

ON THE MARGINS OF A DREAM: MIXED-STATUS FAMILIES AND PUBLIC  
ASSISTANCE:

Edward D. Vargas  
School of Public and Environmental Affairs  
Indiana University  
1315 E. 10<sup>th</sup> Street  
Bloomington, IN 47405

ABSTRACT

This paper is an investigation of how fear and/or risk of deportation impacts mixed-status Mexican-American families' participation in public assistance programs. By mixed-status, I am describing a situation when one or more family members are U.S. citizens and other members of the family nuclei are living in the U.S. without legal authorization. This paper focuses on mixed-status families in which at least one child is a U.S. citizen and at least one parent is unauthorized. In this type of mixed-status family arrangement I will focus specifically on state variation in take-up rates for the Women Infants and Child (WIC) food nutrition program. This paper draws on data from Immigration Customs and Enforcement, Fragile Families Child Well-Being Study, and from State legislators. A series of logistical regressions are estimated to test 'fear and/or risk of deportation' on the take-up of WIC in mixed-status families. The implication and significance of this work has tremendous impacts for policy makers, service providers and researchers interested in reducing child poverty in complex family structures. Furthermore, this research advances the program evaluation literature by taking into consideration the effects that fear and/or risk of deportation have on program take-up.

## INTRODUCTION TO THE POLICY ISSUES

"The time to fix our broken immigration system is now... We need stronger enforcement on the border and at the workplace... But for reform to work, we also must respond to what pulls people to America... Where we can reunite families, we should. Where we can bring in more foreign-born workers with the skills our economy needs, we should."

-- *Barack Obama, Statement on U.S. Senate Floor*  
*May 23, 2007*

Government policies concerning unauthorized migrants<sup>1</sup> are among the mostly hotly debated topics in the U.S. Opponents of generous government policies towards unauthorized migrants point to fiscal burdens, border security, cultural-linguistic barriers and respect for the law of the land. Proponents of more generous or lenient policies, on the other hand, argue for expansion of the labor supply, human rights, and family reunification. Caught in the middle of these opposing perspectives are a sizable number of mixed-status Mexican-American families. Mixed-status is a family arrangement in which some, but not all, family members have U.S. citizenship by birthright or naturalization and family members are here without legal authorization.

Mixed-status Mexican-American families are a large and growing group. It is estimated that 5 million of children have at least one parent who is undocumented (Urban Institute Fact Sheet, 2006). Of these 5 million children, two-thirds are U.S. born (Capps et al., 2007). According to Massey's (2005) research findings, increased immigration enforcement towards Mexicans has had unattended consequences. Massey argues that as the cost of traveling back and forward from Mexico has increased, this has indirectly forced undocumented families to remain in the U.S. for longer stretches. This indirect consequence has increased the probability of an unauthorized immigrant conceiving a child on U.S. territory. For example, of the 5 million children conceived

---

<sup>1</sup> This dissertation uses "unauthorized migrant", "unauthorized immigrant", "illegal alien" and "undocumented immigrant" interchangeably.

by unauthorized immigrants, 78% or 4 million of these children are U.S. citizens (Passel, 2009) This figure has been rising steadily from 2.7 million in 2003 to 4 million in 2008 (Ibid).

Aside from sheer numbers, the need to study mixed-status families is important for several reasons. First, little is known about how fear and risk of deportation effects program participation particularly when the child is eligible for aid and the parent is not. This question is important especially during periods of increased worksite raids and deportation hearings. For example, the Department of Homeland Security (DHS) has shown that worksite raids between 2002 and 2006 have increased more than sevenfold from 500 to 3,600 (Capps, et al.). As expected this heightened enforcement has negatively affected the Latino community. In a national public opinion study of Latinos conducted by the Pew Hispanic Center (2007), over half of Latinos worry that they, a family member, or close friend can be deported. While, this figure is for all Latino's, over 67% of the foreign born respondents feel they are negatively affected by the increased enforcement and attention to illegal immigration.

The negative effects of fear and risk of deportation are not restricted to just the unauthorized parents. We would expect that the children in these families will also be affected. Research has shown that the social exclusion experienced by undocumented parents such as lack of access to a state identification card, bank accounts, and social services, results in lower levels of cognitive ability for the child (Yoshikawa, Godfrey, and Rivera, 2008). For example, in a recent study of three communities that been raided recently, the Urban Institute (2007) found that 506 children were directly affected by the arrest of at least one parent. This is more than half of the total number of arrestees (912). In one of the sites, over two-thirds of the children were U.S. citizens. In short, the impacts of these raids may ultimately impact the probability that a mixed-status family will participate in social services.

Second, the health of children in mixed-status families has serious implications for public finance and the economy in terms of future labor force productivity and health care costs. Research shows that young children of immigrants from Mexico and Central America are particularly disadvantaged, relative to both other immigrant children and native-born White children, on dimensions of family income, poverty status, parental employment, and parental education (Hernandez, Denton, & McCarnthey, in press). Mexican immigrant children are generally born in households that are disproportionately impoverished and have parents with low levels of educational attainment. For example, among unauthorized immigrants ages 25-64, 47% have less than a high school education (Passel, 2007). By contrast only 8% of U.S. born residents in this same age range has not received a high school education (Ibid). In 2007, the median household income for unauthorized immigrants was \$14,000 lower than that of U.S. born residents (\$36k vs. \$50k) (Ibid). Due to parent's fear and risk of deportation we would then expect parents not to participate in government assistance for their children who by law are eligible. This paradox is crucial since these children are twice as likely to be poor as compared to children born with U.S. parents. Mixed-status children are precisely the target government safety net programs aim to serve.

Lastly, from a civil liberties perspective, mixed-status families are voiceless and a vulnerable population in our society. While, unauthorized parents live in the "shadows" of our society, the children are indeed protected under the 14<sup>th</sup> Amendment which states, "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside." Mixed-status then complicates policy by forcing household members into different eligibility categories (U.S. citizen, legal immigrant, refugees and unauthorized immigrants). While, sorting individuals into these categories seems relatively

straightforward, forcing families into these categories is difficult especially for Mexican immigrant families that tend to be large and complex.

### The Unauthorized Population

These issues might be interesting but substantively unimportant if the population of mixed status families was small. However, the Pew Hispanic Center estimates that 11.9 million unauthorized migrants are currently living in the United States; about 4% of the U.S. population. Mexicans constitute 59% of these unauthorized migrants (Passel & Cohn, 2008). On average, the inflow of unauthorized migrants is about 800,000 a year from 2005 to 2008. According to the National Conference of State Legislatures, the foreign born population of the United States doubled in the 1990's. Decomposing this population, unauthorized migrants made up 30% of the total 39 million foreign born residents (Passel & Cohn, 2008). Strikingly, more than four-in-ten of the nation's undocumented populations (5.3 million people) have arrived since 2000. (Passel & Cohn, 2008) Not surprisingly, the vast majority--four-in-five--come from Latin America, Mexico being the largest sender. The second largest region is Asia which sends about 12% of the estimated U.S. undocumented population.

Earlier Pew studies (2004) have found that two-thirds (65 percent) of unauthorized migrants are clustered in six states: California (27 percent), Texas (13 percent), New York (8 percent), Florida (7 percent), Illinois (6 percent) and New Jersey (4 percent). While unauthorized immigrant populations have historically been confined to these states, recent figures indicate settlements in non-traditional immigrant states. Of the top ten most populated unauthorized receiving states, three states Georgia, North Carolina, and Virginia have around 475,000, 350,000, and 300,000 unauthorized immigrants respectively (PEW, 2009).

In terms of labor force participation, unauthorized migrants occupy low-wage occupations with the largest proportion of men working in construction and women in service sector occupations. The Pew Hispanic Center, argues that virtually all undocumented men are in the labor force. In fact, their labor force participation rate (96 percent) exceeds that of men who are legal immigrants or U.S. citizens. This is partially explained by age and also attributed to the fact that unauthorized migrants are less likely to be disabled, retired, or in school. Undocumented women on the other hand are less likely to be in the formal labor force than undocumented men or than U.S. born women. Reasons for this trend include both cultural and practical factors. In general, unauthorized women tend to work in domestic service that pays in cash and because of their age these occupations are conducive to the mother having one or more offspring. On a cultural perspective, traditional Mexican culture has strict gender roles, which prohibit mothers from working outside the household. While this cultural factor is changing, it is however important to make it explicit that there are cultural underpinnings that are in play when studying undocumented mothers.

Contrary to public opinion, women make up a substantial share of the adult undocumented population, 41 percent (Passel, Capps & Fix, 2004). About 1.6 million children under the age of 18 are themselves undocumented, with the largest percentage of them arriving at elementary age level. Older estimates reveal that about 3 million children have parents who are undocumented that figure has risen to about 5 million children. Of those who are eligible for government programs, Fix & Passel (1999) find that over 80% of children of immigrant families are U.S. citizens and eligible. This trend is rising exponentially and will be the main focus of this paper.

In 2005, it was estimated that there were 15.7 million children in immigrant families living in the United States (Kids Count, 2007). This figure includes children born outside the United States and children born in the United States to at least one foreign born parent. This figure increased by 63 percent between 1990 and 2000 (Beavers & D'Amico, 2005). Of these 15.7 million children, more than 5 million have at least one parent who is undocumented (Urban Institute, 2006). Of these 5 million children, 37% are five years and under, 28% are between age 6 and 10, and the remaining 35% are between 11 to 17 years of age (Urban Institute, 2005). More than two-thirds of these five million children are U.S. born citizens.

To get an idea of the complexity of mixed-status families, Exhibit 1. below provides illustrations of five different mixed-status family structures. In general, the two most common family structures are in the top left corner and the structure in the center of the exhibit. Starting with the family structure on the top left of the exhibit, this family structure is one in which both parents are undocumented and give birth to a child on U.S. territory. The middle family structure is a case in which the undocumented parents gave birth to a child in Mexico and brought that child with them to the U.S. Their second child was born on U.S. territory and is the only family member eligible for federal benefits. There are also family structures in which one parent is undocumented and another is documented with combination of offspring, these family structures are represented on the bottom left and the top right corners. In the bottom right corner, we have a family structure in which children come by themselves as unaccompanied minors. This is the case when parents have a stretch of illegal residency in the U.S. and return to Mexico (voluntarily or involuntarily) but have a child while in the U.S. The children then remain in the U.S. or immigrate by themselves leaving their parents behind.

## Exhibit 1: The Complexity of Mixed-Status Families



In creating sound policy for American children it is important to understand the nuances of the Mexican immigrant experience in the United States. This becomes particularly important when trying to measure the extent of take-up of government programs and how fear and risk of deportation affect this rate. Moreover, we would expect these families to experience additional barriers and levels of emotional and physiological stress from being demonized as ‘illegal’ and/or criminals. These psychological stressors often indirectly trickle down to their children.



Because this paper focuses largely on take-up rates of social programs these literatures are reviewed in sections below. The unique challenges presented by studying the unauthorized population are presented next. The following section outlines the research questions, methodology, and data that I will use to estimate WIC participation. The following section provides the results and policy implications.

### Unique Challenges in Studying the Undocumented

Unauthorized migrants come in various phenotypes and ethnic backgrounds. For this reason it is difficult for the common person to tell a person's legal status. Moreover, because 'illegal' immigration is polarizing, it has indirectly forced unauthorized families to slip deeper into the crevices of the shadow economy. This situation has resulted in serious data collection challenges for researchers interested in studying these families. Hence we have a lack of usable data on unauthorized individuals who are living next door, picking our fruit, taking care of our children, and graduating valedictorians in our public high schools. The following section provides background on the methods used to estimate this population.

In Nov. 6, 1979 Congress created the U.S. Select Commission on Immigration and Refugee Policy (1981) who commissioned a special seminar on "Methods for Estimating the Economic Impacts of Undocumented Worker." At the end of the seminar, a consensus was reached "that it is impossible to define the universe of unauthorized migrants in the U.S. with precision, nor to sample it with conventional random sampling procedures, no scientifically valid and reliable research of a direct nature on this population is feasible" (Fuchs, 1979). The commission instead opted to contract out the studies to researcher's analyzing secondary data sets. These include: an expanded version of the Current Population Survey (1976) called the Survey of Income and Education (SIE), the 1970 Census of Population (Public Use Samples) and the 1979 Chicano

Survey of Mexican Americans (Briggs, 1982). The limitation of these surveys is that none of them enabled researchers to distinguish between legal and illegal migrants.

In the past, the only way to use random sampling techniques for undocumented populations has traditionally relied on:

1. Unauthorized migrants who have been apprehended by the U.S. Immigration and Naturalization Service;
2. Persons with a history of undocumented migration to the U.S. who are interviewed in their places of origin, after returning from the U.S.;
3. Legally-arriving immigrants, many of whom were formerly undocumented but who have subsequently obtained permanent legal resident visas; and,
4. Surveys conducted in cities with large immigrants populations.

As you would expect, traditional survey sampling techniques have tremendous internal and external validity flaws particularly if the unit of analysis is unapprehended, unauthorized migrants. Subsequently, what has resulted is the rise of qualitative in-depth research focused on gaining access through local notables (i.e. counselors, social workers, and/or community activists), participant observation in areas of congregation, and extensive preparatory fieldwork in immigrant communities.

In the early 1970's, sociologist Alejandro Portes conducted a three stage longitudinal study of legally admitted Mexican (and Cuban) immigrants to the U.S. The first wave of this interview was a random selection of newly admitted permanent residents in two ports of entries in Texas. Other work that has used this methodology includes North (1978), Hirschman (1978), Portes and Bach (1980).

Because he was trying to study unauthorized, not legally admitted, immigrants, Heer in the early 1980's used Census data and birth certificates. Work by Jasso and Rosenzweig (1982) and

Jasso, Rosenzweig, and Smith (2000) also utilized administrative data to capture out-migration rates for unauthorized laborers.

Large research projects that have focused on place of origin after immigrants return home include the *Central Nacional de Informacion y Estadisticas del Trabajo* (CENIET), a division established by the Mexican Ministry of Labor (Zazueta & Mercado, 1980), *Los Nortenos: Mexican Migrants in the United States and Mexico* (Cornelius, 1982), leading up to the recent Mexican Migration Project by Douglas Massey. The earliest work on apprehended unauthorized migrants comes from scholars such as Samora (1971), Villalpando (1977), and North and Houstoun (1976). Although, these projects did draw random samples, they did not control for the fact that the population from which the samples were drawn were biased due to a variety of self-selection problems, not the least of which is that they ignore immigrants to the U.S. who do not return to Mexico. Additionally, these studies are cross-sectional in nature. It was not until the 1990s that a longitudinal approach was taken by the Children of Immigrant Survey (Portes, et al, 1992).

More recently, the New Immigrant Survey (Jasso, Massey, et al., 2003) sampled immigrants who became legal residents. The survey data are matched with administrative data to uncover various paths to legality. Various paths include now legal residents who came to the U.S. without inspection, those who overstayed visas and immigrants who were employed without authorization. To understand if an immigrant came into the country without inspection, for example, the survey team used the baseline survey to obtain entry and exit dates which were then matched with legal entry and exit documents (if they existed). To understand if they overstayed their visas, the survey researchers used indicators in the NIS such as, “during any of the times you were in the U.S. before becoming a permanent resident, did you ever stay longer than you

were authorized under the terms of your visa or other entry document?” Lastly, to understand if immigrants prior to changing their status were unauthorized to work, the survey team used respondent’s entry and exit dates and compared them to dates of employment in the U.S. Because, unauthorized immigrants tend to work off the books and/or use false documents, this approach has inherent bias.

More recent policy and economics research on the impact of being undocumented on earnings and other important outcomes has rested on the work by Passel. To come up with the figures, Passel uses a residual method that has been used since 1986 and has been used or slightly changed by various government and research organizations (Census Bureau, The Panel on Immigration Studies, Commission on Immigration Reform, DHS (INS)). To come up with the number of unauthorized migrants, a researcher first has to come up with an estimate for the legal, foreign born population provided by the Department of Homeland Security (previously the INS), along with estimates of the number of refugees admitted and the number of asylum applications granted. One must then also control for legal temporary migrants and for the legal immigrants missed in the Census or the yearly March Supplement the Current Population Survey. The initial estimate of the unauthorized population is then derived by subtracting the estimated legal population counted by the Census or CPS figure from the foreign born population. After subtracting the unauthorized population by the foreign born population you must then adjust upward to account for omissions. The calculations then must be done by country or region of birth, age, sex, period of arrival, and state or region of residence.

Recent studies--particularly in the policy arena--have focused less on generating their own data sources as mentioned above and moved toward more assumption-based analysis using demographic indicators from Passel’s findings with the Current Population Survey Monthly

Outgoing Rotation Group (CPS-ORG) data. These findings include the number of unauthorized migrants present in the U.S. in 2000 by length of residence, age, gender, educational level, and earnings (Passel, Capps, and Fix, 2004).

For example, in studying in-state tuition laws for unauthorized college age youth, Kaushal (2008) merges Bureau of Labor statistics with indicators from the CPS-ORG such as citizenship status, age, gender, education attainment for the foreign born, country of origin, and period of arrival in the U.S. Using these indicators Kaushal was able to constrain the analysis and use the overall demographic and immigration trends published by Passel to provide evidence that in-state tuition increase enrollment of these youth and do not adversely affect U.S. citizens. In studying the impact of unauthorized migrants on the fiscal health of Texas, Texas Comptroller researchers use Passel's demographics to make assumptions about the number of unauthorized migrants who use public services and as well as their contribution to sales and excise taxes. States such as Iowa, Maryland, and California have used this methodology for recent analysis of the impact of the unauthorized populations on in their appropriate economies.

This paper relies on data from the U.S. Census/Current Population Survey, Immigration Customs & Enforcement, as well as the Fragile Families and Child Wellbeing Survey. The use of multiple data sets, allows me to test the sensitivity of my results to the inherent biases in large surveys. Because legal status is a sensitive issue, the advantages of using these data sources are manifold. For example, the U.S. Census/CPS data provides a large national scope to better understand demographic and program participation across states. The longitudinal nature of Fragile Families and Child Wellbeing Survey allow researchers the ability to analyze program participation at the individual level across time and allow me to merge Immigration Customs & Enforcement at the city level.

## Food Security and Uptake of WIC by Mixed Status Families

Food security, according to the Life Sciences Research Office, who conducts research for the USDA's Food and Nutrition service, is a household's ability to access at all times enough food for an active, healthy life. This includes at a minimum the ready availability of nutritionally adequate and safe foods and assured ability to acquire acceptable foods in socially acceptable ways (that is, without resorting to emergency food supplies, scavenging, stealing, or other coping strategies such as prostitution, etc.). In studying take-up rates for food security programs impacting mixed-status Mexican-American families, states are the most appropriate unit of analysis. Since the inception of the Women, Infants, and Children (W.I.C.) program, there has been much confusion regarding eligibility requirements for immigrants. Despite popular belief, unauthorized migrants have always been eligible for W.I.C. benefits. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was the first real attempt to restrict benefits to immigrants, radically altering the policy environment for services. Not only did it have implications for public finance in terms of funding but it established a clear precedence for immigrant rights regarding public assistance. Under the PRWORA (P.L. 104-193) and subsequent laws<sup>2</sup>, eligibility restrictions were enacted to restrict certain programs to legal immigrants and deny access by unauthorized migrants to most government funded programs.

---

<sup>2</sup> *Illegal Immigration Reform and Immigrant Responsibility Act* ["Immigration Law" PL 104-208], the *Balanced Budget Act of 1997* [PL 105-33], the *Agricultural Research, Extension and Education Reform Act of 1998* [PL 105-185], the *Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998* [PL 105-306], the *Trafficking Victims Protection Act of 2000* [P.L. 106-386], and the *Food Stamp Reauthorization Act of 2002* [PL 107-171].

In general, PRWORA established an official distinction of who is a ‘qualified alien’ and who is an ‘unqualified alien.’ Qualified aliens are those who have legal permanent residency and/or refugee status. Unqualified aliens are unauthorized migrants who are residing in the U.S. without proper documentation. Unqualified aliens can also include foreign students or visitors with traveler’s visas who are not authorized to work. While, qualified aliens are eligible for some federal benefits, unqualified immigrants are denied all federal benefits except emergency Medicaid and k-12 public education. Although clearly written in law, in practice, there is great confusion about what state level benefits are available to both qualified and unqualified immigrants. This is particularly the case in mixed-status households. This chapter then starts with a state-by-state analysis of food security benefits afforded to mixed families and examines take-up rates for the WIC program.

Table 1: Federal Programs and Eligibility Across Qualified vs. Unqualified Aliens

| Federal Program    | Eligibility  |                     |
|--------------------|--|---------------------|
|                    | Qualified Aliens   | Unqualified Aliens  |
| <b>Food Stamps</b> | Legal immigrant children (benefits restored as of October 1, 2003)                           | No                  |
|                    | Legal immigrants with 5 years residence in the U.S. (benefits restored as of April 1, 2003)* |                     |
|                    | Legal immigrants with 40 work quarters   |                     |
|                    | Refugees   |                     |
|                    | Elderly, resident in the U.S. on or before 8/22/96   |                     |
|                    | Disabled or blind immigrants, regardless of when they entered the U.S.                       |                     |
|                    | Veterans, active military and their spouses and dependents                                   |                     |
| <b>Medicaid</b>    | Legal immigrants residing in the U.S. on or before 8/22/96 at state option                   | Emergency Care Only |
|                    | Legal immigrants who enter the U.S. after 8/22/96: barred for first 5 years*                 |                     |
|                    | Legal immigrants with 40 work quarters   |                     |
|                    | Refugees (eligible for first 7 years of residence)   |                     |
|                    | Veterans, active military and their spouses and dependents                                   |                     |
|                    | SSI recipients   |                     |
| <b>SCHIP</b>       | Legal immigrant children residing in the U.S. on or before 8/22/96                           | State discretion    |
|                    | Legal immigrant children who enter the U.S. after 8/22/96: barred for first 5 years*         |                     |
|                    | Refugees (eligible for first 7 years of residence)   |                     |
|                    | Children of veterans and active military (unmarried, dependent)                              |                     |
| <b>WIC</b>         | Same as citizens   | State discretion    |

NOTES: "Refugee" on this chart also includes asylees, Cuban-Haitian entrants, Amerasians, and those whose deportation has been withheld. Victims of domestic abuse and victims of trafficking may be eligible for the above programs, but they must still meet eligibility requirements (for example, 5 year's residence or 40 work quarters.)

\*Sponsor-to-immigrant deeming applies to legal immigrants who have signed a legally binding affidavit of support on or after December 19, 1997. The income and resources of the sponsor are counted as available to the immigrant when determining the immigrant's eligibility.



In general, unauthorized migrants are not eligible for any federal public benefits including Temporary Assistance for Needy Families (TANF). Through litigation and policy enactments some benefits have been restored. These include k-12 public education (*Plyer vs. Doe*, 1982), emergency medical treatment (under the Emergency Medical Treatment and Labor Act of 1986) which include testing and treatment of communicable diseases. States have discretion when it comes to SCHIP. Some States include prenatal care and preventative services regardless of immigration status. Unauthorized migrants are also afforded short-term, non-cash, and in-kind emergency disaster relief such as food and short term housing. Unauthorized migrants are also eligible for community programs and services such as drug rehab, education, HIV/AIDS testing and counseling for AIDS/HIV. Other programs that deal with the protection of life and safety include soup kitchens short-term shelter, and child and adult protective services.

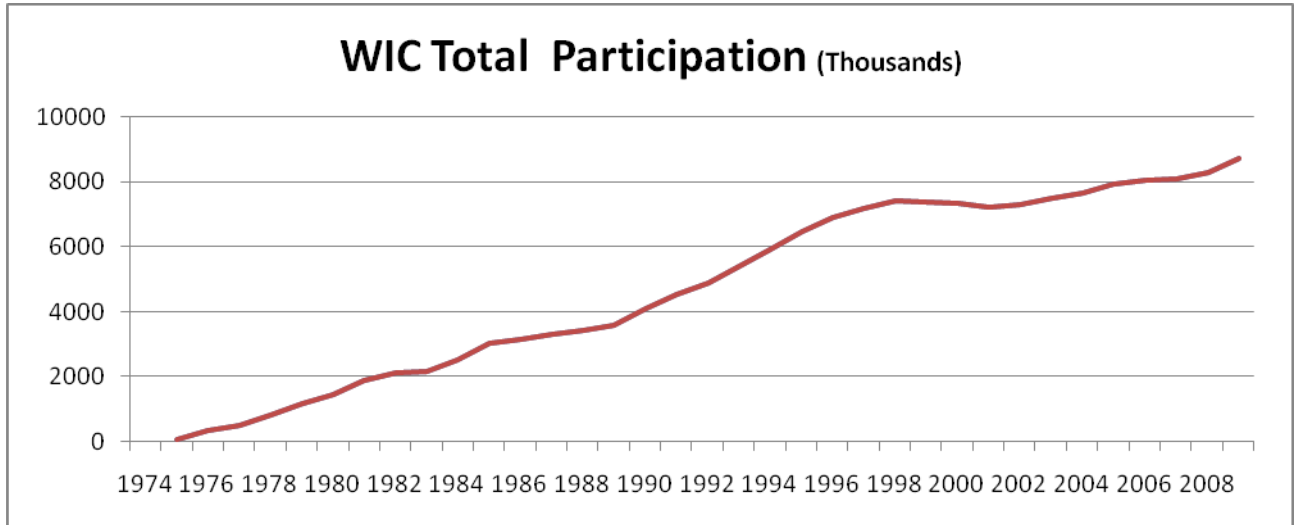
The largest benefit afforded to unauthorized migrants is K-12 education and accompanying federally subsidized school lunch and breakfast programs. Additional nutrition assistance programs include Women, Infants, and Children (WIC), Child and Adult Care Food Program (CACFP), Summer Food Service Program, Special Milk Program, Commodity Supplemental Food Program (CSFP), The Emergency Food Assistance Program (TEFAP), and Food Distribution Program on Indian Reservations (FDPIR). I must note that states at their discretion can deny unauthorized migrants' access to all the food assistance programs. While it is up to state discretion to provide WIC to unauthorized parents, if the child is born in the U.S. he/she is eligible for all services.

Restricting immigrant benefits started with PRWORA which indirectly changed the policy environment for immigrants making eligibility confusing. There are alternative explanations on why there is such a disparity between availability and program take-up. There is an important

distinction when discussing take-up rates. Are poor unauthorized Mexican immigrants more eligible for public assistance or are they more likely to claim benefits given their eligibility? The distinction is important particularly when trying to understand immigration and public assistance participation in a poverty framework. Authors such as Blau (1984); Borjas & Trejo, (1991); Borjas & Hilton, (1996); Hu, (1998); Van Hook & Bean, (1998) have found that authorized immigrants take-up public assistance at higher rates than U.S. born citizens. But, this is not that case with unauthorized immigrants. As described above, unauthorized immigrants are banned from food stamps, TANF, Medicaid, and most other federally funded programs. At the state level, the majority of states allow undocumented parents to receive the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

WIC was first created as a 2 year pilot program in 1972 by an amendment to the Child Nutrition Act of 1966 and was made permanent in 1975. WIC's mission is to safeguard the health of low-income women, infants, and who are at risk for poor nutrition. WIC provides a combination of direct nutritional supplementation, nutrition education and counseling, and increased access to health care and social service providers for pregnant, breastfeeding, and postpartum women; infants; and children up to the age of five years old. WIC is currently the third largest federally funded food program behind Food Stamps and the Free School Breakfast and Lunch Programs and is one of the central components of our nation's food assistance system. As of 2006, WIC enrolled 8.8 million participants at an annual cost of \$5.1 billion (USDA Report No. WIC-06-PC, 2007). As shown in graph #1, WIC has been on average increasing steadily throughout its history. The only substantial decline has been from 1998-2001.

Graph # 1 Total WIC Participation (numbers in thousands).

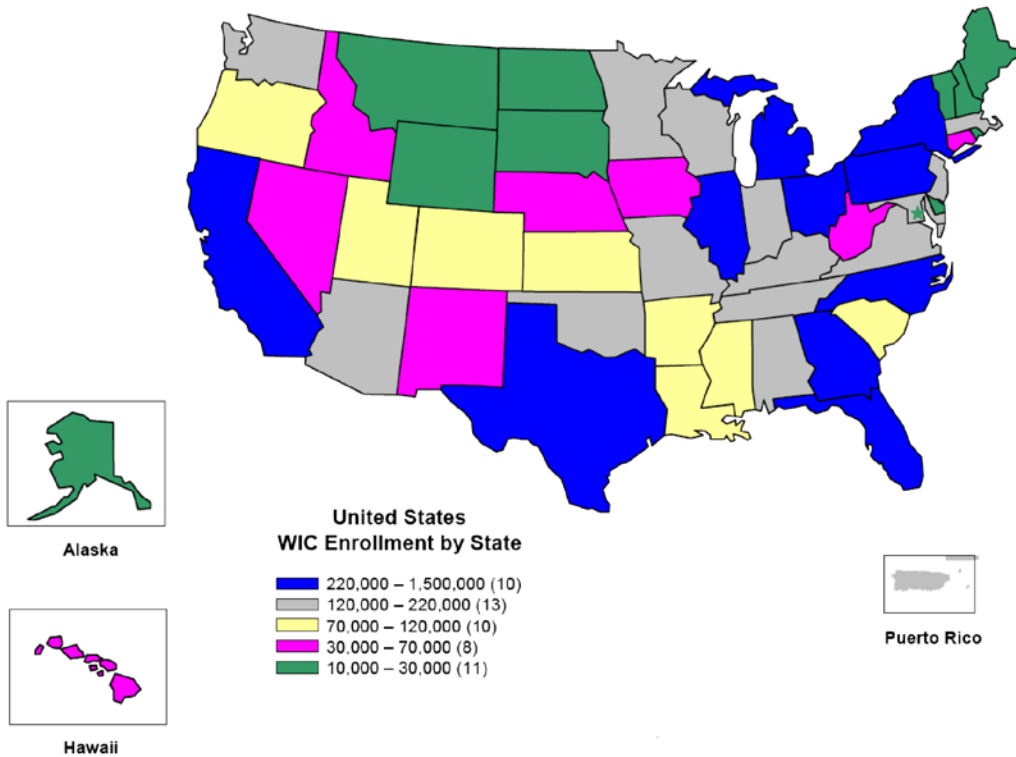


Source: USDA Report no. 7, 2002

Notes: Excluding Guam who make up 6,000 additional participants.

WIC is administered by the USDA's Food and Nutrition Service (FNS), and can be found in each State, the District of Columbia, 33 Indian Tribal Organizations, Puerto Rico, the Virgin Islands, American Samoa, and Guam. As show in exhibit #1, WIC participation varies by state and region. The WIC program services about half of all infants and about one-quarter of all children 1-4 years of age in the U.S (USDA Report no. 7, 2002).

Exhibit# 1 Total WIC Participation across the United States (numbers in thousands).



Source: Special Nutrition Programs, Report No. WIC-06-PC, USDA

WIC reaches a substantial number of children, therefore it is important to have a well structured program that is transparent and readily available. To be eligible for WIC you must meet three criteria. You must first meet categorical criteria such as being pregnant or postpartum women, be an infant, or a child up to the age of five. Second, individuals must be either income eligible, at or below 185 percent of the federal poverty level, or adjunctively eligible through participation in other programs such as Medicaid. Third, individuals must be identified as being nutritional risk on the basis of a medical or nutritionally assessment by a professional authority on the staff of the local agency such as a physician, nutritionist, or nurse.

Research on WIC participation, indicates that there is positive relationship between WIC, marriage and Hispanic ethnicity (Bitler, Currie & Scholz, 2003). Latinos make up a substantial

percentage of those participating in WIC. In 2002, 41.2 percent of WIC participants self-identified themselves as Latino (USDA Report no. 7, 2002). Up to this point there has not been a study that disentangles Latino participants in mixed-status households. Asian ethnicity and residing in central cities is found to be negatively associated with WIC participation (Bitler, Currie & Scholz, 2003). Other strong predictors of WIC participation include young mothers and low-educated low-income mothers (Swann, 2003). Moreover, WIC participation is higher in states having program rules that reduce the transactions costs of using the program such as fewer required visits (Bitler, Currie & Scholz, 2003).

An interesting component of trying to understand immigrant participation in public assistance is on the nature or behaviors that drive take-up rates. If, for example, families participate at lower rates (given they are eligible) is this reason attributed to cultural aspects rooted in their experience in Mexico? How does information asymmetry about program eligibility impact take-up rates? In contrast, if participation is declining, is it due to changes in the economic conditions such as higher employment rates resulting in higher incomes? In Kahler et al. (1992) the authors find that barriers such as lack of transportation, and lack of child care, are associated with low take-up rates but for women from other countries, lack of information about program eligibility along with the perceived embarrassment of receiving a “handout” are also plausible explanations. Currie (2004) further concludes that automatic or default enrollment along with removing transaction costs increase participation.

In general immigrants are less likely to use welfare programs than native born citizens.

Literature suggests that as immigrants become more assimilated they then start to use programs at higher rates (Blau, 1984; Borjas and Trejo, 1991 & 1993; and Borjas and Hilton, 1996).

Confusion on being a “public charge” can also explain why immigrants are not taking up public

programs. The post welfare reform policy created an environment where if you were deemed a public charge you would be denied permanent residency, U.S. citizenship and be deported. I argue that the confusion of being a public charge and the documentation of your receipt of benefits increases fear of deportation for unauthorized migrants. Of the little research that has examined fear of deportation among Latino Undocumented Immigrants, Berk & Schur (2001) find that of those who reported high levels of fear were also more likely to report an inability to acquire medical and dental care. But this is one of very few studies on the topic. Prior to this work, Asch, Leake & Gelberg (1994), find that of those who feared going to a physician might lead to trouble with immigration authorities, were almost 4 times as likely to delay seeking care for more than 2 months.

WIC enrollment is in principle a function of both demand-and-supply side decisions. Besharov & Germanis (2005), show that low-income women decide to participate in WIC, independent of administrative selection. In other words, mothers participate voluntarily and this participation is not because they automatically qualify for Medicaid. The decision to enroll in WIC involves a comparison of the benefits and costs. In this calculation we expect the costs of participating in WIC are lower for more motivated and well-informed women (Devaney, Hilheimer, & Shore, 1992). In terms of opportunity costs of visiting WIC offices, we expect these costs to be lower for mothers with weaker earnings prospects. We also expect women who derive the greatest benefits from WIC involvement should be more likely to willingly bear the costs of program participation (Ludwig and Miller, 2005). What is not known is the decision making of mixed-status Mexican families within this supply-and-demand framework.

Research on the impact of WIC on health outcomes has shown that WIC participation during pregnancy is associated with improved birth outcomes in terms of higher birth weights, lower

fetal deaths (Kotelchuck, M., et al., 1984; Kennedy, 1982; Rush, 1986; Buescher et al, 1993) along with reductions in maternal and newborn health care costs (Schramm, 1985; Schramm, 1986; Devaney et al, 1992; GAO, 1992). This becomes even more dramatic when comparing low-income WIC participants vs. low-income non-participants (Buescher, 2003). Research on WIC has also focused on the timing of enrollment. Ku (1989), for example, finds that early prenatal enrollment is associated with previous participation in WIC. Moreover, race was only marginally significant, and the presence of local policies of outreach targeted to pregnant women showed little signs of significance.

Social work literature has started to really study access or barriers to social services in a culturally competent framework. Recent work by Delgado (2007) describes the challenges inherent in providing social services for Latinos. While, language remains a critical barrier to accessing social services, he argues that one must also consider physical and geographical distance, psychological access, cultural accessibility, and well as operational access.

While social workers have concentrated most of the work on psychological phenomenal like stigma, I argue that fear and or risk of deportation is an indicator that is driving the differences between take-up rates and WIC participation for mixed-status families. Fear or risk of deportation can take various forms. One of the most salient signals of immigrant backlash are the proposed English only laws spread across the states starting in the 1980's. While the majority of the legislative actions were defeated in states with substantial language minority populations, conservative states and states with mechanisms for direct democracy generally adopted such laws (Citrin et al. 1990; Preuhs, 2005; Tataloch, 1995). Preuhs (2005) and Tatalovich (1995) estimate that of the 50 states around half have now adopted Official English

laws. There are in fact 26 states that have English as an official language<sup>3</sup>. Arguably adoption of this law is closely tied to resentment toward racial/ethnic minorities particularly the foreign born (Schildkraut, 2001). Furthermore, this anti-immigrant rhetoric can help explain the unobserved bias that explains why immigrants do not participate in government programs.

More recent forms of anti-immigrant backlash that provide fear amongst immigrants are the widespread Immigrant Customs and Enforcement (ICE) worksite raids and the deputizing of local officials to act as federal immigration law enforcers in what is called 287(g). These arrests are made public through both mainstream and Spanish based radio and television stations and leave a lasting impression in communities. Section 287(g) of the Immigration and Nationality Act, “authorizes the secretary of the U.S. Department of Homeland Security (DHS) to enter into agreements with state and local law enforcement agencies, permitting designate officers to perform immigration law enforcement functions, pursuant to a Memorandum of Agreement (MOA), provided that the local law enforcement officers receive appropriate training and function under the supervision of sworn U.S. ICE officers” (US Dept. Homeland Security, 2006).

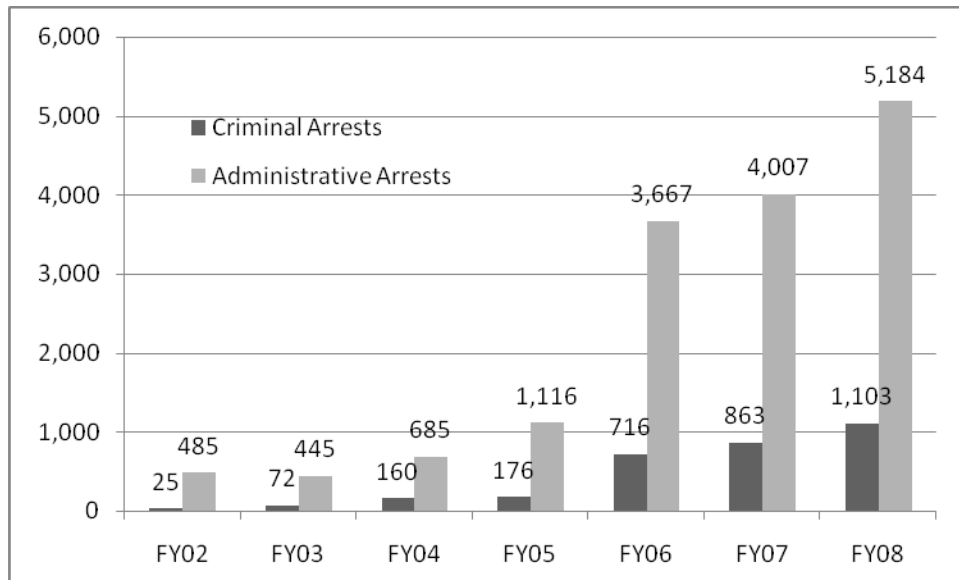
In addition to this new collaboration between federal immigration agents and local law enforcement, the number of worksite raids has been increasing. For example, from FY 2002 to FY 2008 (USICE, 2009) both criminal and administrative arrests have been rising. Graph #2 for example, displays the increasing trend in worksites enforcement arrests.

Graph # 2 Worksite Enforcement Arrests.

---

<sup>3</sup> Twenty-six states with English Only Laws include: Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Iowa, Illinois, Indiana, Kansas, Kentucky, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, South Dakota, Tennessee, Utah, Virginia, Wyoming,

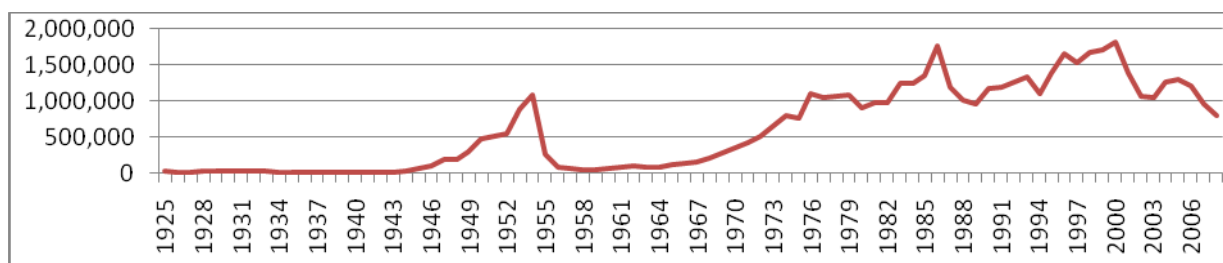




Source: USICE, 2009

Graph #3 provides the total number of immigrants that have been deported from 1925 – 2008. As shown, there has been an increase in deportations starting in the early 1970’s reaching up to 1,767,400 in 1986 and again in 2000 with 1,814,729 deportations (DHS Yearbook, 2008).

Graph # 3 Number of Aliens Deported from 1925-2008.



Source: DHS Yearbook, 2008

Deportations affect Mexican immigrants disproportionately. In 2008 for example, around 88% of the 791,568 immigrants deported from the U.S. were from Mexico. What is not clear is of those deported how many of these unauthorized migrants have children who are American citizens.

Up to this point the Urban Institute has produced the only study that has focused on the outcomes

of immigration raids. The Urban Institute found that of the 900 unauthorized immigrants detained in 2007 worksite raids, over 500 children were affected (Urban Institute, 2007). As noted by the study the majority of these children were U.S. citizens. Other fear of deportation signals include wide spread laws banning drivers licenses', employment based private insurance, day laborers sites, and laws requiring proof of citizenship to rent or lease an apartment.

What has yet to be tested is how fear and/or risk of deportation affect the benefit-cost calculation in mixed-status families. In sum, this is the first empirical analysis to first quantify fear and risk of deportation and then test if it has an effect on the probability of social service take-up in mixed-status families across traditional and non-traditional immigrant receiving states.

#### Research Question and Methodology

The main question in this paper is how fear ( $\phi$ ) and risk of deportation ( $\Gamma$ ) in mixed-status (M) families affects the probability of WIC uptake across regions ( $\Delta$ ). To test this question, I will estimate a series of logistic regressions with the Fragile Families and Child Wellbeing Survey. The final model is as follows<sup>4</sup>:

$$WIC_i = X_i\beta_1 + \phi_i\beta_2 + \Gamma_i\beta_3 + M_i\beta_4 + \Delta_i\beta_5 + \varepsilon_i$$

Where, WIC is a dichotomous variable indicating if an individual receives WIC. X is a vector of person-specific characteristics including age, education, income, race, number of children, marital status, residence (urban vs. rural), health-care participation, etc. My contribution to the take-up literature is in the creation of the following variables, mixed-status families (M), region ( $\Delta$ ), fear ( $\phi$ ), and risk ( $\Gamma$ ) of deportation.

---

<sup>4</sup> I will be estimating various derivations of this model to test for specification, multi-collinearity and robustness.

$M$  is an indicator variable equaling 1 if the individual is in a mixed-status family and 0 if a normal U.S. family. To be in  $M$  you have to indicate that you were born outside the U.S. (born in Mexico), not a U.S. citizen, and rely on other demographic indicators such as age, gender, education attainment and period of arrival in the U.S. For purposes of this examination, I will not be analyzing mixed-status families that are non-Mexican. We expect that mixed-status families compared to normal U.S. families to have lower participation on average, holding all else constant.

$\Delta$  is a new region<sup>5</sup> categorical variable that separates regions by traditional receiving states, new non-south traditional receiving states, and new southern immigrant receiving states. We expect that non-south traditional and new southern immigrant receiving states to have lower WIC participation than traditional receiving states, holding all else constant.

$\phi$ , is a measure of fear of deportation. To measure  $\phi$ , I will take the sum of anti-immigrant legislation passed, rejected, or expired across 50 states from in 1999. I will then categorize anti-immigrant legislation by subject area. These subject areas include, education, public benefits, law enforcement, employment, and a category for other (this includes: family law, housing, English as an official language, etc.).

---

<sup>5</sup> I will also be estimating various derivation of  $\Delta$  such as on the Department of Homeland Security's "Special Agent in Charge" (SAC) regions, and on traditional census region indicators (Northeast, Midwest, South, and West). In addition to these specifications, I will then match deportation data to city level indicators in the Fragile Families and Child Wellbeing Survey.

The data on anti-immigrant legislation comes from a methodology created by the Migration Policy Institute (MPI). This methodology uses the StateNet database within LexisNexis and Westlaw<sup>6</sup> to locate all state legislation that has somehow regulated immigration. As one would expect many bills were companion bills or were substantially similar to other bills introduced under different numbers in one or both houses of the legislature, each of these bills will be counted separately. We expect that as  $\phi$  increases in state, WIC participation will decrease, holding all else constant. Using the geo-coded indicators in Fragile Families, I will then match the city indicators with the anti-immigrant legislations in the State.

$\Gamma$  is a measure of risk of deportation.  $\Gamma$  will be measured as the proportion of deported aliens divided by the number of unauthorized immigrants<sup>7</sup>. For example, we would expect that the risk of being deported in Rhode Island is different than the risk of being deported in Indiana. In general, the majority of deported aliens over 88% come from Mexico. Deportation data are gathered from the Department of Homeland Security- Immigration Statistics office. The data are then classified by program (Border Patrol Sectors and Special Agent in Charge Jurisdictions). The Border Patrol Sector Program is largely responsible for international border and water crossings. We would expect that the majority of immigrants who are apprehended will be in the Border Patrol Sector Program, so I will rely on the special investigation data from the SAC program, since they are primarily responsible for enforcement within the nation's interior. There

---

<sup>6</sup> I will employ a combination of 17 search terms, including: Alien OR immigra! OR "nonimmigra!" OR citizenship OR noncitizen OR "non-citizen" OR "not a citizen" OR undocumented OR "lawful presence" OR "legal! presen!: OR "legal permanent residen!" OR "lawful permanent resident" OR migrant OR "basic pilot program" OR "employment eligibility" OR "unauthorized worker" OR "human trafficking" AND NOT ("responsible citizenship" OR "good citizenship" OR "citizenship training" OR unborn OR Alienate OR alienation OR "alien insur!" OR "alien company" OR "alien reinsure!")

<sup>7</sup> Estimates for unauthorized immigrants are provided by the Pew Hispanic Center.

are 26 SAC offices that maintain various subordinate field offices throughout their areas of responsibility. These subordinate field offices include Deputy Special Agents in Charge (DSAC), Assistant Special Agents in Charge (ASAC), Resident Agents in Charge (RAC) and Resident Agents (RA). We expect that as  $\Gamma$  increases in a state, WIC participation will decrease, holding all else constant. I will match the Fragile Family city indicators with the SAC district. For example, if you were sample in San Antonio, TX, you would be apprehended in the San Antonio SAC district.

## Data

To be able measure take-up rates I utilize data from various sources. These include the U.S. Census/Current Population Survey and the Fragile Families and Child wellbeing survey. These sources of information are listed below along with their added benefit to this research.

### *Fragile Families*

The Fragile Families and Child Wellbeing Study is a national longitudinal sample of all U.S. cities with 200,000 or more inhabitants between 1998 and 2000. Data have been collected on 4,898 births in 75 hospitals in 20 cities across the United States. The study then follows a cohort of parents and their children from child's birth, 12th month, 30th month, 48th month and when the child is 9 years old (currently in the field). The stratification of cities was based according to policy environments (welfare generosity and child support system) and labor market conditions. These policy environments include levels of welfare generosity, levels of child support enforcement, and labor market strength to insure a balance of mothers in different policy and labor environments. The sampling occurred in three stages: First they took a stratified random sample of U.S. cities; then sampled hospitals embedded within cities that are representative of non-marital births in particular cities. Finally, within hospitals they took random samples of both

married and unmarried births until they a preset quota that were based on the percentage of non-marital births in the city that occurred in the hospital in 1996 or 1997.

Sixteen cities were chosen: Indianapolis, IN; Austin, TX; Milwaukee, WI; Boston, MA; Santa Ana, CA; Richmond, VA; Corpus Christi, TX; Toledo, OH; New York, NY; Birmingham, AL; Pittsburgh, PA; Nashville, TN; Norfolk, VA; Jacksonville, FL; San Antonio, TX; Philadelphia, PA; and Chicago, IL. In addition to the 16 cities, 4 additional cities were added (Newark, NJ; Oakland, CA; Detroit, MI; and San Jose, CA) by request from funders. It is important to note that you can use the data as either nationally representative (16 cities) or at the city level (20 cities).

Fragile Family data are of particular importance for my study because of the datasets scope and national representativeness. In addition, by definition all children are U.S. citizens by birthright. The study has a substantial number of mixed-status Mexican families who are sampled across time on various indicators of social service participation, earnings, and physical/mental health. Moreover, this data has city indicators which will allow me to merge the data on fear and risk of deportation. The Mexican mixed-status families in Fragile Families were created by using the following indicators; if the mother was foreign born, mother's place of birth, U.S. citizen indicator, education attainment, years in U.S. and if survey was completed in Spanish.

Analysis:

To be presented at conference.