

## **Return of the Bracero Program**

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### **Body**

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This summer the Senate approved a "guest worker" measure that would allow U.S. growers to import unlimited numbers of Mexican farmworkers under no-strike, short-term contracts. There's a name for such a plan because we've experienced one before: it's the **Bracero program**. Under that **program**, 4 to 5 million Mexican farmworkers endured miserable working conditions in the United States between 1942 and 1964. Why repeat history?

U.S. growers currently have a work force of 1.6 million that, according to the Department of Labor's National Agricultural Workers Survey, includes about a million domestic workers (mostly immigrants), perhaps 600,000 undocumented workers, and about 20,000 H2-A workers (foreign farmworkers whom growers import legally under short-term contracts).

Using undocumented workers is, of course, illegal, and growers don't like the H2-A **program** because it comes with strings attached. Growers who want H2-A workers must demonstrate that domestic workers aren't available, pay prevailing wages and provide free housing that meets federal migrant housing standards. In **return**, growers get workers who can't just switch jobs if they don't like the wages or conditions and who can be deported for striking. Growers complain that this system is cumbersome and too costly. Critics call it indentured servitude.

The Senate plan would remove most of what growers don't like about the H2-A **program**. There would be no limit on the number of farmworkers growers could import, and the onus would be on federal officials to prove that domestic workers are available before denying a grower the right to import workers. Growers would no longer have to provide housing, at all, and they would have to guarantee only that their workers earned the minimum wage as a group, not as individuals. What growers would get, in essence, is a new **Bracero program**.

The original **Bracero program** was created at a time when World War II was beginning to give farmworkers some leverage in their negotiations with growers. First Public Law 45 was enacted, denying American farmworkers the right to leave their jobs and prohibiting the use of federal funds to improve their wages and living conditions. Then federal officials signed agreements with the governments of Mexico and the British West Indies to import workers under temporary, no-strike contracts. Though the **program** was intended as a war measure, Congress quietly extended it in 1945, and the number of braceros peaked during the Korean War.

Advocates of the current bill insist that it differs from the World War II-era **program** because it includes measures designed to protect workers. What they neglect to mention is that the **Bracero program** too came with stringent standards for working and living conditions; in fact it included provisions that American farmworkers never enjoyed. Growers couldn't get braceros if their housing didn't make the grade; they had to pay at least a set minimum wage; and the workers were guaranteed subsistence and three-quarters of the promised wages, even if they sat idle because of freezes or floods. The Mexican government negotiated this contract, acting as a sort of union negotiator for its expatriates.

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The problem then and now is that labor regulations are useless if the workers don't have the power to enforce them. Once the war ended and government officials turned their attention to other matters, Mexicans found themselves sleeping in sordid labor camps, drinking contaminated water and accepting whatever wages they were offered. The regulations designed to protect them were rarely enforced. Those who complained or went on strike were deported and blacklisted.

What's to stop a new **Bracero program** from devolving into a similar system? Farmworkers still lack the right of collective bargaining and "guest workers" are particularly vulnerable because they labor under the threat of deportation.

If there were truly a labor shortage today, farm wages would be rising. Yet Congress's fact-finding commissions have found that farm wages have been falling for 20 years, and housing conditions on both coasts are deteriorating. Remarkably, the states where growers protest loudest about labor scarcity are the places where wages are lowest.

Before signing a new **Bracero program** into law, Congress should ask if this is a history we want to repeat.

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