

ILLEGAL MEXICAN MIGRATION TO THE UNITED STATES:
RECENT RESEARCH FINDINGS, POLICY IMPLI-
CATIONS AND RESEARCH PRIORITIES

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of the United States by large sectors of the Mexican poor as a land of relatively accessible economic opportunities. The pressures are so intense, and likely to remain so in the foreseeable future, that most Mexican illegals are not likely to be deterred, even by the most draconian restrictive measures. The essence of the problem, and the futility of dealing with it merely through police actions, was conveyed most succinctly and eloquently by one of my subjects, who had been apprehended by the INS for the third time. Confronted by an INS agent, he was asked: "What can we do to prevent you from doing this again?" The illegal responded: "Shoot me!"

(2) Increase the quote for legal immigration from Mexico. The "Immigration and Nationality Act Amendments of 1976" (H.R. 14535), passed in the final minutes of the last Congress and subsequently signed by President Ford, had the effect of reducing legal immigration from Mexico from about 62,000 to 40,000 per year. It will increase the waiting period for Mexican applicants for immigrant status (already about 2 1/2 years), while shortening the wait for people from elsewhere in the Western hemisphere. This and any similar measure will be counter-productive in reducing illegal migration from Mexico, since all historical evidence shows clearly that greater obstacles to legal immigration simply shift the movement toward illegal channels. As noted above, the restriction of legal entry opportunities brought about by termination of the "bracero" program in 1964 led to a sharp increase in illegal migration from Mexico. The quota for legal Mexican immigration should be raised at least to its pre-October, 1976, level.

(3) Institute a System of Temporary Worker Migration Visas. Such a system would permit temporary migration from Mexico to the U.S. for employment purposes. Employment time in the U.S. could be limited to a total of 6 months per year (not necessarily consecutive), and to maintain a valid visa the worker would be required to leave the country for at least six months a year. The number of visas issued in a given year could be keyed to estimates of the number of low-skill, low-wage jobs for which Mexican migrants have typically been recruited, and to the prevailing level of unemployment among native Americans (see Piore, 1976). No geographical constraint would be imposed upon the movements of the visa holder, and there would be no pre-arranged contract between the visa holder and a particular U.S. employer.

It should be noted that such a system differs importantly from the earlier "bracero" program of contract migrant labor. By not binding the migrant to a particular U.S. employer, it would reduce the risk of exploitation, and

thereby undercut the principal objection of the Mexican government to a new "bracero"- type agreement. More importantly, it also is the only type of temporary worker program which is likely to attract those Mexicans who now migrate illegally. Virtually all of those interviewed in my study expressed opposition to a new agreement of the "bracero" type, which would bind them to a single employer, who could alter their pay scale, pay them irregularly, or commit other abuses at will. They argue that the exploitation of the Mexican worker was much worse under a system in which the migrant had no opportunity to switch employers or to determine the duration of his job with a particular employer. They now earn more, and faster, as illegals than they did as braceros during the 1950's and the early 1960's. They strongly favor, however, a new intergovernmental agreement to legalize entry into the U.S. for specified periods of employment. This would at least have the effect of reducing the physical dangers of unassisted illegal border crossings, as well as exploitation by commercial smugglers and others who profit by the existing situation. But they strongly oppose any restrictions on their movements or their opportunities to select an employer once inside the U.S. In other words, what they seek is free market competition among U.S. employers seeking their services. The proposed system of temporary worker visas would have the effect of encouraging the existing, temporary character of Mexican migration to the U.S. and discouraging permanent settlement.

MIGRATION TODAY



UNDOCUMENTED IMMIGRATION: a critique of the carter administrations' policy proposals

Wayne A. Cornelius

At one particularly difficult point in the protracted debate within the Carter Administration over immigration policy initiatives, President Carter reportedly complained to one of his senior aids: "It's more complicated than the SALT talks" (*Newsweek*, July 4, 1977, p. 16). To many who had been following the policy debate with increasing concern, this statement signaled the beginning of wisdom in the Administration's consideration of the issue of undocumented immigration. It provided a refreshing contrast to the public statements on this issue by numerous Administration officials in previous months: statements which indicated little awareness of the complexity of the undocumented immigration phenomenon, and an alarming degree of confidence in excessively simple "solutions". Typical of these pronouncements was Secretary of Labor Ray Marshall's remarks to a symposium on immigration and public policy held in Houston on April 16, 1977:

"We will not learn very much more about the broad contours — the nature of the problem. We know what the key questions are... only the dimensions of the problem may become more fully known... No issue other than energy has been studied as long and intensively in the Carter Administration [as undocumented immigration]."

Unfortunately, the policy package which eventually emerged from the Administration's "long and intensive" study is a disappointment. The Administration's proposals seem to disregard a large and growing body of independent research findings which contradict some of the central assumptions of these proposals. And the proposed remedies, if enacted into law by the Congress, will undoubtedly raise unrealistic expectations among the American people — expectations that cannot be met by the Administration's policies. The long-term implications of this eventual policy failure should be of great concern to all those who continue to hope for a

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rational and humane U.S. immigration policy. To the extent that the Administration's policies do not produce a significant, and swift, reduction in "the number of aliens attempting to enter the United States in violation of law" — as promised by the President, public "tolerance" for all forms of immigration may be seriously diminished.

The comments which follow are addressed primarily to the appropriateness and probable effectiveness of the Administration's proposed policies in dealing with the Mexican component of the flow of undocumented immigrants, which constitutes an estimated 60-65% of the total flow. It is, of course, the sharp increase in undocumented immigration from Mexico since 1970 which is cited most frequently as justification for a much more restrictive U.S. immigration policy. While there is some awareness among the Washington policy-making community of the importance of undocumented immigration from Caribbean nations and other principal source countries, the policy debate has been conducted largely within a Mexico-centered frame of reference.

The basic elements of the Administration's policy package include: 1) a law (the "Alien Employment Act of 1977") imposing civil penalties, and in some cases, federal district court injunctions upon U.S. employers who hire undocumented immigrants; 2) a doubling of the border enforcement effort by the U.S. Immigration and Naturalization Service (INS); and 3) two forms of amnesty (or "adjustment of status", the Administration's euphemism) for certain categories of undocumented immigrants (the "Alien Adjustment Act of 1977"). Those immigrants who entered the U.S. illegally prior to January 1, 1970, and who have maintained continuous residence in this country since then would be entitled to claim "permanent resident alien" status. Those who entered the U.S. between January 1, 1970, and January 1, 1977, and who have resided continuously in the U.S. since entry, could claim "temporary resident alien" status for a five-year period, during which they could not be deported, and could be legally employed, but would not be entitled to receive Medicaid benefits, Aid to Families with Dependent Children, Supplemental Security Income for the Aged,

Blind, and Disabled, or Food Stamp benefits. All of these measures, with the exception of the expansion of the border patrol, are incorporated in two pieces of legislation (the "Alien Employment Act of 1977" and the "Alien Adjustment Act of 1977") submitted to Congress in late September. (The expansion of the border patrol can be accomplished with no new legislation.) The President has announced that this legislation will be sponsored in the House of Representatives by Congressmen Peter Rodino and Joshua Eilberg, and in the Senate by Senators James Eastland and Edward Kennedy.

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A "Needed" Policy?

Does undocumented immigration constitute a problem of such dimensions, so injurious to the American people, that it requires the kind of treatment prescribed by the Administration?

In his August 4 message to Congress, the President argues that undocumented immigrants "have displaced many American citizens from jobs, and placed an increased financial burden on many states and local governments". During the press briefing which followed the President's announcement of the policy proposals, Secretary of Labor Marshall added another element to the indictment of undocumented immigrants: because most of them, are allegedly, willing to work for less than the minimum wage, they depress wage scales for American workers.

In the same press briefing, however, Attorney General Griffin Bell admitted, "we don't know how many people we are dealing with, don't know the costs, don't know the impact on funds of the country, or anything else. It is just something that has never been assessed." Both he and Secretary Marshall went on to justify the Administration's scheme for compelling undocumented immigrants to identify themselves and register with the INS, within a one year period following enactment of the "Alien Adjustment Act", to obtain temporary resident alien status as a means of collecting the data necessary to estimate the impact of undocumented aliens on the U.S. labor market and to approximate the social service costs of these migrants. The resulting "estimates" would then be used to decide what would be done with the immigrants who have registered, after their five-year nondeportable status expires: to deport them *en mass*, or to allow them to become permanent residents.

While the Attorney General's candor is worthy of applause, the policy-making approach which it implies is appalling. No other major policy affecting the livelihoods of millions of people, in this country and abroad, has been formulated on the basis of such inadequate supporting evidence. In fact, there is still no direct evidence that large numbers of American workers have been displaced by undocumented immigrants. The research which has been done thus far fails to support the notion of large-scale job displacement. There is not a single prominent economist in the country, outside of the government, who seems to believe that reducing the flow of undocumented aliens "will have a tremendous effect on unemployment among American workers", as Secretary Marshall claimed at the August 4 press briefing.

The Labor Secretary's argument about the depressing effect of undocumented immigrant labor on wage scales is also unproven; and his statement that most undocumented aliens receive less than the minimum wage is flatly contradicted by the results of at least four major studies, including one done for the Labor Department itself. That and the other studies found that fewer than one-fourth of all undocumented immigrants actually receive less than the official minimum wage.

Yet, what if the availability of undocumented migrant labor does tend to depress wage scales in certain sectors of the economy, in certain parts of the country? What benefits are likely to result from reducing or eliminating the immigrants' presence in these labor markets? Will depressed wage levels automatically rise, as the Administration suggests? It is necessary here to bear in mind the well-

established fact that the majority of undocumented immigrants do not work for less than the minimum wage. Apart from enforcing the minimum wage laws, which the federal government has already proven itself incapable of doing, what can government do to force wages upward to the level necessary to make the jobs now held by undocumented immigrants attractive to American workers? What is to prevent the firms involved from mechanizing, or from relocating themselves in another country where they will have access to a large supply of relatively low-cost labor? The migration of U.S. enterprises to Taiwan, Korea, the Mexican border states, and other areas has been occurring for more than a decade, and it is likely to be accelerated under the Administration's program, taking with them substantial numbers of jobs now held by American citizens. What is the net gain to the American work force?

There is also abundant evidence that the cost of social services consumed by undocumented immigrants, at least those from Mexico, is vastly exceeded by what they contribute to Social Security and federal income tax revenues. In most cases, they are paying for social services that they rarely, if ever, use. Some state and local governments in areas with high concentrations of

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undocumented immigrants may be bearing an unfair share of costs for such services as health care; this should be remedied through adjustments in federal revenue-sharing formulas, as the President has proposed. The notion, however, that undocumented aliens are taking out of the system far more than they contribute simply cannot be supported with existing data.

The White House itself has admitted that undocumented aliens "are not now a drain on public assistance programs paid for by taxpayers" ("Undocumented Aliens: Fact Sheet", Office of the White House Press Secretary, August 4, 1977, p. 8). Such statements are typical of the Administration's curiously ambivalent position on undocumented immigration: "Yes, it's a problem, and we have to do something about it," vs. "No, it's not a problem," or, "We really don't know enough about it to decide whether it is a problem."

There is, however, a case to be made for reducing undocu-

mented immigration from Mexico although not for the reasons cited by the Administration as justifications for its policy.

The dependence of a very large segment of the Mexican population upon cash income earned in the United States is undesirable and too risky to those involved in this dependency relationship. Twice during the past 48 years, the U.S. has attempted to cut off employment opportunities for Mexicans in this country: during the "repatriation" campaign of 1929-30, and during "Operation Wetback" in 1953-54. We are now witnessing another concerted effort to restrict employment opportunities. This time, however, it is not the mass round-ups and deportations, used on previous occasions but a doubling of the border patrol and legislation prohibiting U.S. employers from hiring undocumented immigrants. As the Carter Administration admits (see below), there is still the possibility of mass deportations, five years after enactment of its proposals, depending on what the Administration and the Congress decide to do with those immigrants who register for the new, five-year temporary resident alien status.

Amnesty, Carter-Style

The President's proposals for "adjusting the status" of certain categories of undocumented immigrants have dominated media reports of the recently announced policy package, almost totally obscuring the punitive elements of the package (employer sanctions, stepped-up border enforcement). "Carter Seeks Amnesty for Millions of Illegal Aliens", or so the headlines would have the American public believe. In fact, the terms for adjustment of status set by the Administration will have the effect of limiting the number of undocumented immigrants who will actually benefit from this legislation to a relatively small minority of the total population of such immigrants.

The Administration, citing INS estimates, contends that about 765,000 undocumented aliens will be eligible for "permanent resident alien" status, since they have resided continuously in the U.S. for seven or more years (i.e., since January 1, 1970). The term "continuous residence" will be construed by the Attorney General so that "Temporary absences, without abandonment of residence in the United States, will not preclude establishment of the required [seven-year period of] continuous residence" ("Section-by-Section Analysis of the 'Alien Adjustment Act of 1977'", The White House, September, 1977, p. 2). However, all available evidence indicates that the vast majority of undocumented immigrants from Mexico who have worked in the U.S. in recent decades are individuals who have not maintained continuous residence in this country for long periods of time. They are, rather, persons who have worked here for relatively short periods (normally 6 months or less per year), who returned after each period of U.S. employment to their homes in Mexico. Only the most affluent of these immigrants have been able to maintain rented housing in the U.S. during their periods of residence and employment in Mexico. This applies generally to the population of undocumented immigrants from Mexico, but particularly to those who "entered the U.S. on or before January 1, 1977", but after the January 1, 1970 cut-off date which will be used to determine eligibility for permanent resident alien status.

The Administration estimates that "as many as five million" of these more recent (post-1970) arrivals may be eligible to apply for

five-year temporary resident alien status under its program. How many of these immigrants, however, are likely to claim "TRA" status, under the terms set by the Administration? It is naive to think that large numbers of undocumented immigrants will come out of hiding unless they have some powerful incentives for doing so. At the August 4, 1977, press briefing, Attorney General Bell was asked: "What happens to these temporary legal aliens after five years? Can they be deported?"

Bell: "That is right. They could be. We hope to work out some plan to let them convert to permanent resident alien status. We cannot promise that because we don't know what we are talking about."

Question: "What you are actually doing is freeing them from the fear of being deported for the next five years, and no more."

Bell: "[Yes.] And exploitation."

Question: "Will these people who are on nondeportable status begin to have to report their addresses annually, and if they do for a five-year period, aren't they running the risk that you will be able, at the end of five years, if you should decide to [deport] them, to target them very easily and go get them?"

Castillo: "Yes."

The White House "Section-by-Section Analysis of the [proposed] Alien Adjustment Act of 1977" states that "the granting of temporary status is necessary to preserve a decision on the final status of a large group of undocumented aliens who have resided here for shorter periods of time, until more precise information about their number, location, family size and economic situation can be collected and reviewed." The "more precise information" referred to here will be provided by those undocumented immigrants who register with the INS in order to claim temporary resident alien status, during the one-year registration period following enactment of the proposed legislation. No one knows

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which way the decision to be made on the basis of these data will go. While the Administration ponders the matter, the police apparatus along the border will be doubled, making it more difficult and costly to reenter the U.S. if the "temporary resident aliens" are eventually deported. As unidentified, nonregistered aliens, having escaped the border patrol and now holding jobs in the interior of the country, they would run relatively little risk of being apprehended and deported during the next five years. Few of them have any sense of being exploited by their U.S. employers. Why should they choose to increase their future risk of deportation — when deportation five years from now might mean a permanent, one-way trip back to Mexico — by coming out of hiding and surrendering themselves to the INS? The Administration simply tells the undocumented immigrant "trust us". At the August 4 press briefing, Attorney Bell was asked: "Given the situation that many of these people have been in, living illegally and in fear of the authorities, how do you expect to get any sizable number of people to register?"

Bell: "We hope they will have trust in our country. That is the
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only thing I know. They came here thinking we had a good country and maybe they will trust us."

Employer Sanctions and Border Enforcement: The "Big Sticks"

Behind the liberal façade of the Administration's policy package, represented by the "adjustment of status" proposals, lie the punitive measures intended to stop the flow of undocumented immigrants into the U.S. The major policy instruments for this are: 1) a doubling of the number of border patrol agents, from about 2,000 at present to 4,000; and 2) an employer sanctions law. The first question to be asked about these measures is, will they work? Will they "markedly reduce the number of aliens attempting to enter the United States in violation of law", as the Administration claims? My answer and, I believe, that of most experts outside the government who have studied the phenomenon is negative.

Doubling or even tripling the number of border patrolmen, giving them sophisticated electronic detection equipment, helicopters and other kinds of hardware, will not affect the 35-40% of the immigrants who enter the U.S. legally on temporary, tourist or student visas, and then overstay their visas to work in the U.S. The vast majority of these "visa abusers" come from countries other than Mexico.

What about the Mexicans, however, who customarily "enter without inspection" along the southern border? Will stepped-up border enforcement deter them from attempting to enter? All the available evidence indicates that it will not. We may succeed in making it more difficult to enter the U.S. illegally, but the most likely effect of this will simply be to increase the profits of the commercial smugglers who assist undocumented aliens in crossing the border. In recent years, the smugglers' fees have ranged from about \$150 to \$250 per alien. There are reports that since the Administration's policy was announced in August, their price in some areas has jumped to \$300-\$400. Those who feel compelled to immigrate illegally will become more dependent on the professional smuggling operations, and they will be paying a higher price for their services. They will still try to raise the necessary funds by selling off more heads of livestock, going deeper into debt to their relatives and neighbors, or by any other means at their disposal. Going to the U.S. will simply represent a greater financial sacrifice for them.

The Administration proposes to establish an "anti-smuggling task force" to eliminate the smuggling rings. This task force, however, is unlikely to be much more effective in eliminating the smugglers of aliens than the federal government was in eliminating bootleggers during Prohibition. There are simply too many of them, too widely dispersed, too deeply entrenched, and too protected by local officials and private interests on both sides of the border. Most of the rings are based in Mexico, and the Mexican Government is unlikely to make the kind of massive police effort that would be necessary to eliminate them. They have their hands quite full just trying to curtail illicit drug traffic and other forms of contraband. It would be politically suicidal for any Mexican government to allow large numbers of U.S. law enforcement

officials to operate on its territory, to restrict the emigration of its own citizens.

The other principal approach to reduce the flow of undocumented immigrants proposed by the Administration is through employer sanctions: a law prohibiting U.S. employers from hiring undocumented aliens. A civil penalty "not to exceed \$1,000" would be imposed on each employer, for each undocumented alien who was in his employ on the effective date of the bill, or who was hired thereafter. The Administration's bill also provides for criminal sanctions to be imposed upon the worst offenders — employers who have "engaged in a pattern or practice of employing [undocumented] aliens". Injunctions against such employers would be sought from federal district courts, and "an employer who continues to hire undocumented aliens in violation of an injunction could be cited for contempt".

An employer sanctions law most probably cannot sharply reduce the number of employment opportunities for undocumented immigrants without a huge and costly enforcement apparatus. The Administration apparently expects substantial voluntary compliance with the law on the part of U.S. businessmen, to compensate for the absence of such an enforcement apparatus. As Secretary of Labor Marshall told the Houston symposium on immigration policy last April, "You can never have adequate police enforcement to enforce social legislation". Attorney General Bell expressed it in the August 4 press briefing: "We are traveling on the assumption that Americans are law-abiding people. . . Once they realize it is now the law that you should not employ an undocumented alien, they will follow the law."

In fact, many of the employers who customarily hire undocumented immigrants will continue to do so. Legislation prohibiting it will simply drive the hiring underground. Small businesses (e.g., those having 25 or fewer employees, which hire half or more of the undocumented immigrants from Mexico) would be little affected by the proposed law, since the Administration proposes to concentrate its enforcement efforts on larger enterprises with a "pattern or practice" of hiring undocumented aliens. For many of these larger employers, thousand-dollar fines will become just another cost of doing business: a cost that will be borne primarily by the undocumented immigrant, who is likely to be paid less and receive fewer fringe benefits than before passage of the law. If you want to increase the exploitation of immigrant workers in this country, employer sanctions is probably the most effective way of doing it.

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The costs of this legislation will also be borne by Hispanic citizens of this country, who will undoubtedly suffer greater job discrimination because of an employer sanctions law. The President calls such an outcome "intolerable", but it is unavoidable under legislation of this type. Those businessmen who are law-abiding and do not want to run the risk of hiring an undocumented alien are likely to follow the easiest course and simply discriminate against all Hispanic applicants for employment.

The Administration claims that its proposed enforcement strategy of going after the larger employers having a "pattern or

practice" of hiring undocumented aliens will minimize job discrimination against Hispanic American citizens, since "those employers who may inadvertently hire an undocumented worker will not have to fear the imposition of sanctions under this bill" ("Section-by-Section Analysis of the Alien Employment Act of 1977", The White House, September, 1977, p. 1). Such assurances are unlikely, however, to offset the chilling effect of the legislation itself upon the hiring of Hispanic citizens. The Administration proposes to spend \$4 million to publicize a law which will make it "unlawful for any employer to employ [undocumented] aliens", and specifies that "Any employer who violates this [law] shall be subject to a civil penalty of not more than \$1,000 for each such alien in [his] employ..." The probable consequences of this legislation represent a giant step backward in civil rights for what is expected to be the nation's largest ethnic minority group by 1980.

It is unlikely that an employer sanctions law will have any significant deterrent effect on those who would seek employment illegally in the United States? This is very unlikely, and the reason is simple economic rationality on the part of the would-be undocumented immigrant. Employer compliance with the law, and government enforcement efforts, are likely to be uneven; as long as that situation prevails, the impoverished Mexican peasant will assume that the risk of his not finding a U.S. employer willing to hire him will still be considerably less than his risk of being unemployed or of having an inadequate income if he stayed in his home community. He will continue to migrate — legally, if opportunities exist and illegally, if they do not.

The crux of the matter is this: The flow of undocumented immigrants is likely to continue, as long as reasonably attractive alternatives to migrating to the U.S. do not exist in source countries, and as long as the number of opportunities for legal immigration by nationals of these countries remains as small as it is today. Any viable, long-term solution must be addressed primarily to these aspects of the problem. That is where the policy emphasis should be and not on police actions, or on efforts to restrict the demand for immigrant labor within the United States. Given the tremendous pressures for migration to the U.S. which currently exist, and will continue to exist in the foreseeable future, such measures are doomed to failure (certainly in the medium-to-long run, if not in the short-term). They do nothing to reduce the "push" factors within Mexico and other source countries which drive their people into the U.S. labor market.

The Mexican population continues to increase at a rate of nearly 3.5% per year; economic growth was virtually flat during the past year, and this year the Mexican Government hopes to achieve only a 2% increase in GNP. Open unemployment is running in the 9-15% range, and an additional 30-40% of the population is underemployed. Inflation in 1976 was over 30%; this year it is running at about 24-25%. The Mexican Government has borrowed to the limit of a ceiling imposed last year by the International Monetary Fund (IMF). To further complicate this situation, the drought that has affected large parts of the U.S. has now moved south into Mexico, affecting the most productive agricultural region in the country, and according to recent estimates, Mexico will have to spend more than one half billion dollars in food purchases abroad this year to make up for the resulting shortages.

The economic mess in Mexico is largely responsible for the sharp increase in illegal immigration since 1971. Whether induced by acts of God or by governmental mismanagement, it is a fact

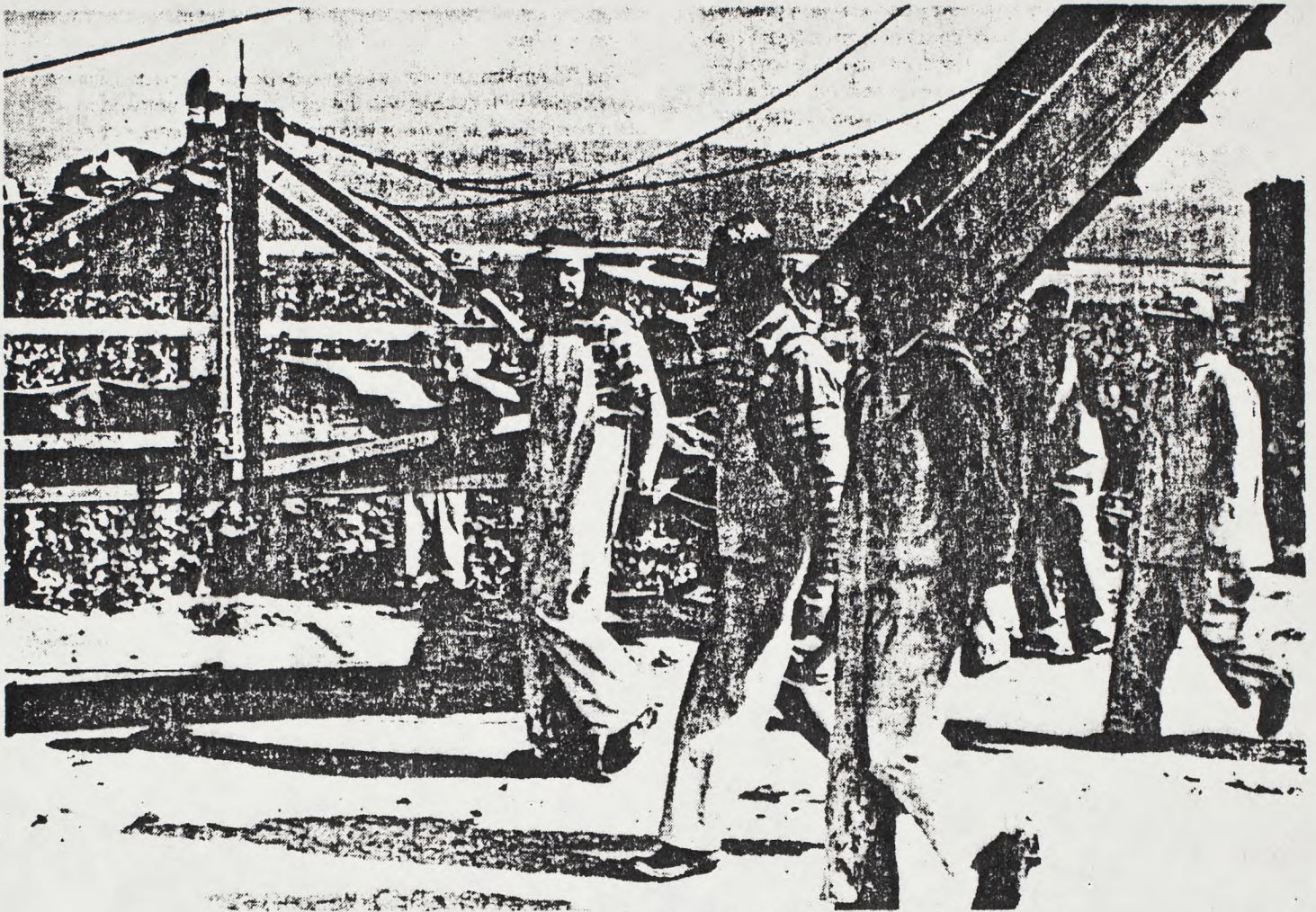
that must be recognized in any attempt to come to grips with the immigration problem. Full recovery from the current economic crisis, the most severe since the 1930s, will probably take at least 5-7 years, even with increased revenues from gas and oil exports; and at the end of that period there will still be an acute shortage of stable, reasonably well-paid employment opportunities within Mexico.

The recovery will be delayed, to the extent that the U.S. succeeds in restricting employment opportunities for Mexican workers. The Administration's amnesty or "adjustment of status" proposals would have the effect of limiting U.S. employment to those who were here before January 1, 1977, in addition to the insignificant numbers of Mexicans who are legally admitted each year under the regular immigration quota and the H-2 temporary labor visa system. The Administration is attempting to freeze an ongoing social process, one which has been operating since the 1880s, often involving two or three generations of Mexican workers within the same families. The U.S. Government institutionalized that process through the "bracero" program of contract labor (which operated intermittently between 1942 and 1964), and our private sector has encouraged it to continue up to the present day.

Some Alternatives

In the short-run, regardless of the restrictive measures that might be implemented, it is not reasonable to expect a significant reduction in the number of Mexicans who will attempt to enter the U.S. and seek employment. Indeed, large numbers of them will succeed in doing so. Under these circumstances, the best short-run approach would be to increase the number of opportunities to emigrate legally to the United States, on a temporary basis. This could be accomplished most expeditiously through a program of temporary work visas, similar in concept to the "guest worker" programs adopted by several West European countries in the 1960s. Such a program could permit immigrant workers to be legally employed in the U.S. for a period of up to six months each year. This would not have to be a new "bracero" program, nor an expansion of the existing H-2 visa system, both of which require a prearranged contract between the immigrant worker and a particular U.S. employer, a feature which increases the danger of exploitation. Nor would this kind of temporary worker program have the effect of rewarding those who entered the U.S. illegally and have remained here for substantial periods of time, as the Administration's "adjustment of status" proposal would do. By issuing the visas through U.S. consulates in Mexico, on a first-come, first-served basis, it would provide legal immigration opportunities for those Mexicans whose economic and family base is still in Mexico, not in the U.S., and encourage them to maintain their base in Mexico. This kind of program would encourage the existing, temporary character of most Mexican migration to the U.S. — annual periods of employment of six months or less, after which the migrant customarily returns to his home community.

A program of this type, however, is only a stop-gap measure, designed to eliminate or reduce some of the worst consequences of the existing situation, in which the vast majority of Mexicans seeking work in the U.S. must do so illegally. It would do nothing to reduce the "push" factors within Mexico which fuel undocumented immigration. Perhaps the most effective and, ultimately, the least costly way of reducing these push factors would be to expand the existing program of integrated rural development which



Mexican farmworkers picking broccoli in Gonzales, Mexico.

is being carried out cooperatively in Mexico by the World Bank, the Inter-American Development Bank, and the Mexican Government. Begun in 1975, this program concentrates on increasing employment opportunities through small-scale irrigation projects, labor-intensive rural public works projects, and small-scale, labor-intensive rural industries. The program is staffed by more than 5,000 young technicians who work closely with peasants in their own communities; and they are getting results.

There is evidence from World Bank studies as well as my own research that the kinds of projects being carried out under this program can dramatically reduce rural out-migration; in fact, some communities have actually begun to attract migrants from surrounding areas. It is not necessary to completely wipe out the wage differential between the U.S. and Mexico. That would be impossible. Among a large sector of the rural population, emigration is seen as a necessary rather than a desirable alternative; they recognize that attempting to enter the U.S. illegally is a risk, and that all the cash they invest in it may be lost. They would prefer not to have to take that risk. Yet, it is necessary to get them out of traditional subsistence agriculture, dependent upon erratic rainfall and many other variables, and into either irrigated farming, or nonagricultural employment in small-scale industries, which provide more adequate and more stable sources of income. The World Bank/IDB/Mexican Government program is explicitly designed to do just this, at the relatively low cost of \$2,000-\$5,000

per job. The level of funding for this program, however, is currently far too low to have any significant, nationwide impact on emigration.

World Bank officials report that the Mexicans now have the administrative capacity to invest three times the amount of resources that is currently available for this program — in rough figures, a \$600 million-per-year program rather than a \$200 million-per-year program. It is now a question of capital, not of personnel or technology. The development banks provide half of the funding for the program; the other half comes from the Mexican federal government budget. There are strong indications that the Mexicans are anxious to expand the program to additional parts of the country, but they cannot do so without additional capital from the development banks, and without a relaxation of the ceiling imposed on Mexican government expenditures by the International Monetary Fund. The U.S. could take steps to relieve both of these constraints. It would require a substantial increase in our capital commitments to the World Bank and the Inter-American Development Bank, as well as an effort to have the additional Mexican government expenditures for this program exempted from the current IMF ceiling.

All available evidence indicates that a major expansion of this program, with investments targeted to those parts of Mexico which are the principal source areas for illegal migrants to the U.S., would have an important impact on the flow — probably within

five years, and certainly over a 5-10-year period. This is probably the single most cost effective step we could take to reduce illegal immigration, especially when we consider the costs of the restrictive measures which the Administration has proposed, none of which are likely to have any appreciable, long-term impact on the flow.

The Administration's "preliminary estimates" of the cost of implementing its proposed employer sanctions law indicate an expenditure of \$113 million during the first five years following enactment, including a one-time cost of \$4 million for publicizing the new law, and annual costs for additional INS, judicial, and Social Security Administration employees. The Social Security Administration employees would be utilized to tighten up the issuance of Social Security Cards, to make "certain" that such cards are issued only to citizens and those aliens who are authorized to work in the U.S. The Social Security card will be designated as one of the "authorized identification documents" which an employer can require of job applicants, to defend himself against a charge of hiring undocumented aliens.

Issuing counterfeit-proof Social Security cards to the entire, "legal" U.S. labor force — which the Administration does not propose to do at present, but which would be necessary for effective implementation of an employer sanction law — would probably cost at least \$500 million. Many additional millions would be needed to computerize the issuance of birth certificates — the type of document which is most frequently offered as proof of U.S. citizenship in applying for a Social Security card — and otherwise to reduce the incidence of fraud in obtaining such certificates.

The addition of 2,000 new positions to the border patrol, as the Administration has proposed to Congress, would cost well over \$200 million over a five-year period. Equipping the INS to process the anticipated number of applications for permanent and temporary alien resident status, under the Administration's "adjustment-of-status" program, will require an expenditure of more than \$25.2 million (the Administration's own estimate), during the registration period for eligible immigrants. When all of this and other kinds of expenses likely to be incurred in implementing the policy package proposed by the Administration are added up, the cost during the first five years is likely to be over a

billion dollars — for a program which fails to get at the root causes of the problem.

The Administration seems to have its priorities inverted. It seems preoccupied with dealing with the undocumented immigrants who are already here, as more-or-less permanent residents, rather than those who are likely to come in the future, in the absence of an adequate preventive strategy.

The development assistance component of the President's message to Congress is the weakest of all his proposals. Its three short paragraphs contain no specifics, no concrete commitments; and the President seems to dismiss the possibility that this approach to the problem can have any significant payoffs except in the very long run. The President's vague promise to "explore with source countries the means of providing [development] assistance" at some point in the future is unlikely to create a sense of urgency about this approach to the problem in the Congress or among the U.S. public. In fact, it was not even mentioned in most media reports on the policy announcement — a direct reflection of the low priority which the Administration seems to attach to this approach.

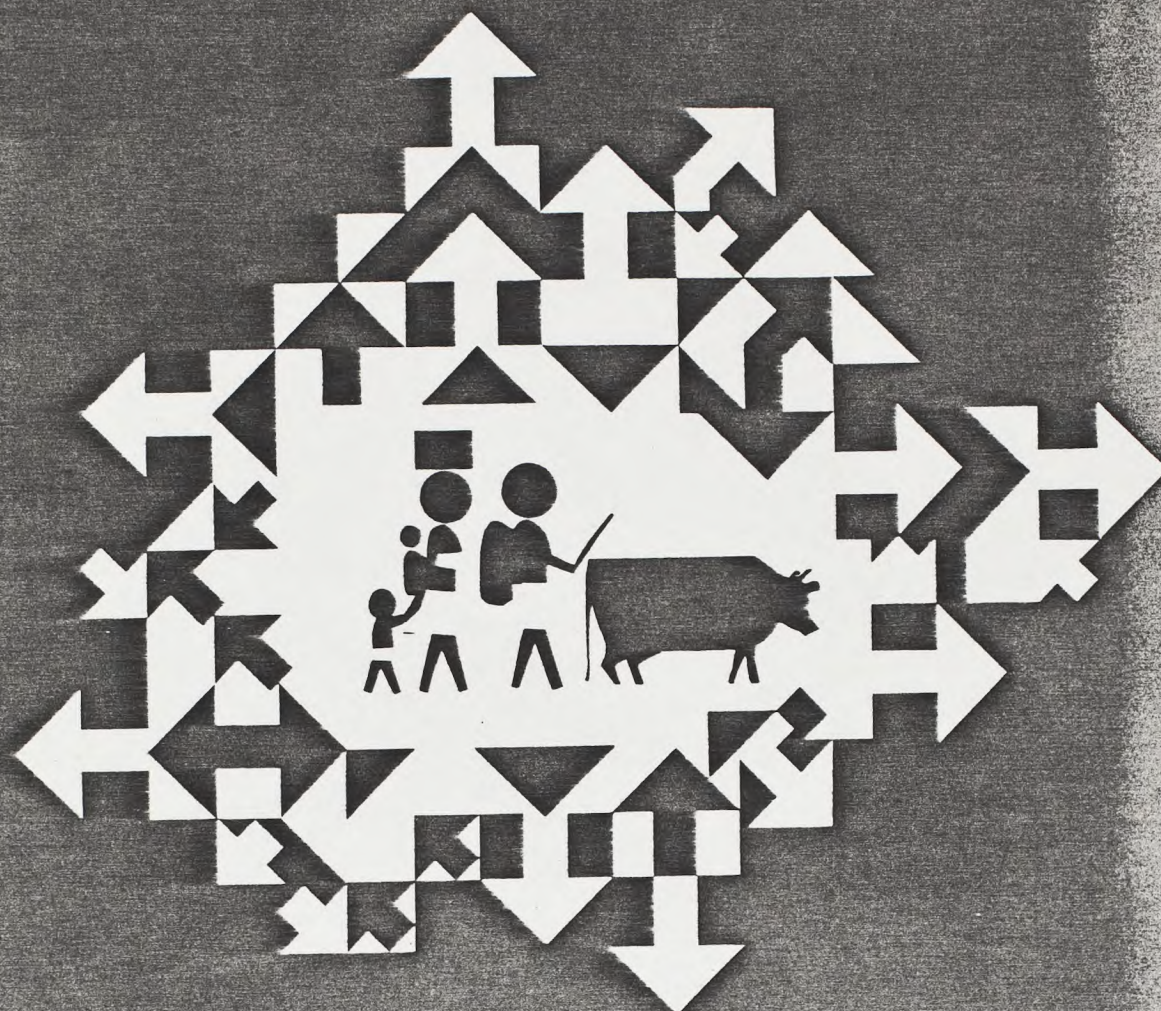
It is apparent that the Administration and the Congress have a political problem on their hands with regard to undocumented immigration. There is considerable public hysteria about the phenomenon, hysteria to which high-level members of the Carter Administration and preceding administrations have themselves contributed. The best approach to the political problem is not to propose remedies which raise unrealistic expectations among the American people. It is, rather, to make the public aware that there are no easy, quick, cheap solutions to the problems, real or imagined, posed by undocumented immigration. This migratory movement is too large, too complex, and has existed far too long to permit simple, painless solutions. Whether we like it or not, the flow of undocumented immigrants is likely to continue in the foreseeable future. Whether it increases or decreases will depend largely on whether adequate steps are taken to create attractive alternatives to migrating to the U.S., within Mexico and other source countries. □

Author's Note:

This critique is based on a careful review of several documents issued by the Carter Administration in August and September, 1977, as well as the findings of more than a dozen independent and government-sponsored studies of undocumented immigration to the United States completed since the late 1960s. The official documents reviewed include the following: "[Presidential Message] to the Congress of the United States [on undocumented aliens in the U.S.]", Office of the White House Press Secretary, August 4, 1977; "Undocumented Aliens: Fact Sheet", Office of the White House Press Secretary, August 4, 1977; "Remarks of the President on Reducing and Regulating the Presence of Undocumented Aliens", Office of the White House Press Secretary, August 4, 1977; "Briefing by Ray F. Marshall, Secretary of Labor, Griffin B. Bell, Attorney General, and Leonel Castillo, Director, Immigration and Naturalization Service" [transcript of press briefing and Q&A session with media representatives], Office of the White House Press Secretary, August 4, 1977; "A Bill

to Amend the Immigration and Nationality Act and for Other Purposes: The Alien Adjustment Act of 1977", legislation submitted by the President to the Congress, September, 1977; "Section-by-Section Analysis of the 'Alien Adjustment Act of 1977'", submitted to the Congress by the President, September, 1977; "A Bill to Amend the Immigration and Nationality Act: The Alien Employment Act of 1977", legislation submitted by the President to the U.S. Congress, September, 1977; "Section-by-Section Analysis of the 'Alien Employment Act of 1977'", submitted to the Congress by the President, September, 1977. For a summary of research findings on undocumented immigration from Mexico, see Wayne A. Cornelius, *Illegal Migration to the United States: Recent Research Findings, Policy Implications, and Research Priorities* (Cambridge, Mass.: Center for International Studies, Massachusetts Institute of Technology, 1977 [Monograph Series on Migration and Development, No. C/77-11]).

W.A.C.



**MEXICAN MIGRATION TO THE UNITED STATES:
CAUSES, CONSEQUENCES, AND U.S. RESPONSES**

Wayne A. Cornelius

MIGRATION AND DEVELOPMENT STUDY GROUP

Center for International Studies
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Cambridge, Massachusetts 02139

under the direction of Jorge Bustamante should enable us to pin-point many more of these micro-level sending areas (see Bustamante, 1978b). It is precisely the relatively localized nature of the emigration that gives cause for optimism that programs of direct job creation and income improvement can have a significant impact on the flow within a reasonably short period of time (e.g., five years).^{*} This is not just a "long-term" policy option, as the Carter Administration continues to portray it (U.S. Dept. of Justice, 1978: "Analysis of the Issues"; U.S. Dept. of Labor, 1978: 119).

It must be emphasized, however, that even with the best possible rural development program in Mexico, with optimal utilization of oil and gas revenues (from the standpoint of jobs, income, and welfare), and with overall economic growth rates of 7, 8, or 9 percent per year, it will be virtually impossible for Mexico to absorb all of the expected additions to its labor force over the next 15 years into productive employment (see Reubens, 1978). These future entrants to the labor force have already been born; family planning programs will not diminish their numbers. Unless it opts to close the southern border by military force or a Berlin-type wall, the United States will undoubtedly have a sizeable Mexican migrant presence in its labor market for at least another 15 years. Given this situation, the principal policy objectives should be to regulate the flow of migrants and to reduce the size of the illegal component. The number of opportunities to migrate legally to the U.S. could be increased by raising the legal immigration quota for Mexico to a realistic level (i.e., more closely approximating the Mexican demand for immigrant visas), by administering the existing "H-2" temporary worker visa system in a less restrictive way,^{**} or

* Developmental investments in the principal source areas for migration to the United States will also have an important impact on migration within Mexico, especially to Mexico City. Three of the most important sending states for migrants to the U.S.--Michoacán, Guanajuato, and Jalisco--are also among the top five or six states supplying migrants to the Mexico City metropolitan area, according to census data for the 1960-70 period. Michoacán, Zacatecas, and Guanajuato also ranked first, second, and fourth (respectively) among all Mexican states in terms of the total number of people which they lost due to out-migration (to all destinations) during the 1960-70 intercensal period (see Wright, 1976: 47, Table 3.9).

** The U.S. Department of Labor currently allows fewer than 1,000 Mexican workers to enter the U.S. on H-2 visas each year. In fact, more H-2 visas are granted to Canadians and workers from the British West Indies than to Mexicans. When asked recently by a Congressional committee to explain this policy of visa issuance, INS Commissioner Castillo referred the committee to the Labor Department (Castillo, 1978a: 17-18).

by instituting a new type of temporary worker program not modeled on either the H-2 system or the former "bracero" program, with greater protections for the worker.* Such measures would create meaningful alternatives to illegal migration, for those who must continue to seek employment in the United States.

How likely is it that the U.S. will opt for this kind of non-punitive response to illegal migration? There is as yet no evidence to support the restrictionists' view of the migration as a national calamity. In fact, a policy of "benign neglect" would be more consistent with the existing evidence than most of the restrictive measures currently under consideration. But inaction may no longer be politically feasible, due to the large increases in the flow of illegal migrants in recent years, and the arousal of public concern about the phenomenon by government officials and the mass media since 1973. Polls show that public tolerance in the U.S. for immigration in general--legal and illegal--has declined during the past decade, while public approval for draconian "solutions" has increased. A majority of the American people now opposes any form of amnesty for illegal immigrants, while 62-80% support employer sanctions legislation to deny them jobs, and 57% would approve "Operation Wetback"-style round-ups and mass deportations (Gallup Organization, 1976: 18-19; Castillo, 1978c). Such attitudes will only harden during the next U.S. recession, which is not too far away, according to most economists.

Under the circumstances, there is serious doubt that the U.S. will be able to rise above scapegoating, political expedience, and racial prejudice to pursue an immigration policy which will serve its own long-term national interests as well as those of Mexico and other sending countries. Like some West European nations, the U.S. may well have lost the capacity to respond rationally, constructively, and humanely to large-scale migration from less developed countries. The implications of this are profoundly disturbing, but Mexico and other sending countries would be well advised to ponder them.

* It would be possible to issue temporary work visas on a first-come, first-served basis through U.S. consulates in Mexico, permitting the holder to be legally employed in the U.S. for a limited period of time (e.g., 6 months per year). Rather than indenturing him to a specific U.S. employer (as under the "bracero" and H-2 programs), and thereby increasing the potential for exploitation, the migrant entering on a temporary work visa should be free to work for any employer, anywhere in the U.S.

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sick and tired of all the cathartics."
Quietly, slowly, change is coming
though — brought about not by the
commission itself, but by a combina-
tion of congealing forces.
For years, any reform attempts
were bottled up by Sen. James East-
land, chairman of the Judiciary
Committee, whose powerful agribu-
siness constituents in the South
thought things were just fine the way
they were.
President Carter's reform propos-
als (which included penalties for
employers who hire illegal aliens,
increased immigration quotas for
Mexico, amnesty for undocumented
aliens living in the United States, a
beefed-up Border Patrol and foreign
aid) have languished since 1977 —
(Continued on A-12, Col. 1)

program were many.

Braceros were, in effect, inden-
tured servants bound to specific
employers, jobs and geographic
regions. While many ranchers treat-
ed their braceros well, many did not.

In 1962, for example, the Califor-
nia Growers Association instructed
its members, by memo, to report to
the Border Patrol any workers who
questioned the rules under which
they worked, or their living condi-
tions or wages. These workers, con-
sidered troublemakers, were then
deported.

Afraid of deportation, most bra-
ceros did not complain when they
were herded into disease-ridden
camps, or used as strike breakers
when Mexican-American farmwork-
ers attempted to organize.

While the program stipulated em-

instance, to residents of the tiny
Caribbean island of St. Lucia than
for all of Mexico.

A powerful coalition of organized
labor and church groups convinced
Congress to kill the bracero program
in the mid-1960s. Most observers say
they feel that this coalition also
would obstruct the adoption of any
approach that smacked of a return
to the bracero program, or an ex-
pansion of the H-2 contract labor
provision.

That does not mean, however, that
the temporary worker idea is dead.

"Something new is happening,"
says Thomasi. "Religious groups
and labor unions are beginning to
express cautious curiosity about the
possibility of a temporary worker
visa — not a rehash of the bracero
program, but a simple permit that

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would allow Mexican migrants into
the United States for short periods of
time, while protecting their human
rights."

The key would be that these work-
ers would not be bound to particular
employers, geographic areas, or to
agriculture — an important factor,
since illegals have increasingly
moved into urban jobs.

Unions would be encouraged to
recruit them. This approach could
please human rights activists as well
as union organizers — who are in-
creasingly interested in recruiting
Mexican workers to shore up sag-
ging union memberships.

"The recent interest in this idea is
remarkable, considering how vehe-
mently opposed religion and labor
have been to anything that even
looked like a bracero program,"
says Thomasi. "They're realizing
they can't just be obstructionist. A
temporary worker visa just might
open the door to compromises on
other issues."

Several plans for a temporary
worker visa have been suggested,
the most noteworthy ones by Charles
Keely of the Population Council, and
Dr. Wayne Cornelius, director of
UCSD's Program in United States-
Mexican studies.

Keely's and Cornelius' plans are
basically identical. A proposal based
on Cornelius' proposal has been in-
troduced by Sen. Harrison Schmidt,
R-N.M., and Sen. S. I. Hayakawa, R-
Calif.

A temporary visa approach would
work something like this:

U.S. consulates in Mexico would
issue special visas permitting em-
ployment north of the border for up
to six months (not necessarily con-
secutive) each year.

The U.S. government would set
the ceiling on the number of these
visas high enough to legalize much
of the presently illegal migration.
One number that has been suggest-
ed, for the first year, would be
800,000 visas. That number would be
flexible, based on the rate of unem-
ployment in the United States and
Mexico.

Special consular offices would be
set up in the regions of Mexico that
traditionally have sent most of the
seasonal migrants north. The num-
ber of visas issued each month
would go up and down, depending on
the growing season.

These efforts would help preserve
the seasonal nature of Mexico mi-
gration — instead of encouraging a
continuous flow. (Even some urban
jobs, especially in the auto industry,
are seasonal.)

To avoid a pile-up of visa seekers
in towns such as Juarez and Tijuana,
no temporary visas would be issued
at the border.

So, the Mexican worker — say his
name is Sanchez — would have a
clear choice between legal or illegal
migration. During the dry season,
when he usually sets forth to the
United States in order to support his
family, he could go to one of the
consular offices to pick up a tempo-
rary visa.

(Continued on A-13, Col. 1)

The fence confronts the migrant . . . and government is pressured to mend its policy.

European Guestworker Experience Was Mixed

Several European countries have had a long experience with temporary worker programs.

The results were mixed.

Following World War II, Northern and Western Europe's cities were in ruins, its work force depleted and its birth rates cut severely. At the same time, Southern Europe, Iberia and North Africa were experiencing massive unemployment.

A marriage of convenience was worked out: countries such as France, Switzerland and Germany recruited foreigners to work in temporary jobs. The guestworkers would not, it was thought, require any significant social services, and they would return home when the labor shortage disappeared.

The guestworkers helped rebuild the cities. Many economists agree that Europe's economic boom of the 1960s and 1970s would not have been possible without them.

But there were problems.

Guestworkers were contract-laborers, bound to the employer and the job, and consequently highly exploitable. They were more like indentured servants than guests. In this, they resembled Mexican braceros working in the United States from the 1940s to the 1960s.

The European guestworker programs were different from the bracero program, in that some nations, like France, actually encouraged the guestworkers to stay as permanent residents — and immigrate their families as well.

Other countries stipulated that the guestworkers return home after a year or so — but applied only casual enforcement.

At the peak of the European experience, between 1960 and 1975, more than 15 million workers and their dependents migrated legally to Northern and Western Europe. In several nations, up to half of the guestworkers became permanent residents.

In the beginning, host countries benefitted from the fact that guestworkers — mostly young, single males — demanded few social services, but as a growing number began to settle permanently and immigrate their wives and children, the costs rose.

In 1975, Germany had almost one million foreign children in its school system. The immigrant populations, often underprivileged,

tended to settle in urban ghettos.

Their presence aggravated racial and political tensions. Switzerland became so concerned about "overforeignization" in the late 1970s that it held several national referendums on the subject of expelling immigrants — who now constitute 15 percent of the population.

Following the oil crunch and world recession in the mid 1970s, Europe began to close the door to guestworkers.

Dr. Vernon Briggs of Cornell University, a leading voice for a restrictionist U.S. immigration policy, says he believes the United States will be headed down the same road should it adopt a temporary worker program.

"Just as in the bracero program, the imported workers would be exploited," he says, "and they would end up staying here permanently, as well."

Not so, insists Dr. Wayne Cornelius, UCSD's migration expert.

"We could devise a policy that would be quite different from either the European or bracero programs," he says.

Cornelius calls for a temporary worker visa, which would allow a Mexican laborer to work in the United States a few months at a time. He would not be bound to any employer or geographic region and therefore would be less exploitable.

He would not be able to bring his family. To get his visa renewed, he would have to return to Mexico, and stay there, for six months of every year.

"To generalize from the European experience is unfair," says Cornelius. "For instance, it's far easier for a Mexican to return to Mexico from this country than it is for a Turk or an Algerian to go home from France."

Further, there was no long-term tradition of back-and-forth migration in Europe, as there clearly is between Mexico and the United States.

"It shows a poverty of the imagination to say America has to choose between a bracero or European-style program and nothing at all," Cornelius says.

"What we need is a brand new approach."

— Richard Louv

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PROGRAM IN UNITED STATES-MEXICAN STUDIES
Wayne A. Cornelius, Director

Building 402, Warren Campus (Q-060)
LA JOLLA, CALIFORNIA 92093

5 May 1980

Sr. Hernán Baca
Committee on Chicano Rights
1837 Highland Avenue
National City, Calif. 92050

Dear Mr. Baca:

I regret very much that you could not find time in your schedule to meet with me until after May 25. Since a personal meeting is not possible, I have asked my administrative assistant, Rosalia Godinez Zamarripa, to deliver this letter and enclosed statement to you.

I ask that you read the statement with care. I hope that it will clear up your misconceptions about my ideas in this area, as reported to me by persons attending the May 2 rally which you addressed on the UCSD campus. I am deeply disappointed that you did not call me if you had concerns or questions about my positions. Obviously, you have been misinformed, and you have not read any of the papers I have written on the subject during 1979 and 1980 (my latest paper, finished in February, 1980, is enclosed, for your information).

I am a serious scholar, and a friend of the Mexican people, having devoted the last 18 years of my life to the study of Mexicans, both in urban and rural Mexico and in the United States. I have taken a great deal of abuse, from U.S. public officials, environmentalists, old-line labor leaders, population control fanatics, racists, and members of the general public, because of the "pro-Mexican" positions I have taken in the immigration area. It offends me deeply to be attacked publicly in such a way as to misrepresent what I stand for; indeed, in a way that would give comfort to those anti-Mexican elements of the society which have attacked me during the past five years.

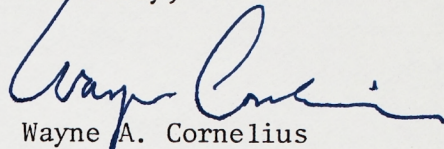
In any event, I am tired of the abuse. I do not intend to perpetuate it by remaining active in the public arena of discussion of immigration issues. For the next few years, at least, I am withdrawing from that arena, to devote my time to research, teaching, administrative and family responsibilities. I will not be taking any positions, backing any proposals, or responding to the positions taken by others in this area.

In light of all this, I respectfully request that you cease and desist from making public attacks upon me and the policy positions which you apparently believe I hold. As far as I am concerned, you, your supporters and your detractors can dominate the public discussion of immigration policy, for as long as you wish, with no interference or "competition" from me.

I would suggest that henceforth you direct your fire at those groups and individuals who seek a resumption of the bracero program or similar contract-labor programs, as discussed in the enclosed statement. That applies to your forthcoming Chicano National Immigration Conference and subsequent occasions.

After the conference ends, I would be happy to discuss these matters with you. I can be reached at UCSD at 452-4503.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wayne Cornelius". The signature is fluid and cursive, with a large initial "W" and a long, sweeping underline.

Wayne A. Cornelius
Professor of Political Science



PROGRAM IN UNITED STATES-MEXICAN STUDIES
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LA JOLLA, CALIFORNIA 92093

5 May 1980

TO WHOM IT MAY CONCERN

This statement is in response to recent allegations about my (alleged) support for a "repressive" and "exploitative" "guest worker program." The following is an accurate description of my position on this issue:

- (1) I oppose any reinstatement of the so-called "bracero" program of contract labor which operated between 1942 and 1964.
- (2) I oppose any expansion of the existing system of "H-2" visas for temporary foreign workers, because it is structurally identical to the former "bracero" program.
- (3) I oppose the establishment within the United States of a "European-style" guest-worker program of contract labor, whether it is modelled on the Swiss, Italian, German, French, Austrian, or other European guest-worker programs.
- (4) I oppose any type of program for the importation of Mexican or other foreign labor which incorporates the potentially exploitative contract-labor arrangement (binding the immigrant to a specific U.S. employer, for a fixed length of time) that characterizes all of the above-mentioned programs.
- (5) I endorse the principle that Mexican workers who wish to work in the United States but who wish to continue to maintain their homes in Mexico should be able to do so legally, whether or not they have close relatives residing in the U.S. who are U.S. citizens or legal permanent resident aliens, or could otherwise qualify for admission to the U.S. as permanent resident aliens. The present system of U.S. immigration law and policy is geared almost entirely to permanent legal immigration, and discriminates against those who cannot qualify for permanent immigration (under existing U.S. law), but who need to have short-term access to employment in the United States. Many of these Mexican workers do not want to relocate themselves and their families permanently in the United States. Under the present system, they are forced to enter the U.S. illegally whenever they need to seek employment here.

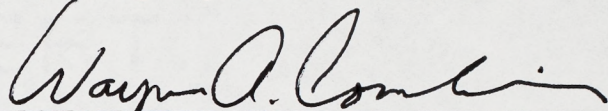
The above statements are fully consistent with all of my writings and public statements on immigration issues during the past five years. My position is premised on the assumption that neither an "open border" policy nor "unlimited permanent legal immigration" from Mexico are politically viable policy options. The probability that either of these options will ever be acceptable to a majority of the people who make and enforce U.S. immigration laws is, in my judgement, negligible.

If this is an accurate assessment of political reality in the United States, now and in the foreseeable future, then the question becomes: "What can be done, if anything, to improve the status quo in regard to immigration from Mexico?" I regard the status quo in this area as morally indefensible.

I will read with great interest the specific proposals of all individuals and groups who believe they have devised appropriate and politically viable solutions to the problems of the Mexican workers whose predicament is described in paragraph (5) above.

During the past five years I have done my best to raise the issue and to induce public officials to consider new, more rational and more humane approaches to this issue and to immigration policy generally. I will make no further statements regarding the legalization of non-permanent Mexican workers in the U.S., nor will I support any "guest worker program" of the type described above.

One final point of clarification. I was not the "author" of the so-called "Hayakawa bill" which would establish a guest-worker program for Mexican workers in the U.S., nor of any other piece of legislation on this matter. Nor do I support the "Hayakawa bill" or any other pending legislation which would establish a guest-worker program.



Wayne A. Cornelius
Professor of Political Science, UCSD

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Published La Jolla, Calif. : Program in United States-Mexican Studies, University of California, San Diego, 1981

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WORKING PAPERS IN U.S.-MEXICAN STUDIES, NO. 6

THE FUTURE OF MEXICAN IMMIGRANTS IN CALIFORNIA:
A NEW PERSPECTIVE FOR PUBLIC POLICY

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INTRODUCTION

During the past ten years, the controversy over illegal immigration from Mexico has engaged the attention of many members of the general public as well as the policy-making community, particularly in California and other parts of the Southwest. Public officials, academicians, editorial-writers, and special-interest lobbyists dither about what should be done to keep the migrants out of the U.S., or to prevent them from settling here permanently, or to prevent those who do get in from using tax-supported social services, or to prevent them from "taking jobs away" from U.S. citizens. Attention is focused on the U.S.-Mexico border; the endless cat-and-mouse game between Border Patrolmen and Mexican workers, the vast majority of whom are seeking entry into the U.S. for only a few months of well-paid (by Mexican standards) employment.

In this paper we argue that, particularly at the state and local level, the terms of the public debate over Mexican immigration should be shifted to other elements of the immigration phenomenon and their implications for public policy in the long-term. We particularly urge greater attention to the needs and problems of the more stable, "permanent settler" subpopulation of Mexican immigrants, both legal and illegal; that segment which, for whatever reason, is likely to remain in the U.S. for many years (if not for the rest of their lives), and whose children are likely to be born or brought up in the U.S. and will also remain here. While all available data indicate that this "permanent settler" segment constitutes only a small minority of the total population of undocumented Mexican migrants who are "present" in the U.S. at any given point in time, their significance for public policy and for the U.S. communities in which they live and work is far greater than that of the more numerous temporary migrants whose economic and familial base is still in Mexico.

We argue that far too much attention in the immigration debate is being devoted to working out short-term solutions to what are, at most, short-term and highly localized problems. Five or ten years from now, for example, any adverse effects upon employment opportunities for disadvantaged U.S.-born minorities attributable to the presence of Mexican migrants in U.S. labor markets are likely to have disappeared due to the rapidly shrinking pool of young domestic workers available to fill low-skill, entry-level jobs. All projections of U.S. labor supply for the 1980s and 1990s show that U.S. businesses which now employ young low-skilled males are likely to be faced with shortages of workers by the mid-1980s, and that this condition of labor scarcity will persist for the remainder of this century and beyond, due to the depressed birth rate and rising educational and aspirational levels among the U.S. population. If these projections are correct (and those for the domestic labor supply almost certainly are, because they are based on the numbers of people who were--and were not--born in the U.S. during the 1950-1970 period), the U.S. may need as many as 15-30 million immigrant workers in its labor force by the year 2000, if the U.S. economy is to continue to grow at even a moderate rate (3% or more per annum, in GNP terms).¹ Even disadvantaged minority youths will benefit from the reduced competition for jobs among youths in general which the 1980s and '90s will bring.²

There are, however, some other problems flowing from Mexican immigration--particularly of the illegal or "undocumented" type--which are not so likely to be self-limiting. Undocumented "permanent settlers" constitute a sizable group of people whose medical, educational, legal, and other needs are almost entirely unmet by public agencies. Indeed,

their needs generally go unrecognized, both by public officials and the general public. At present there is intense pressure on state, county, and city officials to reduce or deny the access of the foreign-born population to tax-supported public services--even health care and education. While such a policy will have little or no effect on the average Mexican "illegal" who comes to the U.S., without dependents, for a few months each year, it can have disastrous consequences for "settler" migrants and their children.

The permanent settlers and their offspring will not "go away" or be coerced into returning to Mexico, as many of their fathers or grandfathers were forced to do during the official mass "repatriation" campaign of the 1930s.³ Even the U.S. Department of Justice now concedes that such mass round-up and deportation efforts are both "impractical and inhumane," not to mention too costly politically for any government that cares about Hispanic voters.⁴ If unattended, the needs of this segment of the immigrant population for basic human services and economic opportunities will come back to haunt us. That is the single most important problem posed by illegal immigration, from the standpoint of long-term public policy and planning. How can we enable the largest possible proportion of these "permanent settlers" and their children to occupy productive, personally satisfying, contributing roles in our economy and society?

We do not wish to imply that the present generation of "settlers" is not performing in this way. On the contrary, the vast majority of them are "model citizens," obeying the laws, paying all the taxes that U.S. citizens do, being highly productive workers, going to church, raising their children in a responsible and "old-fashioned" way. They

represent a highly valuable human resource for the United States--and Mexico's loss. We argue, rather, that this is a human resource whose life chances and future contributions to our society may be stunted by short-sighted public policies and lack of understanding among the general public. Will the migrant settlers and their offspring become a permanent, alienated "underclass" excluded from the benefits of the system and potentially disruptive to it, or will they follow the path of earlier immigrant groups in achieving social integration and economic mobility? What are the key barriers to upward mobility among this sector of the immigrant population? What can be done by state and local officials to lower these barriers? These are the basic questions to which this paper is addressed.

CALIFORNIA'S "PERMANENT SETTLERS"

California undoubtedly contains a larger number of "permanent settler" migrants from Mexico than any other state in the U.S. In 1977, more than 28% of the permanent resident aliens who reported their address to the U.S. Immigration and Naturalization Service (as required by law) were living in California, and 47% of California's permanent resident aliens were Mexicans.⁵ The proportion of legally admitted permanent resident aliens from Mexico who list California as their state of intended permanent residence has risen continuously since 1968.⁶ Data which we collected in northeastern Jalisco state, Mexico--a region of heavy emigration to the United States since the 1880s--show that 49% of all persons emigrating permanently to the U.S. since 1940 settled in California, and 64% of all families leaving in 1975 went to California. And a nationwide survey of 60,000 households in Mexico conducted in late

1978 and early 1979 by an agency of the Mexican government found that 51% of all Mexicans reportedly in the United States at the time of the survey were living in California. The second most-important destination, Texas, was far behind California, with 21% of the Mexican emigrants; and third-ranking Illinois accounted for only 8%.⁷ These figures include all emigrants, regardless of legal status, and it is not possible to determine how many were "permanent settlers" and how many were only temporarily employed in the United States. Nevertheless, the trend is clear: Unless the economy of the state collapses or ceases to grow at rates approximating those of recent years, California will be home for the nation's largest concentration of permanent settlers from Mexico.

Due to the sizable clandestine component, it is impossible to estimate the total number of "settler" migrants from Mexico with an acceptable margin of error. However, based on our fieldwork among this segment of the Mexican immigrant population in six California cities and four in Illinois during 1978, we would say that the majority of the settlers are either legal residents (legal permanent resident aliens or U.S. citizens by naturalization) or in the process of acquiring such status. In January, 1977, some 498,000 Mexican legal permanent resident aliens reported to the Immigration Service that they were living in California.⁸ Virtually all of the as-yet illegal permanent settlers whom we interviewed in 1978 were pursuing legal-resident status, though some had been doing so without success for 5-7 years. In California and elsewhere in U.S., the illegal settlers are vastly outnumbered by temporary migrants (both legal and illegal) who typically spend 2-6 months per year working in the U.S.⁹

Is the flow of migrants from Mexico becoming more "permanent"? Yes, but the change has been extremely gradual. Among emigrants to the U.S. originating in nine Jalisco communities which we studied intensively, temporary migrants (i.e., those who returned to their home communities) outnumbered those who settled permanently in the U.S. by a margin of 8 to 1 during the period from 1930 to 1976. We found that since 1969, the rate of migration to the U.S. (i.e., the total number of emigrants, on a per-capita basis) had increased; individual migrants were going to the U.S. more often and staying longer (but the average length of stay was still only 5.5 months). But the typical migrant to the U.S. from these communities during the 1970s was not significantly more likely to remain in the U.S. on a permanent basis than his predecessors in earlier waves of emigration. Other researchers have also found that the overall flow of Mexican migration to the U.S. remains predominantly temporary, although the size of the "permanent" component seems to be increasing gradually.^{9A} The most rigorous study completed to date found that during the 1972-1977 period, for every 100 entries of Mexican illegal migrants into the U.S., there were 92 "exits" (either voluntary or involuntary). The same study estimates the net increment to the permanent stock of undocumented Mexicans in the United States to be 50,000-150,000 per year.¹⁰ This is consistent with an independently-arrived-at estimate, based on completely different data sets, which set the increment to the permanent stock at 82,000 - 131,000 per year.¹¹ Taking the mid-point of these estimate ranges (about 100,000), and assuming that roughly 50% of the increment will live in California, we could estimate that California's population of undocumented permanent-settler migrants from Mexico has been increasing by about 50,000 persons

per year. But added to what? Unfortunately there are no satisfactory estimates of the "base" population of undocumented immigrants on a state-by-state basis.

All large-scale migratory movements become more permanent in character over a period of decades or generations, as kinship networks become more extensive and economically better-established in the receiving area. These support networks enable more newly-arriving migrants to stay longer and perhaps to settle permanently. Today, after nearly 100 years of migratory movement, most Mexican migration to the U.S. is "kin-mediated," and is therefore more likely to lead to long-term residence in the United States. In addition, there have been major changes in the structure of demand for Mexican labor in recent decades which have served to stabilize the Mexican migrant population in the U.S. The basic force at work is the decline in agricultural employment, coinciding with a rapid increase in less seasonal, urban-based employment opportunities for Mexican migrants, particularly in the labor-intensive urban service sector. The majority of these migrants--both legal and illegal--are now employed in "year 'round," non-agricultural jobs. The availability of steady employment in urban areas, combined with sharp increases in wage scales in California agriculture due to unionization, have made it feasible financially for more Mexican migrants to maintain a household in the United States.¹²

The border enforcement activities of the federal government have also been an important factor contributing to the enlargement of the illegal permanent-settler population of Mexican migrants in recent years. The infusions of manpower, new technology and enforcement hardware into the U.S. Border Patrol since the mid-1970s have resulted in a signifi-

cantly improved border enforcement capability. Our interviews with Mexican migrants on both sides of the border, as well as the data from a massive, multi-stage study conducted by the Mexican government,¹³ clearly show that the Immigration Service's "catch rate" among illegal Mexican migrants has increased significantly. By the late 1970s, the Border Patrol seems to have been apprehending nearly one out of every two Mexicans attempting clandestine entry. While most of those apprehended seem to have reentered successfully without detection, usually within a few days of the initial apprehension, the effect of all this is to bid up the fees charged by the professional smugglers (coyotes) who assist undocumented migrants in crossing the border. By the late 1970s these fees were in the \$250-350 per head range along the California section of the U.S.-Mexico border. In our interviews with Mexican illegal migrants living in California during 1978, we found that some were delaying their planned return to Mexico--particularly if they had dependents living with them in the U.S.--primarily due to the higher cost and higher risk of apprehension upon re-entry which have resulted from stepped-up border enforcement activities. Nearly two-thirds of these migrants had been apprehended at least once by the U.S. Immigration Service. Their behavior is now conditioned by what we might call "the psychology of the closing door." Ironically, a continuation of the present federal government policy of gradually "tightening" the southern border may succeed in turning what has traditionally been an essentially floating population of Mexican migrants into a population which is more permanently anchored in the United States.

THE ILLEGAL PERMANENT SETTLER: OFFICIAL, ACADEMIC, AND POPULAR VIEWS

The growth of the "permanent settler" stratum of the illegal immigrant population has been treated as an ominous development by most members of the policy-making community as well as some academics who have written on the subject. Their general argument is that, for a variety of reasons, the current generation of undocumented Mexican immigrants who have settled permanently in the U.S., and/or their offspring, will prove to be "unassimilable" into our society, that they will "fail" economically, and that they are therefore destined to become, at the very least, a permanent burden upon our society or, at worst, a socially and politically disruptive element -- not only burdening the social fabric, but rending it. Moreover, it is argued, the costs of trying to prevent this from happening -- of facilitating the integration of today's permanent settler migrants and their children into our society -- would be prohibitively high.

This general line of reasoning takes several specific forms, each of which is worth examining. One of these begins with the personal attributes of the adult immigrants: lack of legal residence status, low incomes, relatively little formal education, few job skills developed in Mexico which are relevant to the U.S. job market, little or no English language competence, high fertility, and continuing commitment to a set of cultural values and attitudes toward work, saving, planning for the future, etc., which are considered "inappropriate" or "dysfunctional" to getting ahead in U.S. society. Of course, some of the characteristics attributed to Mexican immigrants are erroneous, as well shall see later in this paper. Nevertheless, the heart of the argument consists of the

consequences which are believed to flow, inevitably, from having these personal attributes, or some subset thereof. The lack of English language competence and the lack of "appropriate" job skills learned in Mexico are believed to exclude the migrants from more complex, better-paying jobs which require communication with English-speaking co-workers or supervisors. It also prevents them from acquiring the kind of on-the-job training which would enable the migrants to advance, and thus guarantees their stagnation in menial, unskilled jobs at the bottom of the U.S. labor market.

U.S. Secretary of Labor F. Ray Marshall has even argued recently that illegal permanent-settler migrants will not be able to hold onto the menial, unskilled jobs which they now hold:

"As they establish families and grow older, they will be less able to compete with the newer undocumented workers. Compete they must, and compete fiercely. They may be healthy today, but they will age, and their endurance will fade. Once they falter on the job, younger illegal workers will take their place."¹⁴

When this happens, Marshall goes on, they will be driven onto the welfare rolls and make heavy use of other tax-supported social services; in other words, they are destined to become public charges.

Others place heavy emphasis on racial discrimination and vulnerability to exploitation by employers and others (because of their illegal status in the U.S.) as obstacles to mobility for the permanent settler. They decry "the creation and institutionalization of a permanent subclass of rightless persons within American society,"¹⁵ who have no redress when they are discriminated against or forced to accept sub-standard wages and working conditions.

Such concerns coincide with a more general belief, seemingly wide-

spread among the general public and legislators, that there are already too many disadvantaged ethnic and racial minority people in the U.S. who are "not making it" economically, and "We don't need any more." The implication is that without extraordinary and costly intervention by government, ethnic minorities will remain a "permanent underclass." Such arguments go beyond simple racism. They reflect the popular view that Mexicans and other Hispanics have arrived too late in the scramble for upward mobility in our society. According to this view, earlier eras in U.S. history offered the kinds of economic conditions which allowed ethnic minorities and other poor people to achieve economic mobility. But these conditions (allegedly) no longer exist; we have entered the "era of limits." There is a belief that the U.S. economy cannot possibly generate enough decent jobs for all who seek them; a sense that our capacity to integrate poorly educated, low-skilled, culturally "different" people into meaningful and productive roles in our society has already been exceeded. Thus disadvantaged Mexican immigrants who settle permanently here are likely to enter a "permanent underclass" trapped in dead-end jobs in the "secondary" labor market. Moreover, it is argued, the parents' disadvantages will inevitably be passed on to their U.S.-born children, who will also find it impossible to escape from the "underclass."

It is feared, however, that the immigrants trapped in this "permanent underclass" will not simply suffer their fate in silence. They will grow increasingly alienated and dissatisfied with their situation; they will begin to "demand their rights." This will become increasingly evident in the last half of this decade, as the offspring of first-generation permanent settlers reach maturity and find the road to upward

mobility blocked. At that point they will resort to anti-social behavior, including violent crime and rioting. Labor Secretary Marshall has laid out the scenario in this way:

"I believe we are now building a new civil rights struggle of the 1980s by having an underclass of people come into this country, unable to protect themselves, easily exploited, dissatisfied with their status and yet fearful of being deported. Their children will be even more dissatisfied and likely to revolt against such conditions, and they will demand their civil rights in the fashion of the civil rights struggles which began in the 1960s."¹⁶

"Is there any doubt that their children will be disadvantaged because of the extralegal status of their parents?It is dangerous to our society and a problem which can come back to haunt us, with a vengeance."¹⁷

Economist Michael J. Piore has embellished this general argument in several important ways. According to Piore's theory, which purports to apply generally to labor migration from poor countries to rich ones, the children of today's adult permanent-settler migrants are likely to be disruptive to the host society in two ways: (1) There is a major shift in job aspirations from the first-generation immigrants to the second generation, such that the second generation adopts host-country values and attitudes toward low-status, manual jobs. The second generation will therefore reject the kinds of jobs held by their parents, and will demand jobs that have higher social status, higher pay, and long-term career opportunities. The society will be unable or unwilling to meet their demands for such employment, however. (2) The quest of the "second generation" for better jobs will bring them into direct competition with the native population in the "primary" labor market. By comparison, their parents were complementary to the native work force, rather than competitive, since they were (allegedly) satisfied to remain in low-status jobs which native workers shunned. Piore's theory

does not explain how the disadvantaged children of disadvantaged immigrant parents will acquire the education, job skills, and other attributes that will enable them to compete successfully against U.S.-born workers whose parents were not immigrants, especially for the more desirable jobs in an advanced industrial economy.¹⁸

The more apocalyptic versions of this argument view the "permanent settlers" and their offspring not just as a social problem but as a threat to U.S. political stability and security. In a widely-quoted interview with the Los Angeles Times, former CIA Director William Colby asserted that, in the long run, Mexican population growth and emigration to the U.S. constituted "a bigger threat to the U.S. than the Soviet Union," and went on to characterize the migration and permanent settlement of Mexicans in the U.S. as

"exactly what we did with black rural poor of the South in the 1920s....We sent them all to the central cities. It was a better life for them--but the social costs for our country have been fantastic. We've managed to ruin our public school system and created ghettos."¹⁹

Others see a different kind of threat to "the American way of life." They are alarmed by what they believe to be a tendency to "resist assimilation" among the current generation of Mexican immigrants. Traditionally, immigrants to the U.S. have been expected by the majority population to shed their cultural baggage; to jump into the homogenizing American "melting pot." "Making it" in America has meant rising above the traditional culture of the home country and assuming a new identity, a new set of values and behavior patterns -- in short, "assimilation."

But first-generation permanent settler migrants from Mexico have not conformed to this pattern. They continue to speak Spanish (often exclusively Spanish, especially within the home); they go to great lengths to preserve basic elements of traditional Mexican culture in their home

life; on Sundays they flock with their children to the public parks and pedestrian malls, as they would in Mexico. They even prefer soccer to baseball and "American" football!

But cultural maintenance by the Mexican settler migrants is viewed by many U.S. natives as a threat to the "moral fiber" of the host society. The sound of Spanish being spoken on the streets and in stores and parks and post offices is seen as a portent of social disruptions, because cultural maintenance is equated with overt cultural (and eventually political) separatism -- a "Spanish-speaking Quebec in the Southwest."²⁰ Public officials express concern about the long-term consequences of "having that many poorly assimilated people around." Even if they do not become militantly separatist, their refusal to assimilate in the time-honored manner may generate tensions and divisions among ethnic groups in communities where they live. And, as a federal government commission warned recently, it may not simply be a problem of "failure to adopt our ways": the unassimilated immigrants may be changing the host society itself in undesirable ways:

"The United States has been known as a 'melting pot' for immigrants, but, in fact, immigrants are not readily assimilated. Though to some extent all immigrants adapt to their new environment, they also place demands on the general society to adapt to them."²¹

As one resident of San Diego put it,

"What I see in the future is a fractured culture, an ethnic class society so filled with turmoil that it will take generations to rebuild a sense of national identity and unity. We are well on the way to creating our own Quebec."²²

It is true, of course, that proximity to Mexico, the high degree of geographic concentration of the Mexican immigrant population within the U.S., and recurrent waves of new immigrants from Mexico tend to reinforce ethnic identity and traditional culture among Mexican per-

manent-settler migrants. As Arizona's Governor Bruce Babbitt said of the Mexican-origin population in his state,

"They're tied to their motherland...by an umbilical cord across a common border, and there's going to be more coming through that umbilical cord than there is melting at the other end. We'll have ethnic pluralism; the melting pot isn't going to happen out here."²³

It remains to be seen, however, whether the U.S.-born or raised children of today's Mexican permanent settlers will mirror the assimilation pattern of their parents; as discussed below, there seems to be a much greater degree of cultural assimilation among the second and subsequent generations. And another key variable is the extent of tolerance among the non-Mexican-origin population for "cultural pluralism."

Finally, it has been argued by some that the growth of a permanent-settler population of Mexican undocumented migrants will weaken this country by eroding its egalitarian values and institutions. Thus, whatever the potential for separatism or disruptive behavior by the offspring of today's permanent settlers, it would be morally wrong to allow

"the creation of a two-class society in which advantaged citizens profit from the cheap labor of hardworking aliens who are denied the right to join that society. This is a form of exploitation which should be rejected, out of hand, by a nation with our heritage of egalitarianism."²⁴

Others would point out that if U.S. minimum wage laws were being enforced properly there would be no exploitation of "cheap labor," whether immigrant or native; also that a broad amnesty for permanent-settler illegals and an increase in the legal immigration quota for Mexicans to a realistic level would remove the burden of illegality from most of them and thereby reduce their vulnerability to exploitation. Getting rid of the immigrants themselves is not necessarily the only or the best way to deal

with this "threat" to American ideals and institutions.

An Historical Perspective

It is worth noting that none of the arguments and concerns being raised about Mexican immigrants who settle permanently in the U.S., with or without proper documents, are new. They have been with us at least since the early 1920s, when a major political movement to limit the entry of "nonassimilable" immigrants (especially Mexicans and people from southern and eastern Europe) into the United States was launched. Indeed, much of the rhetoric being employed by public officials, scholars, and special-interest lobbies today appears to be a direct throwback to the arguments advanced by the restrictionists of the 1920s, who warned darkly of an inundation of people who could not be assimilated. Consider the following accounts of that period by historians of U.S. immigration:

"For most Americans during the 1920s, the notion that the foreign-born were not assimilating into national life struck an extremely sensitive chord. In a period when the country placed a premium on unity and conformity, the prospect of a pluralistic or heterogeneous society was a frightening proposition....If immigration continued unchecked, traditional American ideals and institutions might be radically transformed....

"Most important, since the newcomers clung so tenaciously to their native language, how could they be expected to shed their allegiance to foreign customs, traditions, and habits?For restrictionists, the language problem represented an incredibly serious situation....For many, increased immigration dangerously imperiled the nation's political security."²⁵

"A group of liberals and social workers during the 1920s contended that American cities already had so much trouble coping with current social dilemmas that to allow further immigration would be irresponsible. Given their lack of education and unfamiliarity with the American culture, Mexican workers would undoubtedly dwell in squalor and succumb to the vices of the urban poor....

"Because of racial differences, nativists contended, Mexicans would remain forever unassimilable in the United States.... As a distinct group confined to menial occupations, they would comprise a new and undesirable element in the nation's

social structure: A caste of people who cannot share in the impulses and best hopes of American life....Both Americans' racial objections to the Mexican and his own inherent indolence and tractability would ensure his permanent place at the bottom of the nation's social ladder."²⁶

A leader of the restrictionist forces in Congress, Rep. John C. Box, testified to a U.S. Senate committee in 1921:

"I don't believe that it is safe to divide America into an upper and an under world. I don't believe it is good to have thousands or millions of people among us who can have no part or parcel with us except as our menial servants.... If we do have great numbers of such people with us,...I think it tends to destroy democracy."²⁷

A superintendent of schools in Colorado's sugar beet region argued:

"If we create a caste system....we would be sacrificing the ideals which our fathers worked so hard to establish and preserve and which we are morally bound to perpetuate."²⁸

And an editorialist for the Saturday Evening Post wrote:

"If the United States is the melting pot, something is wrong with the heating system; for an inconveniently large portion of the new immigration floats around in unsightly indigestible lumps."²⁹

Even Paul H. Douglas, then Professor of Economics and later U.S. Senator from Illinois, weighed in with an article entitled "Is the New Immigration More Unskilled Than the Old?",³⁰ adding fuel to the debate about the characteristics of the "new immigrants" whose deficiencies would condemn them to a permanent place at the bottom of the nation's social ladder. Historian Mark Reisler summarizes:

"In arguing against further Mexican immigration, restrictionists [in the 1920s] manifested the paradoxes of a society that professed adherence to democratic values but at the same time sanctioned discriminatory patterns of behavior. Like southern progressives who favored the disfranchisement of allegedly ignorant blacks to protect the democratic process from corruption, restrictionists contended that the inferior Mexican must be excluded *in order to preserve a democratic social structure based on the ideal of equal opportunity.*"³¹

The currency of much of the restrictionist rhetoric of the 1920s in the debate over today's "new immigrants" from Mexico and elsewhere is quite striking. There are certain refinements of terminology: The "permanent class of cheap, slave laborers" denounced by restrictionists of the 1920s has become the "permanent underclass of alienated people trapped in the secondary labor market." Although there is still much concern about the Mexicans' limited English-speaking competence and their lack of advanced job skills, the alleged personal inadequacies of Mexicans as a race and nationality are no longer part of the public debate, except in statements issued by the Ku Klux Klan in California. The current Secretary of Labor still depicts undocumented Mexican workers as a threat to hard-won U.S. wage and working condition standards, because of their (alleged) docility and total subservience to U.S. employers ("They work hard and scared").³² But in general, there is less emphasis today on the personal attributes of Mexicans and more on those aspects of the U.S. economy and society which will (allegedly) limit the life chances of Mexican immigrants who settle in the U.S. and their children: problems of racial discrimination, a stagnant or deteriorating national economy, resource constraints, cut-backs in social services resulting from inflation and taxpayer revolts.

But the basic policy prescription which is being justified by those making such arguments remains the same as in the 1920s: Exclusion-- either to protect the immigrants themselves and/or their children from the exploitation and frustration which will "inevitably" afflict them should they remain in the United States, or to protect the host society against the social disruptions and erosion of egalitarian values which will accompany the institutionalization of a "new underclass" at the

bottom of the nation's social ladder.

Finally, it is worth pointing out that, sixty years later, there is little evidence that the dire consequences of immigration predicted by the restrictionists of the 1920s have materialized. The "unassimilable" immigrants of 1920 to which the Saturday Evening Post referred were the Irish.³³ As discussed below, there has been social and economic mobility among the Mexican immigrants who settled in the U.S. in the 1920s and subsequent decades, and among their offspring. Especially with reference to Mexican immigrants, the "second-generation rebellion" theories cited above make no sense, historically: In most parts of the Southwest and the Illinois-Michigan area there has been a substantial population of "undocumented Mexican settlers" for most of the past 100 years. Most of the settlement occurred in urban areas, not in isolated rural communities.³⁴ While it may make sense to worry about "second-generation rebellion" among the offspring of today's Caribbean immigrants in New York City, it is the third, fourth or fifth generation of Mexican-origin people who are entering the work force today in Los Angeles and Chicago and San Antonio. To explain why today's generation of Mexican "permanent settlers" and their children will not follow the path of previous generations, one would need different theories. Time-worn rhetoric and ahistorical "pop" psychologizing will not suffice.

In the remainder of this paper we will outline a new way of framing "the problem" posed by settlement of undocumented Mexican immigrants in California and elsewhere in the U.S.; a way which is hopefully more sensitive to both historical realities and contemporary issues of public policy.

THE MEXICAN PERMANENT SETTLER: A PROFILE

Who are the "permanent settlers" from Mexico, and how did they come to settle here? Those were the main questions which we sought to answer through our fieldwork in 10 cities (six in California, four in Illinois) during 1978. We personally interviewed a total of 185 Mexicans living in these cities, all of whom had emigrated from small towns in the northeastern region of the Mexican state of Jalisco. About half of the interviewees were living illegally in the U.S. at the time we interviewed them. Four out of five were permanently based in the U.S., and 94% of the illegal permanent settlers were residents of California (83% of the total sample were Californians). Most interviewees were household heads between 18 and 65 years of age. Eighty-three percent of the interviewees were male. Each interviewee had been introduced to us by a close relative or friend, and we also carried a letter of introduction from the interviewee's hometown priest in Mexico. The interviews were conducted in the privacy of the interviewees' homes, in an informal, conversational style. The responses were tape-recorded and subsequently transcribed and coded for computer analysis.

The interviews were conducted exclusively in Spanish. Most were at least three hours in duration, and went into great detail concerning the interviewee's immigration history, labor market experiences in the U.S., and problems encountered in establishing residence here. Numerous questions were asked in order to determine, with the greatest possible accuracy, whether the interviewee was based primarily in the U.S. and whether there were any circumstances under which he/she might return to Mexico. The legal status of each interviewee was also determined beyond any reasonable doubt. We believe that despite the relatively small number

of interviewees, there is much to be learned from their responses, given the optimal conditions under which the information was obtained, and the highly detailed character of the questioning, which permitted extensive cross-checking for inconsistencies in the course of each interview. In short, we have considerable confidence in the validity and reliability of the responses obtained, and we shall draw heavily upon this information in constructing a general profile of the undocumented Mexican "permanent settler."³⁵

First we remind the reader that the "permanent settlers" constitute only a small minority of the total population of Mexican migrants who are working in any given place at any given time. The settlers were a majority in our sample of interviewees in California and Illinois because we deliberately set out to find and interview the more stable subpopulation of emigrants to the U.S. from the region we had previously studied in Mexico. The permanent settlers were the principal "target group" in this portion of our research. As noted in the preceding section of this paper, the flow of migrants from Mexico to the U.S. each year is almost equalled by the return flow from the U.S. to places of origin in Mexico. The vast majority of Mexicans who come to the U.S. for work in any given year do not want to settle permanently here, even if they had papers that would permit them to live in the U.S. as legal permanent resident aliens.³⁶

Second, we would emphasize that "permanence" in the U.S. is a relative concept: Among Mexicans who have been living in the U.S. continuously for a number of years, one encounters many different degrees of permanence, ranging from the young man who has no dependents (or whose dependents are still in Mexico) and who wishes to spend as little time as

possible in the U.S. (usually the minimum necessary to accumulate a specific sum of money needed to accomplish some short-term economic goal), to the retiree who longs to return to his hometown in Mexico but no longer has any means of economic support there. The Mexican immigrant who decides, definitively, that he will never return to his home community to live and cuts off all economic and psychological ties with it is relatively rare. As noted below, this very uncertain commitment to a life-long stay in the United States is probably the single most important factor explaining the low rate of naturalization among legal Mexican immigrants who have a right to become U.S. citizens.

How, then, does one come to settle in the U.S. on a long-term basis? It is popularly believed that Mexican permanent settlers are mostly people who come to the U.S. initially as transient workers, who may make several trips to the U.S. for short-term employment, and then "drop out" of the migratory labor stream to make their homes in the United States. We found the "drop out" stereotype to be erroneous. More than 60% of the undocumented permanent settlers whom we interviewed in California and Illinois turned out to be people who had intended to settle in the U.S. on their very first trip to this country.³⁷ These are people who had a high degree of commitment to long-term living in the United States from the beginning; the majority are not people who simply came expecting to stay for a short period, liked what they saw, and decided to stay. Most of them had relatives who were already based permanently in the U.S., and who assisted them in finding work and housing. In this sense, their movement to the U.S. represented "family reunification" immigration.

What about the remaining 40 percent, whose original intention was not to settle in the U.S.? A wide variety of circumstances impelled

them to extend their stay: Some found that they needed more time to attain their original economic objective; others acquired new financial obligations in the U.S. (e.g., car payments) which could be met only through continued employment at U.S. wage scales. Some of the migrants had children living with them in the U.S. who reached school age before the family could return to Mexico; their enrollment in school postponed return migration, at least until the children finish primary or secondary school. In such cases, if the parents do return to Mexico, children who have received most or all of their schooling in the U.S. usually choose to remain here.³⁸ Changes in the home community in Mexico are also important: A severe deterioration of economic conditions there may make a return problematic or impossible. In the case of migrants coming from communities which have had very heavy emigration to the U.S. over a period of several decades, most of the migrant's close friends and relatives may have moved to the U.S.; he and his wife begin asking themselves, "What would we be going 'home' to?" In most cases, the decision to stay in the U.S. or return to Mexico results from a complex, protracted dialectic of developments in both the community of origin and the host community in the U.S. Often, a formal "decision" to remain is never actually made. And even for the "stayers," their long-term goal is still to return to Mexico, perhaps to start a small business or to spend their retirement years, living on a pension earned in the U.S. or on savings accumulated there.³⁹

The most committed of the permanent settlers seek to remain in the U.S. as long as gainful economic opportunities are available for them here or, in the case of the undocumented, as long as they can escape detection by immigration authorities. Unlike the occasional, short-term

Mexican migrant to the U.S., the committed permanent settler is not seeking to surmount some short-term subsistence crisis (loss of a job in Mexico, a crop failure, a family health crisis, etc.), or even to accumulate cash to make some specific purchase or investment. He tends to see long-term residence in the U.S. as a vehicle for long-term economic and social mobility, for his children if not for himself. Fewer than 3% of the undocumented permanent settlers whom we interviewed had come to the U.S. initially because they were unemployed or severely underemployed in Mexico, as compared with nearly 19% of the undocumented temporary migrants whom we interviewed in California and Illinois.

The settler migrants are highly knowledgeable about the United States even before they come here. This is not surprising, since most of them have close relatives who have worked in the U.S. for at least short periods of time. Among our interviewees in California and Illinois, 70% of the undocumented settlers (and 91% of the legal-immigrant settlers) had fathers who had worked in the United States, and more than half had grandfathers who had done the same. In addition, 73% of the illegal settlers (and 89% of the legals) had siblings who had preceded them to the United States. Their settlement in the United States thus represents the culmination of an extensive family history of U.S.-bound migration spanning several generations.

When they reach the United States, the settlers do not live as isolated individuals. Even if unmarried, they are immediately integrated into extensive kinship/friendship networks, consisting mostly of emigrants from the same community in Mexico. Job-seeking is done through these networks, and the settlers' social life is centered within them. Among the undocumented settlers whom we interviewed, nearly 60% had

spouses living with them in the U.S. (87% of the legal settlers were living with their spouses). Many of the wives (43% of the undocumented settlers, 59% of the legals) were employed outside the home, mostly as unskilled factory workers (e.g., in food processing plants). About 32% of the undocumented permanent settlers were unmarried at the time we interviewed them.

The average illegal settler in our sample was 28 years old, had been married for 4-5 years, and had spent about three and one-half years living in the United States. He/she had 5.7 years of formal education--more than either the temporary illegal migrants (5.6 years) or the legal immigrant settlers (3.4 years). More than a quarter of the illegal settlers had a secondary education or above, as compared with only 8% of the illegal temporary migrants. Clearly they are better equipped, educationally, to "make it" in the United States than the transient illegals who are of the same generation.

More than half of the illegal settlers in our sample were employed in restaurants (24%) and other urban service establishments such as hotels and motels, hospitals and nursing homes, building and landscape maintenance firms (32%). Only 7% were employed in agriculture or horticulture (greenhouses, plant nurseries, etc.). These represent the "easiest access" jobs in the urban economy for Mexican immigrants lacking papers. Their employers were mostly small businessmen (the average workplace had a total of 20 employees). In the summer of 1978 they were earning, on the average, \$153 per week including overtime. With spouses' earnings, the median family income was \$180 per week. Legal permanent settlers were earning far more (an average of \$225 per week for the household head; total family income of \$301 per week), but the legals possessed a number of attributes (greater age, longer work experience in the U.S.,

better English-speaking ability, labor union membership) which explain most of the earnings differential.

The average undocumented immigrant family in our sample had only two children, and most wanted no more. The most frequently mentioned reasons for limiting family size were economic (the high cost of living in the United States, the cost and difficulty of obtaining housing for families with many children, the "opportunity costs" of additional children in terms of foregone consumer goods, recreation, etc.). For whatever reasons, it is clear that the illegal settlers have adopted the fertility pattern of the host society with astonishing rapidity. The adult settlers themselves came from families of 10 or 11 children, on the average. They will contribute to future population growth in California no more than the average non-immigrant couple.⁴⁰

The undocumented settlers are faithful (though equally undocumented) taxpayers. We found that more than 96% of those we interviewed had regular payroll deductions for federal and state income taxes and FICA (Social Security). Like other residents, they also pay gasoline taxes, other sales and excise taxes, and property taxes (even if paid indirectly, through rent). They make very little use of tax-supported public services, however. Only 4.7% of the illegal settlers we interviewed had ever received unemployment compensation; only 2.3% had ever received welfare assistance of any kind (those that did had received AFDC--Aid to Families with Dependent Children--for the support of children who had been born in the United States, and are therefore U.S. citizens). None had ever received food stamps. Fewer than 3% had received free health care at publicly-supported facilities, and only 9% had children enrolled in U.S. public schools. These rates of public service utilization are

far below those reported by legal permanent settlers. As we argue below, some of these low utilization rates (particularly for health care and public education) are no cause for celebration. They can be explained partly by fear (fear that applying for some service will result in detection and apprehension by immigration authorities), partly by lack of knowledge about services that are theoretically available, partly by cultural resistance to accepting government "dole." Government income-transfer programs like welfare, food stamps, and unemployment compensation are antithetical to Mexican culture, and Mexican immigrants--legal or illegal--usually must be in the direst of circumstances before they even contemplate seeking public assistance. Most of them also have what they consider to be a preferable source of help in time of need: the kinship networks of which they are members. Ninety-four percent of the settlers we interviewed had relatives or close friends living in the U.S. when they arrived here; more than three-quarters had obtained their jobs through introductions or referrals by these relatives or friends. The kinship networks are also relied upon for short-term loans, housing, transportation, child care, and advice about medical problems.⁴¹

Rates of service utilization among the illegal settlers may also have been depressed in recent years by new practices of the service-providing agencies. The late 1970s brought a significant tightening-up of eligibility requirements and screening procedures for such benefits as unemployment compensation, welfare assistance (AFDC, SSI), and government-paid health care (Medi-Cal). Applicants for such benefits must present documentation of legal-resident status from the U.S. Immigration and Naturalization Service; the agencies' current practice of referring benefit applications to the Immigration Service for such verification

exposes the illegal immigrant to an unacceptably high risk of detection and expulsion from the country.⁴² This in itself would be an effective deterrent to use of income-transfer programs -- if one were needed.

HEALTH CARE PROBLEMS

The available data on health care needs and utilization of the health care delivery system by Mexican permanent settlers are quite inadequate, but enough is known to sketch the nature of the problems in this area. The frequency with which these problems occur within the permanent-settler population, and the magnitude of health service usage and resultant costs to taxpayers, cannot be measured except within very wide error limits on the basis of existing information.

The permanent settlers--even the undocumented ones--have significantly higher incomes and better living conditions than the transient Mexican migrants who work in the fields or in the most menial of urban-based jobs. They have also been living continuously in the United States for a considerably longer period than the average temporary migrant. These differences seem to be reflected in the health care problems and needs of these two components of the Mexican immigrant population. For example, permanent settlers seem to have a lower incidence of infectious and parasitic diseases of the digestive system than the temporary migrants. On the other hand, because the permanent settlers tend to have wives and children living with them in the U.S., they have a greater need for obstetric care (as well as prenatal and postnatal care), immunizations for children, treatment of childhood diseases, and other kinds of non-emergency and preventive care (e.g., dental care) for family members. The stress generated by having to lead a clandestine existence over a period of years

rather than just a few months at a time may also lead to a higher incidence of mental health problems among the permanent settler population.⁴³

The permanent settlers share other kinds of health problems with the rest of the Mexican immigrant population. They are more likely than the average U.S. resident to be employed in jobs that expose them to health hazards and injury (e.g., pesticides and other harmful chemical substances, dangerous machinery, activities like trash collecting which may lead to back injuries). They may suffer from a higher incidence of non-acute, poverty-related infectious diseases (e.g., tuberculosis, hepatitis, typhoid) which they brought with them from Mexico years ago and which have remained untreated. Both adult permanent settlers and their children (if the parents are undocumented) may have a low level of immunization against contagious, vaccine-preventable diseases like rubella (German measles), chicken pox, diphtheria, and poliomyelitis. A low level of immunization represents a clear public health threat to the population at large; Keith Comrie, director of Los Angeles County's Department of Public Social Services, has referred to this problem as "a time bomb waiting to go off."⁴⁴

All available evidence indicates that there is significant under-utilization of conventional medical care services by the illegal permanent settlers. For all intents and purposes, a large proportion of these immigrants appear to be outside the modern health care system, receiving, at most, only episodic treatment for acute health problems and making little or no use of preventive or health maintenance services. Normally, the only circumstances under which the illegal permanent settler will seek care at a major public hospital are (1) childbirth and (2) emergency illness or injury which would be life-threatening if not treated

immediately (e.g., poisoning or scalding of a child, extremely high fever, severe lacerations or broken bones). Treatment of non-acute illness seems to be limited to small, neighborhood-controlled walk-in clinics, private physicians, and practitioners of traditional Mexican "folk medicine" (curanderos) who rely upon herbs and incantations. There is also a considerable amount of self-medication using drugs purchased over-the-counter at pharmacies in the U.S. or Mexican border cities.

While much more research is needed to adequately explain this pattern of health-care seeking, we can list some probable causes. First and foremost is the "fear factor": Illegal settlers fear that contact with the major public health facilities may well lead to detection and apprehension by the Immigration Service. Such fears are particularly acute among those who cannot pay for needed care, and who would be required by the hospitals to apply for Medi-Cal coverage; but even those who are not indigent may be deterred from seeking treatment in such facilities by the fear that hospital staffers will suspect them of being indigent, and undocumented, and require them to submit to the same kinds of eligibility checks.

The migrants' limited ability to pay for treatment received is an equally powerful deterrent. Most of the permanent settlers do have some capacity for payment, and many have off-job medical insurance provided by employers or labor unions. Several studies, including our own, have found a high incidence of such "third-party" payments for health care received by undocumented Mexican immigrants.⁴⁵ But many still lack such coverage, and certain major expenses (e.g., for childbirth) may not be covered by employer insurance plans.⁴⁶ Fear of going into heavy debt to cover

medical expenses, or of having to apply for government assistance to cover them, clearly discourages some illegal settlers from seeking needed medical care. As one of them put it,

"I would go to the hospital if we could afford it. That way we could pay and they wouldn't ask me any questions about whether I'm legal or not."⁴⁷

There are other contributing factors, however. Even when the economic barriers to seeking care are reduced or removed, inability to communicate with physicians in English and fear of "official" medicine seem to keep some permanent settlers out of the modern health care system. One experimental program for Mexican migrants in Texas, which made medical services available to the migrant families at low or no cost through prepaid health insurance, failed to achieve its objective of increasing use of hospital outpatient care. Many of those enrolled in the program did not seek care when ill; others continued using self-medications, traditional "folk" healers, and private physicians in Mexico.⁴⁸ Illegal migrants living in border counties in California appear to rely substantially upon private physician services on the Mexican side of the border, and immigration counselors report that some living as far north as Los Angeles go to Tijuana or some other Mexican border city for medical attention, despite the risk of apprehension upon reentering the United States.

In California, local health departments often provide free preventive health care services such as child immunization, tuberculosis testing, diabetic screening, and well-baby clinics. Until recently at least, such services have been offered to all comers, with no effort to determine legal-residence status. Yet there is no evidence that undocumented settlers have taken advantage of these preventive services in appreciable numbers. The most likely reason is fear that any contact

with a government service-providing agency or program may somehow result in discovery of their illegal status and deportation.

It is highly probable that the "fear factor" is being exacerbated by current policies for providing health care to undocumented immigrants in some parts of California. There is no uniform, statewide policy. Section 17000 of the state's Welfare and Institutions Code requires county governments to serve as the health care providers of last resort to indigents regardless of immigration status, but some counties have closed their public hospitals rather than assume that burden, and others have instituted screening procedures which require indigent patients to submit to a check of their immigration status by the U.S. Immigration Service. For example, since June, 1977, Orange County has required indigent immigrants seeking medical assistance to apply for Medi-Cal coverage. By County regulation, all such applications are referred to the INS for verification of legal-resident status. Also by County regulation, information on suspected undocumented immigrants who refuse to sign a Medi-Cal application and who do not immediately pay their medical bills is collected for referral to the Immigration Service. A similar referral procedure is used by the Los Angeles County/University of Southern California Medical Center, which is the main public hospital treating undocumented immigrants in Los Angeles County. The INS reportedly has begun deportation proceedings against at least some of the illegal immigrants identified through such referrals from public hospitals.⁴⁹

The current policy of most public hospitals (though not necessarily private ones) in California is to provide emergency room treatment to all who seek it, and ask questions later. But in Los Angeles and other parts

of the state there is rising opposition even to provision of emergency medical services to indigent undocumented immigrants. In most areas, private hospitals refer those whom they suspect to be indigent illegals to the main county hospital, which serves as a "dumping ground." In emergency situations, lives are endangered by the extra time needed to transport a critically ill patient from an outlying private hospital to the central county facility. But the county government will cover the cost only of treatment administered at the county hospital.

At the heart of this tangle of makeshift and ill-conceived policies is the issue of "who shall pay" for medical services used by undocumented immigrants, particularly those unable to pay their bills out-of-pocket or through private medical insurance. Recently the State of California entered into an arrangement with the county governments to share the costs of providing health care to indigents, but this will not solve the problem, nor reduce its political sensitivity. The counties of Los Angeles and San Diego are suing the federal government to recover health care costs which they allegedly incurred through treatment of illegal immigrants. There is a strong case to be made for federal assumption of such costs, since the lion's share of the taxes paid by the undocumented (federal income and excise taxes, Social Security taxes) go off to Washington and are not returned to the local and state governments most heavily impacted by illegal immigration. There should at least be an adjustment of federal revenue-sharing formulas to compensate immigration-impacted areas, assuming that county governments could devise an adequate method of documenting their claims. Until the payment issue is resolved, either through the courts or through new federal legislation, the governmental buck-passing

will continue. As one careful analysis of the situation concluded,

"The failure of illegal aliens [in California] to receive necessary health care is at least partially attributable to the failure of any governmental level to take responsibility for providing care."⁵⁰

One of the tragic ironies of the existing situation is that it affects most adversely that component of the Mexican immigrant population which contributes least to the problem of unpaid medical costs: the illegal permanent settlers. In most areas of California the bulk of such costs probably results from use of hospital emergency rooms by temporary illegals and legal immigrants. The temporary migrants are less likely than the permanent settlers to be able to pay off medical bills, both because of their lower incomes and their higher probability of being apprehended and deported before their obligations can be retired. While temporary migrants on an individual basis make less use of medical facilities in the U.S. than permanent settlers, they are far more numerous than the settlers. And the settlers have a powerful incentive for payment of their hospital bills which the temporary migrants lack: Clearance of all debts to public agencies is required by the INS before legal permanent resident documents can be issued. As noted above, virtually all undocumented immigrants who are committed to long-term residence in the U.S. seek legal-resident status.

Because of the practice of referring indigent immigrant cases to the INS for determination of eligibility for Medi-Cal, illegal settlers will not seek medical attention unless they can pay cash for it, except in situations of acute need. Non-emergency health care--including preventive care and even treatment for chronic diseases--is often avoided, either because of the economic hardship it would impose or out of a

generalized fear that if they go to any public clinic their names will be sent to immigration officials and they will be apprehended. The records of community clinics in Orange County show that the number of undocumented immigrants seeking treatment dropped sharply after County supervisors instituted the policy of INS referrals.⁵¹ There and in other areas where local officials have attempted to "crack down" on health service utilization by the undocumented, it is evident that such policies are deterring numerous individuals from seeking needed medical treatment, and certainly from seeking preventive health care.

If such policies persist, and public pressure results in even further tightening of the health care delivery system to exclude the undocumented--and especially the illegal settlers--from the system, the long-term human and financial costs will be incalculable. Diseases easily and inexpensively treated in their primary stages will not receive attention until the patient is in an advanced stage of disease, perhaps disabled for the rest of his life. Premature and permanently impaired babies will be born because their mothers had no prenatal care. Young children will not be tested for visual or hearing deficiencies. The general population will be exposed to immigrants lacking adequate immunization for preventable, communicable diseases. Immigrants with untreated chronic diseases, some of them communicable, who work in the food service and food processing industries will pose another kind of threat to the public health.⁵²

Even from a purely fiscal point of view, denying needed medical care to immigrant settlers and their children -- or deterring them from seeking it -- cannot possibly be a cost-effective public policy, especially in the longer run. As the Orange County Task Force on Medical

Care for Illegal Aliens concluded in 1978, providing adequate prenatal and preventive care for people who may spend the rest of their lives in the U.S. "can never be considered acts of charity; on the contrary, such precautions constitute one of the most hard-headed financial investments available to the County taxpayers."⁵³

Those who worry that by increasing the access of undocumented immigrants to health services we will only be encouraging more immigration from Mexico, need not be concerned. There is no evidence whatsoever that the availability of health care or any other kind of public service in the United States is an important incentive for Mexicans contemplating a move to the U.S. Their motives are overwhelmingly income, job, and family-related. They come to the U.S. to work and get ahead, not to consume public services.

LANGUAGE AND EDUCATIONAL PROBLEMS

Exclusionary pressures directed toward illegal immigrants are also starting to develop in the area of public education. Here, too, it is the immigrants' children, not the adult permanent settlers themselves, who have the most to lose. The average adult settler in our sample had received 5.7 years of formal education in Mexico prior to emigration. This generation of illegal immigrant settlers is significantly better educated than the preceding generation, and they nearly equal the Mexico-born population of the U.S. Southwest in educational attainment. That population, as censused in 1970, had an average of about 6 years of schooling (adult, Mexico-born males, most of them presumably legal immigrants; the male illegals in our sample averaged 5.8 years of schooling).

Clearly, the new generation of illegal settlers from Mexico are not,

as popularly believed, "illiterates even in their own language." But many of them are functionally illiterate in English. Among the illegal permanent settlers whom we interviewed in California and Illinois, 45% had no usable English competence; another 48% had only limited English competence; and only 7% had a fair-to-excellent command of the English language. This is not surprising, since virtually none of them had received any English language instruction in Mexico, and 69% of them held jobs in the U.S. that require no English competence. Indeed, over 40% of them had Spanish-speaking supervisors (either Mexico-born or Chicano) at their workplace. Within the home, the illegal settler families use Spanish almost exclusively, although children who have been born or raised in the U.S. often converse between themselves in English. The English-speaking children often serve as interpreters for their parents in communication with the "Anglo" world.

For the parents, the language barrier is undoubtedly the single most vexing problem which they confront on a day-to-day basis. This is true even in cities like Los Angeles which have very large Spanish-speaking communities. Lack of English skills is also the most formidable obstacle to job advancement for most of the adult settlers; while many of them succeed in learning enough English to move into better jobs--sometimes even supervisory positions--their initial opportunities in the U.S. labor market are clearly circumscribed by limited English competence, and job mobility is probably delayed in some cases by lack of English. The adult settlers would benefit greatly from formal instruction in English-as-a-second-language (ESL), especially workplace-based programs. They should be given strong incentives and easy opportunities for learning English,

with no questions asked regarding immigration status.

Most illegal settler parents with school-age children do enroll these children in public schools, but there seems to be some degree of underenrollment. Among our interviewees, only 9% of the illegal permanent settlers had children in school, as compared with 49% of the legal permanent settlers. Even though the legal settlers were older and more likely than the illegals to have school-age children, the magnitude of the difference suggests that some illegal settlers do have school-age children who are not in the public school system. Underenrollment is also indicated by the data from a study of undocumented immigrants in Los Angeles who were attempting to legalize their status. It was found that 29% of these immigrants had school-age children (ages 5-18), but only 21% reported having children of these ages enrolled in school.⁵⁴

The underenrollment can be explained in part by the fear factor--fear that by enrolling children in a public school, the family's presence in the U.S. will be revealed to immigration authorities. In California, at least, there are no grounds for such fears, since school districts have maintained an open-door, no-questions-asked-about-immigration-status policy. Information concerning a child's birth place is kept confidential. Nevertheless, some illegal settler parents may suspect that the public schools--like the public hospitals and other public agencies--collaborate in some way with immigration authorities. In the current climate of public and governmental hostility toward "illegal aliens," any contact with any public agency is believed to carry an element of risk.

We found that many illegal settler parents are also troubled about the state of the public schools which their children might attend. They decry the lack of discipline, sexual permissiveness, and the high incidence

of drug use among U.S. public school students. A substantial majority of them would prefer to send their children to Catholic parochial schools if they could afford to pay the tuition. They view the discipline and values inculcated by the Catholic schools as being closer to those desired and emphasized by the family at home.

They are less concerned about the strictly educational aspects of the U.S. public school environment, although there are often real problems in that area as well. Much depends upon the age of the child upon arrival in the U.S. and enrollment in school. Not surprisingly, those who are born or raised from infancy in the U.S. seem to have fewer problems than those who have spent part of their childhood in Mexico and began their schooling there. The debate over whether bilingual education programs actually help such children or keep them out of the mainstream of society is still underway, but illegal settler parents (as well as legal immigrants) often do not want their children enrolled in such programs. These parents are deeply concerned that their children develop fluent English in order to obtain better jobs and promotions in jobs. Some of them see bilingual education as an impediment to developing a high level of competence in English, and they consider themselves more competent than any public schoolteacher to teach their children Spanish, in the home. Some of the uneasiness about bilingual education results from misinformation about the nature of such programs. There is little awareness that in most bilingual programs the bulk of classroom time is devoted to instruction in English rather than Spanish; that most programs are "transitional" in their objectives and not simply concerned with maintaining the children's original language.

Clearly, however, some children of immigrant settlers--both legal

and illegal--need to be enrolled for some period of time in bilingual education programs, particularly older children arriving in the U.S. with no prior instruction in English. Such children are likely to be educationally impaired for life if the schools cannot provide them with a transitional bilingual educational experience.

Unfortunately, provision of bilingual education in California seems to have aroused much public concern not only about the (short-term) cost of such instruction but about its alleged potential for breeding "cultural separatism." It is clear, however, the Mexican immigrants who settle in California do not want to maintain the language barrier. On the contrary, most of them insist that their children acquire the English language skills necessary to compete successfully in an English-dominant society.

The near future will undoubtedly bring new pressures for curtailment of bilingual education and even for exclusion of "illegal alien" children from the public schools altogether. That has already occurred in Texas, where the state legislature in 1975 passed a law denying tuition-free public education to children who are not U.S. citizens or who have not been legally admitted (as permanent resident aliens) to the United States. Individual school districts could still legally admit undocumented children, but the state government would withhold from such districts its usual per-student subsidy. Deprived of state funds, school districts in many parts of Texas were denying admission to undocumented children by the end of the 1970s. There have been numerous court challenges to the 1975 law, with contradictory rulings by two federal judges. The issue may be resolved in 1980 by a federal appeals court ruling.⁵⁵ Meanwhile, thousands of immigrant children are being kept out of school,

or attend make-shift "alternative schools" established for them by Hispanic community groups.

The Texas law has the effect of penalizing children for the actions of their parents. It injures not only those who have been brought into the U.S. unlawfully by their parents, but children actually born in the U.S. to immigrant parents who cannot prove that the children are here legally because the births were not legally recorded or the birth records cannot be retrieved from disorganized, inefficient registry offices. If the exclusionary law survives court challenges, the long-term human losses and the long-term financial cost to taxpayers will be fearsomely high. As one Texas school superintendent recently put it,

"Most of these [undocumented] children will remain in the State of Texas. What we are doing is to perpetuate a generation of illiterates."⁵⁶

There is an important lesson to be learned from this experience, for California and every other state which is home to a substantial population of undocumented immigrant settlers.

THE QUEST FOR ECONOMIC MOBILITY

It has become fashionable among advocates of immigration restriction to depict the U.S. labor market as being segmented into two major caste-like sectors (usually called the "primary labor market" and the "secondary labor market"). The "new immigrants" from Mexico and the Caribbean enter the "secondary" sector where most jobs are low-paying, insecure, and offer little or no prospect for advancement. Mobility from the secondary labor market into the primary labor market is thought to be nearly impossible, at least for the present generation of largely undocumented immigrants and their offspring. Like their parents, the children will allegedly remain "locked in" at the bottom of the U.S. labor market,

due to their poor education, lack of job skills, a tendency to "resist assimilation" into U.S. culture, racial discrimination against them, and declining rates of growth in the U.S. economy. The assumption of little or no economic mobility--especially from the first generation to the second--is central to the "underclass explosion" theories discussed earlier.

Our research and that of other scholars leads us to the tentative conclusion that the "limited or zero mobility" assumption may be valid with respect to temporary Mexican illegal migrants who spend several sojourns in the U.S. during their working lives, but it does not apply to Mexican immigrants--whether legal or illegal upon arrival--who settle in the United States.⁵⁷ The settlers seem to emulate the upward mobility patterns of previous waves of immigrants to the United States.

Among the permanent settlers whom we interviewed in California and Illinois, movement to the U.S. per se produced an increase in occupational status for more than half. The most common mobility pattern was from unskilled farm laborer (last job in Mexico prior to emigration) to unskilled or semi-skilled urban service worker (first job in the United States). Since arrival in the U.S., 44% had experienced at least some upward mobility in occupational status, and virtually all had experienced significant income improvements, even discounting inflation. Common mobility patterns were from unskilled farm laborer (first job in U.S.) to urban service worker (present job in U.S.), unskilled service worker to factory operative or clerical/sales worker. Several had advanced to supervisory positions. In general, those who started lowest in the U.S. occupational hierarchy had achieved the most mobility since they settled in the U.S. The legal

settlers had experienced more job mobility than those who were still undocumented at the time of our interviews, but this was largely attributable to the legals' longer work experience in the U.S., their greater seniority in specific jobs, their greater likelihood of being union members, and their greater English-speaking ability. For example, 29% of the legal permanent settlers had good-to-excellent English competence, as compared with only 7% of the illegal settlers.

Even so, the illegal settlers had a considerably better occupational status profile than the temporary illegal migrants whom we interviewed in the same California and Illinois cities. For example, only 24% of the illegal settlers were employed in entry-level restaurant jobs (dishwashers, bus boys, kitchen helpers, etc.), as compared with 43% of the temporary illegal migrants. The illegal settlers were also considerably more optimistic about their prospects for advancement if they remained at their present place of employment: 82% believed that such advancement was possible for them, as compared with only 42% of the temporary illegals. The illegal settlers were even more optimistic about their prospects than the legal permanent settlers, about three-quarters of whom expected some improvement in their occupational status. Well over half of the illegal settlers had achieved at least a lower-middle-class standard of living (by U.S. standards). And among those immigrant settlers, legal and illegal, who had sons or daughters aged 21 or over living in the United States, about 60% of these children already had achieved some mobility in occupational status, vis-à-vis the jobs presently held by their fathers. Among them were several white-collar workers (a teacher, an accountant, an office clerk). While our sample is much too small to permit any firm conclusions, our findings are consistent with those of other recent studies based on far larger

numbers of cases.

In one of these studies, 25% of 563 formerly undocumented Mexican immigrants were found to have obtained jobs above the operative level (as craftsmen, clerical and sales workers, managers and proprietors, technicians and professionals) by the time they succeeded in legalizing their status in the United States.⁵⁸ Another study of undocumented Mexicans, interviewed prior to legalization of their status, found that incomes rose steadily with increased length of residence in the U.S., even though most of those who had worked in white-collar jobs in Mexico prior to emigration had not found comparable (white-collar) positions in the U.S.⁵⁹

A study of 1902 Mexico-born men interviewed during the 1970 U.S. Census found that the earnings of Mexican immigrants increase with time in the United States, and equal those of U.S.-born, Mexican-origin men after the immigrants have been here for about 15 years. After 20 years of residence in the U.S., the immigrants' earnings are actually higher than those of U.S.-born, Mexican-origin men. The same study found that the sons of Mexican immigrants continue the income improvement experienced in the first generation; indeed, the Mexican immigrants' sons had earnings 5-9% higher than those of Mexican-Americans whose parents had been born in the United States! The researcher concludes that the pattern of earnings among Mexican immigrants and their offspring is "very similar to the pattern observed for other race/ethnic groups" in the United States.⁶⁰

An analysis of intergenerational mobility patterns among the Mexican-origin population of California, based on data from the 1970 U.S. Census, yielded the following results:⁶¹

	(A) <u>Median income</u> (dollars)
1st Generation (urban males, aged 35-44, born in Mexico):	\$6,650
2nd Generation (urban males, aged 35-44, born in the U.S. of Mexican parents):	8,443
3rd Generation (urban males, aged 35-44, born in the U.S. of U.S.-born, Mexican-origin parentage):	9,047

	(B) <u>% holding white-collar jobs</u>
1st Generation (same definitions as above):	15.0
2nd Generation:	27.4
3rd Generation:	36.7

This and other studies also show that the Mexican-origin population in California has achieved considerably more economic mobility than the Mexican-origin population in Texas and other parts of the Southwest. There is less racial discrimination against Mexicans in California, a higher level of unionization, and higher wage scales, especially in job categories which account for a substantial proportion of the Mexican-origin population. The result, in California, is "favorable occupational structures which produce above-average earnings and the prospect for long-term employment" for Mexican-origin people.⁶²

The same studies point out that the Mexican-origin people--both immigrants and subsequent generations--still have a long way to go to catch up with the Anglo population in terms of income levels; also that gains in income among the Mexican-origin population have not kept pace

with their gains in educational attainment and occupational status. The gaps are narrowing, however, and the evidence suggests that in recent decades, intergenerational mobility patterns among the Mexican-origin population have become more similar to those of other immigrant groups, blacks, and Anglos.⁶³ Clearly there has been significant socioeconomic mobility, both within and across generations, despite persistent racial discrimination and poor-quality schooling. The present generation of Mexican immigrant settlers and their children do not seem destined to form a "permanent underclass at the bottom of our social ladder," unless their access to free public education and other basic human services is curtailed.

CULTURAL INTEGRATION

Another of the concerns raised most frequently with regard to the present generation of Mexican immigrants is its alleged "failure to assimilate," or its tendency to overtly reject integration into the host culture. For some college-educated, middle-class Anglo citizens, "assimilation" seems to mean becoming more like themselves, in terms of language, mannerisms, values. They tend to equate the maintenance of Spanish speaking and many elements of traditional Mexican culture among the immigrant population with cultural separatism--i.e., active rejection of the host culture, or at least a desire to insulate one's self from it. There is a tendency to see Mexican immigrants (and/or their offspring) as a marginalized, angry, alienated, hostile population. The low naturalization rate among Mexican immigrants, their limited involvement in community organizations, labor unions, and other formal associations of the host society, and even their residential clustering in certain neighborhoods

of the city are taken as indicators of this "failure" or "rejection" of assimilation.

We have found that some parts of this popular characterization are totally divorced from reality -- at least the reality of the permanent settler population of Mexican immigrants in California and Illinois. Other elements of it have been badly misinterpreted. Take, for example, the low rate at which legal Mexican immigrants become naturalized U.S. citizens. Traditionally, Mexicans have had a very low rate of naturalization, by comparison with immigrants of other nationalities. Since 1968, an average of only about 5800 Mexicans have naturalized each year, as compared with an average of more than 55,000 Mexicans who were admitted to the U.S. as permanent resident aliens each year during the 1968-1977 period.⁶⁴ Among the 87 legal immigrants we interviewed in 1978 in California and Illinois, only 4 were U.S. citizens by naturalization--a naturalization rate of about 5 percent.

But how should this be interpreted? We asked both the legal immigrants and the illegal settlers in our sample whether they expected to seek naturalization at some point in the future, and if not, why not. The most frequently mentioned reasons for not seeking naturalization were the English language proficiency requirement, fear that they would lose their property-holding rights in Mexico, and the hope of returning to Mexico eventually. For those who hoped to go back, acquisition of U.S. citizenship seemed unnecessary. Others, regardless of their future plans, saw no personal economic advantage to be gained by becoming a citizen. None of this implies rejection of the United States. It does reflect the immigrants' continuing economic and psychological ties with Mexico.⁶⁵

The naturalization rate among Mexican settlers may rise in future

years as levels of education and English proficiency increase. Among the illegal settlers whom we interviewed, 57% expressed a desire to become U.S. citizens eventually, and more than 21% of the legal immigrant settlers also wanted to naturalize. There appears to be considerable potential for increasing the naturalization rate among the younger generation of Mexican settlers. First, however, most of them must get over the hurdle of legalizing their status by becoming permanent resident aliens. Five years after obtaining such status, they can apply for U.S. citizenship. Surmounting the first obstacle is becoming considerably more difficult and costly, however.⁶⁶

Contrary to popular belief, Mexican settlers--even the undocumented ones--will participate in organizations in the U.S. communities where they live, if those organizations actively encourage their involvement and work to defuse the "fear factor." A veteran community organizer in southern California summed up his experience in dealing with undocumented immigrants as follows:

"What we have found is that, as a community group begins to get itself together on an issue, the undocumented people generally tend to hold back until the action is well underway. They hold back a little bit to see if it's going to be safe to be involved. But once they see that it's okay to get involved,... then more and more of the people get involved....It's very hard to tell who has papers and who doesn't; but the people in the community generally get involved."⁶⁷

The same applies to labor unions. Those in California which have aggressively recruited members from the Mexican immigrant population--with no questions asked about immigration status, and efforts to protect undocumented members from harassment by immigration authorities--have made considerable progress in organizing immigrant workers. Among the unions most active in this organizational effort are the International

Ladies' Garment Workers' Union (ILGWU), the Communications Workers of America, the International Union of Electrical Workers, the United Farm Workers' Union, and the Teamsters Union. Among the illegal permanent settlers whom we interviewed, 30% were union members (as compared with 56% of the legal permanent settlers). A recent study of undocumented Mexican high school students and their families living in Los Angeles and San Antonio found that at least 29% of the fathers were union members. Moreover, 91% of the undocumented students themselves reported that they wanted unionized jobs upon completing high school,

"because those were the jobs that paid the most money and gave the best benefits. A small percentage (9%) said they would not like to be in unions, mainly because they thought that union jobs, being the better jobs, would be more likely to [attract] agents of the Immigration and Naturalization Service, causing them to run a greater risk of being apprehended."68

Clearly, the conventional wisdom that undocumented Mexican immigrants are "unorganizable" and resistant to unionization efforts does not apply to most of the permanent settlers. They readily join unions when a modicum of encouragement and protection are provided. The proportion of union members among them would be substantially higher, were it not for the exclusionary membership policies of the unions, most of which still require U.S. citizenship or legal permanent resident alien status.

Are the immigrants hostile, alienated, resentful toward the host society? Again, the available evidence runs counter to popular suspicions. The data from several recent studies, including our own, show that most Mexican settlers are generally satisfied with their new lives in the United States. They have a sense of considerable achievement and confidence about their own future economic prospects as well as their children's future. Large majorities report that neither they nor any

member of their immediate family has experienced racial discrimination in the United States (79% of the Mexican immigrants in the Portes survey reported no such experiences; 71% of the illegal permanent settlers whom we interviewed said the same).⁶⁹ Nearly two-thirds of Portes's Mexican immigrant sample disagreed with the statement that "There is racial discrimination in economic opportunities in the U.S."⁷⁰ There is evidence that consciousness of discrimination increases with longer residence in the U.S. and greater knowledge of English, especially among the second generation. But most of the resentment is toward employers, and does not translate into a critical stance toward the whole society, and certainly not into a willingness to confront and tear down "the system."⁷¹ In other words, greater awareness of the host society's flaws does not necessarily lead to rejection of it. The beneficent view of American society which so many Mexican settlers continue to hold is all the more remarkable in light of the continuous barrage of media reportage and statements by public officials decrying the presence of "illegal aliens" in our midst.

CONCLUSIONS

What Can California Do?

The presence in California of a large but ill-defined population of illegal permanent settlers from Mexico, as illegal immigrants, is largely the result of federal law and policy. The effect of changes in federal immigration law and enforcement practices over the years, especially since 1964, has been to limit the option of legal entry into the United States from Mexico to a tiny elite. The remainder are condemned to waging a long, costly, and often futile struggle to legalize their status after they have moved to the United States. Unless the

individual has a specialized occupational skill, or a close relative (spouse, parent, or adult son or daughter) who is already a legal resident of the United States, the legalization channel may not be open at all.⁷² A large proportion of the illegal settlers living in California today would be legal permanent resident aliens or U.S. citizens today, were it not for a federal legal system which operates to exclude the vast majority of Mexicans who want to come to the U.S. legally to live and work.

But while federal laws and policies have contributed powerfully to the development of this problem, there are severe limits on the capacity of the federal government to solve it, at least in the short-to-medium run.⁷³ The economic and social forces on both sides of the border which operate to push and pull Mexicans into the United States are too strong, and the migration process itself is too deeply institutionalized after nearly 100 years, to permit any effective governmental intervention in the process in the short term. Most importantly, the demand for Mexican labor on the part of U.S. employers--especially in Sunbelt states with expansive economies--will remain high and, indeed, increase substantially during the next two decades due to shrinking supplies of U.S.-born labor and changing attitudes (especially among young people) toward manual work.⁷⁴ It is not possible to legislate away this strong employer demand, nor even to diminish it significantly, by penalizing the employers who hire the undocumented, as many have proposed.

A general amnesty for undocumented aliens who have been living in the U.S. for three or more years, or a very large increase in the quota assigned to Mexican nationals for permanent legal immigration, would

significantly reduce the "illegal settler" component of California's Mexican immigrant population. Such measures would require major new federal immigration legislation, however. Given the emotional nature of the issues involved, the diplomatic complexities involved in fashioning an immigration policy that is more "Mexico-sensitive" than the present system, and the regional rivalries within the U.S. which would inevitably come into play in any attempt to fashion a federal legislative "remedy" in this area, it is unrealistic to expect the U.S. Congress to enact needed immigration reforms which would benefit California in the foreseeable future.

So the immigrant settlers will be here, and large numbers of them, necessarily, will be here illegally. There is no evidence that California's economy cannot absorb them; indeed, they appear to be essential to the functioning of the state's economy as it is presently structured. California has probably become more dependent upon Mexican labor to perform a wide variety of necessary tasks in its economy, and upon Mexican consumers to purchase the goods and services which the state's economy produces, than any other state in the country. But the relationship between California and its immigrant settlers is a symbiotic one: California seems to provide a more favorable environment for achieving upward mobility among the immigrant population and its offspring than any other state, with the possible exception of Illinois.

For California, the beginning of wisdom, and of sound public policy in this area, is to recognize the substantial contributions of the Mexican immigrant population to its economy and cultural life; to recognize that many members of this population have become de facto permanent resident aliens, who will not simply "go away" if we make it tough enough

for them to make a living, or educate their children, or obtain medical care. In addition to being morally untenable, such a policy would be, in the long run, cost-ineffective and useless as a deterrent to the settlement of Mexican immigrants.

From a strictly fiscal point of view, the long-term burden on (non-immigrant) taxpayers in California would be minimized by assuming that many of the Mexican migrants now working in the state will settle there permanently and treating them as members of the stable population, whose basic needs should be met in the interest of the community itself. The goal of public policy-makers should be to identify ways of maximizing the future contributions of these immigrants and their children to California's economy and society, and of minimizing the costs to the taxpayer resulting from their integration into our society.

The costs of integrating them fully into the society need not be very high. The immigrants help themselves to the maximum degree possible; when outside assistance is needed, they vastly prefer informal, non-governmental sources of help (relatives, church groups, etc.). But some services--especially medical and educational--cannot be obtained in this way. During the next 5-10 years, in the wake of Proposition 13 and the Jarvis II state tax limitation initiative, there will be enormous pressures to exclude undocumented immigrants from even basic human services; to raise the barriers high and keep them high. Prudence dictates that such pressures be resisted. The extent to which the immigrants and their children have access to adequate health care, public education, and other basic human services (not welfare and other income-transfer programs) will profoundly affect their future income-earning potential and the likelihood that they will become a burden to taxpayers. If California

opts to ignore the realities of the situation -- to pretend that the immigrant settlers and their needs do not exist -- or to make it more risky and difficult for these people to obtain essential human services, it will succeed only in turning current concerns about "institutionalization of a permanent, alienated underclass" into a self-fulfilling prophecy. The state and federal governments seem to have come to the realization that a reasonable and humane assistance program for Southeast Asian refugees settling in California is a prudent investment of public resources. The same logic applies to the undocumented settlers from Mexico, who vastly outnumber the Southeast Asian refugees, but who are truly the "forgotten people" in the ongoing debate over immigration policy.

Regardless of the actions that the federal government may or may not take in this area, there are some steps that the State of California can and should take to improve the existing situation. First, the state should join county governments in pressing the federal government to assume a greater share of the responsibility for meeting the needs of the undocumented immigrant population for health care and education. This is eminently fair, since the immigrants themselves are enriching the federal treasury and the Social Security Trust Fund to the tune of hundreds of millions of dollars each year -- resources to which local and state governments in the areas where the immigrants live have no access, since most undocumented persons are not represented in the decennial census counts which determine federal revenue-sharing formulas. But to press the case for greater federal financial responsibility, the state and local governments must devise a much more accurate and non-

threatening (to the immigrants) system for documenting the utilization of public services by undocumented immigrants. The present system of referral to the U.S. Immigration Service for determination of legal residence status not only has the effect of deterring the undocumented from seeking needed services; it also yields a high rate of error.⁷⁵

Determining a person's immigration status is actually a difficult, complex task. And it cannot be left to persons untrained in immigration law (e.g., hospital admitting staff or classroom teachers).

The system of referrals to the INS should be ended, at least in the area of health care. This system--and the often exaggerated fears which it breeds within the immigrant population--is highly detrimental to the public health. Immigrants, regardless of legal status, should be encouraged to seek treatment for chronic diseases as well as preventive care, and public health care facilities should experiment with new ways of reaching into the immigrant community and reducing the risk involved in seeking medical care.

Since lack of English competence is probably the single most important barrier to job mobility for most members of the immigrant settler population, at least in the short term, their income-earning prospects and general integration into our society would be improved by a major expansion of opportunities for adult instruction in English as a second language (ESL). Workplace-based ESL programs would be especially welcome, and government subsidies or tax rebates to employers who institute such programs should be considered. Labor unions might also consider providing ESL instruction for their immigrant members. Federal government support should also be sought for an expanded effort in this area. In general, the objective should be to encourage and facilitate steady career development of immigrant settler workers throughout their working

lives, regardless of their progress in legalizing their residence in the United States.

Finally, there should be more stringent enforcement of minimum wage, fair labor standards, and anti-discrimination laws in employment, housing, and other areas. Mexican immigrants are often the principal victims in those situations where these laws are being violated, and the undocumented cannot use the legal system to seek redress. The recent work of the Concentrated Enforcement Program of the California State Division of Labor Standards Enforcement (Department of Industrial Relations) in combatting minimum wage and labor standards violations in California industries which employ large numbers of Mexican immigrants (the garment industry, restaurants, hotels and motels, nurseries and agriculture) is exemplary and should be expanded to cover as much of the state's labor force as possible.⁷⁶ Enforcement of these laws to reduce exploitation and abuses should be a continuing function of both the state and federal governments, not just something done on an ad hoc, "crash" basis.

What Remains to be Known?

There is a great deal which we do not yet know about the clandestine components of the Mexican immigrant population in California, especially the illegal permanent settlers and their children. Research that could help to resolve important policy issues concerning this population includes studies of the following:

- Health care for immigrants: What are the principal unmet needs? How widely are the problems and needs distributed through the immigrant population? Do the health problems of illegal permanent settlers differ from those of legal immigrants and temporary migrants? Are there any significant differences among these subpopulations in terms

of health service utilization? Under what circumstances do they seek care? How do they select among the available alternatives for medical care (public hospitals or clinics, private physicians, folk practitioners, etc.)? How can the delivery of preventive health services to the Mexican immigrant population be improved? How can the "fear factor" be reduced most effectively? What is the optimal system for payment of health care costs incurred by undocumented Mexican immigrants? What cost-sharing arrangements could be developed among the county, state, and federal governments, and what is the best system for documenting claims under such arrangements?

- Education: What are the principal problems experienced by immigrant children--both documented and undocumented--in California public school systems? What are the main problems encountered by the schools in dealing with them? What are the main sources of tension between immigrant children and non-immigrants? How well are the needs of immigrant students being met by existing bilingual/bicultural educational programs? What is the extent of underenrollment of immigrant children in public schools, and what can be done to ameliorate this problem? To what extent do the educational problems and needs of the children of undocumented immigrants differ from those of Mexican children whose parents are legal residents of the United States?
- Community Integration: In what ways does the growth of the Mexican immigrant community--and especially the permanent-settler component--in a given locality affect inter-ethnic relations, housing patterns, the development of community organizations, employment patterns, and other aspects of community life? Detailed, longitudinal studies of specific communities with large Mexican populations are essential to answering such

questions.

- The Changing Mexican Immigrant Population: How is it changing in terms of economic and demographic characteristics, permanency in the U.S., economic mobility patterns, and other attributes? How large is the "illegal permanent settler" component, relative to other elements of the Mexican immigrant population (temporary migrants, both legal and illegal; permanent legal immigrants)? Is the "mix" changing, and if so, in response to what factors? Again, detailed studies of the Mexican population in specific cities will be needed to provide answers.
- California's Changing Advanced Industrial Society: Is the host environment itself changing in ways which will affect its capacity to integrate Mexican settlers into satisfying and productive roles? What are the implications of tax limitation measures, technological change, shifts in the structure of employer demand for labor, energy shortages, and other kinds of economic, social, and political change underway in California for the integration of the Mexican immigrant population and its offspring? What steps can be taken to ameliorate the adverse impacts of such changes upon the immigrant population, and to minimize economic competition between immigrants and other disadvantaged Californians?

NOTES

A Note on Terminology:

In this paper, the terms "illegal immigrant" and "undocumented immigrant" are used interchangeably, to denote any person whose presence in the United States is in violation of current U.S. immigration laws. Such a person may have entered the country surreptitiously ("entry without inspection"), or he may have entered by presenting fraudulent documents, or with a valid temporary entry permit (a tourist or student visa, a 72-hour local border crossing card), the terms of which he violates by overstaying the allotted period and by accepting unauthorized employment in the United States.

While many Hispanic and church groups prefer to use the term "undocumented immigrant" exclusively to identify such persons, I have found that term to be an awkward euphemism which hinders communication with non-specialists, as well as a misnomer in many cases. Some "undocumented" immigrants actually possess documents, which they have obtained fraudulently or misused.

It is nevertheless true that many of the "undocumented" immigrants are actually documentable--i.e., they have a claim to legal residence in the United States. These include people who lack information on their eligibility for legal-resident status or about the procedures for legalizing their status, as well as people who have made application for permanent resident alien status but have not yet received their papers due to long processing delays by the U.S. Immigration and Naturalization Service. They are, indeed, "documentable" persons, but until the adjustment process is completed they are still in the U.S. "in violation of U.S. immigration laws." While they may not be deportable, they are still prevented from exercising the rights and privileges of legal permanent resident aliens. Former INS Commissioner Leonel Castillo estimated that there may be as many as 500,000 Mexican nationals now living in the U.S. who are in this "documentable-but-still-illegal" category.

1. See Clark W. Reynolds, "Labor Market Projections for the United States and Mexico and Their Relevance to Current Migration Controversies," Food Research Institute Studies (Stanford University, Food Research Institute), forthcoming, 1980; and Michael L. Wachter, "Labor Market Projections and Immigration," Paper Prepared for the Interagency Task Force on Immigration Policy, Washington, D.C., 1978; and Staff Report of the Interagency Task Force on Immigration Policy (Washington, D.C.: Departments of Justice, Labor and State, March, 1979), pp. 275-278.

2. Paul O. Flaim and Howard N. Fullerton, Jr., "Labor Force Projections to 1990: Three Possible Paths," Monthly Labor Review, Vol. 101, No. 12 (December, 1978), pp. 25-35.
3. See Abraham Hoffman, Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939 (Tucson, Ariz.: University of Arizona Press, 1974).
4. U.S. Department of Justice, "Illegal Immigration: President's Program" (Washington, D.C.: Office of the Attorney General, February, 1978, mimeo.).
5. U.S. Department of Justice, Immigration and Naturalization Service, 1977 Annual Report (Washington, D.C., 1979), pp. 26, 59.
6. See U.S. Department of Justice, note 5 above, Table 12, p. 59.
7. Carlos H. Zazueta, "Mexican Workers in the United States: Some Methodological Aspects of the National Household Survey (ENEFNEU) and Preliminary Results," Paper Prepared for the Working Group on Mexican Migrants and U.S. Responsibility, Center for Philosophy and Public Policy, University of Maryland, January, 1980, Table 8, p. 57. By comparison, only 36.6% of the Mexican migrants to the United States interviewed for a classic 1926 study by Manuel Gamio resided in California (Gamio, Mexican Immigration to the United States, originally published in 1930 by University of Chicago Press; republished in 1971 by Dover Publications, New York).
8. U.S. Department of Justice, note 5 above, Table 35, p. 108.
9. Unpublished interview data gathered by the author in Jalisco, Mexico, and in 10 California and Illinois cities, 1976-1978; Jorge A. Bustamante and Gerónimo Martínez G., "Mexican Undocumented Immigration: Beyond Borders but Within Systems," unpublished paper, El Colegio de México and Centro Nacional de Información y Estadísticas del Trabajo [CENIET], Mexico City, January, 1980, p. 9; and Zazueta, note 7 above, p. 67.
- 9A. See Josh Reichert and Douglas S. Massey, "History and Trends in U.S.-Bound Migration from a Central Mexican Town," Paper Presented at the 26th North American Meetings of the Regional Science Association, Los Angeles, Calif., November 9-11, 1979, p. 2; Richard Mines, "The Workers of Las Animas: A Case Study of Village Migration to California," unpublished Research Essay, Dept. of Agriculture and Resource Economics, University of California, Berkeley, May, 1978; and Robert D. Shadow, "Differential Out-Migration: A Comparison of Internal and International Migration from Villa Guerrero, Jalisco, Mexico," in Fernando Cámara and Robert V. Kemper (eds.) Migration Across Frontiers: Mexico and the United States (Albany, N.Y.: Institute of Mesoamerican Studies, State University of New York, 1979).
10. L. Manuel García y Griego, "El volumen de la migración de mexicanos no documentados a los Estados Unidos: Nuevas hipótesis," unpublished M.A. thesis in Demography, El Colegio de México, Mexico City, September, 1979; to be published in 1980 by the Centro Nacional de In-

formación y Estadísticas del Trabajo, Secretaría de Trabajo, Mexico City).

11. David M. Heer, "What is the Annual Net Flow of Undocumented Mexican Immigrants to the United States," Demography, Vol. 16 (1979): 417-424.

12. Even those who do not establish a permanent base in the U.S. tend to stay longer if they are employed in non-agricultural jobs. A recent study of 25,000 apprehended Mexican illegal migrants interviewed along the border in 1978 found that 16% of those who had held non-agricultural jobs had been in the U.S. for more than one year when apprehended by the U.S. Immigration Service, as compared with only 5% of the migrants who had been employed in agriculture. See Bustamante and Martínez G., note 9 above, p. 10.

13. Unpublished data from the CENLET study, described in Zazueta, note 7 above; García y Griego, note 10 above.

14. Interview with the Los Angeles Times, December 2, 1979, Part I, p. 26.

15. Vernon M. Briggs, Jr., "Foreign Labor Programs as an Alternative to Illegal Immigration into the United States: A Dissenting View," paper prepared for the Working Group on Mexican Migrants and U.S. Responsibility, Center for Philosophy and Public Policy, University of Maryland, February, 1980, p. 1.

16. Statement of F. Ray Marshall, Secretary of Labor, before the Committee on the Judiciary, United States Senate, Washington, D.C., May 11, 1978; and "Carter Acts to Solve Illegal Alien Problem: Sets Up Panel of Cabinet Officers to Deal with Issue" [interview with Secretary of Labor F. Ray Marshall], Los Angeles Times, February 22, 1977, p. 7.

17. Marshall, note 14 above, p. 26.

18. Michael J. Piore, Birds of Passage: Migrant Labor and Industrial Societies (Cambridge, London, New York: Cambridge University Press, 1979), pp. 59-85, 163-166. Piore includes a few caveats about (alleged) differences between the Mexican component of the undocumented immigrant population in the U.S. and immigrants from the Caribbean and elsewhere. But this discussion (pp. 163-166) seems intended mainly to explain why the Mexican immigrant population has been so slow to stabilize--i.e., to develop a substantial "permanent settler" component and a dissatisfied second generation. Despite the factual inaccuracies in Piore's account of the history of Mexican settlement and labor-market participation in the U.S., the thrust of the central argument remains intact: Sooner or later, the offspring of today's generation of Mexican permanent settlers can be expected to join the "second-generation rebellion."

19. Interview with the Los Angeles Times, June 6, 1978, p. 1.

20. See Arthur F. Corwin, Immigrants--and Immigrants: Perspectives on Mexican Labor Migration to the United States (Westport, Conn.: Greenwood Press, 1978), pp. 353-354.

21. Interagency Task Force on Immigration Policy, Staff Report (Washington, D.C.: Departments of Justice, Labor and State, March, 1979), p. 538.

22. Muriel Watson, spokesperson for the National Border Patrol Council in San Diego, quoted in Bob Williams, "Illegal Aliens Win a Beachhead for the Third World," Los Angeles Times, San Gabriel Valley edition, July 9, 1978, Part XII, p. 8.

23. Quoted in Neal R. Pierce and Jerry Hagstrom, "The Hispanic Community: A Growing Force to be Reckoned With," National Journal, April 7, 1979, p. 555.

24. David S. North, "Illegal Aliens: A Quintet of Myths," paper presented at the Annual Meeting of the American Political Science Association, Washington, D.C., September, 1977, p. 9.

25. Peter H. Wang, "The Immigration Act of 1924 and the Problem of Assimilation," Journal of Ethnic Studies, Vol. 2 (1974), pp. 72-73.

26. Mark Reisler, By the Sweat of Their Brow: Mexican Immigrant Labor in the United States, 1900-1940 (Westport, Conn.: Greenwood Press, 1976), p. 163. See also Ricardo Romo, "Responses to Mexican Immigration, 1910-1930," Aztlán: International Journal of Chicano Studies Research, Vol. 6, No. 21 (1975), pp. 188-190.

27. U.S. Senate, Committee on Immigration, Hearings on Emergency Immigration Legislation (Washington, D.C.: Government Printing Office, 1921, 66th Cong., 3d Sess.), p. 230.

28. Quoted in Paul S. Taylor, Mexican Labor in the United States: Valley of the South Platte, Colorado (Berkeley: University of California Press, 1929), p. 220.

29. Kenneth Roberts, "The Rising Irish Tide," Saturday Evening Post, CXCVII (February 14, 1920), p. 4.

30. Journal of the American Statistical Association, 1921.

31. Reisler, note 26 above, p. 261 (emphasis added).

32. Marshall, note 14 above, p. 26; and F. Ray Marshall, "Economic Factors Influencing the International Migration of Workers," in Stanley R. Ross (ed.) Views Across the Border: The United States and Mexico (Albuquerque, N.M.: University of New Mexico Press, 1978), pp. 163-180.

33. Roberts, note 29 above.

34. The "settler" component of the Mexican immigrant population has always been predominantly urban. In 1930, 55% of the Mexican-origin people censused in the U.S. Southwest were employed in urban-based occupations (U.S. Bureau of the Census, Fifteenth Census of the United States: 1930, Vol. 5: General Report on Occupations, Table 4). In 1960, 73% of the Mexican-origin population were censused in urban areas, and by 1970 the proportion had risen to 86% (Barry R. Chiswick, "An Analysis of the

Economic Progress and Impact of Immigrants," Report Prepared for the Employment and Training Administration, U.S. Department of Labor, under Grant No. 21-06-78-20, Sept. 15, 1979, Table 6-1, p. 6-6). By 1930 there were more than 69,000 Mexicans settled in Chicago and other midwestern cities (Gilbert Cárdenas, "Los Desarraigados: Chicanos in the Midwestern Region of the United States," Aztlán: International Journal of Chicano Studies Research, Vol. 7, No. 2 [Summer, 1976], p. 162). By the late 1920s, the Mexican population of Los Angeles was second only to that of Mexico City, and by 1930 almost 80% of the Mexican population in the whole state of California lived in counties which included the state's largest cities (Irving G. Hendrick, "Early Schooling for Children of Migrant Farmworkers in California: The 1920s," Aztlán: International Journal of Chicano Studies Research, Vol. 8 [1977], pp. 12-13). The "new immigrants" of recent years have simply followed their predecessors into these urban areas. A survey of 808 Mexican immigrants settling in the U.S. in 1972-73 found that 73% of both formerly illegal immigrants and of the total sample planned to reside in cities of 100,000 or more (Alejandro Portes, "Illegal Immigration and the International System: Lessons from Recent Legal Mexican Immigrants to the United States," Social Problems, Vol. 26, No. 4 [April, 1979], pp. 428-429). Nevertheless, the traditional stereotype of Mexican immigrants as rural-dwelling farm laborers persists. In 1979, Piore writes that "the major settlements [of Mexican workers] are in agricultural areas of the Southwest where the Mexican-American population today is not very different from the types of workers [one finds in] underdeveloped agricultural regions" of Mexico and other "sending" countries (Piore, note 18 above, p. 164).

35. Full details on the methodology used in our fieldwork in California, Illinois, and rural Mexico are provided in two forthcoming books by Wayne A. Cornelius: Building the Cactus Curtain: Mexican Immigration and U.S. Responses, from Wilson to Carter, and Los Norteros: Mexican Migrants in Rural Mexico and the United States, both forthcoming from the University of California Press, Berkeley. Virtually all other extant data on undocumented Mexican migrants pertain to transient workers who are not based permanently in the United States, or whose commitment to permanent residence here cannot be ascertained from the data.

36. When we asked a sample of 230 Mexican males who had worked in the United States as undocumented migrants at least once since 1969, "If you could get papers [legal immigrant status], would you like to live permanently in the U.S., or would you prefer to continue living here [in the respondent's hometown in Mexico] and working there [in the U.S.] from time to time?", fewer than 19% expressed a preference for permanent settlement in the United States. These men were interviewed in their homes, after they had returned to Mexico. A majority were interested in going to the U.S. again, but only as temporary migrants.

37. More than half of the legal permanent settlers whom we interviewed had also come to the U.S. for the first time with the intention of settling here.

38. A study of 73 illegal Mexican migrants who were attending high school in Los Angeles and San Antonio found that 85% of the youths who were living in the U.S. with their entire nuclear families would stay in the U.S. if their parents returned to Mexico. Their decision to remain was based primarily on the greater availability of work opportunities in the U.S., as compared with their hometowns. See Martin L. Sánchez Jankowski, "Urban Political Cultures and Minority Politics: A Case Study of Chicano Youth" (unpublished Ph.D. dissertation, Massachusetts Institute of Technology, 1979), pp. 270-271.

39. Sánchez Jankowski (note 38 above, p. 268) found that this was the ultimate goal of 65% of the Mexican undocumented migrant families who wanted to remain in the U.S. "indefinitely."

40. We found that fertility rates were significantly higher among temporary migrants (i.e., those still based primarily in Mexico), both legal and illegal. The temporary illegals had an average of 3.9 children at the time of our fieldwork, and temporary legal migrants had 4.3 children. The completed family size of these Mexico-based migrants would also be larger than the completed families of the migrants who had settled in the United States. We also found that illegal settlers who started having children in the U.S. rather than in Mexico (prior to settling in the U.S.) had even fewer children (1.9 per family).

41. Other researchers have also observed that first-generation Mexican immigrants usually have well-integrated extended family networks in the U.S., which they regard as superior to all other potential sources of assistance, either informal (neighbors, co-workers) or formal (government agencies, churches). These kinship networks often encompass three or more generations. See Susan E. Keefe, Amado M. Padilla, and Manuel L. Carlos, "The Mexican-American Extended Family as an Emotional Support System," Human Organization, Vol. 38, No. 2 (Summer, 1979), 144-152.

42. See Los Angeles County, Department of Public Social Services, Bureau of Special Operations, "Alien Status Verification Activity Quarterly Report," May 1, 1979.

43. This is purely conjectural, since there has been no systematic study of mental illness among the undocumented Mexican immigrant population living in the United States. In our interviews we found that most of the settler families appear to have made a satisfactory psychological adaptation to their new environment, in large part because of the emotional support provided by extended kinship networks. The only available data on mental illness among Mexicans who have worked in the United States comes from a study of returned migrants who were patients at a single clinic in the Mexican state of San Luis Potosí: Richard W. Morris, "Stress and Mental Illness Among Mexican-American Migrants in San Luis Potosí, Mexico," Ph.D. dissertation, Dept. of Behavioral Sciences, Rice University, Houston, Texas, 1980.

44. Quoted in Leo C. Wolinsky, "Officials Fear Economic Impact of Illegal Aliens," Los Angeles Times, San Gabriel Valley edition, July 9, 1978, Part XII, p. 5.

45. One major study of apprehended illegal Mexican migrants found that 44% had hospitalization insurance payments withheld from their pay checks. Only 3.7% of this sample had received free medical services in the U.S.--i.e., services whose cost was not covered by health insurance or by the migrant himself out of pocket (David S. North and Marion Houstoun, "The Characteristics and Role of Illegal Aliens in the U.S. Labor Market: An Exploratory Study," Report Prepared for the Employment and Training Administration, U.S. Dept. of Labor, Contract No. 20-11-74-21, 1976, p. 142). Among the illegal permanent settlers whom we interviewed in California and Illinois, fewer than 3% had received free medical care at publicly-supported institutions. Another study of illegal Mexican immigrant families in Los Angeles and San Antonio found that virtually all of those receiving medical assistance paid at least a portion of the cost, through medical insurance or out-of-pocket payments for items not covered by their insurance plans such as doctors' fees and laboratory tests (Sánchez Jankowski, note 38 above, pp. 269-270). Only one study has reported a significantly higher rate of uncompensated health care utilization. Based on records of initial screening interviews with clients of an immigration counseling center in Los Angeles, this study found that 37.3% of a sample of the center's clients between 1972 and 1975 owed county hospital bills at the time of their screening interview (Maurice D. Van Arsdol, Jr., et al., "Non-Apprehended and Apprehended Undocumented Residents in the Los Angeles Labor Market: An Exploratory Study," Report Prepared for the Employment and Training Administration, U.S. Dept. of Labor, Contract 20-06-77-16, 1979, p. 89). The center's staff reports, however, that most of the outstanding bills to county hospital were being paid off, in installments; that the vast majority of their clients eventually repay hospital bills in full (indeed, they are required to do so, and to present certification of no outstanding bills to public agencies from the California State Bureau of Resources and Collections, before they can obtain legal residence papers); and that 90% or more of the unpaid bills reported in the 1972-1975 screening interviews were incurred for hospitalization during childbirth. Obstetric care is the single most costly medical expense incurred by most immigrant families (at least \$600); they can and do pay for outpatient care and other lesser medical expenses when they are incurred or shortly thereafter. It should also be noted that the sample of undocumented immigrants represented in the Van Arsdol, et al., study contained an unusually high proportion of women, of whom an unusually high proportion were widowed, divorced, or separated from their husbands, and therefore far less able to repay hospital bills quickly. Finally, the study pertains to the 1972-1975 period, when it was still possible for undocumented adult immigrants to legalize their status by virtue of having children born in the United States. This was a strong incentive for child-bearing in the U.S. It was eliminated by a change in the federal immigration law which went into effect on January 1, 1977.

A study of public health care costs attributable to undocumented immigrants in Orange County, Calif. found that "overall, the undocumented immigrants are much better at meeting their financial obligations than other indigents. These people may not pay their bills immediately, but because of the INS requirement that they cannot owe any money to a government agency, they pay when they apply for legal residence" (Task Force on Medical Care for Illegal Aliens, "The Economic Impact of Undocumented Immigrants on Public Health Services in Orange County: Final Report to the Board of Supervisors," March, 1978, p. 53).

46. Since April 1, 1979, California state law has required all employers who have 20 or more employees to have pregnancy covered by their group health insurance plans. While many illegal permanent settlers are employed in firms that are even smaller, and are thus unaffected by this change in state law, the expanded coverage for those working in larger businesses should reduce the incidence of unpaid public hospital bills incurred by undocumented immigrants.

47. An illegal Mexican immigrant quoted in Alex Drehsler and Jon Standefer, "Illegal Aliens Become 'Invisible' Residents," San Diego Union, January 9, 1980, pp. A1, A12. The Pan American Health Organization has also found that among illegal Mexican migrants in the border area, "low incomes and unstable employment status limits their ability to pay for primary health care, and indeed their desire to seek it except in emergencies" (Boris Velimirovic, "Forgotten People: Health of the Migrants," Bulletin of the Pan American Health Organization, Vol. 13, No. 1, 1979, p. 74).

48. George M. Walker, Jr., "Utilization of Health Care: The Laredo Migrant Experience," American Journal of Public Health, Vol. 69, No. 7 (July, 1979), pp. 667-671. "Folk medicine" practitioners may be attractive to this population not only because they speak Spanish and claim curative powers, but because folk medicine is also "a means of reinforcing identity, cultural values, and emotional equilibrium" (see Isabel Lagarriga Attías, "Bases ideológicas de la medicina tradicional de los grupos marginados en México," Estudios del Tercer Mundo, Vol. 2, No. 4, December, 1979, p. 649; and Boris Velimirovic, ed., Modern Medicinal and Social Anthropology in the U.S.-Mexico Border Population, Washington, D.C.: Pan American Health Organization, 1978).

49. Task Force on Medical Care for Illegal Aliens, note 45 above, p. 11; and personal communications from immigration counselors in the Los Angeles area.

50. Jane R. Conard, "Health Care for Indigent Illegal Aliens: Whose Responsibility?" University of California, Davis, Law Review, Vol. 8 (1975), p. 121.

51. Task Force on Medical Care for Illegal Aliens, note 45 above, pp. 11-12, 51-52.

52. We found that 43% of the illegal temporary migrants whom we interviewed in California and more than 24% of the illegal settlers were employed in restaurants.

53. Task Force on Medical Care for Illegal Aliens, note 45 above, p. 59.

54. Calculated from Van Arsdol, et al., note 45 above, pp. 88-89. The difference between rates of public school utilization among our interviewees and the undocumented immigrants represented in the Van Arsdol, et al. study can be explained largely by differences in the composition of the two samples. As compared with the illegal settlers whom we interviewed, the immigrants in the Van Arsdol sample were older, had been living in the U.S. for a longer period, were more likely to be married

and living in the U.S. with spouse and children. Most importantly, the Van Arsdol sample is "self-selected"; it consists of persons who approached an immigration counseling center to obtain assistance in legalizing their status in the United States. As the authors of the study note, "Many persons apparently came to [the counseling center] to test the extent to which [kinship] ties to U.S. [legal] permanent residents or citizens could help them regularize their own status" (p. 38). In most cases, the only close relatives through which the center's clients could legalize their own status were their own, U.S.-born children. The study is limited to the center's clients during the 1972-1975 period, when U.S. immigration law still permitted the parents of U.S.-born children under the age of 21 to legalize their own status via the children.

55. Isías Torres, "The Fight for Tuition-Free Education for Undocumented Immigrant Children in Texas Continues," Immigration Law Bulletin (National Center for Immigrants' Rights, Los Angeles), Vol. 1, No. 3 (December, 1979), pp. 3, 6.

56. Vidal M. Treviño, Superintendent, Laredo Independent School District, Laredo, Texas; remarks to the Working Group on Mexican Migrants and U.S. Responsibility, Center for Philosophy and Public Policy, University of Maryland, meeting of February 1-2, 1980, Washington, D.C.

57. The assumption is only partially valid, even with regard to the temporary illegals. While most migrants of this type who make several trips to the U.S. do not increase their occupational status (e.g., move up from unskilled farm laborer to skilled factory worker from one trip to the next), their earnings do improve with additional work experience in the U.S.

58. Calculated from Portes, note 34 above, Table 7, p. 431.

59. Van Arsdol, et al., note 45 above, pp. 11-12. This sample contained an unusually large proportion of immigrants who had had a white-collar occupational history in Mexico. Such white-collar immigrants are the most likely to experience downward mobility (in terms of occupational status, though not necessarily in income terms) upon arrival in the U.S.

60. Chiswick, note 34 above, pp. 6-8, 6-10, 6-16, 6-17, 6-18. While the vast majority of Mexican males in Chiswick's main sample, drawn from the 1970 U.S. Census, were probably legal immigrants, he found similar mobility patterns among illegal Mexican migrants interviewed for another study. Chiswick's secondary analysis of data on apprehended Mexican illegals from the North and Houston study (note 45 above) reveals that, when age and educational levels are held constant, the earnings received by Mexican illegals rise significantly as they acquire additional labor-market experience in the United States (Chiswick, pp. 11-20, 11-22).

61. Fred E. Romero, Chicano Workers: Their Utilization and Development (Los Angeles: Chicano Studies Center, University of California, Los Angeles, Monograph No. 8, 1979), Tables 28 (p. 47) and 30 (p. 48).

62. Romero, note 61 above, p. 36. See also, in the same study, pp. 37-39, 46-49. Corroborating data are reported in Walter Fogel, "Job Gains of Mexican-American Men," Monthly Labor Review, Vol. 91 (1968), pp. 25-26; and Ellwyn R. Stoddard, Patterns of Poverty Along the U.S.-Mexico Border (El Paso, Texas: Center for Inter-American Studies, University of Texas at El Paso, and Organization of U.S. Border Cities and Counties, 1978), Table 4, p. 33; Chiswick, note 34 above, p. 11-22.

63. See Romero, note 61 above, p. 26; Lyle W. Shannon, "False Assumptions About the Determinants of Mexican-American and Negro Economic Absorption," The Sociological Quarterly, Vol. 16 (Winter, 1975), p. 5; Victoria F. Davison and Lyle W. Shannon, "Change in the Economic Absorption of a Cohort of Immigrant Mexican Americans and Negroes Between 1960 and 1971," International Migration Review, Vol. 11, No. 2 (Summer, 1977), pp. 198-199; Fred H. Schmidt and Kenneth Koford, "The Economic Condition of the Mexican-American," in Gus Tyler (ed.) Mexican-Americans Tomorrow: Educational and Economic Perspectives (Albuquerque, N.M.: University of New Mexico Press, 1975), pp. 93-94, 101-102.

64. See U.S. Department of Justice, note 5 above, Table 39, p. 113.

65. Among the permanent settlers (legal and illegal) whom we interviewed, 21% of the illegals and 36% of the legals still owned a house in Mexico; 5% of the illegals and 38% of the legals still owned agricultural land in Mexico; and a few even owned small businesses in their hometowns. Some believed (erroneously) that by becoming a U.S. citizen they would forfeit their right to hold this property. In fact, Mexican legal restrictions on property holding by citizens of other countries apply only to certain coastal and border zones, and to ejido (agrarian reform) land.

66. For an excellent analysis of the reasons, see Chad Richardson and Joe R. Feagin, "The Legalization of Undocumented Mexican Immigrants," paper presented at the Annual Meeting of the American Sociological Association, Boston, Mass., August, 1979. The difficulties have been compounded by a new law, passed by Congress in November, 1979 and effective January 1, 1980, which prevents undocumented immigrants from receiving assistance in regularizing their status from any agency which obtains funds from the federal Legal Services Corporation. Since most of the principal legal aid organizations involved in immigration counseling depend on funding from the Legal Services Corporation, the effect of the new legislation will be to severely reduce the availability of non-commercial, professional counseling to illegal immigrants wishing to regularize their status.

67. Quoted in Wayne A. Cornelius (ed.), "Immigration and U.S.-Mexican Relations: Abridged Transcript of a Conference at the Rockefeller Foundation, New York City, November 21, 1978," Working Paper No. 1, Program in United States-Mexican Studies, University of California, San Diego, May, 1979, pp. 77-78.

68. Sánchez Jankowski, note 38 above, pp. 278-279. All of the undocumented youths who feared unionized employment lived in San Antonio, where there is strong, generalized anti-union sentiment. None of the Los Angeles students expressed such concerns.

69. Alejandro Portes, Robert N. Parker, and José A. Cobas, "Assimilation or Consciousness: Perceptions of U.S. Society among Recent Latin American Immigrants to the United States," Comparative Studies of Immigration and Ethnicity, Occasional Papers Series, Center for International Studies, Duke University, 1979, p. 17. An estimated 70% of the Mexican immigrants in this study were formerly undocumented migrants.

70. Portes, Parker, and Cobas, note 69 above, Table 2, p. 16.

71. See Sánchez Jankowski, note 38 above, pp. 281-286. But compare Portes, Parker, and Cobas, note 69 above, pp. 21-22, 31.

72. See Richardson and Feagin, note 66 above, and Reichert and Massey, note 9A above, pp. 6, 12.

73. For a more detailed analysis of this point, see Wayne A. Cornelius, "Mexican Migration to the United States: The Limits of Government Intervention," in Susan Kaufman Purcell, ed., U.S. Relations with Mexico, special issue of Proceedings of the Academy of Political Science (Columbia University, New York), forthcoming, 1980; and Cornelius, note 35 above.

74. See Reynolds, note 1 above.

75. A study conducted by the U.S. Immigration and Naturalization and Naturalization Service in 1978 found that among the indigent hospital patients suspected of being undocumented aliens whose names were submitted to the INS by southern California counties over a two-year period, more than 27% were found to be legal residents of the United States (Task Force on Medical Care for Illegal Aliens, note 45 above, p. 9). A more recent compilation of data on such "referrals" shows an even higher rate of error in initial identification: More than 53% of the suspected illegals referred to the INS by the Los Angeles County Department of Public Social Services during the first quarter of 1979 were confirmed to be legal residents (Los Angeles County, note 42 above, Part I, p. 1).

76. For a description of the program and a statistical report of initial results, see comments by Joe Razo (Director, Concentrated Enforcement Program) and the Appendix to: American Friends Service Committee, Undocumented Workers in the U.S. Labor Market: Some Considerations for Public Policy (Pasadena and National City, Calif.: American Friends Service Committee and Centro de Asuntos Migratorios, January, 1980), pp. 23-29, 35-37.