

Child Immigrants as Citizens

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Introduction

The pathways to citizenship outcomes for child immigrants continue as mysterious. Immigration debates place great emphasis on immigrant workers and effects for native workers and the U.S. economy. The demographic consequences of immigration are recognized as to shaping the future U.S. society with descendants of immigrants (Hernandez and Charney 1998). These implications pertain to immigrants' native-born children and foreign-born children. A substantial share of immigrants, persons admitted to lawfully reside on a permanent basis and who may become citizens, are children at admission. Among 25 million immigrants over the past three decades, about one-quarter were child immigrants (Woodrow-Lafield et al. 1999).

Immigration studies are constrained because census and survey sources capture immigrant characteristics at a particular point in time and, sometimes, earlier dates, but scholars seek to analyze the process of changing characteristics over time to address assimilation questions. This analysis draws on a multi-cohort retrospective dataset for immigrants and naturalization outcomes over time (Woodrow-Lafield, Xu, Kersen, and Poch 2004, 2001; Woodrow-Lafield 2002; Woodrow-Lafield and Poch 2003). Administrative records track child immigrants and identify their independent behavior in naturalizing as adults. This approach explores previously obscured naturalization outcomes for child immigrants.

The Research Problem: Child Immigrants and Citizenship

Preference categories and limits for family or labor migration for pre-1992 cohorts were established in the Immigration and Nationality Act Amendments of 1965 and later amendments. Individuals who wished to immigrate were admitted for lawful permanent residence according to three principles of the U.S. legal immigration system for setting priorities or preferences: family unification, labor requirements, and humanitarian considerations. The U.S. immigration system extends greater capability for sponsoring a family member as a legal immigrant to U.S. citizens, whether native-born or naturalized. Most immigrants, adults and children, are admitted under family-sponsored preferences or immediate

relatives provisions. The Immigration Act of 1990 allowed a new principle of diversity.

A crossover occurred in the mid-1980s to more noncitizens than citizens among U.S. residents of foreign birth. The 1990 census was the first since the 1920 census to show the greater number of aliens than naturalized citizens following amnesty for formerly unauthorized aliens and recent lawful immigration (Woodrow-Lafield 1992). Origin differentials for long-term residents, higher for Asians, Africans, and Europeans or Canadians than for Mexicans, have long been apparent on naturalization. Peak numbers of immigrants became eligible to naturalize, unprecedented numbers applied to naturalize, and naturalization approvals were at historic highs over 1995-1997. Asian countries accounted for the greatest number of naturalizations for two decades, but, in 1996, North America became the leading region of birth among naturalizing immigrants with Mexico as the most prominent origin country. By 2000, the majority of foreign-born persons here for two decades were naturalized citizens, but Mexicans had done so at a lower level (52 percent) than others. Disparities in naturalization levels for the heterogeneous foreign-born population and origin groups and the question of differing propensities to naturalize are one dimension to the assimilation debate. Research has drawn on naturalization as identificational assimilation, for self-protection, and rational or based on microeconomic reasoning, and newer explanations may relate to consumption or ease of identification in global society.

To naturalize is generally viewed as a transition or an attainment of characteristics for functioning as a responsible citizen. Insights have been only rarely revealed as to naturalization of lawfully admitted immigrants. Based on naturalization experiences of 1971 immigrants in the first decade of residence, in *The New Chosen People* by Guillermina Jasso and Mark R. Rosenzweig (1990), visa categories of admission were differentially associated with having naturalized. The general requirements for naturalizing are the immigrant must be at least eighteen years of age, must demonstrate English proficiency, knowledge of civics and history, and good character, and must have held lawful permanent residence for at least five years. Identity and law-abiding character must have verification by the Federal Bureau of Investigation, English ability is checked with an interview, the knowledge

requirement is met by passing a ten-question exam, and final pronouncement is by a judge. Both judicial procedures for naturalization and administrative procedures in naturalization have involved bureaucratic problems that created delays and difficulties (North 1987; Gonzalez-Baker et al. 2000). Since 1996, the timing of naturalization has been adversely affected by the applications volume and lengthy processing times so that the majority of applicants have awaited approvals for one to three or four years.

Most Americans hold birthright citizenship under the 14th Amendment of the U.S. Constitution according to the principle of *jus soli*, having been born on U.S. soil. For certain individuals born outside the United States, the principle of *jus sanguinis*, is applicable that the country of citizenship of a child is the same as that of the child's parents. In particular, children born to U.S. citizens on temporary travel abroad hold U.S. citizenship at birth. Rights as U.S. born citizens are the same irrespective of parents' citizenship or legal status. Naturalized citizens have nearly the same rights as native-born citizens, but they are ineligible for the Presidency and Vice Presidency.

U.S. born parents convey citizenship to children adopted from abroad. Among leading places of birth for adopted children, China and Korea are major origins from Asia, which accounts for the majority (Kreider 2003). Mexico was the leading origin from Latin America. Numbers of immigrant-orphans adopted abroad increased steadily over the 1980s and 1990s, in a 'quiet migration' (Selman 2002). These adoptive parents are probably highly educated and of higher economic status, suggesting higher likelihood of obtaining certificates of citizenship and U.S. passports. Thus, adopted immigrant-orphans are expected to have citizenship outcomes similar to U.S. born children.

Children who accompany or join their parents as immigrants to the United States have varying origin and cultural backgrounds. Social scientists are attentive to the 1.5 and second generations' experiences on educational attainment, English language proficiency, earnings, and labor force participation (Booth, Crouter, and Landale 1997; Poch 2002). Studies show many immigrants speak English upon arriving and the majority acquired English language proficiency (Smith and Edmonston 1997). Few studies truly examine the process of maturing to adulthood of child immigrants as crucial for testing fully the segmented assimilation hypotheses about outcomes for the second generation.

Immigrant parent families often have mixed composition on nativity and citizenship (Federal

Interagency Forum on Child and Family Statistics 2004). The mix of status within immigrant families was evident for the IRCA-amnestied population (Woodrow-Lafield 1995). Because immigrants are usually young, migration interrupts childbearing so that younger children are more likely to be native-born than older children (Kahn 1994). Immigrant families also may include members of unauthorized status in addition to those members who are native-born, naturalized citizen, or other lawful status.

Between October 5, 1978 and February 26, 2001, the nativity status or actions in naturalizing of both parents were integral for conveying derivative U.S. citizenship to their minor foreign-born children (under 18 years) who were lawfully permanent resident for whom parents needed only to request certificates of citizenship on their behalf. Adult sons and daughters of parents who naturalized while they were minors and did not request their certificate (s) of citizenship, could later request a U.S. passport on the basis of derivative citizenship status through the Department of State. Child immigrants whose parents had not naturalized while they were less than eighteen years of age, might have naturalized or may yet naturalize in adulthood.

Effective February 27, 2001, the Child Citizenship Act of 2000, Public Law 106-395, altered the requirement to a single parent naturalizing or U.S. citizen parent by birth. This also applied for adopted children. Naturalization is automatic on meeting the requirements, meaning that citizenship is acquired by law without needing to apply and there are provisions for automatic citizenship for foreign-born children who are residing outside the United States.

Children aged 0 to 10 years at immigration would be the more likely recipients of derivative citizenship status so long as their parents made a timely naturalization. Older children would be more likely to age out of eligibility as parents were fulfilling the residency requirements and applying to naturalize. Median years of residence to naturalization are typically eight or nine or typically one-half of the child lifetime of 18 years.

Children's probability of holding citizenship is partially contingent on the circumstances of family migration, family structure, and age at immigration. Younger children may gain U.S. citizenship through their parents' attributes or acquisition of U.S. citizenship, but older children must fulfill the same requirements as their parents. These differences in acquisition of citizenship compound the differences by nativity associated with family childbearing and the migration event and complicate eligibility of children for public benefits in this post-welfare reform period.

Data and Methods

Less than fifteen percent of foreign-born children are naturalized citizens in census and surveys, probably having derived citizenship through parental naturalization. Statistics about derivative citizenship have long been regarded as deficient because parents must complete children's names on form, request certificates, and keep such records on behalf of children, and the statistical systems are incomplete.

Administrative records are a promising resource given current technologies. Linking immigrant-naturalization records makes other variables from the immigration circumstances available with characteristics at naturalization, including exact duration as lawful permanent resident. For those child immigrants whose parents do not naturalize, naturalization outcomes may be associated with youthful experiences, adult experiences, and other factors. Sibling composition by nativity and citizenship may influence naturalization as an adult.

This study seeks to contribute to the immigration studies literature with an investigation of naturalization among child immigrants in the early years of U.S. residence. The Immigration-to-Naturalization Project was created through record linkage of immigrant records over 1978-1991 and naturalization records as of 1996. Most previous INP studies excluded child immigrants on the presumption their naturalized status would be incompletely measured and dependent on parental decisions (Woodrow-Lafield et al. 2001, 2004). Similarly, Greenwood and McDowell (1999) omitted persons younger than 20 years because most had not decided independently to immigrate.

The INP focuses on a large share of the immigrant population having lawful residence, nearly one-half of all foreign-born residents in 1990. The project was responsive to a call for more research on U.S. immigration (Program Announcement-95-036) that, specifically, encouraged "(3) maximum use of existing data on immigrants or the foreign born for analyses, and the linking of such data to administrative records ... to obtain a more accurate profile of immigrant experiences." This project utilizes immigrant and naturalization administrative records as a unique multi-cohort retrospective data source on the immigration-to-naturalization transition for U.S. immigrants as data were available in 1999 and prior to admissions under the Immigration Act of 1990.

Several studies describe the timing and occurrence of immigrant naturalization by characteristics at admission, especially country of birth. The major work is to develop statistical models of the occurrence of naturalizing with cohort

covariates and characteristics at admission, and gain understanding of influences associated with greater likelihood of having naturalized or naturalizing more quickly for some immigrants than others (Woodrow-Lafield et al. 2000, 2001, 2003). (See <http://www.nd.edu/~klafield/projects.htm>)

The project was established with careful consideration of privacy and confidentiality issues (Woodrow-Lafield 2002). Record linkage was possible with availability of encrypted alien-numbers, but names were not released. An arrangement was established to secure appropriate security clearances for project staff, and the Principal Investigator became a sworn federal employee. The project research site at the Social Science Research Center of Mississippi State University was structured as a secure data enclave according to detailed guidelines for research site security and maintaining confidentiality throughout the research project. A "culture of confidentiality" was the overall context.

This project draws on existing large-scale data to contribute longitudinal studies to more comprehensively evaluate the transition to citizenship for contemporary immigrants. Nearly 3 million immigrants over 1978-1991 were naturalized as of fiscal year 1996, with 6.1 million immigrants who might naturalize after 1996. Among 5.5 million immigrants who were 21 years and older at admission, 1.8 million, or 36 percent, had naturalized by 1996.

This preliminary examination utilizes a sample file of immigrants with New York addresses as places of intended residence to which residence cards were mailed (Woodrow-Lafield and Poch 2003). Several researchers have used that item as designating settlement place for new permanent resident aliens (Singer et al. 2001; Salvo and Ortiz 1992, Lobo and Salvo 1998a, b). That distribution has similarities to census data on geographic distribution of recently entered foreign-born persons (Zavodny 1999; Bartel 1989).

These exploratory analyses show that child immigrants who accompanied parents experienced naturalization under both special and general provisions, that is, upon reaching adulthood, child immigrants are naturalizing independently. If analyses were undertaken similar to those for adults, models would be subject to biases from competing outcomes of emigration and derivative citizenship for which measures are unavailable.

Results: Child Immigrants in New York

From about 1.5 million immigrants for whom New York was the designated state of intended residence, a large number (572,000), or more than one-third, were persons under 21 years

old. This represents a sizable share of all immigrants under 21 years (about 4.0 million) for these cohorts.

Selecting child immigrants aged 0 to 18 years at admission gives 447,000 cases. The leading origin countries for INP immigrants in New York City were the Dominican Republic (17.4 percent), Jamaica (12.2 percent), Guyana (7.7 percent), China (5.0 percent), Haiti (4.3 percent), Korea (3.8 percent), Colombia (2.9 percent), and India (2.8 percent). Several other countries were also represented (Soviet Union, the Philippines, Ecuador, Trinidad, Cuba, Italy, Barbados, and Greece).

A higher percentage of young adult immigrants (37.9 percent) were naturalized than of immigrant children (23.7 percent). For both groups, most who naturalized did so under general provisions, although the share is higher for 18 to 21 year olds (93.8 percent) than for immigrant children (82.7 percent). These statistics reflect that *derivative naturalizations are not included*. The association of age at admission with naturalization evidence is positive, as higher percentages of children aged 10 to 14 years at admission (28.3 percent) and aged 15 to 18 years at admission (36.2 percent) had a naturalization record than for child immigrants 0-4 or 5-9 years old at admission. The majority of the youngest immigrant children naturalized under special provisions, but more than two thirds of older immigrant children naturalized under general provisions.

Excluding immigrant orphans adopted abroad or to be adopted by U.S. citizens is the next step. For this time period, there was a small number of immigrant orphans (12,000) adopted abroad or to be adopted. A higher percentage of immigrant orphans (42.3 percent) have naturalized than of non-orphans (23.2 percent), and most did so under special provisions, as expected.

Child immigrants were naturalizing independently over ages 18-36. Younger child immigrants have not had very much time to be observed after age 18 as to having naturalized independently. For older child immigrants, there are high naturalizations in young adulthood for most age-at-admission groups. This is the typical peaking in naturalization after meeting the residence requirement.

For Dominican and Jamaican child immigrants by year of admission, there is sustained independent naturalization over the 1980s and early 1990s, with an upward shift in 1995-1996, with perhaps more uniformity in the accumulation of naturalizations over time for Jamaicans.

Child immigrant naturalizations increased annually in the 1980s. There were strange decreases in 1994-1995, and then marked increases in 1995-

1996, especially for child immigrants from the Dominican Republic, China, and Haiti.

Conclusion

Many child immigrants naturalize independently as adults. Naturalization outcomes for child immigrants are an important focus in explaining family integration and expansion of family networks across national boundaries. Longitudinal perspectives are crucial for answering the question "Will most child immigrants become naturalized?"

Civic engagement of the younger cohorts is a popular theme and these cohorts' demography by race, ethnicity, nativity, and generation is changing, making citizenship patterns of those arriving as child immigrants more salient. That adolescents be prepared for responsible citizenship is among national priorities, although data sources are limited on assessing citizenship indicators of knowledge of civics, involvement in community service, and voter registration at age eighteen (Takanishi, Mortimer, and McGourthy 1997). These authors strongly support a national voter registration longitudinal study of adults and first-time registrants to track responsible citizenship.

Based on early literature developed by immigrant advocacy organizations for immigrants applying to naturalize in the 1990s, there often were instructions about implications for children. One prepared by Catholic Community Services stated, among benefits of United States citizenship, "When you and your spouse become United States citizens your children under the age of 18 will automatically become citizens if they are residing in the United States as permanent residents or thereafter begin to reside permanently in the United States while under the age of 18 years. An Emerald Isle Immigration Center brochure titled *Immigrant New Yorkers Citizenship: Full Participation in American Life* described this benefit as "When you and your spouse become United States citizens, your minor children are automatically entitled to become citizens, regardless of where they were born." A third example is the brochure developed by Travelers & Immigrants Aid and distributed by the Chicago Coalition for Immigrant and Refugee Protection that included affirmative reasoning with an element of future danger. "Becoming a U.S. citizen can help your children. Unmarried permanent resident children under age 18 automatically become citizens when both parents or a single parent with child custody becomes a citizen. This is important if one of your children is ever convicted of a crime involving drugs or weapons."

Unfortunately, delays in processing naturalization applications in the late 1990s may have

prevented some older child immigrants from eligibility for derivative citizenship. Aging out of eligibility for derivative citizenship is probably more prevalent than in the past because serious delays arose in the mid-1990s in processing naturalization applications. Child immigrants whose parents applied during 1996-2000 may have been affected the most severely, which would impose a greater burden on foreign-born persons in their twenties to naturalize independently this decade.

To model naturalization outcomes for child immigrants, parental birthplace, child's birthplace, age at immigration or current, parents' naturalization, and parents' understanding of their children's status are needed. If names were available as identifiers for allowing multi-person linkages, derivative citizenship could be imputed for children. Ideally, child immigrants and their parent or parents would be identified as families and child outcomes could be studied in the context of parental naturalization. Parents' naturalization may be affected by having children and nativity of children. Future research might be directed at surveying foreign-born parents about their children's status. Longitudinal studies could capture children's derivative citizenship as parents naturalize. The New Immigrant Survey began with the 2003 immigrant cohort (Jasso, Massey, Rosenzweig and Smith 2003). Most become eligible to naturalize in 2008. If NIS continues, data would be collected about naturalization outcomes for adults and children for the initial decade.

Contrasts in the hazard function of naturalizing between Asians and Latino immigrants exist as Latin American immigrants have made a sustained, gradual progression to naturalization whereas Asian immigrants naturalized extensively and then were less likely to do so (Woodrow-Lafield et al. 2003). One hypothesis is that child immigrants may naturalize with the same pattern as Asian immigrants with the advantage of longer residency, socialization, and possibly parental naturalization or native siblings. Little is known of split-portfolio strategies in opting for U.S. citizenship for husbands and wives and for sibling clusters.

An interesting question is whether more recent child immigrants may be more likely to naturalize than earlier ones, especially for countries such as Mexico and the Dominican Republic for which constitutional shifts have occurred as to dual citizenship. Mexicans, the single largest origin group, may now be at a threshold of embracing citizenship with the Mexican Nationality Act of 1998 that extended non-loss of Mexican nationality, including all rights of Mexican citizenship, to Mexicans who opted to obtain U.S. citizenship.

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