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THE MEXICO-UNITED STATES BORDER:
AN ASSESSMENT OF THE POLICIES OF THE UNITED STATES
UPON THE ECONOMIC WELFARE OF THE CHICANO POPULATION

by

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Introduction

The political boundaries of a modern nation state form the foundation for the study of economic policy making. Borders represent the element that unifies and distinguishes a particular economy. Within the prescribed perimeters, the movement of labor, products, money, and the performance of services are relatively unimpaired. They are uniformly governed by the prevailing internal economic policies of the given nation. At a border, however, a separate battery of economic policies prevail. Border policies are more diverse than those that govern internal economic relations. Usually they are more selfish. They are designed to restrict, or to limit, or to impede both the flow of commerce and the movement of people unless it is in the country's own self-interest to do otherwise. International economic policies are often established on a basis that reflects more political than economic considerations.

Of all the borders of the world none is more unique than that which separates the countries of Mexico and the United States. For nowhere within the community of nations does a boundary separate two nations with greater economic disparity. In 1970 the Gross National Product for the United States was

over \$974 billion; for Mexico it was \$33 billion. The per capita national income in the United States was approximately \$4,300 while in Mexico it was slightly above \$500. Thus, as one keen observer of border economic affairs has written, "neither the per capita gross national product nor the per capita income of any country in the world even comes near the amount of the difference in per capita income between the United States and Mexico."¹

Living as neighbors with the reality of these vast differences has led to the implementation of a number of policy measures by both nations. The usual concern as to the impact of these policies deals with the effect of one nation's actions upon the welfare of the other. Scant attention is given to the significance of border practices and policies of each nation upon its own people. In this instance, the concern is with the policies and practices of the United States as they affect the largely Chicano population that reside to the north of the 1,800 mile border with Mexico.

Background Considerations

As with every sector, the southwestern region of the United States has its unique characteristics. The rugged terrain and the dry climate have given rise to a population pattern of scattered oasis communities. Historically, the industrial base of the region was built upon highly labor intensive work in agriculture, ranching, mining, and railroading. Large corporate

enterprises have been the rule. To meet their labor needs, these corporate entities have aggressively sought to tap a variety of sources of low wage, unskilled, and rightless workers.²

The first major immigration movement from Mexico occurred during the period 1909-1930. During this period, roughly 750,000 Mexicans were legally admitted to the United States. Any mass migration of people is caused by both "push" and "pull" forces. In this case, the "push" was the violence of the Mexican Revolutionary War (1910-1919) and the "pull" was the labor shortages in the Southwest due to events associated with World War I. Immigration from Asia had been curtailed earlier by the Chinese Exclusion Act of 1882 and the Gentleman's Agreement with Japan of 1907. Moreover, the mass waves of European immigrants ceased with the outbreak of World War I and the temporary immigration restrictions imposed by the United States in 1921 which became permanent with the National Origins Act of 1924. Immigrants from Mexico, however, were excluded from the coverage of this Act. Indeed, legal immigration from Mexico was not ^{numerically} restricted until 1968 when it was included within the 120,000 immigrants a year allowed from Western Hemisphere nations. It is estimated that the total legal immigration of Mexicans to the United States since 1900 has been about 1.4 million people.³

The flood of Mexican immigrants was interrupted with the onset of the Great Depression. In fact, it was officially reversed through a policy of forced repatriation of many Mexicans

who had not officially filed and completed their immigration and naturalization papers.⁴ The justification for this action was that unemployment was high and, with a plentiful supply of Anglos who had been dispossessed of their small land holdings in the "dust bowl" to meet the demand for cheap laborers, the Mexicans were seen as a redundancy. The fact that some Mexicans had married American citizens and that some had children born in this country was not considered important by government officials. Policy makers were concerned with political expediency, not principle. Subsequent border policies have continued to reflect this basic theme to this day.

By the 1940's, the economic situation had changed markedly. The military requirements of the nation and its related manufacturing needs led to a labor shortage in the agricultural sector. The growers of the Southwest had foreseen these developments prior to the Pearl Harbor attack in 1941. As a result, they made two fateful decisions: first, the pool of cheap labor of Mexico was to be tapped to fill the manpower deficit and, secondly, the agencies of the Federal government were to be the vehicle of deliverance.⁵

The Braceros

Although the initial requests of the growers were denied by the Federal government in 1941, they were favorably received by mid-1942. Mexico, however, balked at first at the proposal for a formal inter-government agreement. The Mexican economy

was flourishing; there were fears of Mexican workers being drafted; there were the bitter memories of the repatriation drive of the 1930's; and there was the knowledge of the discriminatory treatment accorded people of Mexican ancestry throughout the Southwest. The unregulated hiring of Mexican citizens by foreign nations had been prohibited by Article 123 of the Constitution of 1917.

Lengthy negotiations between the two governments resulted in a formal agreement in August, 1942. The Mexican Labor Program, better known as the "bracero program," was launched. Workers were to be afforded numerous protections with respect to housing, transportation, food, medical needs, and wage rates. Initiated through appropriations to P.L. 45, the program was extended by subsequent enactments until 1947.

For the growers the bracero program was a "bonanza."⁶ Braceros were limited exclusively to agricultural work. Any bracero who found a job in another industry was subject to immediate deportation. The significance of the program for Chicanos is obvious: the agricultural labor market of the Southwest was removed from competition with the non-agricultural sector. Although braceros were not supposed to depress wage rates, the program clearly had this effect. Initially, the program was under the control of the Farm Security Administration who administered the program to the letter. But in July, 1943, supervision was shifted to the grower-dominated War Food Administration. Many of the protections were no longer enforced.

Mexico, in fact, banned the braceros from working in Texas in 1943. Illegal entrants, for whom not even nominal protections were provided, filled the Texas vacuum.

When the agreement ended December 31, 1947, the program was continued informally and unregulated until 1951. In that year, again under the cloak of war-related labor shortages, the bracero program was formalized into P.L. 78. Texas was included in the new program. It continued to function until it was terminated on December 31, 1964.

Although some defense of the program may be offered as a wartime emergency program, it is clear from a review ~~of the life~~ of the program that most of its lifespan and ^{most} ~~periods~~ ^{its} of ~~participation~~ ^{participants} ~~were~~ ^{came} during eras of peace (see Appendix A). The bracero program is a classic example of how national border policies have adversely affected the native Chicano population. The bracero program seriously disrupted the labor exchange process in rural labor markets. The relative wages of agricultural workers in the Southwest declined sharply during the program's life. Under such circumstances, any claim that a domestic labor shortage existed can only be dismissed as being an artificial creation of man-made policies.⁷ Of equal significance, however, was the symbolic indifference that the federally sanctioned program manifested toward the welfare of Chicanos.⁸

Illegal Entrants

Parallelling the bracero years and succeeding them after its termination has been the flow of illegal entrants into the Southwest labor markets. The problem has existed for decades. Unfortunately, illegal entry is regarded largely as a regional issue despite the epidemic proportions it had assumed in the late 1960's and early 1970's (see Appendix A). As one knowledgeable observer has written in 1972:

A succession of recent national administrations have been peculiarly indifferent, even resistant, toward examining, much less changing, a situation that persistently mocks national immigration policies. The scope of the problem can be summed in one statistic: from 1939 through 1969, a period during which 7.4 million persons legally immigrated to the United States from countries all over the world, more than 7.4 million Mexican nationals entered the country unlawfully, and were apprehended and expatriated to Mexico.

No one, of course, knows the actual number of illegal aliens who cross annually into the United States. Figures are available only for those apprehended. It is reliably estimated that for every illegal alien apprehended in the United States, another has gone undetected.¹⁰ The Commissioner of the Immigration and Naturalization Service (INS) observed in 1971 that the upward trend in illegal entry "has grown progressively worse" and predicted for the future that "border violations continue to mount."¹¹

Given the economic disparity between the two nations, it is not surprising that thousands of Mexicans annually seek to enter

the nation illegally. It is, however, disconcerting that public policy is so tolerant of this hemorrhage of the border; so timid in the application of existing law; and so hesitant to assume a posture of deterrence.

As a concession to Texas agricultural interests, the existing immigration statutes contain the "Texas proviso." This section of the Immigration and Nationality Act of 1952 states that employment and the related services provided by employers to employees (i.e., transportation, housing, or feeding) does not constitute an illegal act of harboring an illegal alien. The intent of the "proviso" is to make employers immune from prosecution if they hire such workers. Even employers whose premises are raided regularly by the INS are very rarely prosecuted. It is certainly conceivable that INS could adopt regulations that would obligate employers to at least inquire as to the citizenship status of persons they suspect as being illegal aliens. To date INS has elected not to do so.

One of the problems associated with recognition of an illegal alien by an employer is the easy availability of social security cards. In 1966, the INS formally requested that the Social Security Administration (SSA) include a question in their application forms asking : "Are you a citizen, yes or no?" If the answer was "no", the application was to be referred to the INS for a formal determination of the immigration status of the individual. The SSA rejected the proposal.¹² It claimed that the

social security card is used only to identify data and that there is no legal authority for the refusal to issue a card to an applicant who has completed the prescribed form. Commenting bitterly over the incongruity of action between SSA and INS, the California Court of Appeals stated in 1970 that: "In a continuing display of incredible insularity, one agency of government puts its foot in the door which another agency is striving vainly to close."¹³

For those aliens who are apprehended, over 95 percent are simply returned to Mexico by the most expedient form of transportation at the expense of the Federal government. Less than 5 percent of the illegal Mexican nationals are subjected to formal deportation proceedings by the INS which would render a future entry as a felony offense.¹⁴ More numerous prosecutions could serve as a deterrent. Neither the Congress nor the President, it appears, believe the issue warrants a sufficient increase in the number of hearing officers to raise significantly the level of prosecutions. As a result, those aliens allowed to leave informally are in no way deterred from returning at will. For all intents and purposes, they are encouraged to re-enter whenever they please.

Thus, the situation is one in which if an illegal alien is caught, he is simply returned to his native land; if he is not apprehended, he works at a job which affords him an income higher than his alternatives at home. For the businessman,

there is no risk of loss. There are only profitable gains to be had from tapping a cheap source of labor that is completely beholden to arbitrary terms of employment set by the employer.

The Immigration and Nationality Act of 1952 expressly states that it is national policy to preserve available job opportunities for the domestic labor force. In 1970, a California Court of Appeals decision stated that the number of illegal aliens employed in the Southwest "represents an abject failure of national policy." Moreover, the Court observed that the lack of meaningful corrective action "must be ascribed to self-imposed impotence of our national government."¹⁵

It is the powerless Chicano population of the Southwest who bear the major burden of this "self-imposed impotence" of public policy. The reluctance by government to alter the status quo is best understood in terms of the benefits received by the powerful employer interests of the region.

The Commuters

Yet of all the border policies, none is more unique than those governing commuters. David North has aptly observed that "the commuter is this generation's bracero."¹⁶ The commuters are people who live in Mexico but who frequently seek employment in the United States. They may or may not be United States citizens. Until 1921, there were no restrictions on immigrants who wished to come and to work in the United States. Aliens were free to be employed with only minor exceptions. In 1921,

temporary restrictions on immigration were imposed. These culminated in the adoption of the National Origins Act of 1924 which established an official immigration policy. Although natives of the Western Hemisphere were excluded from the quotas imposed by the Act, all people entering the United States were required to be classified as either "immigrant" or "non-immigrant." "Immigrants" were defined as all entrants except those designated as "non-immigrants" who are visiting the country temporarily "for business or pleasure."

For a short interval workers who lived in Mexico but commuted to jobs in the United States were classified as "non-immigrant visitors" who were free to cross the border "for business." By arbitrary administrative decision by the INS in 1927, however, the status of these people was changed to "immigrants." Subsequently in 1929, the U.S. Supreme Court upheld the INS decision (Karuth v. Albro) with the famous ruling that "employment equals residence" (thereby neatly avoiding the permanent residency requirement of the immigration statutes).

One category of commuters are popularly called "green-carders" (so named after the original color of the identification cards they carry). These card holders are classified as immigrants. As such they can move at will and work anywhere within the United States. There are, however, several differences between a green-carder and other permanent resident immigrants. Namely, green-carders are not required to reside within the

country; they may not be unemployed for more than six months without losing their immigration classification; they may not serve as strikebreakers; and they cannot count the time they live outside the United States toward their five years needed to be eligible to apply for citizenship. In reality, these differences are not of consequence. The unemployment restriction is not enforced; the anti-strikebreaker rule is so easily circumvented that it is essentially meaningless; and many green-carders have no interest in becoming American citizens.¹⁷

The second group of commuters are known as "white-carders" (similarly called because of the original color of their border crossing passes). These people are "legal visitors" who can stay in the United States for up to 72 hours within a radius of 25 miles of the border. Officially, white-carders are forbidden to be employed. Until January, 1969, the validity of a white card was limited to four years from the date of issuance. Since then, the restriction has been removed so that there is no expiration date. The reason for the change by the INS was that the renewal procedure was too costly.¹⁸ Hence, within the 25 mile border radius, there is absolutely no way to know how long a white-carder is actually in the country. If a white-carder indicates when he crosses the border that he plans to travel beyond the 25 mile limit, a date of entry is stamped on the card. In fact, however, this procedure is frequently circumvented. For once a white-carder crosses the border he simply

mails the card back to Mexico and then proceeds to go beyond the 25 mile limit for as long as he wants. If, by chance, he is apprehended, he simply claims he is an illegal entrant, agrees to a voluntary departure, and is returned to Mexico with no record made of his violation of the law. When he returns to Mexico, his white card is waiting for him so that the entire cycle may then be repeated.¹⁹

Exactly how many green and white-carders there are is somewhat of a mystery. A 1969 study reported that 70,000 workers crossed the southern border daily.²⁰ Of these, 20,000 were American citizens and 50,000 were green-carders. How many additional seasonal green-carders there are is unknown. It is estimated in 1972 that there were 3.7 million green-carders (of whom 735,018 were Mexicans) in the entire United States.²¹ The controversy, however, is not with green-carders per se but rather with those who work in the United States but live permanently or part-time in Mexico. These green-carders are often willing to work for wages and under employment conditions that are impossible for a person who must confront the cost of living in the United States on a full-time basis. Moreover, there is ample evidence that many commuting green-carders do not pay income tax and that they do not register with the Selective Service as required.²² As for white-carders, the INS reports that over 2.2 million cards were issued in the Southwest region between 1960 and 1969.²³ How many of these white-carders have

abused their visiting privileges by seeking employment is unknown. The fact that the statistics on green and white-carders are either so vague or completely unknown has been labeled "astonishing" by the comprehensive 1970 UCLA Mexican-American Study Project.²⁴

In 1952, the Secretary of Labor was empowered to block the entry of immigrants from Mexico if their presence would endanger prevailing labor standards. The Immigration Act of 1965 significantly increased this power by requiring that immigrants who are job seekers receive a labor certification. As one precondition for receipt of a green card, a certification must be made that a labor shortage exists in the occupation for which the immigrant seeks employment and that his presence will not adversely affect prevailing wages and working conditions. The certification procedure was effective July 1, 1968. The certification is made only once -- at the time that the immigrant makes initial application for entry. The certification procedure, however, is fraught with loopholes. North estimates that only one of every 13 workers seeking to become immigrants is subject to the certification process.²⁵

The current legal status of green-carders has come into serious question. As the commuter status does not have a statutory authority, the concept has evolved through years of INS administrative interpretations. Greene indicates that the prevailing INS regulations limit the re-entry rights of a green-carder to

an individual who is "returning to an unrelinquished lawful permanent address."²⁶ Before 1965, INS reasoned that any commuter who had been accorded the "privilege of residing permanently" was always entitled to enter the country. The Immigration Act of 1965, however, altered the statutory language under which the INS had allowed virtually unrestricted movement of commuting green-carders. The amended language restricted informal entry to "an immigrant lawfully admitted for permanent residence who is returning from a temporary visit abroad." Thus, Greene asserts:

No distortion of the English language could result in a finding that the commuter was entering the United States after a temporary visit abroad to return to his principal, actual dwelling place. Rather, the commuter was simply leaving his foreign home and entering the United States to work.²⁷

Thus, Greene concludes that since 1965 the commuting green-carders are "not merely lacking in statutory authority" but that the practice is "actually prohibited."²⁸ If this is true, the obvious question is why has the INS allowed the practice to continue unabated? Greene theorizes that the complexities associated with terminating the entry privilege to so many thousands of people is an explanation.²⁹ Another plausibility is that the INS has decided to continue the commuters as a substitute for the terminated bracero program.³⁰ For many thousands of commuters, the green and the white cards have both become a sub rosa work permit for thousands of Mexican workers who have no intention of ever living in the United States.

To date, litigation has only added to the confused status of the green card. In a court suit filed by two California farm workers in 1969 to bar the entry of commuters under the new language of the Act of 1965, the Court refused to set aside the accumulated history of the commuter practice since the new language of the Act did not specifically ban commuting.³¹

In the aforementioned court case, the decision not to act affirmatively to end the commuter status made mention of what is probably the major factor that explains the perpetuation of this policy charade. Namely, the court mentions the fear that such a ban may have adverse foreign policy consequences.³²

For the U.S. Department of State has consistently contended that any interruption in the commuter program would seriously harm relations between Mexico and the United States. Former Secretary of State Dean Rusk has testified before Congress that the border towns of the two nations "have grown into single economic communities" and that "a disruption in the life of these communities would do real harm to good neighbor relations in the area."³³ If it is really true that it is the official policy of the United States to consider these border towns as "single economic communities," there are certainly more humane and substantive ways to manifest this policy than by simply encouraging poor Mexicans to make poor Chicanos even poorer. The sanction given to commuters merely means that the Chicano population must compete directly with these commuters. The

result is that employment opportunities are lost; wages are kept low; union organization efforts are hampered; and seasonal migratory farm labor becomes a prime alternative occupation for Chicano workers.³⁴ As a consequence, Schmidt has observed:

The United States worker who competes with the traffic of workers from Mexico is caught in a situation where he pays a substantial part of what the Secretary of State regards as a form of foreign aid to a neighborly nation.³⁵

As an official of the Texas Employment Commission in Laredo, Texas, lamented in 1972:

The commuter system is continued largely because of the attitude of the U.S. Department of State which wants good relations with Mexico. Needless to say, this relationship is maintained at a terrible human cost to our citizenry.³⁶

There can be no justification for the perpetuation of the commuter system. If it is desirable to provide foreign aid to the border economies of Mexico, then let it be above the table and let it be an honest payment of dollars directly in the form of developmental assistance. But to justify the commuter system on the basis that it represents a form of foreign aid is a manifestation of insensitivity to the value of human life. Policies that are economically unjust are morally wrong; and, policies that are morally wrong cannot be politically right.

The "Twin Plants" Program

To complete a discussion of the current status of United States policies that have a serious detrimental impact on the predominately Chicano population of the United States, mention

must be also made of the "twin plants" program. It represents another example whereby the administrative and institutional practices of the United States government have become an instrument of oppression for Chicanos.

The "twin plants" program is the situation whereby a free-trade zone was established by Mexico that extends 12 1/2 miles in from the border along its entire 1,800 mile length. The United States enters the picture via its tariff policies. Sections 806.30 and 807 of the tariff code of the U.S. Customs Regulations require that import duties need only be assessed to the "value added" to products assembled from component parts originally made in the United States that are exported ~~from~~^{to} a foreign country and imported back into the United States (hence, the name "twin plants"). In the present case, it is the assembly process that is done in Mexico. As a rule, it is essentially wages that represent the "value added." As the hourly wage along the border averages less than^N fifty cents an hour, there is a considerable saving to the manufacturing firms involved. Mexico, in turn, does not apply any duty on these exports.

The free trade zone was established by Mexico under its Border Industries Program (la Programa de Industrializacion Fronterizo) in 1965. Ostensibly, the reason for the need for such a program was the high unemployment in the northern states of Mexico due to the termination of the bracero program in December, 1964. Participation in the program by United States

firms accelerated after the U.S. Tariff Commission reviewed the entire program in 1970 and gave the undertaking its explicit blessing.³⁷

The "twin plants" program is a contradiction to the espoused border development strategy of Mexico. Rather than reduce Mexico's dependence upon the United States (as outlined in 1960 in its National Frontier Program -- PRONAF), the "twin plants" program has increased the dependence. In addition, although the program was set up to meet the needs of unemployed males, over 80 percent of those employed in the program are women.³⁸

It is easy to understand why Mexico would undertake such a venture -- even if it does conflict with its own long range development objectives. There are jobs and foreign exchange to be gained. It is not clear, however, why the United States should encourage such an undertaking through its own tariff policies without offering the slightest form of compensation to its own citizens whose opportunities for economic development are purposely retarded by the program. In many areas along the United States side of the border, there exists an available labor supply and working conditions that, relative to the rest of the country, should make the region a natural industrial magnet. The fact that the region is, instead, one of the most economically depressed areas in the nation is positive proof that something is awry. The tariff policies that give special preference to products assembled in Mexico are part of the

explanation for this perpetuation of this regional poverty. For the possible economic advantage that might be offered for firms to locate in one of the border communities on the United States side is always nullified by the even greater economic advantage of locating on the Mexican side. Thus, Chicanos must witness "the purposeful sacrifice of numerous chances for economic development, industrial diversification, and employment opportunities in their own home region" with the official approval of their own Federal government.³⁹

Under the Trade Expansion Act of 1962, citizens of the United States who are adversely affected by their own government's trade concessions are eligible for special training and relocation allowances if the U.S. Tariff Commission makes such a determination. To date, the Commission has not made any such ruling in this case although it is obvious as to the need to do so. Thus, the "twin-plants" arrangement must join the already lengthy list of policies that stifle opportunities for Chicano advancement.

Concluding Observations

The picture that emerges from the preceding review of the border policies of the United States is strikingly clear: it is one of absolute insensitivity to the economic impact of these policies on the largely Chicano population who overwhelmingly dominate the twenty-four counties that comprise the northern side of the international boundary. It is when all of these

separate practices and policies are examined collectively that the unmistakable pattern of malevolence is seen. All of the policies and practices are justified as either being beneficial to the large corporate interests of the southwestern United States or as being necessarily desirable in the interest of good foreign relations with Mexico. In none of these is there an iota of consideration for the impact of these endeavors on the Chicano population of the border region. In every instance, Chicanos are made worse off by the policies of their own government. There is no consolation in the retort that the gains received by others may counterbalance these losses by Chicanos. A resort to averaging the impact of policies is impossible when human welfare is involved.

If it is desirable to have good relations with our neighbor Mexico -- which I firmly believe it is -- there is no reason why Chicanos should suffer in the process. If financial assistance is necessary, let the aid take the form of massive, direct cash grants. If the United States has the funds to consider making extensive reparation payments to North Vietnam; to explore the barren moon and the endless universe beyond; and to stockpile military weaponry of every description that is capable of destroying the earth a thousand times over, it certainly has the ability to provide the wherewithal for Mexico to develop its own northern economy. If Mexico does not want such aid, so be it. But it should be manifestly clear that

a continuation of the existing state of affairs is absolutely out of the question. Illegal entry must be stopped by expanded enforcement, prosecution of offenders, and a sweep of the labor markets to return those already here; criminal penalties should be adopted for U.S. employers who hire illegal entrants; the commuter system must be terminated forthwith; and the tariff provisions that encourage the "twin plants" arrangement repealed. There are proper ways to conduct good international relations, but they include none of the sneaky and inhumane endeavors that presently exist. For the foundation of the existing policies is the impoverishment of hundreds of thousands of Chicanos. No public policies of any nation deserve respect nor should they be allowed to persevere when they are based upon such unjust premises and they bear such despicable results.

FOOTNOTES

¹Fred H. Schmidt, "The Current Economic Condition of the Mexican Americans" (paper presented at the Conference on Economic and Educational Perspectives of the Mexican-American, Aspen, Colorado, August, 1972), p. 5 (xeroxed material). [Emphasis is in the original.]

²Julian Samora and Jorge Bustamante, "Mexican Immigration and American Labor Demands" (paper presented at the Center for Migration Studies, Brooklyn College, March, 1970), as reprinted in U.S. Senate, Committee on Labor and Public Welfare, Hearings of the Subcommittee on Migratory Labor, 91st Cong., 1st and 2nd sess., Part 7-B (April 15, 1970), pp. 4783-4821.

³Julian Samora, "Mexican Immigration" (paper presented at the Conference on Economic and Educational Perspectives of the Mexican-American, Aspen, Colorado, August 27, 1972), p. 10, Table 1-A (mimeographed material).

⁴Ibid., pp. 11-12.

⁵Ernesto Galarza, Merchants of Labor: The Mexican Bracero Story (Charlotte: McNally and Loftin, 1964), p. 45.

⁶Carey McWilliams, North from Mexico (New York: Greenwood Press, 1968), p. 267.

⁷Vernon M. Briggs, Jr., Chicanos and Rural Poverty (Baltimore: The Johns Hopkins Press, 1973, pp. 29-30.

⁸Lamar B. Jones, "Mexican American Labor Problems in Texas" (unpublished Ph.D. dissertation, The University of Texas at Austin, 1965), p. 5.

⁹Schmidt, op. cit., p. 4. [Emphasis is supplied.]

¹⁰David S. North, Alien Workers: A Study of the Labor Certification Program (Washington, D.C.: The Trans-Century Corporation, 1971), p. 69.

¹¹Michael Mallory, "Human Ware of Mexicans Splashes Across Border," The National Observer (October 16, 1971), p. 1.

¹²U.S. House of Representatives, Subcommittee No. 1 of the Committee on the Judiciary, Hearings on Illegal Aliens, Part 5, Washington, D.C. (March 22, 1972), p. 1328.

¹³Diaz v. Kay-Dix Ranch (1970) as reprinted in U.S. House of Representatives, Subcommittee No. 1 of the Committee on the Judiciary, Hearings on Illegal Aliens, Part 1 (June 21, 1971), p. 180.

¹⁴Hearings, Part 5, op. cit., p. 1315.

¹⁵Diaz v. Kay-Dix Ranch (1970), op. cit., p. 179.

¹⁶David S. North, The Border Crossers - People Who Live in Mexico and Work in the United States (Washington, D.C.: Trans-Century Corporation, 1970), p. 72.

¹⁷Briggs, op. cit., Chapter 4.

¹⁸U.S. Senate, Subcommittee on Migratory Labor of the Committee on Labor and Public Welfare, Hearings on Migrant and Seasonal Farmworker Powerlessness, 91st Cong., 1st and 2nd sess., Part 5-A, pp. 2146-147.

¹⁹Hearings on Illegal Aliens, op. cit., Part 1, pp. 192-93.

²⁰Anna-Stina Ericson, "The Impact of Commuters on the Mexican-American Border Area," Monthly Labor Review (August, 1970), p. 18.

²¹Hearings on Illegal Aliens, op. cit., Part 5, p. 1321.

²²North, The Border Crossers, op. cit., p. 205.

²³Hearings on Migrant and Seasonal Farmworker Powerlessness, op. cit., Part 5-A, p. 2145.

²⁴Leo Grebler, et al., The Mexican-American People (New York: The Free Press, 1970), p. 73.

²⁵North, Alien Workers, op. cit., p. 95-96.

²⁶Sheldon L. Greene, "Public Agency Distortion of Congressional Will: Federal Policy Toward Non-Resident Alien Labor," The George Washington Law Review (March, 1972), p. 442 [citing 8 CFR 211.1 (b) (1) (1971)].

²⁷Ibid., p. 443 [citing 8 USC 1101 (a) 27(B) (1970)].

²⁸Ibid.

²⁹Ibid.

³⁰Ibid.

³¹Ibid., p. 448. [The case referred to is Gooch v. Clark (1969), Civil No. 49,500 (N.D. Cal. June 24, 1969)].

³²Ibid.

³³U.S. House of Representatives, Subcommittee No. 1 of the Committee on the Judiciary, "Study of Population and Immigration Problems," No. 11 (1963), p. 184.

³⁴Briggs, op. cit., p. 40.

³⁵Fred H. Schmidt, Spanish Surnamed American Employment in the Southwest (Washington, D.C.: U.S. Equal Employment Opportunity Commission, 1970), p. 62.

³⁶Personal interview with Mr. Bruno Abrego, Manager of the Laredo, Texas, Office of the Texas Employment Commission (November 10, 1972).

³⁷"Spread of U.S. Plants to Mexico Brings a Boom -- and Complaints," U.S. News and World Report (March 27, 1972), p. 59.

³⁸The Texas Good Neighbor Commission, Annual Report: 1969 (Austin: The Texas Good Neighbor Commission, 1969), p. 19.

³⁹Briggs, op. cit., p. 47.

APPENDIX A

<u>Year</u>	<u>Number of Mexican Braceros</u>	<u>Illegal Entrants Returned to Mexico</u>
1942	4,203	10,603
1943	52,098	16,154
1944	62,170	39,449
1945	120,000	80,760
1946	82,000	116,320
1947	55,000	214,543
1948	35,345	193,852
1949	107,000	289,400
1950	67,500	469,581
1951	192,000	510,355
1952	197,100	531,719
1953	201,380	839,149
1954	309,033	1,035,282
1955	398,650	165,186
1956	445,197	58,792
1957	436,049	45,640
1958	432,857	45,164
1959	437,643	42,732
1960	315,846	39,750
1961	291,420	39,860
1962	194,978	41,200
1963	186,865	51,230
1964	177,736	41,589
1965	20,286	48,948
1966	8,647	89,683
1967	7,703	107,695
1968	0	142,520
1969	0	189,572
1970	0	265,539
1971	0	348,000

Source: U.S. Department of Labor and the Immigration and Naturalization Service of the U.S. Department of Justice.