate how high the numbers of family reunification visas really are, the NIS data shows that 75 percent of current visas are for purposes of family reunification (Jasso 2011). It is also true that this policy, combined with increasing immigration from Asia and Latin America, has contributed to a large increase in the Hispanic population, making it the largest minority group in the United States (Census Briefs 2011; Borjas 1999).

A two-tiered immigration system that gives preference to family reunification has been highly controversial. The preference for family reunification began to play a role in American immigration law with the passage of the Immigration and Naturalization Act of 1952 (Walter-McCarran Act). This act intended to remove the racist underpinnings of the former immigration laws and it was decided that preference should be given to highly skilled individuals and immigrants with family already residing in the US. This act still maintained most of the quotas from the 1924 act. Almost 10 years later, with civil rights unrest sweeping the nation, the Immigration Act of 1964 intended to make the system more fair and equal. The climate of 1960's era politics was liberal, and the President himself believed that this change in the law would not make a substantial change in the

American population or way of life (Daniels 2008). A quote from Lyndon Johnson shows a glaring underestimation of the legislation he passed,

“This bill that we will sign today is not a revolutionary bill. It does not affect the lives of millions. It will not reshape the structure of our daily lives, or really add importantly to either our wealth or our power. Yet it is still one of the most important acts of this Congress and of this administration [as it] corrects a cruel and enduring wrong in the conduct of the American nation.”

We know now that this was an incorrect assertion. The Immigration Act of 1965 has created a lot of change in the US, but it is for the better? Some sociologists have commented that there needs to be a stronger emphasis on highly skilled workers and students because they are an essential part of the machine that helps fuel growth and prosperity in the United States (Kerr and Lincoln 2010). There are currently only 65,000 employment visas allocated every year (unless there are extra visas in another category). Family reunification visas are thus an example of Ralph Turner’s (1960) concept of “sponsored mobility” in that in order to obtain a visa, sponsorship from a native or naturalized citizen is required over 75 percent of the time. Turner goes on to explain that contest mobility is enacted when all players are on a level playing field with elite status as the prize. The contest is open to all and the winner is determined by the players own efforts and merit. Sponsored mobility is enacted when players are chosen by an individual who is already elite and one specific player is groomed to take the prize simply because they were selected. The current immigration process follows the exact logic of sponsored mobility in which preference is given to people only because they have family residing in the United States, and not for their individual merits and achievements.

A long hard look must be taken at where these visa policies have taken the US over the past 40 years. Is family preference the correct focus to have? America is facing trying economic times and other developed countries are also attempting to attract the best and brightest from around the world. One policy institute, National Foundation for American Policy, released an article by Stuart Anderson (2010). In it, he claims that we currently do not do enough to unite families and that immigrants who come to this country are more highly motivated to engage in business than natives, they are highly skilled, and that families are suffering through very long wait times to be reunited. It seems that while there are certainly long wait times (over 20 years for siblings of US citizens in the Philippines) that are other factors that have not been considered, ignored, or just thought to be unimportant (Anderson 2010). The US is currently experiencing a severe financial crisis. Social security will probably not be dispensed to the youth who are funding it and we need to think about pro-active immigration laws that take into account sustainment of the population as well as costs of the population. If immigrants are not bringing a useful skill set, it could be detrimental to our future. It is not right to deny students, scientists, and highly trained professionals the right to contribute to the US, while simultaneously allowing siblings of US citizens to emigrate simply because they are family. Proposing a more moderate family reunification system seems ideal – limit visas to immediate family members (spouse and children) and the wait time to receive and process visas would be significantly less. Simultaneously, it would also increase the number of visas for skilled immigrants.

## Visa Statistics

The Department of Homeland Security releases the Annual Flow Report which lists how many visas are granted in each category. The most recent report contains figures from 2010 and the overall number of visas granted was 1,042,625 (Monger and Yamkay 2011). While the annual limit varies from year to year, there is a formula in place. In 2010, the total number of family reunification visas was 691,000 or 66.3% of all visas granted (Monger and Yamkay 2011). Immediate relatives of US citizens are numerically unlimited, while all other family preference visas are numerically limited. The citizen who is sponsoring the immigrant would file a petition on behalf of the immigrant and the immigrant themselves would also submit an application. These applications will be processed by both the Department of Homeland Security (DHS) and US Citizenship and Immigration Services (USCIS).

Employment preference is the next largest visa category and it is broken up into 5 smaller sub-categories (priority workers; professionals with advanced degrees or aliens with exceptional ability; skilled workers, professionals without advanced degrees, needed unskilled workers; certain special immigrants e.g., ministers, religious workers, employees of the US government abroad; and employment creation immigrants or “investors”). While family reunification visas are essentially unlimited, the limit for employment visas is 140,000 plus any additional “unused” family preference visas. In 2010 there were 148,343 employment visas which was higher than the set limit due to transfer of unused family reunification visas (Monger and Yamkay 2011). Thus, we grant almost five times more visas for family reunification than we grant to bring essential skilled workers into the country. An employment immigrant will be sponsored by a company, who will submit a petition

along with the immigrant's application. Employment adjustees are processed by USCIS and new arrivals are processed through USCIS and DHS.

Diversity visas are granted to citizens of countries who have low rates of legal immigration to the US (less than 50,000 admissions during the previous five years in both family and employment preference categories). In 2010 there were 49,763 diversity visas granted which is 4.8% of the total number of visas granted in 2010<sup>2</sup>. Diversity immigrants begin the process online where they submit an application and the winning applicants are chosen by lottery. The point of the lottery and the diversity visa program is to diversify the immigrant population in the United States, by selecting applicants mostly from countries with low rates of immigration to the US in the previous five years. Thus, the countries whose out-migrants are eligible to apply for the lottery change every year. (For example, Polish immigrants were eligible for diversity visas up to 1998, ineligible from 1998 to 2002, eligible from 2002 to 2007, ineligible from 2007 to 2013, and in 2013 will be eligible again!) Diversity immigrants are processed by DHS and Diversity adjustees are processed by both DHS and USCIS.

The number of immigrants allowed to enter the US on a refugee visa is established each year by the President and Congress, and is currently set at 80,000. There is no yearly limit for those granted asylum status. Refugees and Asylees are allowed to apply for legal permanent residence (LPR) after residing in the US for one year, making all of these visas adjustees. In 2010 there were 92,741 Refugee visas and 43,550 Asylee visas. Diversity, Refugee, and Asylees do not require a sponsor. These Humanitarian visas are processed by the USCIS.

Legalization visas are interesting because they typically contain immigrants who gained entry surreptitiously (also known as "EWT" or Entry Without Inspection). This category also includes

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<sup>2</sup> The limit of 50,000 has been in place since 1999.

immigrants who are eligible for several different programs created by acts of Congress to address the strife in Central and South America. These programs include Cancellation-of-Removal (a suspension of a deportation order), Nicaraguan Adjustment and Central American Relief Act (NACARA), or registry (a provision that allows people who have resided in the US since 1972 and can prove work history and good moral character to apply for LPR). These migrants are allowed to apply for Legal Permanent Residence<sup>3</sup> if they have become successfully incorporated into the labor force and can prove that they have been working since 1982 (the year has been amended several times, but most recently in the IRCA reform of 1986; registry eligibility year is still 1972) (USCIS 2012). In 2010 there were 242 NACARA visas, 8,180 cancellation-of-removal visas, 386 Haitian Refugee Immigrant Fairness Act visas and their applications are processed by USCIS. In the Annual Flow Report, they make up a broad category of “other”.

It is often alleged, incorrectly, that the US only grants visas to people who have had no previous illegality. The true immigrant experience is often composed of periods of illegality due to overstayed temporary work/student/travel visas or entering surreptitiously. The truth of the matter, as seen in the data provided by the NIS, is that adjustment of status occurs in every visa category. While it typically takes longer to gain a visa while going through the adjustment process, it is common for individuals to have brief periods of “illegality” while waiting for the next step in the green card process (Jasso 2011). Potential immigrants would much rather over-stay a temporary visa than be sent back to their home country where it could be at least a year or more before they are allowed to return to the United States (Kerr and Lincoln 2010; Traven 2006). It is also important to note that Legalization visas are not a new device to combat the recent spike in illegal immigration.

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<sup>3</sup> A lawful permanent resident is a foreign national who has been granted the privilege of permanently living and working in the United States (State Department 2012).

Legalization visas have been available since 1929, with the year in which immigrants must have resided in the United States changing every so often with new legislation (Jasso 2011).

Another important aspect of the visa application is of course, cost. The government website [travel.state.gov](http://travel.state.gov) gives a list of all visa application fees. The fee tables are changing in 2013, but the old fee schedule is still available. To petition the government to sponsor a relative, the fee is \$430. This fee is separate from the application fee that the potential immigrant must pay. An immediate relative of a US citizen must pay \$230, but they will only be required to do so after their sponsor's \$430 petition has been processed. An employment immigrant has to pay even more at \$405 per application. All other visa types, except for diversity visas must pay \$220 per application. Diversity applicants have to pay \$330. All applicants who are sponsored also have to submit an affidavit of support, which costs an additional \$88 (State 2012). Additionally, applicants may also seek the aid of an immigration attorney to ensure the application is filled out correctly. Since actual rates for immigration attorneys are not available, a website like [costhelper.com](http://costhelper.com) is useful because it provides information about costs of services and products. The website is a collaboration of research journalists and users. [Costhelper.com](http://costhelper.com) has written a section about immigration and it includes the average expense a person might pay if they hire an immigration attorney to aid them with the paperwork. According to [costhelper.com](http://costhelper.com) (2007), an immigration attorney can charge anywhere from \$300-700 to assist in filing basic forms. If an applicant would like a full visa packet prepared for them the cost can range from \$2,000 on the low end to \$12,000 depending on individual factors pertaining to the applicant. According to the sample data from the New Immigrant Survey, less than half of the respondents answered the question, "How much help did you obtain from a lawyer, notary, or similar immigration practitioner?" But of the 3,935 who did, about half said yes and the other half, no.

## **Duration of Visa Processing**

The process of obtaining a permanent resident visa can be tracked from start to finish. The official start date is the day the petition is filed and ends when the immigrant is granted Legal Permanent Residence status. Since there are two types of visas, numerically limited (adult children and siblings of US citizens, spouses and unmarried children of LPR's, and diversity immigrants) and numerically unlimited (spouses of US citizens, minor children, and parents of US citizens), length of processing time for each of these class types differs. Humanitarian and Legalization visas are also subject to both limited and unlimited types (Jasso 2011).

As Jasso (2011) demonstrates, lost documents often contribute to delaying the visa process, with men experiencing more lost documents than women. The wives of foreign-born US citizens have the highest rates of lost documents among all types of immigrants. Accordingly, it takes spouses of foreign-born US citizens longer to obtain a visa than spouses of native-born US citizen. Also as expected, applicants for numerically unlimited visas obtain their visas more quickly. Siblings of US citizens experience the longest duration compared to other classes of immigrants. She also finds that out of 147 countries, less than half, or 65 countries had no emigrants with lost documents. Country of birth was shown to be a significant factor in having documents lost, and therefore, it is important to analyze country of birth in regards to length of visa processing. Parents of US citizens have the lowest rates of lost documents among immigrant class of admission. Jasso also tested for effects of gender, race/Hispanic ethnicity, and religion but found none of these factors to be significant in determining lost documents.

A delay in the visa process also subjects immigrants to stress and depression, with approximately 17 percent of the NIS sample experiencing visa depression at some point in the

process. Respondents were asked “During the past 12 months, have you ever felt sad, blue, or depressed because of the process of becoming a permanent resident alien?”. These figures suggest that prospective immigrants are facing large sources of stress which could affect their life chances immediately after settling in the US. Mitigation of visa stress would be the most beneficial outcome for immigrants who are becoming Legal Permanent Residents.

## **CHAPTER FOUR: METHODS**

### **Research Questions**

- 1) Does one's race have an effect on the length of their visa processing? Do Black, Asian, and Hispanic people wait longer to acquire their visa?
- 2) Does skin color have an effect on length of visa processing? Do darker individuals experience longer duration in acquiring their visas?
- 3) Does one's religion have an effect on length of visa processing? Specifically, do Muslims experience longer wait times to acquire their visa?
- 4) Does country of origin have an effect of length of visa processing? Specifically, do individuals from the Mexico, China, Middle East, and the Philippines experience longer periods of visa processing?

### **Hypotheses**

H1: Minority applicants (Black, Hispanic, or Asian) experience longer visa processing time than White applicants, keeping other factors constant.

H2: The darker the skin color of the applicant the longer the visa processing time, keeping other factors constant.

H3: Muslims experience longer visa processing time than non-Muslims, keeping other factors constant.

H4: Applicants from Mexico, China, Middle East, and the Philippines experience longer visa processing time than applicants from any other country, keeping other factors constant.

### **Data**

The data used in this study is from the New Immigrant Survey 2003-1 cohort. The NIS is a longitudinal data set developed at Princeton University by Massey, Jasso, Rosenzweig, and Smith (2006). The sample consists of all new Legal Permanent Residents whose records were compiled in the seven month period from May-November 2003. All survey respondents were allowed to conduct the interview in their language of choice and over 95 languages were used. The adult sample was comprised of 8,573 respondents and the response rate was 68.6%. Immigrants are classified by type of visa, country of origin, occupation, income, and a myriad of other factors that may influence immigration chances or the length of time it takes to process their visa application. Since employment visas only take up 5-8% of the incoming immigrant population, they are oversampled while spouse of US citizens are under-sampled (they make up 33% of all adult LPRs). Due to over/under sampling, the NIS uses weighted data to ensure that the data is representative. Below, Table 1 gives the descriptive information for all the variables used in the analysis.

### **Variables**

Table 1  
Descriptive Statistics

	N	Descriptive	Standard Deviation
<b>Dependent Variables</b>			
Duration of Visa Processing (in years)	7990	Mean = 5.02	4.4
<b>Explanatory Variables</b>			
<b>Race</b>			
White (reference group)	1895	22.1%	---
Black	1032	12%	---
Asian	2632	30.7%	---
Hispanic (of any race)	2671	31.2%	---
Other (Native/Multiracial)	166	2%	---
<b>Religion</b>			
Christian (reference group)	5272	61.5%	---
Muslim	643	7.5%	---
Some other religion	1249	14.6%	---
No religion	992	11.6%	---
Skin Color (range: 0-Albino, 10- Darkest Skin)	4652	Mean = 4.1	2.2
<b>National Origin</b>			
Mexican	1164	13.6%	---
Middle Eastern/N. Africa	391	4.6%	---
Chinese	476	5.6%	---
Filipino	512	6%	---
All other countries (reference group)	6030	70.3%	---
<b>Control Variables</b>			
Age (range: 18-94)	8533	Mean = 39	13.5
Education (range: 0-29 years)	8537	Mean = 12.7	5.1
<b>Visa Type</b>			
Immediate relative of US citizen (reference group)	2706	31.6%	---
Family preference	742	8.7%	---
Employment preference	1673	19.5%	---
Diversity	1451	16.9%	---
Humanitarian	554	6.5%	---
Legalization	661	7.7%	---
Other visa type	786	9.2%	---

The dependent variable is the duration of visa processing time (in years) until Legal Permanent Residence is granted. The dependent variable, which is length of time it takes to process a visa, is constructed by using three questions: 1) self-reported year visa application was filed 2) the year of admission to LPR and 3) month of admission to LPR. The limitation of this measure is that the month for the start of the visa application process is unknown. However, since this limitation applies to everybody, regardless their personal characteristics, it should not bias the results considerably. This dependent variable construction has been successfully used in Jasso's (2011) analysis of lost documents. She finds that lost documents are an important factor that contributes to the lengthening of the visa process. As the table above shows, the average duration for visa processing is about five years, with a standard deviation of about 4 years. Also, about 75 percent of the sample received their visa within 6.5 years, with the other 25 percent reporting durations of up to 40 years, although those numbers were much smaller.

The independent variables are race, religion, skin color, and national origin. Race is self-reported and the classifications for race are as follows: Non-Hispanic White, Non-Hispanic Black, Hispanic (of any race), Asian, Multi-racial, and the following four indigenous populations will be combined into one classification called "Native" -American Indian/Alaskan Native/Native Hawaiian/Pacific Islander. White applicants will be the reference group. The sample is about 20 percent White, 12 percent Black, with much larger portions of the sample being Asian and Hispanic. Both groups are about 30 percent of the sample each. The "other" category, which was created by combining Native Hawaiian and Pacific Islanders with multiracial respondents, comprised a small fraction of the sample at 2 percent.

Religion is a list of common world religions and respondents are allowed to choose more than one. The main religious categories for this analysis are Christian, Muslim, some other religion

and no religion. The reference group is Christians. Christians are the majority religion in the sample at 60 percent. Muslims were far smaller and were about 8 percent of the sample. Not having a religion was about 10 percent of the sample, and the category “some other religion”, which was a combination of respondents from Jewish, Hindu, and Buddhist faiths was about 15 percent of the sample.

Skin color was assessed by the interviewer who memorized a scale of skin gradients. This scale was developed by Massey and Martin (2003) and it has been proven to be a valid and reliable measure (Hersch 2011). Skin color ratings were assigned by a gradation scale from 0 (albino) to 10 (darkest possible skin color)<sup>4</sup>. Skin color was not assessed for about 50 percent of the sample, but the mean from the raw scores of about 4500 respondents was 4.1 with a standard deviation of 2. For the multivariate analysis I recoded skin color into four dummy variables- light skin is the reference group (0-3 on skin color scale), medium skin color (4-5 on skin color scale), and dark skin (6-10 on skin color scale). I also added a category for respondents who had no skin color information to determine if having no skin color information would impact the results of the model.

National origin is chosen from a list of twenty-two countries around the world in which the interest in immigrants is high. If an applicant’s country was not listed, they could choose a continent. The country questions are verified by government documentation. For this analysis only a few countries/regions were used – Mexico, China, Middle East/N. Africa, and the Philippines. The Middle East was included to further examine the interest in anti-Muslim affect and the other countries are interesting because a large number of people are emigrating from there. The reference group will be all other countries (Canada, Colombia, Cuba, Dominican Republic, El Salvador, Ethiopia, Guatemala, Haiti, India, Jamaica, Korea, Nigeria, Peru, Poland, Russia, Ukraine, United

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<sup>4</sup> Skin color scale can be found in Appendix A

Kingdom, Vietnam, and all seven continents). Mexicans comprised the most respondents out of any country that was used in the analysis with about 14 percent being born in Mexico. The Middle East/N. Africa category was about 5 percent. The Chinese had slightly more respondents at about 7 percent, and the Philippines was 6 percent of the sample.

## Methods

After using a model which included several control variables, it became clear that a simplified approach was needed to determine more specificity in the results of the statistical analysis<sup>5</sup>. After running a linear regression model with 26 different variables, it became clear the visa type had the most significant effect on duration of visa processing. I pared down my control variables to two that seemed to also be significantly correlated with the dependent – age and years of schooling. Age may play a factor because older people may have a more difficult time with the application process. Educational attainment is a question asking respondents about how many years of schooling they have completed (regardless of where the schooling was located). The more education an applicant has, the more likely that they will have their visa processed faster because of either higher income or they are just more competent to complete the application to its fullest. After I found that age and education were showing up as significant in my regression models, I introduced another set of dichotomous control variables for each visa type. The reference group for visa type was immediate relatives of US citizens, who have first preference in the structure of US visa processing. The visa types are: immediate relative of US citizen, family preference, employment preference, diversity, humanitarian, legalization, and other. The “other” visa category stands for the

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<sup>5</sup> Full linear regression table with 26 variables can be seen in Appendix B

following types of visas: child of LPR, adult single child of US citizen, adult married child of US citizen, and spouse of child of US citizen.

Using SPSS as my statistical analysis software, I ran frequencies and descriptive statistics of the variables to establish a baseline off which more complex analyses were completed. The analysis used the adult principal sample. After the frequencies and descriptive analyses were completed, I used bivariate methods to take a look at the relationships between the explanatory variables and the dependent variable. I started with an ANOVA for race and duration. I then conducted the Bonferroni post-hoc to further determine the difference between the race categories. I used this same approach for religion and national origin. Since skin color is a continuous variable, I used Pearson's correlation to determine the size and strength of the effect between skin color and duration. However, to fully test my hypotheses, I needed to control for other factors affecting visa processing time. Therefore, I utilized a multivariate analysis. Since my dependent variable is duration, which is continuous, I used nested linear regression models with OLS estimates to test my hypothesis. Breaking up each explanatory variable into its own separate regression allowed for an easier to interpret analysis. The results of the linear regression were surprising and prompted me to conduct a crosstab analysis of each explanatory variable by visa type, to further examine the relationship between visa type and duration of visa processing.

## CHAPTER FIVE: RESULTS

The purpose of this study was to determine if the US legal immigration system still exerted legacy traces of racism in terms of the time it took to have a permanent resident visa processed. The data set, New Immigrant Survey, allows for such an analysis. The results are somewhat contradictory to the theoretical framework that was discussed earlier. First, the results of the bivariate analysis are included below.

Table 2  
Summary of ANOVA for Race and Duration

	Sum of Squares	df	Mean Square	F
Between Groups	5610.96	5	1122.19	60.69***
Within Groups	144936.65	7838	18.50	
Total	150547.61	7843		

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

Table 3  
Bonferroni Comparison of Race and Duration

Comparisons	Mean Difference (years)	SE	95% CI	
			Lower Bound	Upper Bound
White vs. Black	-0.39	0.17	-0.9	0.12
White vs. Asian	-1.62***	0.13	-2.0	-1.23
White vs. Hispanic (of any race)	-2.04***	0.13	-2.43	-1.66
White vs. Native	-2.54***	0.49	-4.0	-1.09
White vs. Multiracial	-1.96**	0.51	-3.45	-0.47

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

Tables 2 and 3 display the results of the ANOVA and Bonferroni post-hoc test conducted on the first explanatory variable, race. The ANOVA model is significant ( $p < 0.001$ ) and shows that there is a significant difference between the means of each racial category. I conducted a Bonferroni post-hoc to determine where and how large these differences were. Despite predicting

otherwise, whites and blacks have no significant difference in terms of duration of visa processing. While this finding partially removes support from my first hypothesis, every other race/ethnicity (Asian, Hispanic, Native, and Multiracial) experienced significantly longer wait times than whites. Natives wait the longest at 2.54 years and Asians wait the shortest wait time in comparison to whites, although it is still rather long (1.62 years). The role race/ethnicity plays in the duration of processing for permanent resident visas will be analyzed further in the multivariate analysis and crosstabs of race by visa type.

Table 4  
Correlation for Skin Color and Duration

	Duration
Skin color (0-Albino to 10-Darkest possible skin color)	.04**

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

The results of the Pearson's correlation in Table 4 show that there is some effect between skin color and the length of time it takes to fully become a permanent resident. The test is significant ( $p < 0.01$ ) and shows that darker immigrants wait longer. The effect size is very small and thus, this bivariate analysis does not support assertions made in H2.

Table 5  
Summary of ANOVA for Religion and Duration

	Sum of Squares	df	Mean Square	F
Between Groups	495.60	3	165.20	8.70***
Within Groups	144989.38	7638	18.98	
Total	145484.98	7641		

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

Table 6  
Bonferroni Comparison of Religion and Duration

Comparisons	Mean Difference (years)	SE	95% CI	
			Lower Bound	Upper Bound
Christian vs. Muslim	.87***	0.19	0.37	1.36
Christian vs. No religion	.14	0.16	-0.27	0.55
Christian vs. Some other religion	-0.20	0.14	-0.57	0.17

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

Table 5 and 6 show the results of the ANOVA and Bonferroni post-hoc for religion and duration of processing. The ANOVA is significant ( $p < 0.001$ ) and shows that there is a difference between the means of the religious categories. The Bonferroni post-hoc shows that the significant difference is between Christians and Muslims ( $p < 0.001$ ). Christians wait about .8 years longer than Muslims to have their visa application fully processed. This result does not support assertions made in H3, although it will be analyzed again in the linear regression. There is no significant difference between Christians and immigrants with no religion or some other religion.

Table 7  
Summary of ANOVA for Country of Origin and Duration

	Sum of Squares	df	Mean Square	F
Between Groups	1655.02	4	413.76	21.68***
Within Groups	152386.44	7985	19.08	
Total	154041.50	7989		

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

Table 8  
Bonferroni Comparison of Country of Origin and Duration

Comparisons	Mean Difference (years)	SE	95% CI	
			Lower Bound	Upper Bound
All other countries vs. Mexico	-1.11***	0.15	-1.52	-0.70
All other countries vs. China	-0.67*	0.22	-1.29	-0.06
All other countries vs. Middle East/N. Africa	0.62	0.23	-0.03	1.28
All other countries vs. Philippines	-0.84***	0.21	-1.42	-0.26

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

I repeated the ANOVA/post-hoc method used earlier to examine the possible differences between immigrants from Mexico, China, Middle East/N. Africa, and the Philippines. The results are shown in table 7 and 8. The ANOVA test is significant ( $p < 0.001$ ) showing that there is a significant difference between the means of the national origin categories. The Bonferroni post-hoc gives more specificity. Compared to all other countries, Mexicans wait 1.1 years longer and immigrants from the Philippines wait .8 years longer. Chinese immigrants wait a little longer than half a year compared to all other countries, but this result was only significant at the  $p < 0.05$  level. Immigrants from the Middle East/N. Africa do not experience any significant differences from all other countries in terms of visa application processing. This test partially supports H4 and all variables will be scrutinized again through multivariate tests.

Table 9  
Regression for Race and Duration

	Only Controls	Control Model 1	Full Model
Control Variables			
Age	.02***	.03***	.02***
Education (years of school completed)	.000	-.05***	.008
Family Preference Visa	8.96***		8.98***
Employment Visa	1.22***		1.29***
Diversity Visa	-.27*		---
Humanitarian Visa	3.24***		3.32***
Legalization Visa	3.96***		3.80***
Other Visa	5.52***		5.50***
Explanatory Variable			
Black		.38*	.06
Asian		1.47***	.07
Hispanic		1.75***	.40***
Other(Native/Multiracial)		2.12***	.56*
R-squared	.42	.05	.43
F-statistic	716.12	72.65	479.38
Degrees of Freedom	8	6	12

Note: N=7804; For race, reference group is white. For visa type, reference group is immediate relative of US citizen.

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

Table 9 shows the results of the linear regression for race and duration. The table displays the unstandardized regression coefficients. Table 9 is set up to show just the control variables on their own, then the smaller regression with just age and education as the control variables, with the final full model showing the results of age, education, and visa type. This table shows the true determining factor of visa processing length – visa type. The race effect does not hold up when controlling for visa type unless you are Hispanic and there is a smaller effect as well for respondents in the “Other” category. Hispanics, despite controls, wait about half a year longer to obtain their visa in comparison to Whites. H1 is partially supported because Hispanics wait longer, but Asians and

Blacks do not wait significantly longer than Whites despite controlling for other factors. Natives also wait significantly longer than Whites (about .5 year) but this is significant at the  $p < 0.05$  level. Age maintains a significant effect as older people wait longer (.02 years).

Table 10  
Regression for Skin Color, Race and Duration

	Only Controls	Control Model 1	Full Model
Control Variables			
Age	.02***	.32***	.02***
Education (years of school completed)	.000	-.05***	.01
Family Preference Visa	8.96***		8.93***
Employment Visa	1.22***		1.32***
Diversity Visa	-.27*		-.15
Humanitarian Visa	3.24***		3.26***
Legalization Visa	3.96***		3.72***
Other Visa	5.52***		5.45***
Explanatory Variable			
Medium Skin Color (4-5 on skin color scale)		.41**	.06
Dark Skin Color (6-10 on skin color scale)		.06	-.12
No Skin color information (Missing values from data on skin color)		-.28*	-.21*
Black		.31	.11
Asian		1.34***	.03
Hispanic		1.60***	.41***
Other(Native/Multiracial)		2.09***	.70**
R-squared	.42	.06	.41
F-statistic	716.12	50.28	353.47
Degrees of Freedom	8	9	15

Note: For visa type, reference group is immediate relative of US citizen. For skin color, reference group is light skinned (0-3 on skin color scale).

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

Table 10 shows the linear regression results for race, skin color, and duration. This table is similar to Table 9, except I have added skin color, which has been recoded into different categories so that missing information could be taken into account. Medium skin color is significant in control model 1 ( $p < 0.01$ ) but this effect disappears after controlling for visa type. No skin color information is significant in both control model 1 and the full model ( $p < 0.01$ ) suggesting that for respondents who have no skin color information available, they actually wait about .2 years less.

Table 11  
Linear Regression with OLS Estimates for Religion and Duration

	<b>Only Controls</b>	<b>Control Model 1</b>	<b>Full Model</b>
<b>Control Variables</b>			
Age	.02***	.03***	.02***
Education (years of school completed)	-.002	-.10***	6.307E-005
Family Preference Visa	8.95***		8.97***
Employment Visa	1.22***		1.22***
Diversity Visa	-.28*		-.30*
Humanitarian Visa	3.21***		3.24***
Legalization Visa	3.93***		3.91***
Other Visa	5.55***		5.55***
<b>Explanatory Variable</b>			
Muslim		-.70***	-.08
No religion		-.069	-.45***
Other religion (Jewish, Buddhist, Hindu, Some other religion)		.35*	-.03
R-squared	.42	.03	.42
F-statistic	675.901	49.196	493.509
Degrees of Freedom	8	5	11

Note: N=7602; For visa type, reference group is immediate family of US citizens. For religion, reference group is Christians.

\*\*\*  $p < 0.001$ , \*\*  $p < 0.01$ , \*  $p < 0.05$

Table 11 shows the regression results for religion and duration of visa processing. When not controlling for visa type (control model 1), the results show that Muslims .7 years less than Christians to receive their visas ( $p < 0.001$ ). When visa type is controlled for, the significance of Muslim religion disappears, and people with no religion get their visas about .45 years faster than Christians ( $p < 0.001$ ). Age remains a significant factor in visa processing length, as older people wait .02 years longer, and this remains constant throughout all the regression models ( $p < 0.001$ ).

Table 12  
Regression for Country of Origin and Duration

	Only Controls	Control Model 1	Full Model
Control Variables			
Age	.02***	.04***	.02***
Education (years of school completed)	.000	-.07***	.015
Family Preference Visa	9.00***		9.03***
Employment Visa	1.23***		1.30***
Diversity Visa	-.26*		-.09
Humanitarian Visa	3.24***		3.43***
Legalization Visa	3.98***		4.13***
Other Visa	5.58***		5.63***
Explanatory Variable			
Mexico		.71***	.75***
Middle East & N. Africa		-.5*	.16
China		.417	-.19
Philippines		.79***	.43**
R-squared	.43	.03	.43
F-statistic	739.66	44.35	499.55
Degrees of Freedom	8	6	12

Note: N=7940; For country of origin, reference group is everyone else (eighteen countries and all seven continents).

\*\*\* p<0.001, \*\* p<0.01, \* p<0.05

Table 12 shows the regression results for country of origin and visa processing duration in years. Again, visa type is the most important predictor of duration. Respondents from China and the Middle East/N. Africa experience no significant effects on duration simply by being from their origin country in comparison with everyone else. Mexicans on the other hand do experience longer wait times than everyone else and this fits in with the earlier model showing that Hispanics wait longer than Whites. Filipinos wait slightly less than Mexicans (.43 versus .75), but still longer than everyone else. H4 is partially supported.

Since the best predictor of duration is not racially or prejudicially motivated according to the data and tests conducted earlier, exploring a cross tabulation of each explanatory variable by visa type may shed further light on why Mexicans, Hispanics, and Filipinos are experiencing longer wait times. The next section will discuss another type of bivariate analysis. Crosstabs of each independent variable by visa type sheds important light on the varying visa types by race, religion, and country of origin. These crosstab tables help explain why Blacks and Muslims are actually taking less time than Whites and Christians. Visa type is the most important predictor of duration of visa processing.

Table 13  
Crosstabs Race by Visa Type

<b>Visa Category</b>	<b>White</b>	<b>Black</b>	<b>Asian</b>	<b>Hispanic (of any race)</b>	<b>Native</b>	<b>Multiracial</b>
Other	3.3%	10.9%	8.9%	12.3%	20.2%	19.5%
Spouse of US citizen	17.8%	11.8%	12.8%	21.3%	21.4%	20.7%
Parent of US citizen	6.1%	9.0%	13.3%	14.8%	11.9%	14.6%
Minor child of US citizen	0.9%	5.2%	2.1%	5.5%	1.2%	6.1%
Family 4 <sup>th</sup> preference	1.3%	2.7%	14.1%	2.9%	11.9%	4.9%
Spouse of LPR	0.3%	1.3%	1.1%	5.7%	0%	4.9%
Employment Preference	19.8%	4.4%	37.8%	7.3%	20.2%	12.2%
Diversity	37.7%	42.8%	7.0%	2.4%	4.8%	6.1%
Humanitarian	12.0%	11.3%	2.8%	4.4%	3.6%	4.9%
Legalization	0.7%	0.6%	0.2%	23.4%	4.8%	6.1%

Note: N=8396; The “other” category is made up of adult single child of US citizen, child of LPR, adult married child of US citizen, and spouse of child of US citizen.

Table 6 explains why race is not a significant factor affecting visa processing time. Both Whites (37.7%) and Blacks (42.8%) had similar processing times because both are coming mainly on diversity visas. Following this trend, the percentages of White and Blacks on Humanitarian visas is also similar (12% versus 11.3%). These visas must be processed within the fiscal year and they are the fastest all of visa types. Also interesting to note from this table are that Blacks and

Asians have half as many visas as spouses of US citizens compared to Hispanics, Natives, and Multiracial respondents (Blacks have 11.8% of spouse of US citizen visas, Natives are 21.4%). Asians, Natives, and Whites have a much larger share of employment visas compared to Blacks, Hispanics, or Multiracial respondents (Asians are 37.8% of employment visas, Blacks are 4.4%). Hispanics make up the largest share of respondents adjusting into legalization visas (23.4%). Asians and Natives make up the largest percentage of immigrants coming on family 4<sup>th</sup> preference visas (Asians are 14.1%, Whites are 1.3%).

Table 14  
Crosstabs Religion by Visa Type

Visa Category	Christian	Muslim	Some other religion	No religion
Other	10.3%	5.1%	6.6%	9.0%
Spouse of US citizen	17.7%	14.5%	13.7%	18.8%
Parent of US citizen	11.3%	10.4%	10.3%	10.7%
Minor child of US citizen	4.1%	2.3%	1.2%	2.9%
Family 4 <sup>th</sup> preference	3.6%	4.4%	11.8%	9.8%
Spouse of LPR	3.1%	0.9%	0.9%	1.5%
Employment Preference	16.0%	10.9%	38.0%	24.3%
Diversity	17.2%	37.0%	10.1%	9.7%
Humanitarian	5.5%	13.8%	5.9%	8.8%
Legalization	11.1%	0.6%	1.4%	4.6%

Note: N=8573

Table 14 explains why Muslims, contrary to the literature, are actually going through the visa process faster. Muslims residing in the Middle East/N. Africa were experiencing the aftermath of American policies affecting the Middle East after the terrorist attacks in 2001. Muslims were aware that a war was just beginning and therefore many applied for diversity visas. Muslims take up 37% of diversity visas compared to the other religious categories. This explains their faster visa processing

time and also shows a lack of institutional discrimination against Muslims in the legal US immigration system. Another interesting fact from this table is that “some other religion” respondents come mainly on employment preference visas than other religions (some other religion 38%, Muslims 10.9%). Since this category of made of up Jewish, Hindu, and Buddhists, one can infer that many of these visas are involved in science and technology jobs from India. The legalization rate for Christians is high because the category contains Catholics who are mainly Hispanic.

Table 15  
Crosstabs Country of Origin by Visa Type

Visa Category	Mexico	China	Middle East & N. Africa	Philippines	All Other Countries
Other	11.5%	9.2%	6.6%	15.8%	8.3%
Spouse of US citizen	29.0%	12.4%	19.9%	13.3%	14.7%
Parent of US citizen	23.2%	21.8%	7.2%	15.2%	8.5%
Minor child of US citizen	7.0%	2.7%	2.8%	4.9%	2.5%
Family 4 <sup>th</sup> preference	3.1%	15.5%	3.8%	8.2%	6.1%
Spouse of LPR	11.1%	2.3%	0.5%	1.0%	1.0%
Employment Preference	7.0%	32.6%	11.3%	41.4%	19.6%
Diversity	0%	0.8%	35.5%	0%	21.7%
Humanitarian	.1%	2.5%	12.3%	0%	8.2%
Legalization	8.0%	0%	0%	0.2%	9.4%

Table 15 is the final table in the results section. The most interesting percentage from this table is that Mexicans are primarily coming on visas as spouses of US citizens, parent of US citizen, spouse of LPR and legalization visas. The process for legalization and spouse of LPR take so long, that it drags down time it takes to get family 1<sup>st</sup> preference visas processed. It is interesting that Mexicans mainly come on 1<sup>st</sup> preference (53%) which is the next fastest category outside of diversity because it is numerically unlimited, but despite that they also wait longer than everyone else.

## CHAPTER SIX: DISCUSSION

The intent of this study was to examine if there were any remnant legacies of racism, skin color discrimination, religious prejudice or nativism still present in the current legal US immigration system. Clearly, much has changed from the pre-1965 era to today. The diversity visa is clearly doing what it was intended to do, by bringing more Blacks from Africa. Employment visas are high for Hindus, Chinese, and Whites. Skin color is not a good predictor of visa processing length and that is a positive finding. From the data, it seems like the current system is fair and is not discriminating against LPRs on the historical dimensions of race, religion, and skin color. A more troubling finding is that Mexicans and Filipinos are waiting longer because of their country of origin, regardless of visa type. Despite the fact that Mexicans have the largest number of legalization visas compared to the other 3 countries, they also come predominately on family 1<sup>st</sup> preference visas which is one of the fastest visa types. Could there be discrimination occurring against Mexicans simply based on their nationality? There is a running discourse in the United States about the instability of the Mexican border and prejudicial stereotypes about Mexicans are prevalent in American society (Massey, Durand, and Malone 2003). It is also interesting to see Filipinos wait about half a year longer to obtain visas regardless of visa type. LPRs from the Philippines are mainly coming on employment visas so it is strange that even after controlling for visa type, age, and education that they are taking longer than other countries to have visas processed. In 2003, these two countries also happen to have the most immigrants to the United States (Mexico is the largest, the Philippines is the fourth largest). Perhaps the sheer volume of immigrants coming from these countries is causing the delay, but it is also curious that China is the third largest contributor of immigrants in 2003 but they do not seem to have any visa processing delays.

In the Visa Bulletin for 2003, which corresponds to the data collection period, the USCIS states, “The number of numerically limited LPR visas granted annually is about 226,000 to family immigrants, 140,000 to employment immigrants, and 50,000 to diversity immigrants. The family and employment visas are also subject to a country ceiling of 7 percent of the total. The exact number of numerically limited family and employment visas available each year is published in the Visa Bulletin”. While Mexico and the Philippines were subject to visa caps in 2003, this rule should not directly affect visa processing time, only the number of visas available to Mexicans and Filipinos. The only countries on the visa bulletin for family priority for May-September 2003 are Mexico, Philippines, and occasionally India. It could be speculated that the large demand for family preference visas from these 2 countries could have negatively impacted visa processing duration. Further analysis should include India to test this theory.

## CHAPTER SEVEN: CONCLUSION

After testing a series of four hypotheses with quantitative data, it can be concluded that race, skin color and religion are not the best predictors of visa processing time. The only serious issue pertains to the treatment of Mexicans and Filipinos who seem to be suffering unnecessary delays in the processing of the Legal Permanent Resident visas. There could be a backlog of family preference visas as Mexicans and Filipinos exceed the annual cap, but this is speculation. Further research on this topic is necessary, and India should be included as they exceeded the cap in 2 out of the 7 months during the interview process. As mentioned earlier, a significant delay in the visa process can add stress and lead to depression among new immigrants.

Future research could also include separate regressions for each visa type to determine if race, skin color, religion, and country of origin would have more impact within visa types.

Current Republican presidential candidate Mitt Romney stated, "I will prioritize efforts that strengthen legal immigration and make it more transparent and easier ...too many families are caught in a broken system. For those seeking to come to America the right way, that kind of bureaucratic nightmare has to end." (ABC News 2012). This study has shown that the current US legal immigration system is certainly not working exactly the way it should. The process should be faster than 5 years, and perhaps there should be an increase in amount of officials processing visas. Reform is essential to the vitality of the American economy, and reduction of visa processing time would have better mental health effects for incoming immigrants.

All studies contain limitations and strengths. Limitations of the study include limits to the types of analyses that can be conducted because the data is secondary. The variables have been defined by other principal investigators and may not be specific enough. There were some

measurement issues pertaining to variables like skin color because of the small number of recorded answers. Strengths of the study are that this analysis is original research and almost nothing is known about the effects of national origin, race, and skin color on duration on visa processing. The study is also cost-effective because the longitudinal data set has already been collected

**APPENDIX A**  
**SKIN COLOR SCALE**

## Scale of Skin Color Darkness

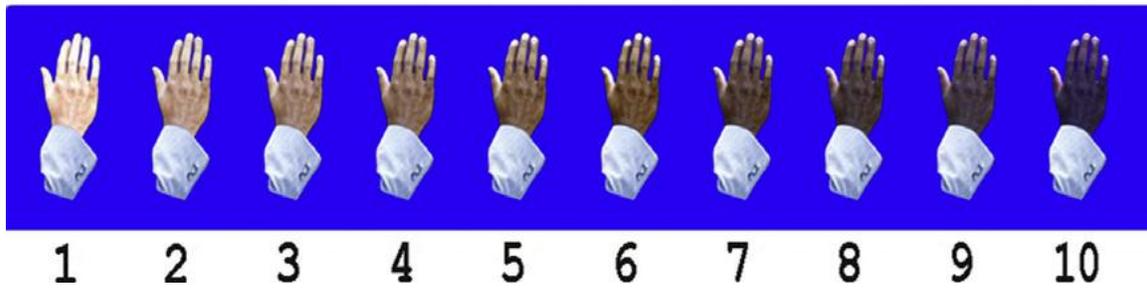


Figure 1: Scale of Skin Color Darkness

**APPENDIX B**

**LINEAR REGRESSION OF RACE, SKIN COLOR, RELIGION, AND  
NATIONAL ORIGIN ON DURATION OF VISA PROCESSING  
(IN YEARS)**

Table 16

Regression for Race, Skin Color, Religion and National Origin on Duration of Visa Processing (in Years)

	Model 1	Model 2	Model 3	Model 4	Model 5
Control Variables					
Gender	-.17	-.17	-.17	-.22*	-.23*
Education (years of school completed)	-.01	-.01	-.01	.000	6.002E-6
Married (0- Not married, 1-Married)	.27*	.27*	.28*	.30*	.31**
Age (18-94 years)	.02***	.02***	.02***	.02***	.02***
Have lost documents (1= did lost documents)	-.62**	-.62**	-.62**	-.61**	-.62**
Don't know if lost documents (1= missing information for lost documents question)	-.62**	.61**	-.61**	-.59*	-.59*
Adjustee (0- New arrival, 1-Adjustee)	.57***	.54***	.54***	.53***	.53***
Spouse of principal (0-Principal, 1-Spouse)	.26	.26	.26	.32	.33
Family Preference Visa	9.33***	9.33***	9.33***	9.37***	9.39***
Employment Visa	1.19***	1.22***	1.22***	1.2***	1.2***
Diversity Visa	-.12	-.07	-.07	.02	-1.338E-5
Humanitarian Visa	3.18***	3.22***	3.22***	3.38***	3.37***
Legalization Visa	3.5***	3.46***	3.46***	3.74***	3.74***
Other Visa	5.67***	5.64***	5.65***	5.64***	5.64***
Explanatory Variable					
Black		-.07	-.02	.06	.08
Asian		-.03	-.01	-.12	-.25
Hispanic		.11	.12	-.12	-.09
Other(Native/Multiracial)		.82*	.84*	.59	.53
Skin Color (0-Albino, 10-Darkest possible skin color)			-.01	-.02	-.03
Mexican				.71***	.71***
Middle East/N. Africa				.13	-.02
China				-.06	.23
Philippines				1.3***	1.44***
Muslim					.28
Other Religion					.26
No Religion					-.24
R-squared	.44	.44	.44	.44	.44
F-statistic	235.16	183.26	173.59	146.61	129.99
Degrees of Freedom	14	18	19	23	26

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