

## **Immigration in Texas**

Jana Hammond

Texas A&M University-Kingsville

People from all over the world desire to come to the land of opportunity, the United States. These people emigrate from different countries for different reasons: economic, jobs, and education. Texas, in particular, has many immigrants, especially from Mexico. This paper will take an in-depth look into four major areas of immigration in Texas: laws and agencies, legal and illegal immigrants and their stories, Mexican immigrants, and the impact of immigrants on Texas.

The major act that affected immigration was the Immigration and Nationality Act of 1965 proposed by President Lyndon Johnson. This act eliminated quotas on nationality of immigrants in favor of quotas on every nationality. Before this time, Asians were designated as undesirable immigrants. The quotas were as follows: 170,000 to all nations outside of the Western hemisphere, 120,000 for nations in the Western Hemisphere, and no more than 20,000 visas per year for any one nation. Also, unskilled workers had to have an employer before coming to the United States, but skilled workers did not.<sup>1</sup>

The immigration law of 1990 increased the number of legal immigrants allowed up to 35 percent and allowed 140,000 people with special job skills whereas before this time it was 54,000. It also allowed 10,000 immigrants to enter the United States if they could invest at least one million dollars and employ at least ten workers.<sup>2</sup>

In 1986, the Immigration Reform and Control Act (IRCA) was passed. This act imposed fines to employers if they hired illegal immigrants. Congress required all employees to show

proof of citizenship to employers if hired after November 6, 1986. This act also granted amnesty to illegal immigrants who had come to the United States after January 1, 1982. Overall, this law was designed to further control illegal and legal immigration.<sup>3</sup> The last major immigration reform passed was the United States Patriot Act, signed by President George W. Bush. This act was designed to deter terrorist acts in the United States, and to enhance law enforcement investigatory tools, among other things. There were other reforms passed pertaining to the immigration law, but too many to list here.

The Immigration and Naturalization Service (INS) is the agency responsible for enforcing the laws pertaining to immigration. The INS is also responsible for administering various immigration benefits. The INS works with the Department of State, and the Department of Health and Human Services. The INS is an agency of the Department of Justice. One of the most important divisions of the INS in Texas is the Border Patrol. The main purpose of the Border Patrol is to prevent illegal entry of people and drugs, while helping the flow of legal immigration entry at the border of Texas and Mexico. The Border Patrol uses various types of equipment in their job, such as electronic sensors, video monitors, and night scopes to detect people trying to enter Texas illegally. Agents also patrol the border on foot, in boats, in vehicles and by aircraft. The Border Patrol conducts traffic checks at the border and further into Texas on major highways to detect illegal drugs and illegal immigrants. The INS has several offices in Texas including McAllen, Dallas, and El Paso.<sup>4</sup>

The difference between a legal immigrant and an illegal immigrant is that a legal immigrant has registered with the INS and has some kind of permit allowing them to stay in the United States. The illegal immigrant has not registered and is often hiding from the government. In 1987, the United States government stated that some illegal immigrants could have a chance

for citizenship if they were in this country before January 1, 1982. The United States government issued amnesty to these illegal immigrants. Some exceptions to the new law included those illegal aliens who were convicted of a drug offense, those who were connected to groups that were considered a threat to the United States security, or those who helped in Nazi persecutions. The law stated that the immigrants had one year to apply for temporary residency, which is the first step to becoming a citizen of the United States.<sup>5</sup>

Another way immigrants could become citizens of the United States is if an illegal alien was a Special Agricultural Worker (SAW), or a Replenishment Agricultural Worker (RAW). The SAW program had its beginnings during World War II when farm laborers were in short supply. Mexico and the United States signed the Bracero Agreement allowing Mexican workers to migrate to the southwest United States to help farmers. This program was discontinued in 1964. More than farm workers wanted to migrate, and beginning in the 1950's the INS began border operations between Texas and Mexico. A SAW could be granted legal status if they did at least ninety days of farm work in 1985-86, and continuously resided in the United States since 1982. The government thought about 350,000 illegal aliens were employed in farm agriculture, but 1.3 million aliens applied for SAW status. The RAW program began as a way for farmers to hire other immigrant farm workers if a SAW quit and the farmer had a labor shortage. The RAW program expired on September 30, 1992. These programs catered to the agricultural farmers and made it difficult to keep out illegal immigrants. A majority of these workers are Mexican men. These programs may have made it easier for illegal Mexican immigrants to enter Texas to work on farms because farmers argued that their farms should be treated like factories and as such, a search warrant had to be issued to search their property for illegal aliens. The SAW program changed many undocumented (illegal) aliens into documented aliens. This

program required the immigrant to have a green card and a driver's license, but these could usually be bought at a flea market for thirty to fifty dollars.<sup>6</sup> The SAW program didn't really stop the number of illegal aliens in Texas, it just legalized them.

Illegal aliens have an easier time entering Texas because they outnumber the Border Patrol. It was estimated in 1975 that the number of illegal aliens in the United States was between four and twelve million. The number of illegal aliens living in Texas was not given. Because the illegal immigrants outnumber the Border Patrol agents, it is estimated that for every one immigrant apprehended, three to five more enter without being apprehended. Several immigrants are smuggled into Texas by smugglers, called coyotes, who charge fees for their service and are very well organized<sup>7</sup>. Another way illegal aliens can enter Texas is through fraudulent marriages. An alien married to a United States citizen is given preference over other applicants for permanent resident status. Other illegal aliens buy fake documents: a counterfeit "green card", Social Security card, and driver's license. Some illegal immigrants are those who have a temporary visa, such as students or tourists, and have overstayed their visit and blend into the ethnic population of a city.<sup>8</sup>

People from Mexico and South America travel to Texas to become United States citizens but unfortunately, not all of these people will be accepted. When Violeta del Carmen Ortega and her two children traveled by foot and bus from Nicaragua to Texas, they spent the first night sleeping on the ground in front of the Port Isabel Processing Service Center in Bayview. Ortega planned to apply for political asylum and then travel to California to be with her sister. Instead, she is being held for deportation. In order for her to leave the service center, she would have to post a \$7,000 bond. She was very discouraged and felt the United States government had tricked her. Ortega was being held because of a new measure being enforced by the INS to stop the flow

of Central Americans into the United States. Up until March 1989, applicants for political asylum were released on their own recognizance until their claims were processed. But usually these illegal immigrants never showed up for their immigration hearings and disappeared into communities within Texas and the United States. Now applicants, other than Mexicans, that cross into Brownsville have their cases decided upon that same day. If not admitted, the immigrants await deportation in a tent city if there is no room in the current compound. Several thousand immigrants apply for political asylum, some as an excuse, to gain citizenship in the United States. The new measure has reduced the number of political asylums filed, from 233 on the first day of the new system to twelve claims on the third day. Even though this new measure seems to be working, some immigrants say they will simply not present themselves to the authorities.<sup>9</sup>

The debate about how to handle immigrants in the Rio Grande Valley area continues between legal residents and the INS. Before March 1989, the INS would turn immigrants into the streets in the Valley cities, to await their hearings. The residents of these cities have been resentful of the INS because it was turning the Valley into a holding pen for immigrants. Local governments demanded that INS get the immigrants off the streets and out of abandoned hotels and houses. In 1988, before this new policy was in effect, the number of homeless refugees awaiting decisions on their cases grew to the thousands. Some of the claims for asylum were denied such as the man from Salvador, whose brother was dragged from their home and killed by a group of armed men. His brother's head was cut off and mounted on a stake outside his house. Another example of a denied claim for asylum includes a Honduran woman whose brother was an activist in an electrical workers union. The DNI, Honduran investigative police, were looking

for her brother. This woman witnessed the DNI shooting a young man and planting the gun on him, and a friend of hers had been tortured by the DNI with electric shock.<sup>10</sup>

The largest numbers of immigrants come to Texas from Mexico. Interviews collected from illegal immigrants living in Dallas tell some interesting facts. These aliens did not necessarily think that even though they entered Texas after the cut-off date of January 1, 1982, they needed or wanted to return to Mexico. The interviews were conducted with undocumented immigrants who had been living in the United States for three years or longer. It was estimated that in the Dallas-Fort Worth metroplex, 44,000 undocumented persons lived there with about 32,000 of them being Mexicans, based on the 1980 Census. Most of the Mexicans said they could speak English, but didn't have the opportunity to do so at work. When asked why they came to Texas, most Mexicans replied they came for economic reasons. Other reasons they came include family ties and political reasons. More than half of the Mexicans had successfully eluded the INS and had never been apprehended. Many of the Mexicans have been in Texas before the cut-off date, but have no proof of residence. Two ways to prove residence are: an employment check stub and a rent receipt. Women in particular were paid in cash and had no check stub as proof. Often Mexican immigrants share a house with other family and therefore have no rent receipt.<sup>11</sup>

Children are another reason Mexicans come and stay in Texas. When children are brought up in the United States culture, many do not want to return to Mexico, which can put pressure on the parents to stay in the United States. Children of illegal immigrants usually fare better in the United States than their parents. The children assimilate into the new culture by rapidly attaining skills of the language and culture.<sup>12</sup> These children of undocumented immigrants must be allowed to attend public schools. In Texas, if these students apply, meet the

requirements, and are accepted into public universities, they are accepted and declared as state residents. On the other hand, if these people who have graduated from college are hired, their employers could face fines because of the employer sanctions provisions of the IRCA.<sup>13</sup>

A major problem with illegal immigrants is drug trafficking. Mexico has many organized drug groups fueled by the huge profits from drugs. During the 1990's, these drug trafficking groups committed themselves to large-scale methamphetamine production, which re-emerged in the United States as a major drug of choice. The AFO is one of these drug trafficking groups, operated by four brothers. Ramon, one of the brothers, is on the FBI's Ten Most Wanted List. The Juarez Cartel is another drug trafficking group whose leader, Fuentes, died after undergoing plastic surgery. Another group is the Caro-Quintero organization and was formerly part of the infamous Mexican Drug Trafficking Federation. The Amezcua-Contreras organization, run by brothers, is the most prominent methamphetamine trafficking group operating today.<sup>14</sup> All of these groups have members wanted either in the United States or Mexico for criminal charges.

The impact of immigrants in Texas, especially illegal immigrants, is great. For the labor force, most Americans and Texans believe that immigrants are taking jobs away from legal citizens. This is one reason why the IRCA was passed. IRCA prohibits employers from knowingly hiring illegal workers. It depends on the state of affairs if Americans want to hire illegal immigrants. Sometimes illegal immigrants are hired because they will work for lower wages. In one instance, five people were found guilty of a scheme, originated in Lubbock, Texas, which involved bringing in Filipino and Korean nurses. These nurses were placed in nursing homes and hospitals and paid low wages.<sup>15</sup>

Farm workers in southwest Texas also hired illegal Mexican immigrants to help with farm work during and after World War II, but wanted the workers deported with the end of prosperity in 1954.<sup>16</sup>

A viewpoint about the economic impact of immigrants from economist William Bernard points out that even though illegal immigrants are thought to be taking jobs away from Americans, job opportunities are not fixed in a society but grow with an increase in population. Immigrants are also consumers, and that in turn helps the economy.<sup>17</sup>

Today's illegal immigrants are more educated about the laws in the United States. For example, many immigrants head for better wages and jobs far away from the border cities. These immigrants also collect unemployment or workers' compensation benefits by providing a United States address. These immigrants can also collect food stamps and social assistance by providing a local address.<sup>18</sup>

The impact on education in Texas with regard to Hispanic immigrants is large. This group of students is growing, from six percent enrollment in public schools in 1972, to fifteen percent enrollment in 1998. These students may not speak English at home, so teachers need to be prepared to help these students succeed in school.<sup>19</sup>

The significance of immigration in Texas varies. Many immigrants come to Texas from Mexico seeking work and play an important factor in producing cheap food. Some people think immigrants take away jobs from Americans, but really the immigrants help the economy by being consumers. Texas has a more diverse population that can be appreciated or thought of as a problem. Some illegal immigrants weigh on the economy of Texas by using public services that they don't pay for. Drug trafficking is a big problem that Texas and Mexico together will have



to combat. Texas, and the rest of the United States was settled by immigrants, so remember that all people have importance in creating a society.

## Notes

1. <http://www.campus.ccsd.k12.co.us/iss/SONY/Imm/beta2/65-pres.htm> November 28, 2001.
2. <http://www.campus.ccsd.k12.co.us/iss/SONY/Imm/beta2/65-pres.htm> November 28, 2001.
3. <http://www.campus.ccsd.k12.co.us/iss/SONY/Imm/beta2/65-pres.htm> November 28, 2001.
4. <http://www.ins.usdoj.gov/graphics/lawenfor/bpatrol/overview.htm> October 17, 2001.
5. House Research Organization, *Special Legislative Report* (February 1987): 3.
6. Mark J. Miller, "Good Intentions Gone Awry: IRCA and U.S. Agriculture." *The Annals of the American Academy of Political and Social Science* 534 (July 1994): 44.
7. "Proposals to Prohibit Employment of Illegal Aliens." *American Enterprise Institute for Public Policy Research Legislative Analyses* 6 (October 1975): 1.
8. "Proposals to Prohibit Employment of Illegal Aliens", 2.
9. Eloise Salholz, "Texas Pitches a Tent City." *Newsweek* (March 1989): 27.
10. Jane Juffer, "Roundup on the Rio Grande." *Progressive* (April 1989): 32.
11. Leo Chavez, Estevan Flores, Marta Lopez-Garza, "Here Today, Gone Tomorrow? Undocumented Settlers and Immigration Reform." *Human Organization* 49 (Fall 1990): 193.
12. George J. Borjas and Richard B. Freeman, *Immigration and the Work Force* (Chicago: The University of Chicago Press, 1992), 67.
13. Chavez, Flores, Lopez-Garza, "Here Today, Gone Tomorrow?" 200.
14. <http://www.usdoj.gov/idea/tra/Eckers/mexico.htm> November 16, 2001.
15. "Foreign Nurse Scandal." *Nursing* 28 (May 1998): 62.
16. Ramon Eduardo Ruiz, *On the Rim of Mexico* (Colorado: Westview Press, 1998), 129.
17. Senate Committee on the Judiciary, "The Economic and Fiscal Impact of Immigration: Examining the Report of the National Academy of Sciences." (1998): 1.
18. Arthur F. Corwin, *Immigrants and Immigrants: Perspectives on Mexican Labor Migration to the United States* (Connecticut: Greenwood Press, 1978), 69.
19. Richard W. Riley, "A Snapshot of Education in the United States Today" *Portrait of the USA* (September 1997).

## Bibliography

### Books:

Borjas, George J., and Freeman, Richard B. *Immigration and the Work Force*. Chicago: The University of Chicago Press, 1992.

Corwin, Arthur F. *Immigrants and Immigrants Perspectives on Mexican Labor Migration to the United States*. Connecticut: Greenwood Press, 1978.

Ruiz, Ramon Eduardo. *On the Rim of Mexico*. Colorado: Westview Press, 1998.

### Journals:

Chavez, Leo, Flores, Estevan, Lopez-Garza, Marta. "Here Today, Gone Tomorrow? Undocumented Settlers and Immigration Reform." *Human Organization* 49 (Fall 1990): 193-203.

Juffer, Jane. "Roundup on the Rio Grande." *Progressive* (April 1989): 32-33.

Miller, Mark J. "Good Intentions Gone Awry: IRCA and U. S. Agriculture." *The Annals of the American Academy of Political and Social Science* 534 (July 1994): 44-57.

Riley, Richard J. "A Snapshot of Education in the United States Today." *Portrait of the USA* (September 1997).

Salholz, Eloise. "Texas Pitches a Tent City." *Newsweek* (March 1989): 27.

"Foreign Nurse Scandal." *Nursing* 28 (May 1998): 62.

"Proposals to Prohibit Employment of Illegal Aliens." *American Enterprise Institute for Public Policy Research Legislative Analyses* 6 (October 1975): 1-2.

House Research Organization. "Special Legislative Report." (February 1987): 3.

Senate Committee on the Judiciary. "The Economic and Fiscal Impact of Immigration: Examining the Report of the National Academy of Sciences." (1998): 1-2.

### Websites:

<http://www.campus.ccsd.k12.co.us/ss/SONY/Inumbeta2-65-pres.htm> November 28, 2001.

<http://www.ins.usdoj.gov/graphics/lawenfor/bpatrol/overview.htm> October 17, 2001.

<http://www.usdoj.gov/dea/traffickers/mexico.htm> November 16, 2001.