



IMMIGRATION

Crossing the Line

Ahuacatlan, the name of a dusty village hidden high in the cloud-covered mountains of the central Mexican state of Queretaro, means “land of avocados” in the Nahuatl tongue. But the quaint name does not describe the village today, where fruit trees are no longer plentiful on the surrounding slopes. Nor, for that matter, is much else.

So each fall, the men of Ahuacatlan travel north to work *en el otro lado* (on the other side), mainly in Texas, and return the next summer with the money they’ve earned. Most of them spend their days in Texas picking crops like those that used to grow in Ahuacatlan, harvesting much of the hand-picked fruits and vegetables produced in the U.S.

When the men are away from Ahuacatlan, the village is populated by women, children, and the elderly. The parish priest complains about teenage boys looking forward to their first trips north rather than to jobs in Ahuacatlan or even San Juan del Rio, the nearest city of any size. Crossing the border for a job has

become a modern-day rite of passage. And year after year—wives without husbands, sisters without brothers, young children without fathers, old folks without sons—Ahuacatlan has evolved from a patriarchy without patriarchs into a matriarchy.

Ahuacatlan’s eerie, half-empty existence highlights one of the most difficult issues facing the Texas-Mexico border: immigration, with or without benefit of documentation. Debates on legal immigration and the process of obtaining appropriate papers to move from the homeland to the U.S. have long since fallen prey to statistical manipulation and strident claims from xenophobes and advocates alike. And immigration of the illegal variety, possibly far more prevalent, remains by its very nature nearly impossible to measure, study, or manage with accuracy.

Ahuacatlan, one of thousands of such villages in Mexico, also underscores the changing nature of global migration. What was long a steady east-to-west stream has evolved into a flow of unprecedented pro-

portions along an axis running south to north.

In that context, Ahuacatlan is something of an anachronism, too, because its workers still return at least once a year to renew home ties before leaving again. Earlier this century, Mexicans used to venture north in search of work with the idea of sending money home to help their families. Not unlike many immigrants to the U.S. in the early part of this century, most intended to go back home some day, and many did.

Immigration of the illegal variety remains by its very nature nearly impossible to measure, study, or manage with accuracy.

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



Managing immigration along the vast border has proved nearly impossible.

Because each nation's immigration policy is set in its own distant federal capital, creative options for border states remain limited.

By contrast, entire families in the closing decades of this century have been crossing the border.

Unwilling to leave their loved ones behind, these new immigrants seem to have more than a temporary visit in mind. More and more, they have been coming to stay.¹

And because each nation's immigration policy is set in its own distant federal capital, creative options for border states remain limited. Texas, Tamaulipas, Nuevo Leon, Coahuila, and Chihuahua deal daily with the consequences—intentional or

cussions about illegal immigration fraught with danger. South of the line, many wish for greater labor mobility between the two countries. They see emigration as an “escape valve” through which to release in one direction the tensions bottled up below the border and to attract in the other direction much-needed foreign currency.

By one estimate, immigrant workers and others in the U.S. send \$4 billion to \$6 billion to Mexico each year, making such earnings Mexico's fourth-biggest source of foreign exchange.² At the same time, that so many of their people are forced to leave Mexico to make ends meet embarrasses, saddens, and angers many Mexicans. In the central states of Aguascalientes, Guanajuato, Jalisco, Michoacan, and Queretaro, where most of Texas' illegal Mexican immigrant population originates, public denunciations of the “inhumane treatment” of their countrymen while in Texas are common.³

On the northern side, while many profess to prefer fewer immigrants, even hardened foes hold contradictory views. Some welcome the foreign-born but worry that their presence dilutes the progress of citizens living on or near the bottom rungs of the economic ladder. Others adhere to free-market principles, especially access to cheap labor, but

worry about the effect immigrants have on the prevailing culture of the state and nation.

An aspect of immigration rarely noted is the uneven way its disadvantages are distributed. In Texas, for example, immigration is often cited as a drain on taxpayers, from public school budgets to municipal and county law enforcement funds. In Mexico, meanwhile, illegal immigration tends to create “mail-box economies” in communities like Ahuacatlan, which depend on the money sent home annually by undocumented workers, rather than developing local production capacities.

The distance of people from the border sometimes determines the vehemence of anti-immigration opinions. In August 1997, on a day when the *El Paso Times* lauded the Texas Governor's efforts to improve his Spanish-language skills, the *Amarillo Globe-News* printed a front-page story about a local insurance company that had fired two employees who had been “hired to speak Spanish” to Hispanic customers—for speaking Spanish to each other. The incident escalated into a debate over “rudeness” and “heritage”—all in a region where a judge had recently ordered a Hispanic mother to speak English to her child or risk losing custody.

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



Those who live and work along the border are more likely to see crossings as beneficial for all.

otherwise—of decisions made by bureaucrats and politicians thousands of miles away, in Washington, D.C., or Mexico City.

Finally, the deep ambivalence most Texans and Mexicans feel on the topic of immigration leaves dis-

Landmarks in U.S. Immigration Reform

- 1819.** Congress enacts the first significant federal immigration laws, including registration requirements for new immigrants. Enforcement of federal immigration statutes is left up to individual states.
- 1864.** Immigration control is centralized under a commissioner reporting directly to the Secretary of State, but states and their immigration commissions, boards, and other offices retain authority over immigration.
- 1882.** Legislation barring Chinese immigrants and levying a head tax on each new arrival is passed.
- 1891.** A new law establishing “complete and definite Federal control over immigration” requires all states to transfer their enforcement and other immigration activities to a new Bureau of Immigration within the Treasury Department.
- 1903.** Immigration laws, consolidated under the Bureau of Immigration, are amended to exclude polygamists, political radicals, prostitutes, convicts, alcoholics, and “persons likely to become public charges.”
- 1924.** The U.S. Border Patrol is created, the first legal restrictions are placed on casual migration across the U.S.-Mexico border, and a national-origin quota system is established.
- 1933.** Separate immigration and naturalization functions are consolidated in the Department of Labor, creating the Immigration and Naturalization Service (INS).
- 1940.** In response to growing concerns about international tensions and war, the INS is transferred to the U.S. Department of Justice.
- 1942.** Officially called the Emergency Farm Labor Program, but better known as the *bracero* program, a new law provides U.S. corporate agricultural employers with legally contracted Mexican workers.
- 1952.** Multiple laws governing immigration and naturalization are brought under a comprehensive statute, limiting immigration from the Eastern Hemisphere while leaving Western Hemisphere totals unrestricted.
- 1965.** The Immigration and Nationality Act amends existing laws, for the first time establishing an official quota for legal immigration from Western Hemisphere nations and requiring the U.S. Labor Secretary to certify that prospective immigrants pose no threat to U.S. jobs.
- 1976.** Known unofficially as the Mexican Quota, an adjustment to the 1965 amendments limits the number of legal visas issued to Mexican immigrants each year to 20,000.
- 1986.** The Immigration Reform and Control Act grants amnesty to foreigners who can prove they have resided in the U.S. continuously since 1982 and establishes sanctions for employers of undocumented workers. It also gives legal status to certain agricultural workers.
- 1990.** Congress expands legal immigration quotas from 270,000 to 340,000 per year, and creates “independent” and “family preference” visas to handle the increased numbers of legal permanent residents resulting from the 1986 legalization provisions.
- 1993-1994.** The report of the U.S. Commission on Immigration Reform and a variety of proposed bills raise the profile of the immigration debate, recommending reforms that include creating a national computer network to verify applicants’ Social Security and INS status, eliminating appeals by criminally convicted aliens, boosting penalties for visa fraud, allowing interdiction at sea of migrant smugglers, and denying citizenship to children born to illegal immigrants in the U.S.
- 1996.** The Anti-Terrorism and Effective Death Penalty Act and the Immigration Control and Financial Responsibility Act provide for more border enforcement, a 14-mile triple fence south of San Diego, and increased penalties for smuggling undocumented workers into the U.S., as well as for using false documents to obtain jobs or public benefits.
- 1997.** Appointed by Congress and the President in 1990, the bipartisan Commission on Immigration Reform advisory group recommends abolishing the INS and parceling its duties to other federal agencies.

If the Texas-Mexico border becomes more of an economic fault line, coping with explosive growth along its pressure points could be a greater challenge.

Not surprisingly, those who live and work along the border are sometimes more in tune with its unique symbiosis; border residents tend to embrace the binational nature of their daily lives. With family and business ties north and south, crossing the line is routine, amicable, and generally regarded as beneficial.

But if the Texas-Mexico border becomes more of an economic fault line, coping with explosive growth along its pressure points could be a greater challenge. Any serious look at the region must attempt to strike a balanced, practical view of immigration.

A Short Look at a Long History

Some 80,000 Spanish-speaking people remained in Texas and the Southwest in 1848, when the U.S. acquired the territory at the end of the Mexican War. Under terms of the peace treaty, the former Mexicans were offered U.S. citizenship and full protection of the law.⁴

Not that the documented protection meant much. Within a few years, Texas settlers and unsympathetic courts had stripped the few remaining Mexican landholders of their property rights, while most continued to live as they had before—except that they were suddenly foreigners in their own land.

During the 1880s, the demand for labor by U.S. railroad companies attracted Mexican workers to West Texas. As the Southern Pacific and Santa Fe lines snaked across the Southwest, railroad officials concluded that Mexican labor was closer and more convenient than Chinese labor because, unlike the latter, Mexicans could easily be sent home when they were no longer needed. By 1910, railroad agents had recruited more than 20,000 Mexicans.

Other industries soon followed, either scouting workers south of the border themselves or paying labor contractors and smugglers to bring workers across the border. These laborers formed the

backbone of the westward spread of cotton plantations and the proliferation of vegetable, fruit, sugar beet, and other giant agricultural concerns, as well as the development of copper mining in the Southwest. And during World War I, when U.S. labor was in short supply, Mexican workers, as well as U.S. women, played a crucial role by keeping factories open and the economy humming.

In 1924, Congress created the U.S. Border Patrol, but its latter-day significance was not immediate. Within five years, crossing the border without benefit of documentation would be outlawed—“entry without inspection” became a misdemeanor. But it took a confluence of events—the return of the doughboys from Europe, the postwar recession, and especially the Great Depression—to turn Mexican workers into outcasts. Hundreds of thousands were rounded up and summarily deported, including no small number of U.S. citizens. Others returned home voluntarily after losing their jobs in manufacturing and mining industries.

By the late 1930s, with the Dust Bowl prompting a massive migration west to California, growers concluded that they no longer needed their southern neighbors to perform stoop labor. During that decade, for the first time in U.S. history, more peo-



PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.

Agents use all forms of transportation in patrolling the border.

ple left the country than entered it.⁵

The onset of World War II led Mexican migration to rebound, as Uncle Sam again faced a domestic labor shortage. Corporate recruiters flocked across the border afresh, looking for temporary farm workers, and Washington, D.C. and Mexico City searched for creative solutions to the lack of workers. These efforts culminated in the Emergency Farm Labor Act of 1942—better known as the *bracero* program.

Under the *bracero* program U.S. officials could hire Mexican workers selected by the Mexican government and then, after guaranteeing transportation and a minimum wage, subcontract them to major agricultural interests. By the late 1950s, more than 400,000 seasonal *braceros*—the word is derived from the Spanish *brazo*, or “arm”—toiled legally on farms and orchards in Texas and other states. Their vulnerability to abuse by employers troubled the Mexican government, but the money they sent home was sufficiently valuable to their nation’s economy that the program continued until 1964, when the American civil rights and farm worker movements, as well as the continuing mechanization of harvests, led Washington, D.C., to unilaterally call it off.

During the *bracero* years, illegal immigration

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



Rivers and walls have done little to slow the tide of Mexicans seeking work in Texas.

from Mexico to the U.S. declined—but not necessarily because of the program. A 1954 Immigration and Naturalization Service (INS) initiative, with the unfortunate name of “Operation Wetback,” stemmed illegal crossings. The initiative was led by Joseph Swing, a retired U.S. Army general whose view of Mexico dated from his days riding with John “Black Jack” Pershing during a failed expedition into Mexico against Pancho Villa in 1916. During the operation, immigration squads raided barrios and farms, invaded homes, swept the streets for Mexicans, and bragged about how many had fearfully fled back across the border. Inevitably, U.S. citizens were sometimes caught in the raids and deported too, but the public rarely objected. In 1953, the year before the INS operation, 900,000 undocumented foreigners had been caught. The

number of “apprehensions” dropped to 250,000 in 1955 and to 88,000 in 1956.⁶

Operation Wetback was halted along with the *bracero* program, and illegal immigration subsequently accelerated. In 1976, INS arrests along the border passed the 1-million mark for the first time. Then-INS Commissioner Leonard Chapman, a former Marine commander, warned the nation about “a vast and silent invasion of illegal aliens.”⁷ William Colby, former CIA director, echoed his remarks. “The most obvious threat is the fact that there are going to be 120 million Mexicans by the turn of the century,” Colby said. “[The Border Patrol] will not have enough bullets to stop them.”⁸

In the years since, changes in the Mexican economy have bolstered the south-to-north flow of global migration, as political and economic refugees

In 1976, INS arrests along the border passed the 1-million mark for the first time.

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



North of the border is often regarded in the Mexican interior as a haven of opportunity.

By 1998 in Ciudad Juarez, for example, one estimate put the new immigrant arrivals at 35,000 each year—nearly 100 a day.

from Central America and, to a lesser degree, the Caribbean have also streamed north. As a result of the Mexican peso's 1994 devaluation and strict bailout requirements set by the international financial community, the Mexican government cut services and domestic subsidies, especially in the agricultural sector. These cuts, together with capital flight and surging unemployment, pushed tens of millions of people from the Mexican countryside to the cities.

Many stayed there only temporarily, though. Finding little in the cities, they headed toward the Rio Grande, hoping to land jobs in the *maquilas* springing up in every urban border area. By 1998 in Ciudad Juarez, for example, one estimate put the new immigrant arrivals at 35,000 each year—nearly 100 a day.⁹ Rumored throughout the

interior to be havens of opportunity, Mexican border towns grew by leaps and bounds. The leaps and bounds often continued in the direction of Texas and other U.S. states, whose own borders were increasingly used as staging areas from which to “trampoline” into service jobs—restaurants, hotels, car washes—or manufacturing and construction firms.

Attempts at Immigration Reform

Immigration issues occupy one of the murkiest realms of U.S. public policy.

A famous attempt at reform involved a million-dollar operation during the 1980s in half a dozen major cities across the nation—including Houston, Dallas, and Fort Worth. During the raid, 400 INS agents, with help from the U.S. Border Patrol, set off in a much-publicized, week-long search for undocumented workers. Dubbed “Project Jobs,” the operation was designed to arrest illegal immigrants who, according to the INS, were taking good-paying work away from U.S. citizens. One INS official said, “We could go on arresting bus boys forever, but we know that those jobs are just going to be filled by other illegal aliens. What we’re looking for now are aliens working in the higher-paying jobs.”¹⁰

In Houston, federal agents raided a tree-trim-

ming company, arrested 135 undocumented workers, then seized dozens more at construction sites around the city. In Fort Worth, a mobile home manufacturer lost 170 workers, nearly half his workforce. At a pipe-fitting company in Houston, another 71 illegal immigrants were rounded up. At the time, the INS predicted that the true test of the operation’s success would be whether jobs vacated by the mass arrests—1,105 in Texas alone—were ultimately filled by U.S. citizens.

By that standard, the raids were a total failure.

The tree-trimming company in Houston advertised its vacant jobs and received hundreds of inquiries, but not one position was filled by a U.S. citizen. The Fort Worth mobile home manufacturer replenished his workforce, mainly with the same undocumented workers who had been deported and then swiftly returned. As for the Houston pipe-fitting firm, a complete crew of citizens was hired to replace the undocumented workers lost in the sweep—but the new crew lasted only one day before quitting. In the end, the company filled 16 of the 71 jobs held by illegal immigrants before the raid with citizens, at a time when Houston was billed as the “Golden Buckle of the Sunbelt” by unemployed northerners flocking to the boomtown.

All told, the Texas Employment Commission found a total of 42 unemployed citizens to apply for the 1,105 Texas jobs vacated in the raids. Of those, the agency eventually managed to fill three.

Meanwhile, Mexico City newspapers compared the INS raids to Gestapo actions in Nazi Germany, and Hispanic groups in Texas expressed concern that the roundups would bring on waves of anti-Mexican-American sentiment.

One problem, it turned out, was that the wages offered by the raided employers were far less than what the INS had claimed: most paid the minimum wage or only slightly above it. Another problem was that out-of-work citizens did not want to stand in line for the jobs. Yet another was that the INS was looking in the wrong places to nab highly paid undocumented workers. Tree-trimming outfits and construction sites were unlikely candidates, because the illegal immigrants making really good money didn't work there. They worked in office buildings, and most of them weren't Hispanics, either. They had come from Asia or Europe or the Middle East. They were well educated, spoke English, and possessed internationally marketable skills.

The underlying mistake, it seemed, was that the INS had overcommitted

itself to border enforcement, arresting unskilled Mexican and other workers who posed little threat to the job security of U.S. citizens. The undocumented workers competing against citizens for higher-paying jobs arrived on airplanes, usually with legal visas, and then overstayed them.

Moreover, the raids had seemingly been timed to coincide with the opening of U.S. Senate debate on the Immigration Reform and Control Act (IRCA), also known as the Simpson-Mazzoli bill, which passed after much wrangling in 1986. The law, in a nod to the premise that illegal immigration could not entirely be stopped at the border, contained two important provisions. The first was an attempt to close what some considered the largest loophole in immigration laws with employer sanctions. These sanctions took the form of fines or jail terms for employers who failed to record their new hires on an INS form, the I-9 document. The second offered legal amnesty to immigrants who could prove that they had been living continuously in the U.S. since 1982—a tacit acknowledgment by officials that these workers were entrenched and difficult to identify.

Under the amnesty program, more than 3 million people—three-quarters of them Mexican, the rest mostly Salvadoran—

emerged from the shadows to claim permanent residence. They remained in the U.S. while their applications were pending, and untold tens of thousands more who either knew they did not qualify, or who were afraid to take the necessary steps to find out, waited for the dust to settle.

They needn't have worried. IRCA was soon a shambles, its major legacy yet another ineffective federal bureaucracy. Employer sanctions were rarely applied. A black market in phony documents sprang up, too. For the right price, anyone could buy a fake Social Security card, permanent resident card, or U.S. birth certificate, almost indistinguishable from the real thing. Either way, employers were off the hook, and immigration dropped off the table of public debate for awhile.

IRCA was soon a shambles, its major legacy yet another ineffective federal bureaucracy.

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



A 1986 law recognized that illegal immigration could not be stopped at the border.

Border Monument No. 1

There is a place just west of El Paso where the Rio Grande, after flowing south from its headwaters in the Colorado Rockies, quietly slips through a pass in the mountains and then starts to snake its way southeast toward the tiny town of Boca Chica, on the Gulf of Mexico, 30 miles east of Brownsville and 1,254 miles away from this inauspicious spot.

The Texas-Mexico border's westernmost beginning is tucked behind one of El Paso's oldest smelting plants, across a creaky wooden bridge beneath a railroad trestle and then east along a gravel path bounded on one side by the river and on the other by the carved-out mountainside. It is marked by an 11-foot masonry obelisk in a concrete slab the size of a large dining room table. A metal strip runs the width of the slab, delineating the international boundary—which is a bit disconcerting, because the river flows to the north while you stand on the south side, still in the U.S.

You can straddle both nations here, a foot in each, and read the well-worn plaque that has long since been covered by graffiti. The text reads:

This is Border Monument No. 1, the first of 258 such obelisks that dot the desert borderlands all the way to the Pacific, some 698 miles westward. Mexico lies to the south, about three feet away, just beyond an improvised wall of rocks piled a few inches high. The rest of Texas lies to the east, its most distant point farther away from here than the last border monument, which sits outside San Diego, California.

From here eastward, there's no need for monuments. The Rio Grande serves the purpose, defining the border as it ripples through countless dams and irrigation ditches, a stretch of concrete channel, plus two huge reservoirs, before spilling into the Gulf.

At Border Monument No. 1, however, it is almost possible to believe that the line between the U.S. and Mexico "is never wider than a river."¹ Almost.

The Rio Grande, known on the Mexican side as the Rio Bravo, seems docile at this turning point. In fact, 844 undocumented immigrants have died between here and Brownsville from 1993 to 1996.²

In the past decade, the number is probably as high as 3,000, according to an ongoing study by the University

of Houston.³ About 72 percent were drowning victims, belying the river's placid origins. The remainder were hit by cars or trains after crossing, succumbed to dehydration in the arid desert, froze to death in the frigid mountains, or were murdered by smugglers and common criminals who prey on the most vulnerable.

Others have perished, too, their bodies washed downstream and disfigured by the water's grim current or decomposing in the brush, never to be recovered.

Only 14 of the Texas counties directly on the border have their own medical examiners. The others depend on justices of the peace, who try their best to identify the "floaters," as immigrants who drown while trying to cross the river are known locally. In Mexico, officials of the different states are charged with investigating and documenting the deaths. All work diligently. But autopsies are rare, resources are limited, and few medical investigations ensue. Many bodies, including growing numbers of women and young children, are never identified—and many families never learn the fates of their loved ones.

These border deaths pose troubling questions. Are stepped up U.S. patrols in high-volume areas redirecting would-be illegal immigrants to remote areas, where the dangers from unpredictable river crossings or sheer lawlessness are greater? Are the immigrants themselves—who, after all, have chosen to break the law by trying to cross without benefit of documents—to blame?

In mid-1998, the U.S. and Mexican governments announced they would be launching a public safety initiative to warn potential crossers of the many dangers. Included in the initiative are posted warning signs, expanded first-aid and search and rescue capabilities, and the creation of a telephone hotline that relatives of missing immigrants can use to notify Mexican officials. But human rights advocates, while welcoming the new campaign, feared it would not completely stop the attempted crossings that all too often end in tragedy.⁴

ENDNOTES

1 Robert Miller, "Mexico's Role in U.S. Education—A Well-Kept Secret," *Phi Delta Kappan* (1995).

2 Michelle Mittelstadt, "Initiative targets border safety," *Austin American-Statesman* (June 17, 1998).

3 University of Houston, Center for Immigration Research, 1997.

4 Mittelstadt, "Initiative targets border safety."

Next came the Immigration Act of 1990, which expanded the quota for legal immigration from 270,000 to 340,000 per year. In the midst of the debate, then-Senator Alan Simpson of Wyoming, who had co-sponsored the attempt at immigration reform four years earlier, tried to place the issue in stark public terms.

“Uncontrolled immigration is one of the greatest threats to the future of this country,” Simpson said.¹¹

The new law separated “independent” visas, granted for job-related or investment purposes, from “family preference” visas to make sure that applicants in the two categories did not compete with one another. Most of the quota increase went to “independent” visas, although the quota for immediate relatives of permanent residents within the “family preference” category was doubled. Immediate relatives of U.S. citizens continued to be exempt from immigration quotas.

Dovetailing with the legislative initiatives were sporadic efforts to beef up the border patrol’s presence along the porous border. Into the early 1990s, the border patrol focused on apprehending aliens once they had crossed the border, then returning them to their country of origin. In September 1993, Silvestre Reyes, then-head of the El

Paso Border Patrol office, tried something new. In “Operation Blockade,” later renamed “Operation Hold the Line,” Reyes directed his officers to form a human blockade—more than 400 agents and vehicles, posted every 100 yards from one end of El Paso to the other—that would discourage people from attempting to cross.

Unlike a similar 1988 attempt in McAllen that had to be abandoned when it became too expensive, Reyes’ blockade stayed in place until the INS could fund it permanently. “Operation Hold the Line” was credited with a 72 percent drop in apprehensions in the El Paso sector (covering the border area between Tucson and Marfa) between fiscal 1993 and 1994, when other sectors averaged only a 3 percent drop.¹² It was also seen as the cause

of 286,000 fewer aliens crossing in fiscal 1994, 146,000 fewer in 1996, and 105,000 fewer in the first nine months of 1997 in the El Paso sector.¹³

Buoyed by the El Paso experience, the border patrol launched “Operation Rio Grande” in Brownsville in August 1997 as the next step in the INS enforcement strategy for Texas and New Mexico’s southern borders. The initiative brought 69 Border Patrol agents to Brownsville from other INS stations and offices, as well as additional support personnel, an increased overtime budget, new vehicles, helicopters, floodlights, and such technology as night- and low-light vision equipment, hidden electronic sensors, and a criminal record checking system. Plans were to spread agency resources west

“Operation Hold the Line” was credited with a 72 percent drop in apprehensions in the El Paso sector.

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



Efforts like “Operation Hold the Line” in El Paso have cut the number of illegal immigrants apprehended in Border cities.

and north to join those of “Operation Hold the Line,” after control of the Brownsville-McAllen-Harlingen area’s border had increased sufficiently to claim success. Eventually, the INS anticipated applying the controls all along the border through New Mexico, Arizona, and California.¹⁴

In March 1998, the INS announced that Texas would get 625 of the 1,000 new Border Patrol agents. The boost in manpower would give Texas 2,957 Border Patrol agents by the end of 1998, compared to 2,688 for California.¹⁵

In the area of employer sanctions, the INS district office in Dallas began drawing national recognition for doing more than just raiding workplaces. Its “Operation Jobs” initiative began in 1994 in an attempt to minimize business disruptions when undocumented workers

were arrested and removed and to link employers to local employment agencies trying to place unemployed U.S. citizens or legal residents, welfare recipients, or other job-seekers. While exact figures did not exist to document how many jobs once held by undocumented workers were refilled by people with legal work status, anecdotal evidence was strong enough to support expanding the program to the 18 states in the INS’ Central Region in March 1995.¹⁶

Despite these and other efforts to gain control of the nation’s borders, by 1998 few believed that things had improved much. Although the INS budget had more than doubled, to \$3.8 billion in fiscal 1997, since the 1990 immigration debate, *The New York Times* in 1997 termed the agency still a “calamity” and “exceptionally inept at its most essential tasks.” *The Dallas Morning News* called for a “shake-up,” saying that the agency had had time to reform itself and had “not adequately done so.”¹⁷

In response, a September 1997 report from the bipartisan U.S. Commission on Immigration Reform suggested abolishing the INS, which had been placed under jurisdiction of the U.S. Department of Justice during World War II when fears of foreign saboteurs became

a national concern. The commission urged reassigning INS functions to the departments of Justice, Labor, and State. The White House, while acknowledging that critical reforms were necessary, did not support dismantling the agency. Instead, the INS, White House, U.S. Department of Justice, and consultants presented Congress with a plan in March 1998 that proposed separating border control and other enforcement functions from the processing of citizenship or legal permanent residency applications and other service functions.¹⁸

In February 1998, the President proposed increasing the INS budget to \$4.2 billion—enough for staffing levels of 31,600 in fiscal 1999, up 22 percent from 26,000 in 1997. More than half of the increase in the INS budget would pay for stepped-up border controls.¹⁹

Among other calls for immigration reform, high-technology industries urged increased ceilings on H-1B and other kinds of visas for high-skilled foreign workers. Legal entry channels such as the H-1B visas were described by some as a backdoor route to permanent U.S. residence. By INS estimates, about 41 percent of illegal immigrants living in the U.S. in 1996 originally entered on a legal but temporary basis and then overstayed their visit.²⁰

In March 1998, the INS announced that Texas would get 625 new Border patrol agents.

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



Border control operations in the 1990s have had limited success.

Who is Immigrating and at What Cost

According to the INS, Texas was home to 700,000 illegal immigrants in October 1996, second only to California's 2 million. The INS estimate of the total U.S. undocumented immigrant population ranges from 4.6 to 5.4 million. Nationally, 54 percent of illegal immigrants were from Mexico, followed by El Salvador (7 percent), Guatemala (3 percent), and Canada (2 percent). As a share of the total population, illegal immigration is highest in California, Washington, D.C., and Texas.

Legal permanent resident immigrants in Texas numbered 825,000 in April 1996, about 8 percent of the U.S. total of 10.3 million.²¹

Within the state, legal and illegal immigrants tend to settle in certain counties and cities. County-level estimates from the U.S. Bureau of the Census indicate that from July 1990 to July 1996, the 43-county Border region had a net gain of about 158,100 residents because of international migration, compared to 333,900 for the rest of Texas (see **Map 11.1**). International migration accounted for 29 percent of the region's population growth during the same period, compared to 21 percent in non-Border counties. Within the Border region, El Paso, Hidalgo, and Bexar counties together became home to an additional 105,200

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



In 1993, Texas unsuccessfully sued the federal government to recoup some costs of illegal immigration.

international migrants in the 1990s, while Harris, Dallas, and Tarrant counties saw population gains through net international migration of 235,600 (see **Table 11.1**).²²

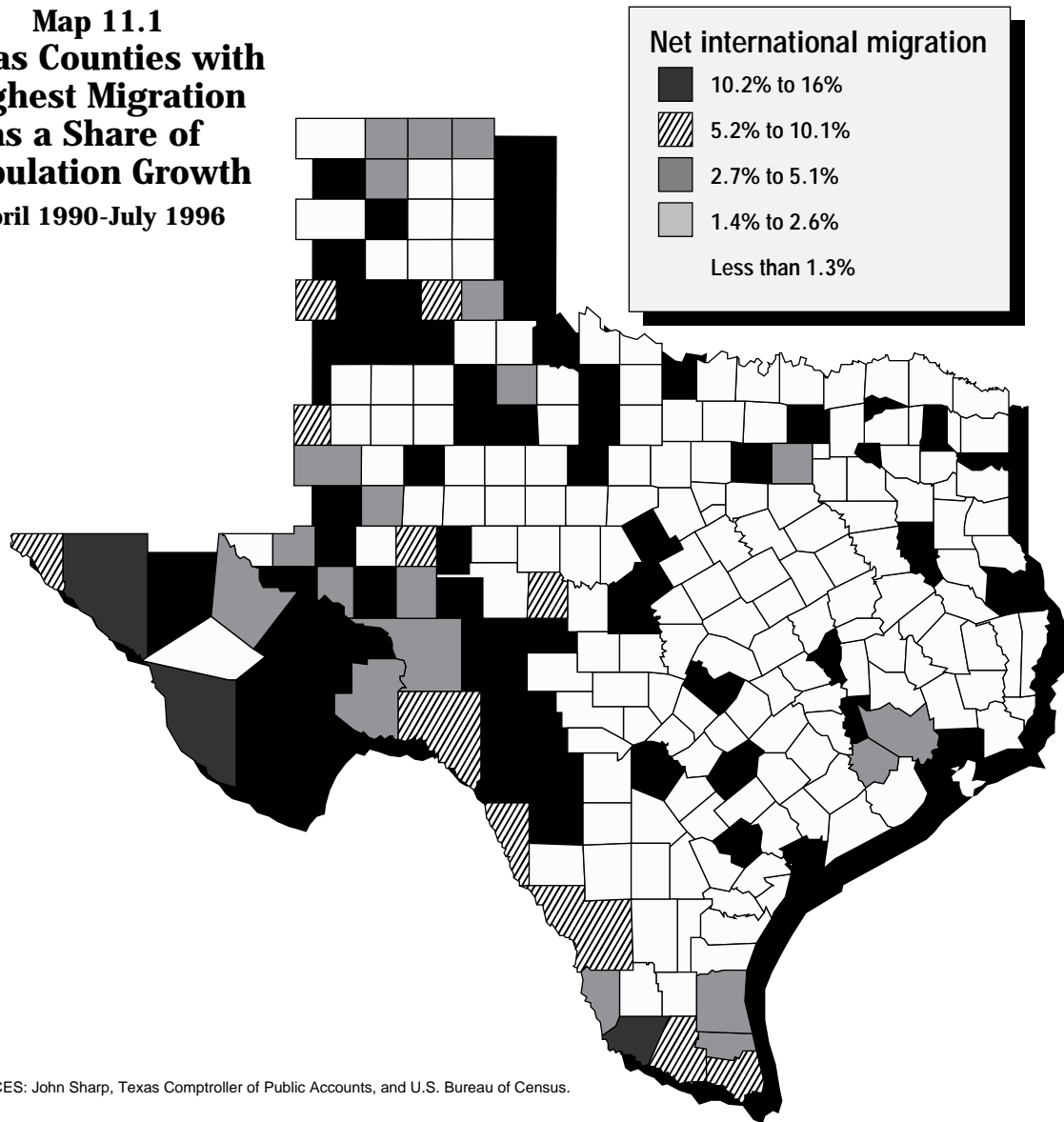
In 1993, the annual cost to Texas state and local governments for public education, emergency health care, social services, and incarceration for undocumented immigrants was pegged at \$1.3 billion. At the time, Texas joined Arizona, California, Florida, New York, and New Jersey in unsuccessfully suing the federal government to recover some of these costs.²³ Another study by the Urban Institute, commissioned by the federal government, put the Texas costs at \$454 million, but the study also estimated that illegal immigrants paid about \$202 million each year in state sales taxes.²⁴

Federal relief to states and local communities for the costs of illegal immigration has been short-lived and sporadic. From 1988 through 1995, the State Legalization Impact Assistance Grants (SLIAG) program helped Texas and other states pay for educational and social services provided to undocumented immigrants applying for amnesty and citizenship under IRCA during a limited time. Nationally, SLIAG grants to state and local governments peaked at \$825 million in 1991.²⁵

In Texas, SLIAG funding was largest in 1990, when state agencies received \$64 million, half of which went to the Texas Education Agency for distribution to local public school districts. The Texas Department of Health also received a major part of SLIAG funds.²⁶

According to the INS, Texas was home to 700,000 illegal immigrants in October 1996.

Map 11.1
Texas Counties with
Highest Migration
as a Share of
Population Growth
 April 1990-July 1996



SOURCES: John Sharp, Texas Comptroller of Public Accounts, and U.S. Bureau of Census.

Over the course of the program, Texas state agencies received \$338 million in SLIAG funds, almost 10 percent of the U.S. total \$3.5 billion in SLIAG payments to state and local governments from 1988 to 1996.²⁷ Midway through that period, Texas was estimated to be home to 10 percent of the nation's illegal immigrants.²⁸

Federal funds for refugee and entrant assistance, emergency immigrant education, and transition programs for refugee children have helped cover the costs of legal immigration, but to a lesser extent than SLIAG aid. From 1987 through 1995, such funds fluctuated between \$9 million to \$15 million a year for

Texas. In 1996, funding for the three programs combined had increased to \$18.3 million. The amount, however, was still not enough to compensate for the phasing out of SLIAG once the time for applying for amnesty was over.²⁹

The State Criminal Alien Assistance Program (SCAAP), a federal program begun in 1995, was

designed to help states and localities defray the costs of imprisoning undocumented immigrants convicted of felonies or two or more misdemeanors. SCAAP funding also supported efforts to identify criminal aliens and expedite their transfer from state and local prisons to federal custody before deportation. In fiscal 1998, SCAAP was expected to provide almost \$493 million in grants nationwide.³⁰ The Texas Department of Criminal Justice is slated to receive \$90 million in SCAAP funds over the 1998-99 biennium to help pay for immigrants' incarceration.³¹

Prospects for future federal funding of programs dealing with immigration are not bright, given federal timetables for balancing the budget and ensuring the long-term viability of Social Security and Medicare. Even with more adequate funding, too many programs appear to be tailored for specific functional areas or certain kinds of immigrants. As one analyst has said, "One is struck by how few major federal initiatives there are to help immigrants; the limited number of resources dedicated to them; their minor and disjointed character; and by the lack of coherent policy goals."³²

PHOTO: U.S. Department of Justice, Immigration and Naturalization Service.



Immigration across oceans, as well as rivers, must be slowed for effective border control.

Analyzing long-term decreases in federal assistance to states and local communities for immigrant services, the same author said, the solution is not to develop new programs but to better serve immigrants with existing ones.

Beginning in the 1970s, states began cutting back and eliminating undocumented immigrants' eligibility for state and federal programs. In the 1980s and 1990s, even legal immigrants' eligibility for benefits has been reduced or eliminated. In early 1998, Congress was debating whether to restore some of the benefits for legal immigrants that had been eliminated in earlier rounds of welfare reforms.

TABLE 11.1
Texas Counties with Highest
Net International Migration
April 1990 to July 1996

	Net international migration
Harris County	135,122
Dallas County	73,432
El Paso County	48,329
Hidalgo County	33,903
Tarrant County	27,064
Bexar County	22,939
Cameron County	18,067
Travis County	14,173
Webb County	12,782
Fort Bend County	8,230
Collin County	5,770
Starr County	5,502
Maverick County	4,260
Denton County	3,811
Galveston County	3,264
Jefferson County	3,178
Nueces County	2,928
Montgomery County	2,694
Brazoria County	2,506
Potter County	2,372
Brazos County	2,358
Val Verde County	2,228
Ector County	2,193
Smith County	2,087
Lubbock County	1,736
Texas Total	491,931

SOURCES: John Sharp, Texas Comptroller of Public Accounts, and U.S. Bureau of the Census.

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