The Political Economy of the Mexican Farm Labor Program, 1942–64

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Abstract: *Between 1942 and 1964, the Mexican Farm Labor Program brought in an unprecedented number of Mexican workers to perform harvesting jobs in U.S. agriculture. Started during World War II in response to wartime labor shortages, the program was extended for almost two decades after the end of the war. Yet it was fraught with political controversy, as Congress, growers, and the public debated labor needs in agriculture, the potential impact of foreign contracting on the domestic workforce, and the flexibility of imported labor. Drawing upon congressional hearings, international treaties, and government reports, this essay uses a political economy perspective to examine the process by which U.S. agriculture has come to depend on Mexican workers and the continued rationalization of foreign agricultural worker programs through a state-business alliance. A critique of the political economy of the Mexican Farm Labor Program also serves as a basis for formulating a viable H-2A program, the temporary or seasonal foreign worker program being debated in Congress today.*

Recruitment of Mexican contract labor to work in U.S. agriculture spans more than 150 years. The outbreak of World War II in 1939, however, significantly influenced agricultural production in the United States in general and California in particular. As the nation's leading producers of labor-intensive fruit and vegetable crops, California agricultural groups were keenly aware of the impact the war in Europe would bring to the region. Their primary concern was the loss of agricultural labor to the burgeoning war-related industries in the cities. As early as October 1939, the Federal Bureau of Agricultural Economics estimated that 1.7 million farmers nationwide would leave for urban areas. With the signing of the Selective Service and Training Act in 1940, the manpower requirement

for the armed services was projected to reduce the national farm population by 280,000 between April 1940 and January 1943. The secretary of labor, Frances Perkins, underscored the urgency of the labor shortage in defense industries when she announced that some 1.4 million jobs would need to be filled by 1941 (Kirstein 1977, 12–13).

In the spring of 1942, an interagency farm labor group was created to assess the labor situation and develop a contingency plan for importing Mexican labor. The agency comprised the War Manpower Commission, the Department of Agriculture, the Department of State, the Department of Labor, the Department of Justice, and the Office of the Coordinator of Inter-American Affairs. Following an official request for Mexican labor in June, representatives from both governments met on July 13, 1942 in Mexico City. The United States was represented by delegates from the Department of Agriculture and the U.S. Embassy, while the Mexican government sent representatives of the Foreign Office and the Department of Labor and Social Provision. A bilateral agreement was signed on July 23, 1942, and the bracero program was launched with the explicit intent of "providing strategic farm crops for the democratic cause" (13–15).

Started ostensibly as a wartime emergency measure, the Mexican Farm Labor Program outlasted the war by almost two decades. Despite reports disputing the supposed labor shortage, a spate of legislation appropriated millions of dollars to recruit and transport Mexican workers into the United States. Analytically, the Mexican Farm Labor Program from 1942 to 1964 can be divided into three distinct periods: legitimization, crisis, and normalization. While breaking down the program into these phases illustrates unique features of each period, it also demonstrates the utility of the political economy perspective in understanding the process and formation of a state-business alliance around the use of Mexican labor.

During the *legitimization* phase (1942–47), both governments devised plans to ensure protection and rights for Mexican and domestic workers. Mexican officials initially led the negotiations to frame the terms of the contract. They wanted to hold the U.S. government accountable should any mistreatment of workers occur. As for the United States, importation of laborers needed justification, given that laws passed in 1885 had prohibited recruitment of alien contract labor. Furthermore, the 1917 Immigration Act had established administrative controls that excluded aliens on the basis of certain personal qualifications, such as illiteracy. President Franklin Roosevelt waived these restrictive measures in order to admit Mexican workers for temporary employment in agriculture. More importantly, the

wave of legislation that extended the program repeatedly spoke to the controversial nature of contract labor and underscored the crucial need to rationalize government support for the program.

The second phase (1948–51) can be framed as a period of *crisis*. Public Law 40, passed on April 28, 1947, ended the wartime emergency Mexican Farm Labor Program on December 31 of that year. During the following three years growers unilaterally employed undocumented Mexican workers with the help of Immigration and Naturalization Service (INS) officers who legalized them at the border. Although the two governments resumed the bracero program shortly thereafter, it became clear that employers increasingly preferred undocumented workers. The Mexican government responded by raising quotas for bracero workers to prevent Mexican nationals from crossing the border illegally, but growers failed consistently to meet the quota specified in the bilateral agreement and instead chose to employ undocumented workers. Growers not only circumvented the bilateral agreement by hiring directly, but also relied on INS officers to legalize and transport Mexican nationals to employment sites.

The final phase (1952–64) is characterized as a period of *normalization*. Between the resumption of the bilateral agreement in 1952 and its demise in 1964, over 3 million bracero workers were contracted. Compared to the wartime emergency era, the number of braceros employed during peacetime was extremely high. This was done intentionally, to discourage the use of illegal workers. The INS leadership actively aided the effort to keep the supply of braceros flowing so as to prevent the agency from being in the onerous position of having to legalize undocumented workers. In addition, this period also witnessed an all-out effort on the part of the INS to drive out undocumented workers. The newly appointed INS commissioner, Joseph Swing, initiated "Operation Wetback" on June 17, 1954, and under this program the agency apprehended and deported over a million undocumented workers in that year alone. The combined effort of growers and the INS provided the former group with a steady supply of cheap labor, while the latter regained its legitimacy as a border patrol agency. This period, however, saw a new method of recruiting bracero workers. The INS issued so-called I-100 cards to braceros who successfully fulfilled their contract terms and proved to be "satisfactory" workers. Such a method for recruiting and selecting Mexican workers gave growers enormous flexibility and control. The Mexican Farm Labor Program came full circle: employers, Congress, and the INS successfully derailed the spirit of the bilateral agreement and unilaterally controlled the importation of braceros and undocumented workers alike.

Drawing primarily upon government reports, congressional hearings, and international treaties and correspondence, this essay uses a political economy perspective to highlight the interrelationships between political and economic institutions concerned with the use of Mexican farm labor. It attempts to show how government policies affect the allocation of scarce resources and how economic interest groups and institutions, in turn, shape laws and policies governing U.S. agriculture. Economic imperatives and political developments not only contributed to changes in the agricultural labor force during the bracero program, but also set the stage for the current debates on temporary or seasonal agricultural workers. While the policies of the Mexican Farm Labor Program clearly showed a pattern of collusion between various state bureaucracies and agribusiness leaders, the lawmakers debating the merits of the H-2A program today are well advised to consider carefully the lessons from the bracero program.

"Food for Freedom, Food for Victory": The Legitimization Period, 1942–47

At the outset of the bilateral agreement, the Mexican government viewed the U.S. official request for Mexican labor with skepticism, as numerous reports of mistreatment had marred their past experience.[1] Moreover, a massive return migration of penniless workers during the Great Depression was still fresh in their minds.[2] Not only had recruitment of mostly young, male workers drained Mexico of invaluable labor resources, but it had also created unstable economic and social conditions upon their return. For these reasons, the Mexican government rejected unilateral recruitment by growers. Instead, it sought to establish a formal system that would guarantee protection of workers against any form of discrimination and hold governments accountable for their mistreatment.[3]

For the United States, procuring labor from Mexico was perceived as an immediate necessity in the wake of the Pearl Harbor attack. The advocates of foreign labor recruitment argued that agricultural production of fruits, vegetables, and dairy was critical for the war effort.[4] As the cries of labor shortage increased, labor unions seized the opportunity to improve the bargaining position of agricultural laborers by demanding better working conditions and higher wages. It became apparent that any sort of foreign labor recruitment scheme would need to satisfy various interest groups. Representing a diversity of views on foreign labor, an interagency committee comprising the departments of State, Labor, Justice, and Agriculture

was formed in early 1942. Its main dilemma was to find a way to resolve the labor shortage with minimum impact on domestic labor. The temporary labor arrangement through contracts legitimated the committee's decision to import foreign labor. Moreover, the committee assigned the United States Employment Service (USES) to assess labor needs, in order to mitigate fears among domestic agricultural workers. It was determined that only in areas where a labor shortage was certified by the USES would foreign labor be used to supplement the existing workforce. Moreover, the INS officials were required to fingerprint and prepare documentation for braceros, in order to ensure their return to Mexico upon completion of the contracts.

The 1942 bilateral agreement was a clear departure from the earlier labor importation programs in several important respects. To begin, this agreement incorporated many of Mexico's demands, guaranteeing mainly nondiscriminatory treatment of its nationals. The establishment of a blacklist by the Mexican government showed that Mexico not only took charge of the negotiation process, but also reinforced its determination to protect Mexican workers from discrimination. Despite repeated pleas by Texas governor Coke Stevenson, the Mexican foreign labor minister, Ezequiel Padilla, refused to send braceros to Texas, where racial prejudice against Mexican laborers had been prevalent in previous years.[5] Other aspects of the agreement dealing with wages and employment also reflected Mexican leadership in the negotiations. Article 15, for instance, stipulated that "the employer shall pay the Mexican worker not less than the prevailing wage rate paid to domestic workers" and that "in no case shall the Secretary of Labor [authorize] a wage rate … insufficient to cover the Mexican worker's normal living needs" (U.S. Department of Labor 1959a, 8). Moreover, Article 16 allowed Mexican workers the opportunity to work for at least three-fourths of available work days. Finally, the agreement made employers pay for the cost of transporting Mexican workers from a reception center to the place of employment. In short, these provisions provided the basis for intergovernmental cooperation and supervision of contract terms.

Despite the involvement of two governments in "unusual collective bargaining tasks," growers tried to maximize the flexibility of Mexican labor (Craig 1971, 51). Once the bilateral accord guaranteeing the supply of labor was established, growers used braceros to maintain "a full labor reservoir," in order to prevent wages from rising and to weaken the bargaining power of domestic labor unions (Anderson 1963, 12). From 1942 to 1947 a total of 219,600 braceros were admitted, averaging 36,600 annually. These

numbers were, however, consistently short of quotas set by the Mexican government. The growers' entreaties for additional labor did not match the actual number of field hands brought in through the Mexican Farm Labor Program. The War Food Administration, for instance, argued on behalf of growers that 75,000 workers were needed to meet labor needs in 1944. To this end, the Mexican government waged a nationwide recruitment effort in areas outside Mexico City, including Irapuato and Guadalajara, but the Office of Labor consistently failed to fill the quota. During the first two years of the wartime labor recruitment program, U.S. growers did not recruit the maximum number allowed.[6] The failure to meet the quota year after year raised doubts as to the validity of labor shortage claims. But it soon became apparent that braceros were being supplemented by a growing number of undocumented Mexican workers. According to INS records, the number of undocumented persons apprehended during this period increased dramatically from a low of 11,715 in 1943 to over 190,000 in 1947, a figure that was almost ten times the number of braceros coming in.

While the bilateral agreement represented an official channel through which a steady supply of labor could be obtained, growers did not want just any kind of labor. They wanted labor over which they could exert direct control. Numerous provisions and bureaucratic procedures attached to the Mexican Farm Labor Program made the process of importing braceros inflexible. For this reason, growers allied with government officials in efforts to make the worker selection process more advantageous for them. Initially, growers tried to replace the Farm Security Administration (FSA) with the Extension Service, which was seen as more sympathetic to grower interests.[7] Various agricultural newspapers aired growers' negative views of the FSA. In an article entitled "The Spotlight on FSA" (April 4, 1942), *Southern Pacific Rural Press* charged that the agency's "incompetence, communistic activities, and illegal use of funds are worse than farmers had imagined." When the interagency farm labor group announced its intention to place the FSA in charge of the Mexican Farm Labor Program, farmers feared that it "would result in efforts to unionize the workers and regiment the farmers."[8] A month after the program was launched, farmers made their discontent known publicly. On September 5, 1942, the same newspaper reported the concerns of the farmers: "That's what we are fighting against abroad—dictatorship. … What sort of Americans would we be if we surrendered to dictatorship by the Communist-tinged Farm Security Administration on the home front …" When Mexico terminated the program temporarily on February 8, 1943, growers immediately attacked the FSA leadership

for demanding rigid compliance from farmers.[9] In the following month the FSA's control of the Mexican farm labor transportation program ceased with the establishment of the War Food Administration (Wilcox 1946).[10]

From the beginning of the wartime emergency program in 1942 to its end in December 1947, growers continuously rationalized the program.[11] Congressional bills dealing with appropriation for and continuation of the program reflected both the growers' desire to leave this official channel of labor supply uninhibited and the various government agencies need to justify the program. A longtime critic of the bracero program, Ernesto Galarza of the National Farm Labor Union, viewed braceros as "shock troops" whose "flexibility and transferability" made them, in the eyes of growers, preferable to domestic agricultural laborers (1964, 65). The fact that braceros could be "readily moved from operation to operation and from place to place" provided growers with "the best kind of crop insurance" in times of emergency, and the fact that they could be deported at a moment's notice served as an "answer to commercial farming's prayers" (55). Needless to say, the combination of "flexibility" and "disposability" made bracero labor ideal from the grower's point of view. Having ousted the FSA from control, growers persisted in their call for labor through the Extension Service. After a brief period of disruption in the Mexican Farm Labor Program, Public Law 45, passed on April 29, 1943, significantly undermined the position of domestic labor vis-à-vis foreign labor. Section 4(a) of PL 45, for instance, prohibited the use of federal funds to transport a domestic worker "from the county where he resides … to a place of employment outside of such a county without the prior consent … of the county extension agent" (Kirstein 1977, 19). Moreover, Section 5 of the law authorized the INS with the approval of the attorney general to "regulate" alien worker traffic on its own terms. PL 45 marked an important juncture in the Mexican Farm Labor Program, for it allowed both bilateral and unilateral recruitment. In the ensuing years, several laws were enacted to sustain the bilateral character of the program while INS officials played a pivotal role in legalizing undocumented workers at the border by furnishing them with photo identification cards bearing their fingerprints.[12]

Legalizing "Wetbacks": Administrative Crisis, 1948–51

Despite the end of the war in 1945, the Mexican Farm Labor Program continued to operate under laws that extended the program to the end of 1947. On December 28, 1945, PL 269 extended the program until

December 31, 1946. PL 707, enacted on August 9, 1946, served as the first legislative authority to continue the contract labor system on a basis other than wartime emergency. When the bilateral agreement was temporarily suspended, the United States resumed unilateral importation of Mexican workers. This action was premised on a broad interpretation of the 1917 Immigration Act, which, according to its Ninth Proviso in Section 3, allowed the attorney general to admit "inadmissible aliens" to the United States for a temporary period. The end of the Mexican labor program in 1947, on the one hand, and the actualization of the Ninth Proviso, on the other, resulted in an unprecedented number of undocumented Mexicans coming in. Ironically, the number of braceros contracted during peacetime far exceeded the number brought in during the wartime emergency period. Two developments explain this anomaly. First, during the first few years of the Mexican Farm Labor Program a sizable number of undocumented workers were already working alongside the legally contracted braceros. Since it was costly and inefficient for growers to abide by the provisions of the bilateral agreement, many chose to circumvent the bureaucratic procedures by hiring undocumented workers directly. Second, in the postwar period the bargaining position of the Mexican side waned considerably, and the management of the bilateral program also weakened after the war ended. The failure to enforce the contracts essentially provided growers with cheap labor, while the INS legalized undocumented workers during the intermittent period in which the two governments conflicted over contract terms. As a consequence, the bargaining position of domestic agricultural unions diminished as growers continued to favor politically powerless foreign workers over domestic workers. At the same time, the growing concern over domestic agricultural labor resulted in the creation of a statewide committee to survey the seasonal worker problem in California (March 3, 1950) and eventually led to the formation of the President's Commission on Migratory Labor on June 3, 1950. Thus, this period is marked by continuation of the Mexican contract labor program through congressional decrees, collapse of administrative control over the agricultural labor program, and legalization of undocumented Mexican workers by the INS on behalf of growers.

The number of undocumented workers crossing the U.S.-Mexico border steadily increased as the expiration date of the farm labor program drew near. This isn't clearly reflected in the apprehension records of the INS. In 1946, for instance, there were almost 100,000 apprehensions, of which close to 80 percent were Mexican nationals who were either deported by the INS or permitted to depart voluntarily (U.S. Department

of Justice 1947, 18). In the ensuing years the number of apprehensions increased dramatically, exceeding 190,000 in 1947 and half a million in 1951 (Calavita 1992, 217). Such a sharp increase in illegal traffic can be attributed to two important developments affecting the framework of the postwar farm labor program.

First, the negotiations between the United States and Mexico broke down because of sharp conflicts over the location of recruitment centers, the practice of blacklisting states, and the lack of administrative control over the agreement terms. According to Garcia y Griego (1980), the Mexican government began to lose ground in its negotiations with the United States. One confrontation had to do with the location of recruitment centers. In the previous period, the Mexican government had maintained firmly that the centers should be located in the interior of Mexico, in order to minimize the effects of massive migration on the country's northern states. They feared that agricultural production in that region might be adversely affected by border recruitment, and furthermore, that the proximity of recruitment centers to the border facilitated illegal migration to the United States. Despite these objections, new recruitment centers were opened in towns near the border, including Monterrey, Chihuahua, Zacatecas, Tampico, Aguascalientes, Hermosillo, and Mexicali. In a second area of disagreement, the Mexican government's determination to protect its nationals from discrimination by blacklisting Texas from the labor program was gradually undermined. In 1947, for instance, Mexico lifted the ban on Texas on the condition that undocumented Mexicans in that state be legalized.[13] Under this agreement, some 55,000 illegal Mexican workers were legalized in the summer of 1947. This, however, did not prevent incidents of discrimination, and Mexico summarily reinstated Texas on the blacklist. The final charge that tested Mexico's power to enforce its interests came in the early summer of 1949, when the United States insisted that cessation of undocumented worker traffic would be contingent upon lifting the Texas ban. Mexico's submission to the demands of U.S. officials proved critical as its other concerns, such as wage rates and the integrity of the bilateral agreement itself, were either resolved in favor of the United States or abandoned altogether (30–34).

The second reason for the increase in illegal traffic was the practice of legalizing undocumented workers north of the border. An international executive agreement concerning employment of Mexican agricultural workers in the United States was effected by an exchange of notes on August 1, 1949. Acknowledging the seriousness of the undocumented traffic, both governments agreed to adjust the legal status of these workers once they were

employed by growers. The agreement stipulated further that workers illegally in the United States would be given employment preference, with the USES certifications and INS authorizations pursuant to Article 9 of the agreement. All other Mexican workers illegally in the United States would be promptly returned to Mexico. The agreement established the individual work contract, which was signed by prospective employers and braceros at the reception centers in the United States. Although this contract was made between employer and employee, the governments negotiated specific terms of the agreement. Major aspects of the agreement stipulated that workers would be paid the prevailing wage as determined by the secretary of labor, and employers were prohibited from hiring Mexicans who were in the United States illegally. Other provisions covered methods of compliance, transportation and lodging (subsistence) expenses, and prohibition of private contracting (U.S. Department of State, *United States Treaties*, 1949, 1048–1155).

The 1949 agreement had unintended consequences. By 1950 illegal traffic on the U.S.-Mexican border reached new heights. The INS apprehension record showed that more than 500,000 arrests were made in that year, leading to deportations or voluntary departures. The dramatic increase in the number of undocumented workers during this period can be attributed most importantly to legalization of illegal workers. Between 1947 and 1951, INS officials legalized undocumented workers on three different occasions. The first legalization effort was in the spring of 1947, immediately following the end of the wartime emergency program. The Mexican government reasoned that it would be unwise to allow additional Mexicans to be recruited and imported under contracts when there was a significant number of undocumented workers already employed by U.S. growers. Moreover, growers on the Mexican side were reluctant to have more of their labor supply taken away, and farm employers in the United States also favored legalization because they could retain experienced workers and save on transportation costs. In that year, the total number of "non-legalized" contract employees was registered at around 31,000, but the 55,000 legalized Mexican nationals constituted the majority of the workforce (U.S. President's Commission on Migratory Labor 1951, 52). The 1949 agreement thus allowed contracts for undocumented workers who entered the United States prior to August 1, 1949. Consequently, a total of 87,220 undocumented workers were legalized in 1949, while only 19,625 Mexican farmworkers were imported under the agreement.[14]

The mechanics of legalizing undocumented workers presented the INS with an administrative dilemma. Instead of legalizing workers on the spot,

INS officials took them to the U.S.-Mexico border. At that point INS officers distributed identification slips to undocumented workers and instructed them to cross the border momentarily, thus being legally "deported." These same workers then became aliens eligible to be contracted. Although such legalization of undocumented workers was intended to reduce the number of illegal workers in the United States, the policy of favoring employment of undocumented workers produced the opposite effect. It created an incentive for an even greater influx of illegal workers who wanted to become contract workers through the INS. More importantly, the alliance between the INS and growers became evident in 1948, when thousands of undocumented Mexicans were ushered to farm employers by unilateral action of the United States. The so-called "El Paso incident" in October served as an important indication of what could happen if the Mexican government insisted on setting the terms of the contract.[15] In January and February 1954, the U.S. government again unilaterally recruited undocumented Mexicans. The following month, Congress enacted PL 309, which permitted unilateral importation of Mexican workers if bilateral negotiations broke down. This law eliminated the need to get approval from the Mexican government. While the 1949 agreement was intended to reduce illegal traffic of workers, the legalization provisions led to a tremendous influx of Mexicans to the border communities.

The sudden increase in the number of undocumented workers naturally concerned U.S. officials. In October 1949, Representative Helen G. Douglas of California wrote to President Harry Truman urging him to "give the farm worker some of the attention he deserves and to join those who have recommended … the appointment of a commission to investigate agricultural labor" (*Congressional Record* 1950, A1127). And in December, California's state director of public health initiated a study of various problems related to migrants in the six southern San Joaquin valley counties. "The basic problem," the study committee argued, "is a chronic one, complicated by a variety of social and economic factors." As a possible solution to the dilemma, the committee recommended that "the Federal Social Security System be broadened to include agricultural workers of all categories." Unable to provide more effective solutions for the health-related concerns, a committee member angrily retorted: "the best solution to the problem of migratory labor is to have no migration."[16]

During congressional hearings on "Migratory Farm Workers," Representative Douglas echoed the findings of the State Department of Public Health. The migrant problem, she argued, should be seen "not as

an isolated health problem, or school problem, or housing problem. The economic problem is basically affected by the supply of labor in relation to the need for labor. I am convinced that there is a surplus of farm labor, not only in California, but throughout the Nation." She argued that since the war, "this American tragedy, once described in John Steinbeck's Grapes of Wrath but dismissed as a temporary phenomenon of the last depression, has returned. My conclusion is that we ought to stop the importation of foreign migratory labor" (A1131–33).

Subsequently, the President's Commission on Migratory Labor, which was created through Executive Order 10129, held a series of hearings to investigate the extent and consequences of migrant employment in agriculture.[17] Testifying before the Senate Subcommittee on Labor and Labor-Management Relations, Juanita Garcia, a migrant farmworker born in Westmoreland, California, shared her views on the increasing presence of undocumented workers and legalized Mexican workers ("nationals") in California:

> In the Imperial Valley we have a hard time. It so happened that the local people who are American citizens cannot get work. Many days we don't work. Some days we work 1 hour. The wetbacks and nationals from Mexico have the whole Imperial Valley. They have invaded not only the Imperial Valley but all the United States … Last year [ranchers] fired some people from the shed because they had nationals to take their jobs. There was a strike. We got all the strikers out at 4:30 in the morning. The cops were on the streets escorting the nationals and wetbacks to the fields. The cops had guns. The ranchers had guns, too. They took the wetbacks in their brand-new cars through our picket line. They took the nationals from the camps to break our strike. They had 5,000 scabs that were nationals. We told the Labor Department. They were supposed to take the nationals out of the strike. They never did take them away. (U.S. Senate 1952, 229)

The National Farm Labor Union (NFLU) kept a close watch on the bilateral labor program, and its members testified repeatedly before state and federal hearings on labor issues. Representing the union, Ernesto Galarza addressed Congress on the inseparable relationship between illegal and legal workers. Galarza argued, according to the 1952 congressional hearing records, that "The corporation farm interests consider both the nationals and the wetbacks as complementary parts of their cheap labor supply." Having access to both types of labor allowed the growers to readily shift from one to the other "according to the state of public opinion, the degree of trade-union pressure and the political situation in Congress." He pointed

out that farm employers throughout the state hired "wetbacks" and contracted legalized nationals "in the same crews, on the same fields, under the same owners and operators." Galarza was especially dismayed to find that in the counties of San Joaquin and Stanislaus foreign workers constituted the overwhelming majority; the ratio of undocumented workers to nationals to domestics was six to three to one, respectively. Moreover, he testified that "growers who had received crews of nationals turned them over to labor contractors, who then proceeded to house them in the same camps with illegals, using both types of labor as indiscriminate parts of the labor pool" (U.S. Senate 1952). Jacinto Cota, a farmworker from the Imperial Valley, summed up how the domestic workers felt about the increasing encroachment of undocumented workers in the valley:

> The nationals and wetbacks from Mexico have pushed out local people because they will do any kind of work on farms for low wages. When they work they have to work very fast. The locals won't speed up for low wages. Years before the nationals and wetbacks came into the Imperial Valley the local people used to work steady and the row foremen were not like they are now. Now they push and bawl people out and act tough. That is because nationals and wets are scared to talk back. The ranchers tell them they will send them back to Mexico … All the local people will have to leave the Imperial Valley if they keep bringing in nationals and wetbacks when they don't need them. The wetbacks are just like poison. The wetbacks go around and where they see a crew of people working they ask for a job. They don't care what the wages are … Sometimes they don't get any wages at all, only beans, coffee, and tortillas … We local people live in the valley. We have worked there all our lives. We have our families there. We have our homes. We are not going to be pushed out. We have our union now and we are going to keep fighting. (U.S. Senate 1952, 256–57)

Growers continued to hire undocumented Mexicans, despite strong opposition from labor unions. In its monthly publication, the Associated Farmers boldly reported the "advantages" of employing "wetbacks":

> The wet back is a man imbued with a spirit of venture … He is willing to work at tasks which other men reject. Without him many farmers would be unable to operate, or, if they did operate, they would be unable to do so profitably … He is a man who actually wants to work. No one ever, to our knowledge, heard of wet backs striking … They seldom quit a job voluntarily, nor are their wants of a nature that drains commerce of scarce articles of clothing or food … Thousands are deported, many of them several times … While we are doing that we are importing other thousands of refugees from Europe. Not many of these will do the kind

> of work expected of the wet back. And when their job is done, they do not return to their home. They are here to stay. (1951, 4)

The farm employers, indeed, did not hesitate to employ "wetbacks" in times of need. During testimonies before the President's Commission, growers near the border revealed their intention of using whatever labor they chose. The manager of the Agricultural Producers Labor Committee, for instance, argued that they had a "peculiar right to get Mexican workers." He stated:

> If Government red tape and the inability of the two Governments involved prevent us from putting under contract the help we need during the peak harvest seasons, we will use wetbacks, because we are going to harvest our crops. We have wetbacks in our employ today. In fact, one of our association's representatives is in El Centro and Calexico today legalizing wetbacks. (U.S. President's Commission on Migratory Labor 1951, 73)

Legalizing undocumented workers during this period of negotiations became a dominant feature of labor recruitment. For Mexico, the constant drain on its own agricultural labor force adversely affected its ability to harvest crops. It also did not make sense to contract additional labor when a large number of Mexican nationals were already present in the United States. When U.S. officials told the Mexican government that some 30,000 workers would be needed immediately in Monterrey, Nuevo León, Mexico insisted that it would be politically impossible to contract laborers for the United States anywhere in Mexico because of opposition from Mexican growers and labor unions. As an alternative plan, Mexico suggested again that undocumented workers be legalized regardless of whether they entered before or after the agreement on August 1, 1949. To this, the INS expressed its disapproval, stating that such a provision "would make it difficult, if not impossible, for the INS to continue its deportation campaign directed against wetbacks since there would be inequality of justice (some wetbacks deported and others given work contracts)" (U.S. Department of State, *Foreign Relations*, 1950, 955). In a memorandum to Mann, the director of Middle American affairs, Rubottom, the officer in charge of Mexican affairs, said that a compromise could be reached. He called for the continued deportation of "wetbacks," but with Mexico permitting, he wanted some of them to reenter the United States legally and be contracted to meet farm labor demands. Rubottom, in fact, recommended that "the legalization of wetbacks is the most practical method" through which the government can "assure growers in other States a labor supply, avoid another 'El Paso incident,'

and keep intact the agreement with Mexico at a time when it assumes possibly greater importance than before" (957). On July 26, 1950, a new agreement was reached to legalize Mexicans illegally in the United States.[18]

Local growers, however, systematically undermined the State Department's efforts to curb the tide of "wetback" traffic through negotiations with the Mexican government. The government officials were told by representatives from the Labor Department and senior officers from INS to "go easy" on enforcement of immigration laws in order to facilitate the legalization process. Consistent with a resolution of the California Farm Bureau Federation (CFBF) on "Supplemental Agricultural Labor Program," various agricultural groups sought to expand the supply of Mexican labor with the help of INS officers.[19] The INS district director at El Paso testified that field officers had been ordered to ease up on deportations until crops were harvested. The director lamented:

> Over the years … nearly every year at cotton-chopping or cotton-picking time, the farmers would send a complaint to the Secretary of Labor … or to the Commissioner of Immigration, I am certain for no other purpose than to cause an investigation that would result in one of two things: Either I get word from some higher official to go easy until cotton-chopping time was over, or cotton-picking time was over; or the men who were doing the work would be so upset by the investigation that they would go easy on their own. (U.S. President's Commission 1951, 175)

The pressure applied to INS field officers was not limited to border communities, but was also found in other states where Mexican labor was used during harvest seasons. An immigration officer in the Northwest district recalled an incident:

> I might state that in 1949 representatives of the Federal Employment Service asked us not to send our inspectors into the field to apprehend "wet" Mexicans, for the purpose of deporting them, until after the emergency harvesting the crops had been met. In that particular instance, we did not send the officers into the field as early as we would have otherwise. (76)

The INS continued to play a pivotal role in facilitating the flow of labor from Mexico. The 1949 agreement, which allowed legalization of Mexicans, led to a heightened traffic of illegal workers as thousands of Mexicans flooded the border with the hope of becoming legally contracted. Although the Ninth Proviso of the 1917 Immigration Act permitted the attorney general to make exceptions for otherwise "inadmissible aliens," the practice

of legalizing "wetbacks" presented the INS with a legal and moral dilemma. Moreover, farm employers repeatedly violated the spirit of the 1949 agreement by hiring undocumented workers and reportedly bribing Mexican authorities in an effort to have the agreement vitiated. The government's promise to provide better working conditions for domestic workers was clearly misleading, since they were forced to compete with undocumented workers that the INS helped to legalize. Growers' persistence severely undermined the Mexican Farm Labor Program by compelling the U.S. government to contract undocumented workers. Flexibility of Mexican labor was again restored, allowing a steady flow of easily manageable workers. Given these precedents, U.S. growers increasingly utilized contract labor from Mexico as evidenced by the sharp rise in the number of bracero workers during the normalization phase.

Normalization of the Bracero Program, 1952–64

During the summer and fall of 1950, the President's Commission on Migratory Labor held twelve hearings in various regions of the United States. Witnesses who testified included farmers, representatives of grower-processor organizations, labor union leaders, various government officials, social workers, and migrant workers. In addition, the commission visited work sites in order to ascertain the actual field conditions. On March 26, 1951, the commission submitted its report to the president and published its findings and recommendations. The report and the verbatim testimonies provide a comprehensive documentation of problems related to the Mexican Farm Labor Program.

In the opening paragraphs of the letter to the president, the commission recommended that "no special measures should be adopted to increase the number of alien contract laborers beyond the number admitted in 1950." This conclusion was reached after careful consideration of existing labor needs in agriculture. The commission stated further that "future efforts should be directed toward supplying agricultural labor needs with our own workers and eliminating dependence on foreign labor." When the domestic labor pool bottoms out, the commission argued, "foreign-labor importation should be undertaken only pursuant to the terms of intergovernmental agreements." In no instance should the U.S. government legalize and contract aliens illegally in the United States. The report made clear that foreign labor should be used as a last resort, giving preference to citizens of the offshore possessions of the United States, such as Hawaii and Puerto Rico.

Congress debated intensely whether or not to extend the 1949 agreement. There were two main themes. First, conflicting views were expressed concerning the suitability of importing foreign labor in light of the strong opposition from domestic labor unions and farmworkers. Given the findings and recommendations of the President's Commission, public officials who opposed the extension of the international agreement questioned whether concerted efforts had been made to employ domestic labor before importing foreign workers. Second, the increasing number of undocumented workers was of grave concern to both countries. For Mexico, the attraction of undocumented workers to the border states seriously undermined international agreements. For the United States, the preponderance of undocumented workers effectively eroded the status and role of domestic migrant laborers, and labor unions attributed a sharp increase in undocumented workers to the practice of legalization at the border.

Controversy Over the Ellender Bill

Focusing on these two points, the debates intensified as the expiration date of the 1949 agreement approached. Those who supported continuation of the Mexican Farm Labor Program wanted to ensure employer compliance through standard work contracts, as requested firmly by the Mexican government. Having participated in a weeklong discussion with the Mexican side, Senator Allen Ellender (D-LA) urged his colleagues in the Senate to assist in enforcing the agreement. He argued that unless the U.S. government took steps to enact laws that would guarantee employer compliance with the individual work contracts, the agreement would be terminated. Senator Ellender introduced S. 984, a bill holding the U.S. government accountable for carrying out its part of the agreement.[20]

The strongest opposition to S. 984 came from Senator Dennis Chavez of New Mexico. In response to Senator Ellender's reference to the agreement with Mexico, Senator Chavez retorted, "We may do what may be agreeable to our neighbors, but I also want to see that American labor is taken care of" (*Congressional Record* 1951, 4419). Mindful of the recent report of the President's Commission, Senator Chavez presented a cogent defense of American farm laborers. Although the bill would supposedly give priority to American workers, Senator Chavez was not convinced. "Consider the millions of dollars we appropriated last year for unemployment," he argued. "If no local labor is unemployed, why do we spend $172,000,000 a year of the American taxpayers' money?" (4480). As stated explicitly in the 1949

agreement, the USES was required to verify availability of domestic labor before certification could be made to import foreign labor. But Senator Chavez and others in the Senate were concerned that very little had been done to recruit domestic labor. Senator Chavez insisted:

> I have no objections to Mexicans. I go out among them more than anyone else in the Senate, I believe. However, I still believe that the man in New Mexico, perhaps the father of a boy who died in Korea, should have an opportunity, if he wants it, to get at least some stoop labor … I want to import laborers when we need them, still I say that if American labor is available it is our duty to see that our labor is employed … What is wrong about a poor Indian from the Navajo Reservation, or a citizen of Oklahoma, or of any other State who needs work, having a priority? (4480)

The opposition to the bill was based on the fact that the President's Commission had recommended against importing additional foreign labor. Senator Chavez remained steadfast in his position and supported his argument by citing a letter he received from Archbishop Robert E. Lucey, who participated in a nationwide investigation carried out by the commission. The archbishop wrote:

> May I sincerely commend your efforts to amend the farm labor measure now under Senate consideration so that it will contain at least some standards of decent working conditions and will not encourage a further influx across the border of large numbers of Mexican workers who are not needed. Having long studied the farm-labor situation in this area … I firmly believe that the demand for further Mexican workers is not justified. If a small number of alien workers are required, immediate steps should be taken to organize our farm-labor force which in itself should be adequate for our needs. (4490)

In response to the commission's report, Senator Ellender, who also chaired the Committee on Agriculture and Forestry, replied that his committee did not have an opportunity to consider the report. This is because he submitted the bill several days before the commission's report was made available. But even when the commission's report became available, a New Mexico senator charged that the Committee on Agriculture and Forestry never took the commission's recommendations into consideration.

Consistent with the President's Commission report, senators provided counter-arguments to the presumed labor shortage in agriculture. They pointed out that the labor shortage was not absolute but related to the wages paid to farmworkers. Senator Herbert Lehman of New York, for instance, reiterated the importance of maintaining the prevailing wage rate

for stoop labor, so that the standard for all other labor within the area could be maintained. Also, he observed that while there had been an increase in the use of hired hands, American farmworkers were working fewer hours. Senator Chavez echoed the problem of underemployment among thousands of domestic farmworkers. Referring to the Joint Congressional Committee on the Economic Report, Senator Chavez argued that "there were a million and a half rural nonfarm worker families with incomes of $2,000 or less in 1948 … Full employment of the workers in the families would add approximately 900,000 workers to the effective labor force" (4484).

As the debate over S. 984 escalated, public interest in the question of agricultural labor increased. An editorial entitled "Report on Migrant Labor," published in America (April 21, 1951), argued that American migrant workers were "scandalously exploited" (*Congressional Record* 1951). It blamed this deplorable situation not only on large, highly mechanized "farm factories," but also on federal and state agencies such as the Farm Placement Division of the USES, which grossly exaggerated the labor shortage problem. The article contended: "It is a shortage of Americans who are willing to work at the inadequate wage rates and under the substandard conditions which the farm owners offer." The editorial noted that the President's Commission report had found "a growing inequity between agricultural and industrial wages. In the 1910–14 period hourly farm-wage rates amounted to two-thirds of factory wages. Today they are little more than a third." The problem of low wages was compounded by the failure to provide farmworkers with sanitary housing, adequate health services, and educational opportunities for their children. Unlike industrial workers, agricultural workers were excluded from unemployment insurance and unprotected by the Taft-Hartley and Wages and Hours acts. "It is an astonishing fact," the editorial said, "that foreigners brought to this country by agreement with neighboring governments are better off than many American farm workers" (1951, 4582).

Other senators, however, revived the wartime emergency argument in support of the bill. The Korean War (1950–53) provided another pretext for importing foreign labor to ease the shortage of labor in the United States. But beneath the surface argument lay the greed of American commercial farmers who preferred to hire politically powerless workers from foreign countries. By the 1950s, America's dependence on foreign labor in agriculture had deepened to such an extent that stoop labor had become associated exclusively with foreigners. Senator Edward Thye of Minnesota alluded to the inevitability of foreign worker dependency:

> There is certain work which must be performed in the harvesting of root crops, such as sugar beets and potatoes which involves what is called "stoop" labor. It is the kind of work which is most tedious. If a job of that kind were offered to the average American worker, under present conditions, when factories and the employers in every other field are bidding for workers, he would take the job which was far more pleasant than the stoop labor required in digging potatoes, or topping sugar beets, or thinning sugar beets, or working in the cotton fields … We should enact some type of law which will permit the bringing in of Mexican labor or offshore labor, the type of labor willing to work in the beet fields, the onion patches, and fields producing all types of root crops, as well as in the cotton fields. (4419)

In response to the charge that the international agreement with Mexico could displace American labor, the senator from Minnesota introduced two amendments. The first gave American workers priority in agricultural employment, and the second established the prevailing wage rates and other conditions of employment. Other amendments to the bill, however, compelled the employer to post a bond for each bracero and penalized employers for hiring undocumented Mexicans; these led to strong criticism from growers. In short, growers wanted to pass the Ellender bill without any modification. A telegram from a farmer-rancher in New Mexico to Senator Chavez clearly set forth the position of farmers:

> Am advised you have introduced amendments which will emasculate the provisions of this legislation. Urgently request you reconsider these amendments and push passage as bills are now written … Our entire organization of 6,000 members [is] strongly behind this legislation, which is of vital interest in view of huge cotton acreage planted as requested by our defense officials. (4486)

Even though the Ellender bill prohibited employers from hiring undocumented workers, Senator Chavez thought that it did not go far enough to protect domestic workers. The bill, for instance, did not make it a punishable offense to hire the undocumented. The senator argued that the practice of employing such labor would go unchecked, since employers could take advantage of the undocumented worker's precarious legal status. "If he complains or rebels or gripes," Senator Chavez contended, "he is reported to the Immigration Bureau" (4485). A *New York Times* reporter, Gladwin Hill, intensified the debate with a series of articles on this very question. In an article headlined "Million a Year Flee Mexico Only to Find Peonage Here," Hill reported that "there are fewer than 900 border patrol officers to guard the whole 1,600 miles of boundary, and sometimes

the deportees get back into the United States before the deporting officers do." Moreover, the "wetback" traffic not only depressed "the general standards of wages and working conditions," but also undercut domestic labor by "taking jobs from tens or thousands of native citizens, farm and urban workers alike." "There is no secrecy about the situation," Hill concluded, since "the main problem [stems from] the falsework of rationalization that has grown up over the years to justify the system and maintain it." Echoing the skepticism expressed by many, Hill argued that "wetback" traffic severely undermined Mexican contract labor and became almost inextricably enmeshed with it.[21]

As did Ernesto Galarza of the NFLU, Senator Chavez persistently pushed for an amendment that would make employers accountable for employing Mexicans illegally in the United States. Senator Ellender finally succumbed to these pressures and sponsored a bill that made it a punishable offense for employers to hire undocumented workers. In addition, Senator Hubert Humphrey drafted another amendment allowing INS officers to inspect places of employment (4485). Finally, the new agreement specified that "no workers shall be made available under this title to … any employer who has in his employ any Mexican alien [who] is not lawfully within the United States" (U.S. Department of Labor 1959a, iv). With these amendments and modifications, the Ellender bill passed the Senate and was signed by President Truman on July 13, 1951.

Public Law 78 and Intergovernmental Efforts to Stop "Wetback" Labor

The Ellender bill became Public Law 78, amending the Agricultural Act of 1949 and giving permanence to earlier executive agreements for importing contract labor from Mexico. The stated purpose of the Mexican Farm Labor Program was to assist the secretary of agriculture by supplying necessary labor from Mexico for the production of agricultural commodities and products. In this effort, the secretary of labor was authorized to do the following: recruit workers, establish and operate reception centers, ensure transportation, provide emergency medical care and burial expenses, assist such workers and employers in negotiating contracts, and guarantee compliance by employers with the payment of wages and transportation.

To ensure maximum utilization of domestic labor, Section 503 of the law stipulated that the secretary of labor must determine and certify availability of domestic workers, assess the impact of foreign worker employment

on domestic workers, and make "reasonable efforts to attract domestic workers at wages comparable to those offered to foreign workers." In all, forty-one articles of PL 78 specified the details of the agreement. Broadly, PL 78 can be divided into six categories. First, it defined terms used in the agreement, such as "Mexican workers," "employer," "wages," personal injury," and so on. Second, it emphasized the intergovernmental authority and obligations related to verification, supervision, and inspection of various aspects of the contract. Third, it outlined the cost and means of transporting workers from and to the reception centers. Fourth, various articles addressed specific terms of the contract, including termination, guaranties, extensions, time limitations for filing applications, and wages. Fifth, the law clearly identified employer responsibilities, including maintaining records of work and earnings. Finally, it outlined the rights and responsibilities of workers, including compensation for injuries, exemption from military service, right to select their own representatives, and protection of rights under U.S. law.

Article 11 of the agreement stipulated further that the employer and the Mexican worker must sign the Standard Work Contract, and both parties were prohibited from changing the work contract without the consent of the two governments. The Standard Work Contract included 25 additional articles dealing primarily with lodging, wages, employment guaranties, and other responsibilities and rights of workers and employers. The 1951 international agreement and the Standard Work Contract together provided a comprehensive labor contract that addressed the shortcomings and criticisms leveled at previous labor agreements (Copp 1963, 69). Shortly after the enactment of PL 78, the U.S. and Mexican governments entered into another agreement on August 11, 1951, formalizing the continuance of the Mexican Farm Labor Program. This agreement was extended to May 11, 1952 and again to June 30, 1952 with little difficulty.

The agreement, however, left unresolved the problem of undocumented workers. Although the agreement prohibited employers from hiring undocumented workers, this provision alone had neither deterred employers from using such labor nor stemmed the tide of Mexicans crossing the border illegally. In fact, the U.S. and Mexican governments concurred on resolving the problem of undocumented labor as a condition for extending future international agreements on agricultural contract labor between the two countries. President Truman had sent a letter to Mexican president Miguel Alemán in July expressing his concern that competition from undocumented workers made "improving working conditions and living

standards for our citizens and for the contract workers from Mexico" very difficult. In addition, he argued that illegal immigrants also brought with them other "undesirable social consequences." In response to the letter, President Alemán expressed the importance of providing an acceptable solution to the problem by combining their efforts. Mexico, too, felt that an uncontrolled flow of undocumented workers to its northern neighbor could "redound to the detriment of the economies" of both countries. More importantly, it was a "diplomatic embarrassment" for Mexico, which, in effect, surrendered its power to regulate workers by allowing growers in the north to recruit and place workers unilaterally.[22] In the end, both the U.S. and Mexican governments agreed to limit the extension of a new agreement to a six-month period, in order to compel Congress to "act upon the more basic problem of controlling illegal immigration" (U.S. Senate 1980, 39–40).

Despite the officials' firm resolve to deal with the swelling undocumented worker problem, employer sanctions were never implemented. At a meeting of representatives from the INS and the departments of State, Labor, and Justice, it was evident that Congress was unable to act on "anti-wetback" legislation, as farmer groups strongly opposed amendments that would penalize them for employing undocumented workers. Commissioner Mackey of the INS also reported that budgetary limitations prevented his agency from effectively reducing undocumented worker traffic (U.S. Department of State, *Foreign Relations* 1951, 1505–07). The following March, Congress enacted the Immigration and Nationality Act of 1952, which reaffirmed the earlier provision stipulating penalties for anyone responsible for importing, transporting, or harboring undocumented persons. But the 1952 act had specifically exempted employers from the penalties for harboring. At the same time, the executive branch succeeded in getting support for strengthening the INS border patrol agents (U.S. Senate 1980, 39–40). The result of these discussions at various levels of government reflected at least two important objectives of the U.S. government: securing contract labor from Mexico and curtailing undocumented worker traffic.

Realizing that Mexico's request for employer sanctions would not be politically feasible, various U.S. government officials discussed alternative strategies to reduce the number of undocumented workers without inhibiting the supply of Mexican labor. It was revealed that Stowe (White House), Mann (Inter-American Affairs), and Rubottom (Middle American Affairs) had considered importing labor unilaterally without explicit consent from Mexico, "regardless of the consequences" (U.S. Department of State, *Foreign Relations* 1952–54, 1325–26). On the question of undocumented

labor Attorney General Herbert Brownell proposed a drastic measure: ordering the Army and the National Guard to curtail the "wetback" traffic.

Assistant Secretary of State Cabot suggested that the Justice Department's proposal to use the military to stop "wetback" traffic would likely provoke incidents that might endanger the amicable relations between the two countries. At the same time, he surmised that inaction could produce adverse effects "due to the tremendous pressure of the 'wetback' movement." Faced with a difficult problem, Cabot concluded:

> Under these circumstances and recognizing that we face a choice of evils, it seemed to me better to seize the bull by the horns, see how effective military measures could be on one section of the frontier, stimulate both sides to demand a mutually satisfactory bracero agreement and do what we can to convince the Mexican government that our measures were at least in part due to their pressure.[23]

Despite the recommendation to "seize the bull by the horns," Ambassador White disagreed that force should be used to deal with the situation. "It seems to me," the ambassador argued, "that such a policy is just as unimaginative and negative a policy as it was to intervene with troops years ago in some of the Caribbean and Central American Republics." Moreover, Ambassador White feared that any hasty action would be viewed negatively by other Latin American countries. "What would it be," asked White, "when troops are called out to man the Border and also when incidents occur?" White feared that injuries or even deaths of undocumented Mexicans at the hands of U.S. soldiers would inflame anti-American sentiment in Latin America that could possibly spread to the rest of the world.[24]

Other alternatives were sought in the interim period of agreement negotiations. Belton, the officer in charge of Mexican affairs, wrote to Cabot, suggesting that no Social Security cards be issued to "wetbacks" and that employers be prohibited from treating as income tax deductions monies paid to persons not holding such cards. In addition, he not only supported the use of airlift to transport "wetbacks" to the interior of Mexico, but also urged the Mexican government to do more to prevent Mexicans from crossing the border illegally in the first place. Although the Mexican government had opposed, on constitutional grounds, patrolling some distance from the border (about 100 miles) for the purpose of discouraging illegal border crossings, a *New York Times* article reported that some patrolling had taken place south of the border. This, Belton thought, would do much to protect the border from "wetbacks." Finally, while negotiations were taking

place between the two governments prior to the agreement expiration on December 31, Belton suggested exploring the possibility of unilateral recruitment should the new type of agreement not "prove feasible."[25]

Although numerous ideas were offered to deal with undocumented labor, no viable agreement was in sight before the expiration of the agreement on December 31, 1953.[26] In a letter from the secretary of state to the president, White expressed the need to make "fundamental changes to make a new agreement worthwhile." Otherwise, he argued that pressure to undertake unilateral recruitment in the absence of an agreement would be too great. This fear turned into reality the following March, when Congress enacted PL 309 authorizing the secretary of labor to recruit Mexican workers in the absence of a treaty. This codification of the U.S. intention to import Mexican labor without the consent of the Mexican government proved to be the most effective threat. A week after the passage of PL 309, the two governments reached a new agreement. The 1954 accord contained five important provisions, which the U.S. government had modified from the previous agreement. First, it allowed the secretary of labor to determine the prevailing wage rate. Second, it met the Mexican government's demand that nonoccupational insurance be provided for braceros. Third, it approved the blacklisting of some states provided the decision was jointly made. Fourth, it allowed employers to pay in proportion to the time in which braceros were employed. Growers in the United States had long complained that they should not have to bear the cost of return transportation and subsistence in cases where braceros were unable to fulfill the contract period. Finally, the accord provided for opening recruitment centers near the border in Mexicali and reactivating those at Monterrey and Chihuahua (Craig 1971, 121–23).

"Operation Wetback" and Normalization of the Bracero Program

Attorney General Brownell was unsuccessful in getting the Army and the National Guardsmen to begin a massive deportation drive of Mexicans illegally in the United States. As expressed in intergovernmental meetings, such action would have surely backfired on the recent agreement with Mexico. Any deportation plan, therefore, would need explicit consent from the Mexican authority, while protecting farmers from the sudden disappearance of farmworkers. Toward this end, the U.S. officials secured Mexican cooperation by putting in place necessary railway arrangements to transport

deportees into the interior of Mexico. INS officials also informed growers in the Southwest that such effort would be conducted, so that they could apply for contract workers from Mexico in advance. Having established necessary administrative and procedural plans, a former lieutenant general of the Army, Joseph M. Swing, who was appointed the commissioner of INS by Brownell in May 1954, launched "Operation Wetback" on June 17, 1954.

General Swing hired generals Frank Partridge and Edwin Howard to assist him in devising strategies for an all-out deportation of undocumented persons. Their plan focused on precision, timing, and efficiency. After touring the border areas, General Swing noticed poor coordination among the border patrol sectors and inefficient operation of patrolling duties. General Partridge attempted to maximize flexibility and mobility of patrol agents in a number of ways. First, he eliminated district control and established a regional headquarters, placing supervision and management of the operation under the control of a regional chief. Second, he established a senior patrol inspector who was authorized to deal directly with field officers in varied districts, sectors, or regions where his attention might be urgently required. In addition to Partridge's reorganizational efforts, Swing revived the Mobile Task Force, which was designed by Harlon B. Carter, a veteran of the INS, to accelerate roundup operations with highly mobile, self-sufficient units (Garcia 1980, 172–73).

The Mobile Task Force consisted of twelve-man squads, each equipped with automobiles, jeeps, trucks, buses, and planes. Communication between squads was facilitated by special radio that could alert the teams on the ground and in air. The roundup began at the center of the designated area and proceeded outward in concentric circles to force escapees to the edge of the blocked-off area. The mop-up operation was carefully coordinated between the air teams and land crews, which consisted of local and state law enforcement officers (174). Two different routes were established: male detainees were deported through the staging areas in California to Nogales, Arizona, and from there across the border, while families were forced to depart through the ports of Mexicali and Tijuana (U.S. Department of Justice 1954, 32).

The coordinated effort between federal and local officers proved enormously successful. During the first week of the operation the INS claimed that it had apprehended some 1,727 aliens daily, and over one million persons were repatriated by the end of the year. Mexican officials cooperated in the effort by placing the apprehended persons on special trains from Nogales to the interior of Mexico. But Commissioner Swing's plan was not to arrest and deport every undocumented person forcibly. He also relied on

voluntary departures by announcing the planned operation over the radio and through the press well in advance. Employers were, in turn, urged to make arrangements to bring in contract labor. The success of this operation in California allowed the commissioner to expand and shift the Mobile Task Force into other areas. During the congressional hearings in June 1954, Swing requested an additional $3 million to supplement the existing operating budget, for personnel, aircraft, vehicles, and so on (32–33).

After the Mobile Task Force operation broke the backbone of the wetback invasion in California, the operation shifted to Texas. There thousands were apprehended by the air-ground teams and transported by plane to the staging areas for prompt return to Mexico (U.S. Department of Justice 1955, 14). This operation led to over 60,000 voluntary departures. The mop-up operation continued and soon spread to major cities in other states, including Spokane, Chicago, Kansas City, and St. Louis. It was found that Mexicans illegally employed in industrial jobs in all of these cities accounted for one in every ten apprehensions nationally. By the end of the fiscal year in June 1955, the rate of apprehensions dropped considerably, and the commissioner proudly declared that the so-called wetback problem no longer exists (15).

While the operation was taking place, INS officers facilitated admission of legally contracted braceros. As a consequence, the number of such contracts increased steadily. From just over 200,000 bracero workers contracted in 1953, the number more than doubled in three years. In order to expedite the process of employing Mexican workers, the INS issued laminated "I-100" identification cards to those who successfully fulfilled their contracts (U.S. Department of Justice 1956, 4). The USES then gave priority to cardholders when they reapplied for contracts with U.S. growers.

Operation Wetback proved to be important in restoring the legitimacy of the INS. The success of the operation helped to eliminate the agency's image as an "inept, slovenly, and ineffective branch of the government" (Garcia y Griego 1980, 177). Moreover, it became clear to growers and the public that the INS would no longer tolerate violations of immigration laws. This, of course, did not mean that the agency was unsympathetic to growers' needs. On the contrary, the INS continued to play a critical role in providing a steady supply of workers to farm employers. The INS card system, for instance, allowed growers to filter out undesirable workers and gave them power to pick and choose workers. Operation Wetback thus presumed to have eliminated the undocumented worker problem. Commissioner Swing stated: "The border has been secured" (U.S. Department of Justice 1955, 15).

The success of Operation Wetback depended on a combination of factors, the most important of which was garnering cooperation from growers. Galarza observed: "The [illegal] traffic became suppressed only when it became possible to assure farm employers, substantially on their terms, that they could have as many contract laborers as they might demand" (U.S. Senate 1980, 42). From the start of Operation Wetback in 1954 to the end of the bracero program in 1964, over 3.6 million Mexican contract workers were admitted. The annual average of Mexican contract workers brought in during this period exceeded the annual average during the wartime emergency era (1942–46) by a ratio of eight to one. But, as Julian Samora notes, the total number of legally contracted braceros fell short of the more than 5 million undocumented workers apprehended during the program's twenty-two-year life (42). In reality, Operation Wetback and the normalization of the Mexican Farm Labor Program in the early 1950s reflected a major compromise on the part of Mexico, for the Mexicans clearly became much less effective in negotiating the terms of agreement.

Demise of the Bracero Program: 1959–64

After the 1954 agreement, the Mexican Farm Labor Program was repeatedly extended until its end in 1964.[27] The termination of the program stemmed in large part from a reduction of the demand for labor due to increasing mechanization of cotton and other crops; from the program's adverse impact on domestic farmworkers; and from a tighter administration of the program by the Department of Labor. The political economy of the agriculture sector was important as well. Mounting opposition to the program from labor and social welfare groups exposed the long-standing collusion between government and commercial farm interests at the expense of domestic agricultural workers in the Southwest.

According to a Department of Agriculture study, there has been a steady decline in the demand for agricultural labor since the early 1960s (McElroy and Gavett 1965, 21). By 1963, 72 percent of the cotton crop was machine-harvested, up from 34 percent just five years earlier. The evidence suggested that termination of the farm labor program would not negatively affect total production of cotton, and that enough workers would be available for use in other crops as well. Moreover, the concentration of Mexican braceros in certain crops and areas made it seem that the government was providing a selective subsidy for a few crops. In 1963, braceros constituted only 0.7 percent of the farm workforce, but they were

heavily concentrated in California, New Mexico, Texas, Arizona, Colorado, Arkansas, and Michigan (U.S. Senate 1980, 46–47).

A liberal administration under President John F. Kennedy in the early 1960s also compelled the Labor Department to set stricter standards on imported labor, contributing to the eventual scrapping of the bracero program. This administration recognized that braceros were having an adverse effect on domestic workers, and it concluded that substantial changes should be made in the program to protect domestic workers. The Labor Department, in turn, held public hearings in May 1962, in order to set an "adverse-effect rate" for each state. This decision was based upon a preliminary study prompted by Secretary of Labor James Mitchell, who appointed a four-member group of consultants in 1959 to review the effectiveness of Public Law 78. The consultants' report found that while PL 78 had fulfilled its objective of obtaining Mexican workers to ease labor shortages, it had failed to ensure protection of domestic workers. This failure stemmed from the high concentration of Mexican braceros in selected crops, which made the prevailing wage rate meaningless because it was in fact determined by the wages paid to the braceros. In short, Mexican workers did not have to compete openly in the labor market, making it difficult for domestic workers to fill positions (47–48). Subsequently, Secretary of Labor Arthur J. Goldberg and President Kennedy introduced several substantive amendments to strengthen domestic worker protection, including the statutory limitation of Mexican workers to temporary agricultural work and the requirement that bracero wages be equal to 90 percent of the national or state average. After a protracted debate between those who supported the program without amendments and those who sought to end it immediately, the Kennedy administration was successful in garnering support for a one-year extension with significant modifications, in lieu of the two-year extension sought by growers. The twenty-two-year-long Mexican Farm Labor Program ended with Public Law 88–203, extending Public Law 78 for the last time until December 31, 1964 (52–53).

Historical Lessons for the Current Debate on the H-2A Program

In Congress today, the H-2A program is a topic of major concern to farm employers and farmworker advocates alike. The H-2 program was originally adopted in 1952 under the Immigration and Nationality Act, establishing employment of foreigners in seasonal or temporary labor.[28] This category

included a wide variety of temporary workers, including writers, artists, entertainers, musicians, and athletes. Mexican farmworkers were explicitly omitted from the provision because of PL 78. Since the end of the bracero program, farm employers nationwide have relied on the H-2 program to provide legally admitted agricultural laborers from Mexico. Despite the legal framework of the foreign labor importation program, U.S. agriculture depended heavily on undocumented workers to fulfill its labor needs for decades. In the 1980s Congress enacted a series of laws to protect the rights of farmworkers and subjected farm employers to requirements such as contract disclosures and regulated payroll practices (Meade 1999). A political economy perspective reveals that debates concerning farm labor situations in the United States have produced short-term quick fixes on behalf of either growers or workers as policies were formed to satisfy the economic interests of lawmakers' respective constituents. Currently, a vast majority of farm employers choose not to apply for the H-2A workers but to hire undocumented workers instead, for a variety of reasons. On both sides of the issues, legislators have articulated similar concerns and introduced bills that are reminiscent of the political debates concerning the bracero program. What lessons can we draw from the past guest worker program that might help us identify relevant issues and possible remedies for current problems in the H-2A program? What changes have taken place, in terms of the domestic agricultural labor market situation, that compel us to view the H-2A program in a different light?

The H-2A program differs significantly from the bracero program in several ways. To begin with, the H-2A provision is permanently built into the law and is not intended to meet a specific manpower shortage (U.S. Senate 1980, 62). This is significant because it makes the Labor Department's task of certifying labor demand a critical component of mediating foreign labor supply. The department must carry out this responsibility carefully by weighing the costs and benefits of employing foreign labor. The debate that has consistently surfaced in the past, as now, centers on labor contract terms for foreigners, including wages, housing, and transportation. The issue of measuring foreign labor's impact on domestic workers also figures in this debate, though it has never been adequately addressed. The relative permanence of the H-2A program implicitly recognizes the temporary but quite cyclical nature of farm labor needs in the United States. For this reason, the current debate on determining the proper wage rate for foreign workers based on either the adverse-effect wage rate or the prevailing wage rate must include some dialogue about how the long-term prospects of the H-2A program will impact domestic workers.

Another significant difference between the bracero program and the H-2A program is that the latter is much smaller, despite the fact that the use of foreign labor has remained very high. The main reasons are that employers have failed or refused to abide by the H-2A regulations, and they have found undocumented workers relatively easily to fulfill labor demand. Advocates of H-2A reform have complained that the program is not practicable because it is loaded with burdensome regulations, excessive paperwork, a bureaucratic certification process and untimely and inconsistent decision-making by the United States Department of Labor (U.S. Senate 2000, 15). Despite the criticisms leveled at the H-2A program, members of Congress on both sides of the issue have agreed on the need to control illegal immigration. Senator Gordon Smith, Republican of Oregon, summed up the main issue for the growers: "I would like to make those farmers you talked about who profit from an illegal system no longer profit, and require that they obey the law. In exchange for that, give the farmers some certitude that there will be some workers there" (35). On the flip side, Senator Edward Kennedy, Democrat of Massachusetts, argued: "I was here during the full height of the bracero program and saw some of the greatest kinds of exploitation of human beings It really matched the kinds of conditions and treatment of people in Third World countries, and I have some real concerns about going back to anything that would repeat that tragic aspect of our whole workforce policy" (17).

In principle, both sides prefer a system that would eliminate U.S. agriculture s dependence on undocumented labor and provide sufficient protection for foreign workers without undermining domestic workers. Assuming that both sides concur on this point, it does not make sense to expand the H-2A program with or without reforms before determining the viability of the program by controlling undocumented worker employment. A central question should be whether or not the H-2A program can be formulated in a way that retains protection for domestic and foreign workers and eliminates the dependence on undocumented workers. The history of the bracero program informs us, however, that the only way in which U.S. agriculture sustained a legal contract program with Mexico was by significantly lowering worker protections, undermining the role of the Mexican government, and, eventually, effecting a massive deportation of Mexican undocumented workers through Operation Wetback. To avoid the mistakes of the past, it is critical that efforts be made to accurately determine labor shortages in agriculture, to find ways to meet temporary or seasonal labor needs, and to protect the rights of domestic and foreign

workers. This will require major commitment and participation on the part of several key branches of the government including the departments of Labor, Justice, Agriculture, and State in formulating a bilateral program with the Mexican government.

While it is difficult to suggest specific programs and measures to overcome current gridlock in Congress, future debates on the H-2A program must incorporate both short- and long-term solutions. The main areas of consideration include certification of labor needs, flexibility of labor, protection of workers, and control of illegal immigration. Since there is considerable overlap among these areas, it would be unwise to deal with any one of them in isolation. Instead, both short- and long-term prescriptions must address them collectively by recognizing that the crisis facing U.S. agriculture is structural rather than temporary. The debate on certification of labor needs, for instance, has centered too much on relative levels of enforcement. And the key issue of providing realistic incentives for domestic workers has been grossly neglected.

The question, then, is not whether the Labor Department or the Justice Department is unfairly assessing labor needs, but what concrete measures have been proposed to attract workers to agriculture. The idea of developing a computerized employee registry is a good one, but it should be complemented by incentives to attract workers to areas where a labor shortage is identified. Some basic needs of migrant workers have been well documented, including affordable housing, respectable wages, and decent working conditions. In short, there is a critical need to restore respectability to farm labor by providing security and stability for the workers. Unfortunately, many proposals to solve the presumed labor shortage in agriculture have been shortsighted, leading to dependence on undocumented workers without regard for immigration policies and laws. At the same time, farm employers should be given incentives to hire their share of domestic workers before considering foreigners. Rather than subjecting them to employer sanctions, such as heavy penalties and jail terms for hiring undocumented workers, steps should be taken to make sure employers benefit by hiring domestic workers. Again, this brings us to the issue of flexible workers who are both willing and available to do seasonal labor in agriculture. If these needs are met, then it may be possible to maximize use of domestic labor, remedy labor shortages with legally employed H-2A workers, and ensure protection of domestic and foreign workers alike.

Conclusion

Since the introduction of labor-intensive crops in the late nineteenth century, our nation's growers sought to procure labor from a variety of sources. Prior to World War II, farm employers enjoyed the benefit of large supply of workers, representing a myriad of ethnicity and races. The ability of workers to improve working conditions did not necessarily depend just on labor supply and demand. When California, for instance, had an oversupply of desperate migratory farmworkers during the 1930s, workers' bargaining position vis-à-vis employers waned considerably. It turned out that excess supply of labor was not the only important consideration. Powerful lobbying efforts by growers consistently prevented farm wages from reaching a level comparable to wages in the industrial sector, where workers displayed strong solidarity through labor unions.

When the agricultural labor reserve ran dry in the wake of World War II, growers panicked. There was a widespread shortage of workers who were willing to do stoop labor in abominable conditions for substandard wages. Moreover, growers could not unilaterally recruit Mexican workers as they had done some twenty years earlier during World War I. Faced with the Mexican government's opposition to unilateral recruitment, growers mobilized the farm bloc to pressure lawmakers in Washington. Political advocacy by big growers set in motion one of the most elaborate foreign contract labor systems in U.S. history. Although it began as a wartime emergency measure, the Mexican Farm Labor Program ushered in millions of disposable agricultural workers over a period of twenty-two years.

Political battles persisted from the program's inception until its end, reflecting diverse interests. It became apparent during the three phases of the program that the economic imperatives of growers consistently influenced its scope and content. In the legitimization phase, for instance, the Mexican government initially dominated the negotiations, setting the terms and conditions for labor contracting. In time, however, the Mexican side began to lose ground as U.S. government agencies, notably the Department of Justice and the INS, facilitated labor transfer by legalizing undocumented workers at the border and escorting them to growers. This period, characterized by crisis in the administration of the bilateral program, again reflected the resilience of the state-business alliance. The program's transition between 1948 and 1951 clearly demonstrated the strong-arm tactics of the United States, setting the tone for future agreements between the two nations.

In response to the growing political presence of farm federations, efforts were made to weaken their influence in Congress. But these efforts proved ineffective, and powerful lobbying groups effectively eliminated any measure they saw as detrimental to their interests. For instance, in the debate over the Ellender bill, the Mexican government's concern to protect its nationals converged with domestic workers' persistent call for improved working conditions. In defense of domestic workers, Senator Chavez of New Mexico cogently argued for careful consideration of the report published by the President's Commission on Migratory Labor and for imposing harsher penalties on those who employed undocumented workers, as their use undermined both domestic and legally contracted Mexican workers. While stronger penalties were adopted eventually to discourage farm employers from knowingly hiring undocumented workers, this amendment only existed in writing, and had no direct effect on reducing the number of undocumented workers in agriculture.

By the time the United States and Mexico negotiated the 1954 agreement, the labor-intensive agricultural industry had become overly dependent on Mexican workers. More importantly, the passage of PL 309, authorizing the secretary of labor to recruit Mexican workers in the absence of a treaty, illustrated the power of the state-business alliance and profoundly affected future international agreements between the two nations. In short, the 1954 bilateral agreement and the extensions of this agreement until 1964 would not have been possible had the United States not passed PL 309. The message to Mexican officials was clear: the United States intended to obtain Mexican labor whether or not the Mexican government consented to it. The political economy of the normalization period again reflected an undeniable collusion between the state and business, as thousands of braceros, who by now had been stripped of the protective provisions of earlier bilateral agreements, were systematically funneled to growers.

U.S. agriculture is again at a crossroads. The debate on the H-2A program is unfortunately reminiscent of the debates on the bracero program. The Mexican Farm Labor Program proved to be an outstanding example of a state-business alliance, which contributed to dependence on foreign workers and denigrated farm labor in the process. If there is anything we can learn from the earlier foreign worker program, it is that the continuous demand for foreign agricultural labor stems from an inability to address multidimensional agricultural needs in a systematic manner. This phenomenon has profound implications for the future of U.S. agriculture, especially if we recognize the problem as structural rather than temporary. In the past

some quick solutions helped farmers and farmworkers temporarily, but these measures never really addressed the depth and complexity of the problem. The lack of adequate incentives to draw available domestic workers into agriculture and the high level of dependence on undocumented workers speak to the devaluation of agricultural labor. The political economy of the bracero program provides important insight into the adverse effects of a state-business alliance on domestic and foreign workers, as well as on the structure of U.S. agriculture. Policies and laws were not based on objective assessments of overall agricultural needs, but followed the economic imperatives of growers. As lawmakers, employers, and workers reconvene in Washington to discuss the viability of the H-2A program, it would serve U.S. agriculture well to consider the lessons from the bracero program.

Notes

1. During and after the Great Depression, Congress debated intensely the status of farmworkers and attempted unsuccessfully to protect their precarious positions. These debates took place in the context of the federal government's massive repatriation drive whose purpose was to "expel Mexican men and women who were legal residents and citizens, not male temporary workers in the country illegally, as [the government] claimed" (Guerin-Gonzales 1994, 77). From 1936 to 1940, the La Follette Civil Liberties Committee, chaired by Wisconsin senator Robert M. La Follette, launched an extensive investigation aimed at passing an agricultural version of the National Labor Relations Act of 1935, which affirmed the right of industrial workers to organize and bargain collectively. The committee called in over 400 witnesses and documented the exploitative conditions that farmworkers had endured for generations. This was especially timely, as the recent publication of John Steinbeck's *Grapes of Wrath* and Carey McWilliams's *Factories in the Field* helped the committee build a strong case for labor legislation to protect farmworkers. S. 1970, a measure to "Eliminate Certain Oppressive Labor Practices Affecting Interstate and Foreign Commerce," passed the Senate on May 27, 1940, but its "companion bill in the House of Representatives was set aside and allowed to die" (134). The federal government's failure to protect American farmworkers, much less Mexican farmworkers, in the 1930s had far-reaching effects.

2. According to Erasmo Gamboa, the exclusion of agricultural workers from Roosevelt's New Deal policies was justified through "statutory and administrative limitations." By making continuous and long residency a requirement for obtaining federal relief payments, the government consigned migrant workers to "an amorphous category of poverty-stricken persons for whom neither the state nor the federal government would accept responsibility" (1990, 16). Unlike the "Okies"

and "Arkies," Mexican agricultural workers were not seen as "experienced farmers" who merited assistance (17). Dennis Valdés, however, argues that while the Mexican consuls did not initiate the repatriation process in states like Michigan, where thousands of Mexican nationals had been employed in the beet fields and in Ford auto plants, Mexican consuls played "a more complicated role." They not only protested welfare and police abuses, but also cooperated with the repatriation committee to expedite the transfer of "those who were indigent or wished to depart to return to Mexico" (1988, 9). For a detailed discussion of the return migration of the "first braceros" during the Great Depression, see Hoffman 1974, Cardoso 1980, and Balderrama and Rodriguez 1995.

3. In notes exchanged between the Mexican foreign labor minister, Ezequiel Padilla, and US Ambassador George Messersmith, the Mexican labor program was treated as a "matter between States." The word "employer" in the agreement referred to the Farm Security Administration of the U.S. Department of Agriculture, while "sub-employer" referred to a farm owner or operator.

4. The U.S. Department of Agriculture published a series of reports promoting the nation's agricultural defense program. Food production was described as the foundation for all other production, providing "energy and morale" to "guarantee continued resistance against Hitler." One of the reports claimed that the "Food for Freedom program … puts you literally on the fighting front," for food supplies are "just as vital as planes, ships, tanks." In addition, the following reports printed in *Southern Pacific Rural Press* captured the patriotic tenor of the Agriculture Department's appeal to boost food production: "American Farms Supply Britain with 1½ Billion Dollars' Worth of Products" (January 10, 1942); "Food for Freedom … Food for Victory … Forwar-r-r-d, March!" (February 7, 1942); and, "Now … Let'em Have It!" (March 7, 1942).

5. Governor Stevenson created the Texas Good Neighbor Commission in September 1943 in order to assure Padilla that Texas would no longer tolerate discrimination against Mexican workers.

6. In 1945 the quota was set at 75,000 but only 48,000 arrived. Arrivals dropped to 32,043 the following year, and in 1947 declined to 19,632.

7. Responsible for transporting both domestic and foreign agricultural laborers to employment sites, the FSA initiated the program on September 4, 1942 for domestic workers. On September 25 of the same year the first trainload of 500 Mexican nationals were transported from Mexico City to Stockton, California. After posting $100,000 surety bonds, California Field Crops executed the second contract for 1,500 braceros, totaling 4,189 workers by the year's end. See Scruggs 1960 for more information on the initial phase of the Mexican Farm Labor Program. By April 1, 1943, some 15,000 workers, about 8,000 of whom were Mexicans, had been transported to ten states, including New York, Connecticut, New Jersey, Florida, Michigan, Washington, California, Arizona, New Mexico, and Texas (U.S. House 1944, 1164–69).

8. "Dim-out for Farmers," *Southern Pacific Rural Press* (August 22, 1942), 94.

9 The program resumed on March 16, 1943 with the inclusion of Article 29 of the Mexican Federal Labor Law, which specified living expenses, transportation, and repatriation for Mexican foreign labor. This was an important moment in the

bilateral agreement, for it "reinforced and extended Mexican authority to inspect Mexican farm working conditions in the United States" (Kirstein 1977, 17–18).

10 The FSA's reputation as a "social reform" agency heightened when it took charge of the farm labor recruitment and placement program. The main source of this attack was a southern congressman, Tarver, and the Farm Bureau leadership during congressional hearings on March 4, 1943 (78th Cong., Hearings on the Agricultural Appropriation Bill for 1944) (U.S. House 1943). The FSA administrator, C. B. Baldwin, was intensely criticized in the hearing. The secretary of agriculture had already created an Agricultural Labor Administration within the department (March 1, 1943), in order to do the work previously handled by the FSA, the Extension Service, the Food Distribution Administration, and the Food Production Administration. Thereafter, Congress assigned the farm labor program to the Extension Service, which certified the need for foreign labor through county agricultural agents and permitted the Office of Labor within the War Food Administration to transport workers to the impacted areas.

11. The California Farm Bureau Federation (CFBF) passed a resolution requesting that the "recruitment of Mexican nationals for employment on American farms be transferred to the Federal Agricultural Extension Service." The CFBF's support for the Extension Service is not surprising, given that both state and federal farm bureau federations were created through the Extension Service. Furthermore, CFBF sought to simplify and revise the bilateral agreement. See California Farm Bureau Federation, minutes of the Twenty-fifth Annual Convention held in Santa Cruz, November 16–18, 1943.

12. PL 217 was passed on December 23, 1943, extending the program to the end of January 1944. In the following month, PL 229 (otherwise known as the Farm Labor Supply Appropriation Act of 1944) earmarked $30 million to the War Food Administration and waived "requirements compelling each worker to provide documentary evidence of his country of birth and to pay a head tax" (Kirstein 1977, 49).

13. On behalf of the State Department, the U.S. ambassador to Mexico, Walter C. Thurston, exchanged notes with the Mexican Foreign Office and submitted a proposal for temporary entry of agricultural workers into the United States. On March 10, 1947, the two sides signed an agreement in Mexico City, providing "the return to Mexico of all Mexican laborers illegally in the United States … with the view of making selections which may permit their legal return to employment in the United States under protection of contracts." This agreement provided a basis for legalizing Mexican workers at the border while continuing "efforts to impede illegal crossing of farm workers." At the same time, Section F of the agreement allowed Texas to contract Mexicans for ranch work in that state in "recognition of the friendly attitude of the present governor and the efforts of the Texas Good Neighbor Commission." The agreement made clear that such action was a temporary arrangement that should not be construed as a precedent. For details of the agreement, see U.S. Department of State, *Foreign Relations*, 1972, 823–26.

14. A total of 142,000 Mexican workers were legalized between 1947 and 1949, while only about half that number (74,600) were contracted from the interior of Mexico during the same period.

15. After the March 10, 1947 agreement, Congress enacted PL 40, extending the farm labor supply program to December 31, 1947. But after INS officials in El Paso unilaterally legalized illegal migrants, the Mexican government abrogated the March 10 agreement on October 18, 1948. A telegram from Ambassador Thurston in Mexico to the secretary of state showed the dissatisfaction of the Mexican government regarding the El Paso incident. Briefly, it read: "in view [of the] fact that as regards Mexican workers in Texas stipulations of general agreement have not been fulfilled at least to desired extent and taking account hopes not realized favorably for solving discrimination against Mexicans in Texas … Mexican government resolved [to] terminate supplementary agreement and consequently will no longer authorize contracts [to] Mexican laborers found illegally in Texas" (U.S. Department of State, *Foreign Relations* 1947, 829).

16. The study was entitled "Report of Conference on Health and Related Problems of Agricultural Workers, Fresno, CA." Dr. Wilton Halverson, state director of public health, headed this conference (*Congressional Record* 1950, A1128–29).

17. The exact wording of the executive order in the section referring to illegal migration is as follows: "The Commission is authorized and directed to inquire into the extent of illegal migration of foreign workers into the United States and the problems created thereby, and whether, and in what respect, current law-enforcement measures and the authority and means possessed by Federal, State, and local governments may be strengthened and improved to eliminate such illegal migration" (U.S. President's Commission on Migratory Labor 1951, 187).

18. See memorandum 811.06-M/7-1750 (U.S. Department of State, *Foreign Relations* 1950, 955–57).

19. The resolution reads: "We further insist that consideration be given to the special problems of those areas contiguous to the U.S.-Mexican border by permitting within existing immigration law the limited movement of foreign farm labor into such areas, consistent with the public welfare and the security of the government" (California Farm Bureau Federation, minutes of the Thirty-fourth Annual Convention, 1952).

20. As a representative of the Senate Committee on Agriculture and Forestry, Senator Ellender participated in discussion with officials of the Mexican government. Upon conclusion of the talks, the Agriculture and Forestry Committee reported the bill to the Senate on April 25, 1951 (*Congressional Record* 1951, 4416–17).

21. See related articles by Gladwin Hill: "Peons Net Farmer a Fabulous Profit," March 26, 1951; "Peons in the West Lowering Culture," March 27, 1951; "Southwest Winks at Wetback Jobs," March 28, 1951; "Interests Conflict on Wetback Cure," March 29, 1951.

22. The Truman letter dated July 15, 1951 was reprinted in *Temporary Worker Programs: Background and Issues* (U.S. Senate 1980, 38–39).

23. Memorandum from Cabot, the assistant secretary of state for inter-American affairs, to White, the U.S. ambassador to Mexico (U.S. Department of State, *Foreign Relations* 1952–54, 1339–40).

24. Memorandum (811.06(M)/8-1453) from Ambassador White to the secretary of state (U.S. Department of State, *Foreign Relations* 1952–54, 1340–46).

25. Memorandum (811.06(M)/8-2753) by Belton, the officer in charge of Mexican affairs, to Cabot, the assistant secretary of state for inter-American affairs (U.S. Department of State, Foreign Relations 1952–54, 1347–48).

26. The new migrant labor agreement was negotiated on June 12, 1952 and was set to expire on December 31, 1953.

27. In December 1955, the agreement was extended through December 31, 1956 (Treaties and Other International Acts Series [TIAS] 3454) and again to June 30, 1959 (TIAS 3714). Subsequently, it was extended through October 31, 1959 (TIAS 4310), December 31, 1961 (TIAS 4815), January 31, 1962 (TIAS 4913), and December 31, 1964 (TIAS 5492).

28. The name changed from H-2 to H-2A under the 1986 Immigration Reform and Control Act, which allowed Mexican farmworkers to move out of agriculture in an effort to reduce the number of undocumented workers. This measure, however, failed to accomplish its stated goal, as the number of undocumented workers did not decline.

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