

Deborah A. Cobb-Clark and Sherrie A. Kossoudji

Did Legalization Matter for Women? Amnesty and the Wage Determinants of Formerly Unauthorized Latina Workers

Introduction

The Immigration Reform and Control Act (IRCA) was enacted in 1986 to reduce illegal migration by reducing U.S. employment opportunities for unauthorized workers. For the first time, IRCA imposed fines on employers who knowingly hired unauthorized workers or who failed to check the work authorization status of their new employees. At the same time, to recognize the commitment that many unauthorized workers had already made to the United States, IRCA's General Legalization Program granted amnesty, and permanent residency, to approximately 1.7 million people who could demonstrate continuous U.S. residence since 1982. Amnesty gave the legalized population—of which 42 percent were women—the opportunity to move “out of the shadows” of unauthorized employment.

Historically, unauthorized workers have been a significant component of the labor force in some labor markets. These workers, however, must remain out of the sight of the Immigration and Naturalization Service (INS) and, as a result, are often concentrated in a very few, poorly paid, occupations. Previous research demon-

Deborah A. Cobb-Clark holds a joint appointment as a Research Fellow in the Economics Program, Research School of Social Sciences and in the National Centre for Development Studies at the Australian National University. Her research focuses on a wide range of immigration issues including undocumented migrants in the United States, the settlement process of immigrants to Australia, and the role of selection criteria in determining labor market outcomes for immigrants. She takes an active interest in policy issues and is currently serving as a consultant to the Australian Department of Immigration and Multicultural Affairs.

Sherrie A. Kossoudji, who has been a member of the University of Michigan's faculty for twelve years, is presently an associate professor in the School of Social Work, and an adjunct associate professor in the department of economics. Her principal research area is in the field of immigration. In particular, she has written numerous articles on the role of legal status for immigrant workers in the United States, and on the incentives to cross the border illegally. She has also written on welfare reform issues. She was a member of the team that evaluated the impact of Michigan's termination of General Assistance, a cash public assistance program. Much of her work focuses on gender differences in economic outcomes for workers at the margin of society.

strates that, immediately after migrating to the United States as unauthorized workers, women have very high rates of occupational concentration. Two out of five begin their U.S. work lives as household childcare workers or servants. Four out of five enter the labor force in one of ten three-digit occupations. Although these women have high rates of occupational mobility over time, it mostly reflects occupational churning through these same ten occupations (Cobb-Clark and Kossoudji, forthcoming). Similar results were found by Powers and Seltzer (1998).

Our objective is to shed light on whether IRCA's amnesty program was successful in improving the labor market outcomes of formerly unauthorized women. In particular, we examine whether and how amnesty altered the process of wage determination. To address these issues, we analyze wage outcomes for a sample of young Latina women drawn from the Legalized Population Surveys (LPS) who came to the United States as unauthorized workers and then received amnesty under IRCA. A sample of women drawn from the National Longitudinal Survey of Youth (NLSY) is used as a comparison group.

Researchers attempting to understand the U.S. labor market outcomes of unauthorized migrants often face severe data limitations because of the clandestine nature of the unauthorized population. The limited evidence on legal status and the wage rates of female migrants points to an unauthorized wage penalty for women as well as a gender wage gap among unauthorized workers (Borjas and Tienda, 1993; Cobb-Clark and Kossoudji, 1999). Amnesty seems to have increased the wages of men (Kossoudji and Cobb-Clark, 1998), but little attention has been paid to the ways in which outcomes for women employed in the unauthorized U.S. labor market differ from those of men. Whether or not amnesty mattered for women remains an open question.

The Data

To assess the impact of legalization, Congress authorized the INS to survey a random sample of unauthorized aliens applying for amnesty under the General Legalization Program. In 1989, detailed information was collected about the job held immediately after first migrating to the United States to stay as well as the job held the week before the amnesty application was filed (either in 1987 or 1988). Two-thirds of respondents were re-interviewed in a follow-up survey in 1992.¹ The merged data from these two Legalized Population Surveys are used in this analysis.

IRCA's general legalization program included a continuous residency requirement specifically to ensure that amnesty was granted to long-term migrants rather than temporary or commuting migrants (Passel et al., 1990). As a result, the LPS sample generalizes to the population of general amnesty recipients (within the re-

strictions below), but not to the unauthorized population as a whole.² Still, the legalized population, itself, represents an important component of the unauthorized population, and its members' experiences while unauthorized, although not representative of all unauthorized workers, are common.

To reduce unobserved cultural differences and potential differences in discriminatory employer behavior that may be correlated with wages, we selected Latina women from Mexico and Central and South America who came to the United States between 1975-1982 and who were born between 1944-1967. The sample was further restricted to those who entered the United States without inspection and to women who worked prior to amnesty. These restrictions are not particularly onerous, as entry without inspection is the most common means of entry for Latina workers and ninety percent of all Latina women worked before amnesty. The LPS sample size is 987 women.

A comparison group is necessary to isolate the effects of changes in legal status from other factors, like changes in macroeconomic conditions. Since unauthorized migrants are typically young with little labor market experience at the time they enter the U.S. labor market, it is sensible to contrast their experiences with those of other young new labor market entrants. The NLSY provides a reasonable comparison group because it follows a cohort of young (aged 14 to 22 in 1979) workers as they exit school and begin working.³ It is important to remember, however, that the NLSY is a comparison, not a control, group. This implies that we are looking for changes in an already existing pattern of differences between the two groups, and we would not expect the two groups to have the same labor market outcomes. The NLSY comparison sample consists of 778 Latina women (natives and immigrants) who were not part of the military sample and were new labor market entrants between 1979 and 1986.⁴ While it would have been beneficial to include only immigrant NLSY women, small sample sizes precluded this option.⁵

Legal Status and Wages: The Theoretical Issues and Empirical Results

Theoretically, we would expect legal status to be intricately tied to wages through its effect on labor market mobility and the returns to human capital. Unauthorized workers are highly concentrated in a few specific low-paid jobs (Taylor, 1992). Migration networks provide only limited information about the U.S. labor market and combine with constraints on job search to produce this concentration (Cobb-Clark and Kossoudji, forthcoming). An inability to move freely throughout the labor market makes it difficult to maximize the returns to human capital (Calvita, 1989) making returns and wage growth lower than for legal workers (Borjas and Tienda, 1993). The risk of apprehension by the INS provides incentives to work in

TABLE 1
Wage Levels and Ratios, LPS and NLSY Women
 (Real 1983–1984 Dollars)

	Market Entry (1976–1986)	Application (1987–1988)	Post-Legalization (1992)
LPS	\$3.63	\$4.17	\$4.50
NLSY	\$4.50	\$5.95	\$6.67
Ratio:	80.7	70.1	67.5

jobs that require little investment and training, perpetuating and exacerbating wage differences. By eliminating mobility and investment constraints, one of amnesty's expected effects is to alter the returns to human capital and reduce the wage gap (Kossoudji and Cobb-Clark, 1998).

Not surprisingly, real hourly wages for LPS women were very low in their first U.S. jobs. (See Table 1.) On average, LPS women earned \$3.63 per hour. This was only 80.7 percent of NLSY women's wages which averaged \$4.50 in their first U.S. jobs. Real wages for both groups were higher in 1987-88: LPS women's wages increased to \$4.17 while NLSY women's wages were \$5.95. As expected, relative wages were lower (70.1 percent) in 1987-88 than at labor market entry as differences in mobility allowed NLSY women to find jobs that were better matches while LPS women were confined to jobs within the unauthorized labor market. Despite the changes in legal status brought about by amnesty, the average wages of LPS women in 1992 were only 67.5 percent of NLSY women's average wages. After many years in the U.S. labor market, LPS women earned, on average, in 1992 (\$4.50) what NLSY women earned at labor market entry. Still, the early impact of amnesty, however, may just have been a slowing down of the deterioration in relative wages.

In part, the observed wage gap between LPS and NLSY women stems from differences in human capital. (See Table 2.) Although the two groups were approximately the same age at labor market entry (LPS women were on average 23 while NLSY women were on average 20) they differ in terms of education and language ability. NLSY women had an average 11.7 years of education and were likely to have been educated in the United States. Although this level of education is low relative to the general U.S. population, it is still much higher than that of unauthorized women, who often come from poor rural backgrounds in their home countries. LPS women had, on average, only 7.4 years of schooling (which was almost exclusively obtained prior to migration) and were likely to have few English language skills.⁶ At the time they entered the U.S. labor

TABLE 2
Means for Selected Demographic and Human Capital Characteristics for LPS and NLSY
Latina Women

	LPS	NLSY
Age		
Labor Market Entry ^a	23.2	20.3
1987/88	31.5	26.4
1992	34.6	31.0
Some English/English Problem		
Labor Market Entry ^a	0.34	0.15
1987/88	0.22	0.12
1992	0.26	0.13
No English		
Labor Market Entry ^a	0.52	
1987/88	0.43	
1992	0.33	
Years of Education		
Labor Market Entry ^a	7.34	11.7
1987/88	7.50	12.2
1992	7.50	12.5
Years of U.S. Labor Market Experience		
1987/88	7.33	5.79
1992	11.78	10.39
California/West		
Labor Market Entry ^a	0.63	0.45
1987/88	0.63	0.46
1992	0.61	0.44
Texas/South		
Labor Market Entry ^a	0.17	0.30
1987/88	0.16	0.32
1992	0.16	0.33
Traditional Migrant Occupation and Industry		
Labor Market Entry ^a	0.68	0.19
1987/88	0.52	0.10
1992	0.41	0.06
Traditional Migrant Occupation Only		
Labor Market Entry ^a	0.11	0.13
1987/88	0.15	0.11
1992	0.20	0.09

^aLabor market entry is 1976–1986 for LPS and 1979–1986 for NLSY.

market, approximately 52 percent of LPS women did not speak English at all and 34 percent spoke only some English. In contrast, only 15 percent of NLSY women reported having an "English problem" that limited their job opportunities.

The clandestine nature of their labor market participation ensures that the jobs of unauthorized women will be different from either native or legal immigrant women. In previous work we have categorized unauthorized women's jobs by the relative intensity of unauthorized women's employment.⁷ LPS women were much more likely to be employed in traditional migrant jobs, i.e., jobs that are both in traditional migrant occupations and industries. More than two-thirds of LPS women (compared to one in five NLSY women) begin their U.S. work lives in those jobs (Cobb-Clark and Kossoudji, forthcoming).

To assess whether IRCA's amnesty provision was successful in improving labor market outcomes, it is important to evaluate whether there are structural changes in wage determinants—in particular the returns to human capital—over time. Our focus is on three time periods: entry into unauthorized markets (1976-86), experienced unauthorized employment (1987 or 1988), and authorized employment (1992). Hourly wages are assumed to be a function of both time-varying and time-invariant characteristics. Specifically,

$$w_{it} = \beta_t X_{it} + \gamma_t X_i^* + \delta_t t + \nu_{it} \quad (1)$$

where w_{it} is the log of real wages and X_{it} includes the time-varying human capital characteristics (years of education, years of labor market experience, and dummy variables that indicate additional U.S. training and education), demographic characteristics (marital status, the presence of any children, and the presence of very young children), and labor market characteristics (geographic location and job classification) that are expected to be related to wages.⁸ In addition, X_i^* captures the effect of time-invariant characteristics (ethnicity and, for NLSY only, immigrant status) on wages, while t controls for period effects. The error term, ν_{it} is composed of an individual effect and a random error term.

The Pre- and Post-Legalization Wage Determination Process:

Does a change in legal status affect wages through changes in the returns to those characteristics that determine a woman's labor market productivity? We answer this by estimating equation (1) in which the returns to individual characteristics (the coefficients) are allowed to vary across time using a random effects model.⁹ These estimates, then, are used to test the following two null hypotheses (where $K=[\beta, \gamma, \delta]$):

$$H_0^1 : K_1 = K_2$$

$$H_0^2 : K_2 = K_3$$

where 1 denotes labor market entry (1976 – 1986), 2 denotes 1987/88 and 3 denotes 1992. These tests allow us to assess whether the structure of wage determinants is different in the two periods. If legal status influences wages by changing returns, we would expect to see a structural change in wage determinants between 1987/88 and 1992 for LPS women. In other words, we would expect that the overall pattern of wage coefficients would be significantly different before and after amnesty. Because significant changes in the wage structure may be driven by macroeconomic conditions as well as legal status we need to compare the results to those obtained for NLSY women who are not changing legal status.

In this analysis, however, we fail to reject the hypothesis that wage determinants were the same immediately before amnesty (1987/88) and thereafter (1992) for both LPS ($X^2=20.9$ with 18 d.f.) and NLSY women ($X^2=6.0$ with 18 d.f.).¹⁰ Although it is still too early to suggest that amnesty was not an economic boon for women, legalization does not appear to have altered the overall returns to demographic, human capital, and labor market characteristics for formerly unauthorized women. We did, as expected however, reject the hypothesis of no structural change between first U.S. job (1976 – 1986) and 1987/88 for both unauthorized and authorized workers. That is, wage determinants change significantly between Latina women's very first U.S. jobs, and the jobs they held some years later, whether they were working in authorized or unauthorized markets. This test, which is a global look at the joint changes in coefficients, does not address whether there may have been changes in individual determinants, however tests on key individual variables also failed to find a significant change between 1987-88 and 1992.

The Returns to Human Capital and Traditional Migrant Employment

What are the returns to specific human capital characteristics and traditional migrant employment before and after amnesty (see Table 3)? Human capital characteristics are generally unrelated to the wages of LPS women even after legalization reduces the barriers to labor market mobility. Relative to those speaking English well, there is no significant wage penalty associated with speaking only some or no English at all even after amnesty. Nor do LPS women benefit from higher levels of U.S. labor market experience. Formal education is the only human capital characteristic that appears to be related to wages and the effect—though significant—occurs only after amnesty and is small (1.6 percent per year). In contrast, both additional education and

TABLE 3
Selected Random Effects Coefficients (Standard Errors in Parentheses)

	LPS		NLSY	
Some English/English Problem				
Entry ^c	-0.053	(0.048)	0.011	(0.054)
1987/88	-0.074	(0.049)	-0.007	(0.066)
1992	-0.052	(0.058)	-0.107	(0.069)
No English				
Entry ^c	-0.037	(0.049)		
1987/88	-0.062	(0.047)		
1992	-0.104	(0.062)		
Years of Education				
Entry ^c	0.008	(0.005)	0.025*	(0.008)
1987/88	0.011	(0.006)	0.059*	(0.009)
1992	0.016*	(0.008)	0.090*	(0.010)
Years of labor Market Experience				
1987/88	0.000	(0.009)	0.025*	(0.009)
1992	-0.008	(0.011)	0.021*	(0.010)
California/West				
Entry ^c	-0.069	(0.039)	0.030	(0.042)
1987/88	0.011	(0.047)	-0.073	(0.073)
1992	0.021	(0.056)	-0.118*	(0.052)
Texas/South				
Entry ^c	-0.234*	(0.051)	0.027	(0.044)
1987/88	-0.136*	(0.061)	-0.177*	(0.051)
1992	-0.188*	(0.073)	-0.211*	(0.053)
Traditional Migrant Occupation and Industry				
Entry ^c	-0.380*	(0.047)	-0.229*	(0.044)
1987/88	-0.154*	(0.047)	-0.343*	(0.064)
1992	-0.149*	(0.057)	-0.326*	(0.086)
Traditional Migrant Occupation Only				
Entry ^c	-0.082	(0.061)	-0.070	(0.048)
1987/88	-0.083	(0.060)	-0.211*	(0.061)
1992	-0.077	(0.067)	-0.207*	(0.068)

^aBoth regressions included: dummy variables for marital status, additional training and education, being Mexican, having children, children aged 0 – 1, time period, worked in a traditional migrant industry only and presence in all periods. The LPS regression also included age, its square and additional English classes. The NLSY regression also included immigrant status.

^bLPS asked about English ability, but NLSY asked whether English difficulties limited job opportunities.

^cLabor market entry is 1976–1986 for LPS and 1979–1986 for NLSY.

*Significant at 5 percent.

U.S. labor market experience increase the wages of similar NLSY women; in 1992 the returns to education were 9 percent per year.

Wages were related to the type of job LPS women held, however.¹¹ LPS women who initially worked in a traditional migrant job earned 38 percent less than did other LPS women. NLSY women entering the U.S. labor market in those same traditional jobs earned 23 percent less than other NLSY women. Interestingly, for LPS women the wage penalty for working in a traditional migrant job is nearly the same just before and sometime after amnesty (about 15 percent). This penalty, which is much lower than at labor market entry, is accompanied by only a slight decrease in the proportion of LPS women employed in traditional migrant jobs. There is mobility, but changes in the proportions of women employed in traditional jobs are consistent with a shuffling between industries and occupations rather than a movement out of traditional employment altogether. The penalty for traditional migrant employment rises substantially for NLSY women between their first jobs and their 1987-88 jobs, but it too remains constant at 33-34 percent in 1987-88 and 1992. The most striking difference between the two groups of women is that by 1992 only 6 percent of NLSY women are still employed in these traditional jobs. Either legalization failed to promote mobility and human capital investment or labor market opportunities for LPS women are maximized within traditional migrant labor markets.

Like other unauthorized workers, the vast majority of the LPS women live in six states, predominately California and Texas. Women who live in Texas, which has a reputation for having low wages, earn significantly less than do women in other states. This is true for both LPS and NLSY women, and the penalty is not consistently larger for either group. In 1992, women who lived in Texas earned about 20 percent less than other women. Real wages do not appear to have been influenced by working in California.

In summary, LPS women's wages are principally influenced by the kinds of jobs they hold, and by where they live, but not by the human capital characteristics that usually determine wages. NLSY women's wages are also influenced by the kinds of jobs they hold, and by where they live, but in addition they earn wage rewards for higher levels of education and for more years of labor market experience.

Conclusions and Directions for Future Research

Unauthorized women have historically been the least understood component of the shadow labor force. A lack of skills—particularly English language ability—and the need to remain out of sight has combined to keep them hidden in a few

poorly paid occupations. IRCA's amnesty provision altered their legal status, but does not appear to have dramatically improved labor market outcomes. The wage gap between them and similar authorized workers continued to widen after legalization and there is little evidence that legalization promoted mobility out of traditional migrant jobs. The change in legal status also did not alter the structure of wage determinants leaving human capital unrewarded and the penalties associated with traditional migrant employment unchanged.

These results for women stand in contrast to previous results for men who do appear to have benefited from amnesty through a narrowing of the wage gap and structural changes in the returns to human capital which promoted additional wage growth (Kossoudji and Cobb-Clark, 1998). We can only speculate why the effects of amnesty appear so different for working men and women. Women, more so than men, are likely to be isolated and work alone. Perhaps their years as unauthorized workers were associated with weaker ties to those networks that help workers move to new jobs and, as a result, provided little preparation for the mobility that was possible after legalization. Perhaps gender roles in home and market production among formerly unauthorized workers leave little room for women to get ahead in the labor market.

On the other hand, there is a lot we still do not know about the impact of legalization on women's economic status. Here we have focused only on the relatively short-run effects of legalization on wage determinants and found little effect. Yet, average annual wage growth for LPS women (which was much lower than that for NLSY women between their first and 1987-88 jobs) kept pace with wage growth for NLSY women between 1987-88 and 1992 suggesting that amnesty might be operating in other ways to improve the economic status of women.

Whatever the form and source, the gender gap in the effects of amnesty point to a clear need for future work that directly addresses the experiences of women employed in unauthorized labor markets. Perhaps the next question should be "How did legalization matter for women?"

Notes

NCDS and Economics Department, RISS, Australian National University, Canberra ACT 0200, Australia and School of Social Work, 2788 School of Social Work Building, 1080 S. University Ave., The University of Michigan, Ann Arbor, MI 48109-1106, U.S.A.

1. Individuals born before February 2, 1971 and granted temporary residence under section 245A of IRCA were eligible to be interviewed. Of the original 6,193 respondents, 5,691 were eligible for the second wave of the LPS. The majority (471) of those individuals ineligible for the second wave were removed from the sampling frame because they were still awaiting a decision on amnesty. Only four individuals were dropped because they had been denied amnesty. The INS randomly selected 5,000 (excluding 691 as a cost cutting measure) to be re-interviewed, but 988 respondents were not re-interviewed because they could not be found. See Singer (1994) for more detailed information on the survey methodology.

2. Approximately two-thirds of those who appear to have been eligible for amnesty—i.e., those residing in the United States continuously since 1982—actually applied. About five percent of individuals applying were denied amnesty, usually because they had not been resident since 1982 or because they could not provide adequate documentation (Woodrow and Passel, 1990).

3. In spite of the different age ranges for the two samples there is little difference in the average ages of LPS and NLSY women.

4. New labor market entrants are individuals who, for the first time, were not currently enrolled in school and who worked in the labor market more than ten hours during the survey week. If NLSY respondents were employed more than ten hours per week in both 1987 and 1988, a random number generator was used to choose between the jobs. Both surveys asked about usual total earnings before deductions. Not all measured variables for LPS could be replicated for NLSY. Only region, and not state, was available the NLSY sample (see Kossoudji and Cobb-Clark, 1998 for details).

5. Numerous tests on the form of the differences between NLSY immigrants and natives suggested that these differences could be captured through a simple dummy variable for immigrant status. As a result, immigrant status is included in the wage regression for NLSY workers.

6. Legalized workers were asked which language they spoke best and about their ability to speak English in six specific situations. Those speaking English best or with ability in all six tasks were coded "speaking English well". Those able to do three to five tasks (two or fewer) were coded speaking "some English" ("no English"), respectively.

7. Traditional occupations are the ten most common occupations at first U.S. job for all unauthorized Latina women. They include household servants, household childcare workers, textile machine operators, mixing machine operators, assemblers, maids, janitors, food counter helpers, farm workers, and unspecified laborers. Traditional industries include agriculture, private households, hotels, cleaning services, laundries, hospitals, apparel, and restaurants. Our categorization interacts traditional occupations and industries and jobs that are both in the top ten occupations and in traditional industries are referred to as "traditional migrant jobs". These are often the jobs that are stereotypically identified with unauthorized migrant workers.

8. The LPS regression also included age, age squared, and whether the respondent had participated in English language classes. The NLSY regression did not include the quadratic in age because the age range of individuals in the sample was too narrow.

9. The NLSY Hausman statistic was 16.7 with 14 d.f. supporting the use of the random effects model. The LPS Hausman statistic was 35.2 with 19 d.f.. The correlation between independent variables and the individual effects appears to result from including women from Texas in the sample. The LPS Hausman statistic falls to 23.5 with 18 d.f. if they are excluded. Subsequent analysis used both the LPS full sample and a sample omitting Texans. The results were substantively the same and we report the full sample results. We also report only unbalanced sample results. Quasi-Hausman tests (26.2 with 20 d.f.) indicated there was no significant difference in the balanced and unbalanced LPS results. The test for the NLSY (64.9 with 16 d.f.) indicated selectivity in the balanced sample.

10. These tests correspond to Chow tests (Baltagi, 1995).

11. See Cobb-Clark and Kossoudji (forthcoming) for an analysis of occupational mobility.

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