

THE BRACERO QUESTION, 1942-1964:  
CONGRESS, THE NATION, AND TEXAS

THESIS

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This study is dedicated to my parents; to my father,  
whose loving memory is with me always, and to my mother,  
whose example of courage is an inspiration to us all.

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## TABLE OF CONTENTS

List of Tables . . . . .	iii
CHAPTER	
INTRODUCTION . . . . .	1
I. BRACEROS AND OTHERS: AN OVERVIEW TO 1961 . . .	6
Early Immigration . . . . .	6
Wartime Agreements . . . . .	10
Federal Control . . . . .	17
Texas and Mexico--Good Neighbors? . . . . .	23
II. CONTROVERSY AND COUNSEL . . . . .	32
Conflict and Consultants . . . . .	32
Braceros: Effect and Use . . . . .	36
Braceros: Their Wages . . . . .	41
Contracts, Domestic Workers, and International Harmony . . . . .	47
Renewal or Reform? . . . . .	51
III. PUBLIC LAW 78 EXTENDED: 1960 AND 1961 . . . . .	55
The Opening Round . . . . .	55
Extension: 1960 . . . . .	62
Extension: 1961--House . . . . .	68
Extension: 1961--Senate . . . . .	72
Extension: 1961--Joint Agreement . . . . .	79
IV. CHANGING ROLE AND TERMINATION . . . . .	83
A New Administration . . . . .	83
A Hint of Change . . . . .	87
Final Extension . . . . .	100
V. YEAR OF TRANSITION: 1965 . . . . .	105
Replacement of Workers . . . . .	105
Nationwide Effect . . . . .	113
Effects in Texas . . . . .	118
VI. ILLEGAL ALIENS OR BRACEROS?: A QUESTION FOR TWO NATIONS . . . . .	122
Illegal Aliens . . . . .	122
Texas and Revival . . . . .	127
Prospects and Perspectives . . . . .	133
BIBLIOGRAPHY . . . . .	139

## LIST OF TABLES

1.	Mexican Workers Admitted Compared with Foreign Admissions for Agriculture, 1942-1947 . . . . .	12
2.	Wages Paid Domestic Farmworkers in Areas Employing Mexican Nationals, 1960 . . . . .	43
3.	Wages for Cottonpicking (Hand), per 100 Pounds, Southwestern and Southeastern States, 1950 and 1959 . . . . .	44
4.	Average Hourly Wages of Hired Farmworkers as a Percentage of Average Hourly Wages of Factory Workers, 1910-1959 . . . . .	63
5.	Distribution of Braceros . . . . .	80
6.	State Adverse-Effect Rates . . . . .	89
7.	Average Foreign-Worker Employment as Percent of Average Seasonal Employment . . . . .	90
8.	Farm Wage Rates . . . . .	98
9.	Number of Foreign Workers Admitted . . . . .	107
10.	Department of Labor Wage Rates, January to April 1965 . . . . .	109
11.	Texas, Number of Seasonal Hired Workers, by Origin, 1964 and 1965 . . . . .	110
12.	Deportable Aliens Located by the Immigration and Naturalization Service . . . . .	114
13.	Hourly Farm Wage Without Room or Board . . . . .	115

## INTRODUCTION

Planned migration of Mexican nationals to assist American agriculture--the bracero program--began in 1942. Ernesto Galarza, a former field worker and foremost authority on Mexican labor in the United States, defines the bracero as "the Spanish equivalent to farm hand, meaning one who works with his arms, brazos." Often the term is incorrectly equated with mojado, though the bracero has been an alien worker and the mojado, or "wetback," an illegal entrant.<sup>1</sup>

Mexicans arrived in the United States in increased numbers after 1900 and especially during and after the Mexican Revolution (1910-1917), because restrictive immigration quotas were not applied to Mexico and because their labor was needed. While the Great Depression reversed the enormous influx of the 1920s, World War II increased the need for agricultural labor, and in 1942 the first international agreement concerning the admission of alien workers was negotiated between Mexico and the United States. When the original accord and its supplements expired, Mexico insisted on tighter federal control and caused the U.S. Congress, in 1951, to pass Public Law (P.L.) 78, the "bracero act." This measure, and the bilateral agreement of the same

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<sup>1</sup>Ernesto Galarza, Merchants of Labor: The Mexican Bracero Story (San Jose: The Rosicrucian Press, 1965), p. 268.

year, created means for governing wages and conditions of employment. Renewed on several occasions, it faced increased opposition in the late 1950s and early 1960s, and in 1964 it ended. During the program's existence, the role of Texas, a leading agribusiness state, was significant and often controversial. In the early years, Mexico considered the Lone Star a symbol of prejudice and discrimination toward both Mexican nationals and Mexican-Americans. Therefore, Texas was barred from participation until 1951, though defiant growers hired illegal aliens and at times complicated United States-Mexican relations. The Texas congressional delegation was also visible as P.L. 78 was debated, renewed, and finally terminated.

Scholars have given Mexican labor and immigration more attention than other areas of Mexican-American history. Carey McWilliams, a pioneer in the study of the subject, has contributed several works, among them North From Mexico (1948) and Ill Fares the Land (1942). Another early immigration authority was Manuel Gamio, a Mexican anthropologist, whose The Mexican Immigrant: His Life Story (1931) emphasizes economic conditions as incentives for migration. Paul S. Taylor, an agricultural economist, produced another early investigation, Mexican Labor in the United States, 2 vols. (1928), as well as An American-Mexican Frontier: Nueces County, Texas (1934) and "Notes on Streams of Immigration," American Journal of Sociology 36 (September 1930). Two more recent articles are worthy of note: José Hernández Álvarez, "A Demographic Profile of Mexican Immigration to the United States, 1910-1950," Journal of

Inter-American Studies 8 (July 1966), and Richard Romo, "The Urbanization of Southwestern Chicanos in the Early Twentieth Century," New Scholar 6 (May 1977). Unionizing during the early 1900s is analyzed in Juan Gómez-Quíñones, "The First Steps: Chicano Labor Conflict and Organization, 1900-1920," Aztlán 3 (Spring 1973). During the Great Depression, many Mexican nationals returned to Mexico, voluntarily or involuntarily, a topic treated in Emory S. Bogardus, "Mexican Repatriates," Sociology and Social Research 18 (November-December 1933), and in Abraham Hoffman, Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939 (1974).

The bracero program has been of particular scholarly interest. Ernesto Galarza focuses mainly on California in his well-respected Merchants of Labor: The Mexican Bracero Story (1965). Richard B. Craig, a political scientist, emphasizes pressure group politics in The Bracero Program: Interest Groups and Foreign Policy (1971), as does Ellis W. Hawley in "The Politics of the Mexican Labor Issue, 1950-1965," Agricultural History 40 (July 1966). A detailed historical account of the bracero experience, with special emphasis on Texas, is found in Otey Scruggs' several articles: "The First Farm Labor Programs," Arizona and the West 2 (Winter 1960), "Texas and the Bracero Program," Pacific Historical Review 32 (August 1963), and "Texas, Good Neighbor?" Southwestern Social Science Quarterly 43 (September 1962). Texas is also discussed in George O. Coalson, "Mexican Contract Labor



in American Agriculture," Southwestern Social Science Quarterly 33 (December 1952), and Pauline R. Kibbe, Latin Americans in Texas (1946). A recent general monograph is Mark Reisler, By the Sweat of their Brow: Mexican Immigrant Labor in the United States, 1900-1940 (1976). Illegal aliens are the subject of Otey Scruggs, "United States, Mexico, and the Wetbacks, 1942-1947," Pacific Historical Review 30 (May 1961), and Julian Samora, Los Mojados: The Wetback Story, (1971), the foremost work on the subject.

Although the early bracero years and the passage of P.L. 78 have been studied, very little has been written of the program's demise, a rather surprising fact in view of its impact upon American agriculture and the upsurge of illegal immigration since its conclusion. The congressional climate that dictated an end to the bracero era represents the thrust of this study, which also discusses the program's impact upon farm wages, conditions of employment, and the replacement of workers in the United States. In addition, the work attempts to assess the results of termination, and considers prospects of renewal of some form of braceroism in light of the realization in Washington, in the late 1970s and 1980s that sound future relations with Mexico City are essential. Texas, during the life of P.L. 78 and following termination, receives special emphasis in this study. Despite the fact that by 1960 the state was the leading employer of braceros, no detailed investigation has been made of its response to termination. To date, California has been of more interest to scholars,

perhaps because California congressmen were more vocal. For the most part, Texans on Capitol Hill supported the program with their votes instead of their speeches.

Of the six chapters which follow, chapter one places Mexican immigration in historical perspective and reviews operation of the bracero system in the United States from 1951 to 1959, when the Secretary of Labor ordered a study of the program's impact. The results of this inquiry were embodied in an extremely revealing document, the Consultants Report, which becomes the basis for chapter two. After publication of the report, the struggle over continuation began and is considered in chapters three and four. Chapter five discusses conditions in 1965, the first year without braceros, and the concluding chapter bears upon contemporary problems, future solutions, and the growing dilemma of undocumented workers.

## CHAPTER I

### BRACEROS AND OTHERS: AN OVERVIEW TO 1961

The utilization of Mexican workers in the United States has been a longstanding tradition which has increased and diminished, according to need. During World War II, when the shortage of American farm labor was acute, recruitment of Mexican workers began in earnest. Employer abuses were evident, however, especially in Texas, and by 1949 the Mexican government demanded protection for its citizens. This concern produced the first of a series of detailed bilateral agreements. Because Mexico insisted upon legal control, Congress passed Public Law 78 in 1951. For the next thirteen years, alien workers were admitted to the United States under this statute. The implications of such importation, however, was of concern to both countries as the 1960s began.

#### Early Immigration

Mexican immigration into Texas and the Southwest began before the Treaty of Guadalupe Hidalgo in 1848. It was slow until 1900, after which it accelerated and peaked after the "new immigration" from Europe ebbed with the outbreak of World War I. Not until the Mexican Revolution (1910-1917), which coincided with the agricultural expansion in the Southwest, did it become significant. In the 1920s, 498,945 Mexicans

were admitted into the United States, and in 1930 persons of "Mexican" descent were given a separate census category. According to 1930 statistics, 1,222,439 Mexicans lived in the United States as legal immigrants.<sup>1</sup>

Though American immigration policy became increasingly restrictive after World War I, Mexico was not affected. The new measures were aimed at reducing the influx from eastern and southern Europe. In 1921, the Quota Act stated that the number of aliens admitted from any foreign country could amount to only three percent of the total number of foreign-born persons of their nationality living in the United State in 1910. The Quota Act was extended in 1924, and in both instances it excluded Mexicans and nationals of other western hemisphere nations as "non-quota immigrants." Immigration from countries outside the hemisphere was further restricted in 1927.<sup>2</sup>

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<sup>1</sup>U.S., Department of Commerce, Bureau of the Census, Historical Statistics of the United States, Colonial Times to 1957 (Washington, D.C.: Government Printing Office, 1969), p. 58; U.S., Department of Commerce, Bureau of the Census, Immigrants and their Children, 1850-1950, (New York: John Wiley & Sons, 1956) pp. 293, 6. See also Leo Grebler, Joan W. Moore, and Ralph C. Guzman, The Mexican-American People: The Nation's Second Largest Minority (New York: The Free Press, 1970), pp. 601-604. Prior to 1930, the census designated Mexican immigrants as "white." In 1930, they were classified as non-white and placed in the category "Other Races." In 1940, classification was according to language spoken; in 1950 "Spanish surname" was the heading, which was also used in 1960.

<sup>2</sup>U.S., Department of Justice, Immigration and Naturalization Service, Immigration and Nationality Laws and Regulations, as of March 1, 1944 (Washington, D.C.: Government Printing Office, 1944) pp. 81-82, 41-42, 49. This report, compiled by the Immigration and Naturalization Service, includes major immigration regulations to March, 1944.

Although Mexicans were not subject to quotas, legal immigration was often difficult and expensive. Manuel Gamio, a contemporary anthropologist, found that applying for a visa sometimes took several days and cost as much as eighteen dollars. Then, as now, illegal entry proved more appealing to many of the poor. Enforcement was lacking, and it was "relatively easy and quite common to smuggle or to be smuggled across the border."<sup>3</sup> The understaffed United States Border Patrol, founded in 1924, was simply ill-equipped for its assigned task.

At the same time, irrigated agriculture in the Southwest was burgeoning. Mexicans--or cheap labor--were needed as field workers, and their migration was encouraged. In South Texas the recruitment of legal and illegal Mexican labor was apparent in the 1920s, as one contemporary study made clear:

Some farmers in Nueces County and other parts of Texas have been accustomed to send dependable Mexicans to Mexico to recruit others, even if necessary giving them money to pay immigration fees. . . . To augment the local supplies of labor, Nueces County farmers individually have habitually imported seasonal workers, and at times they have done so collectively.<sup>4</sup>

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<sup>3</sup>Dr. Gamio immigrated in order to pursue his research and later returned to Mexico. See, The Mexican Immigrant: His Life Story (Chicago: University of Chicago Press, 1930), pp. 204-205.

<sup>4</sup>Paul S. Taylor, An American-Mexican Frontier: Nueces County, Texas (Chapel Hill: University of North Carolina Press, 1934), p. 101. See also George C. Kiser, "Mexican American Labor Before World War II," Journal of Mexican American History 2 (Spring 1972): pp. 122-34. Kiser argues that the bracero program of the post-World War II era was not innovative but rather a large-scale version of earlier informal practices.

These encouraged immigrants followed three routes from various regions in Mexico. Mexicans migrated to Chicago and the Midwest, the Winter Garden district southwest of San Antonio, and the Imperial Valley of California. Origin often determined destination. Those bound for Texas and California were generally from the northern border states, while those travelling to Chicago and the Midwest were from the central plateau of Mexico. Migration followed the harvest, often beginning in the Rio Grande Valley of Texas and ending in the midwestern grain states.<sup>5</sup>

By 1930, however, conditions had changed. The Great Depression caused a decrease in both legal and illegal immigration, as economic conditions worsened and domestic job-seekers became field hands. Immigration dropped from a high of 12,703 in 1930 to a low of 1,560 in 1935. Almost 500,000 Mexicans and their Mexican-American offspring were sent back to Mexico by authorities in Los Angeles, Fort Worth, Detroit, and other American cities and counties beset with growing welfare rolls. Repatriation reached a high in 1931, when 138,519 repatriados left this country.<sup>6</sup>

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<sup>5</sup>Paul S. Taylor, "Notes on Streams of Mexican Migration," American Journal of Sociology 36 (September 1930): p. 287.

<sup>6</sup>U.S., Department of Commerce, Bureau of the Census Historical Statistics of the United States: Colonial Times to 1970, pt. 1, p. 107; Abraham Hoffman, Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939 (Tuscon: University of Arizona Press, 1974), pp. 174-75.

### Wartime Agreements

The war decade of the 1940s produced a new need for Mexican agricultural workers. As American field hands entered defense industries and the armed services, manpower was necessary to maintain food production and to counter rising farm prices. Due in part to discrimination toward Mexicans during the depression years, Mexico required for its citizens in the United States certain safeguards which were written into an executive agreement between the two countries. Under this original bracero convention, workers were guaranteed transportation, living expenses, nondiscriminatory treatment, and an exemption from military service. The accord took effect on August 4, 1942, and the first braceros admitted that year were recruited in September in Mexico City.<sup>7</sup>

In 1943, at Mexico's insistence, the two countries negotiated a revised agreement which provided that braceros be given "hygienic" lodgings and that a minimum hourly wage of \$.30 be paid to those working on a piece-rate basis, as

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<sup>7</sup>Charles I. Bevens, comp., Treaties and Other International Agreements of the United States of America, 1776-1949, 12 vols. (Washington, D.C.: Government Printing Office, 1972), 9:1069-75. (hereafter cited as Bevens, Treaties, volume and page.) See also, U.S., Congress, House, Committee on the Judiciary, Admission of Aliens into the United States for Temporary Employment, and "Commuter Workers," Hearings before subcommittee 1, 88th Cong., 1st sess., 1963, p. 29. (hereafter cited as House, Admission of Aliens.) This publication, prepared as part of a series on alien workers in the United States, gives detailed historical treatment of the Mexican Farm Labor program and is a valuable source of government statistics.

well as to those employed by the hour.<sup>8</sup> Congress then enacted funding legislation, Public Law 45, which was passed on April 29, 1943. Appropriated monies would be expended by the Administrator of Food Production and Distribution for the purpose of insuring an adequate supply of workers to harvest the crops. Under the wartime program, the United States government paid for the recruitment and transportation of braceros and was later reimbursed by employers. Funds derived from Public Law 45 could not be used to fix wages or to impose union membership upon alien workers.<sup>9</sup>

Public Law 45 and the 1943 international agreement remained in effect until 1947. Though the United States imported workers from other countries, Mexico contributed the greatest number. (See table 1.) About half of the laborers, most of them single males, went to California, though substantial numbers worked in Arizona, Colorado, Idaho, Michigan, Montana, Oregon, and Washington. Employment was generally, but not strictly, seasonal. For example, during the winter of 1944-1945, 30,000 braceros remained in the United States. The peak production year was 1944, when the estimated value of crops harvested by braceros amounted to approximately \$432 million.<sup>10</sup>

The influx of authorized braceros was not the only movement from the south. Illegal entrants, los mojados, were a

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<sup>8</sup>Bevans, Treaties, 9: 1132.

<sup>9</sup>57 Stat. 70 (1943).

<sup>10</sup>House, Admission of Aliens, p. 32.



TABLE 1

MEXICAN WORKERS ADMITTED COMPARED WITH  
FOREIGN ADMISSIONS FOR AGRICULTURE, 1942-1947

Year	Total Mexicans Admitted	Total Foreign Admitted*	Mexicans as Percent of Total
1942	4,203	4,203	100
1943	59,098	65,624	79
1944	62,170	84,419	74
1945	29,454	73,422	67
1946	32,043	51,347	62
1947	19,632	30,775	64

\*Includes Mexican, British West Indian, Bahamian, Newfoundland, and Canadian workers

SOURCE: U.S. Department of Agriculture, as cited in House, Admission of Aliens, p. 33.

source of concern for both Mexico and the United States. Diplomatic exchanges in 1947 indicated that 119,000 illegals had reached the United States. In an effort to alleviate that problem, Congress passed Public Law 40, which proposed to legalize, or "dry-out," mojados already working in the United States. They could stay on as legally contracted workers and would be covered by international agreements as long as a labor shortage existed.<sup>11</sup> Drying out met with approval in both governments, but especially in Mexico. Placing illegals under contract would afford them protection, and it would also reduce the recruitment of additional workers and thus the further depletion of Mexico's labor supply.<sup>12</sup>

Another provision of Public Law 40 terminated the temporary farm labor program within thirty days following December 31, 1947. But the end of the program did not end the demand for, or utilization of, Mexican workers. Since congressional legislation had expired, their entry was supervised by the Department of Labor as set down in the Immigration Act of 1917. From 1947 to 1949, alien workers were recruited under this authority.<sup>13</sup>

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<sup>11</sup>Bevans, Treaties, 9: 1220; 61 Stat. 55 (1947).

<sup>12</sup>George O. Coalson, "Mexican Contract Labor in American Agriculture," Southwestern Social Science Quarterly 33 (December 1952): 233.

<sup>13</sup>39 Stat. 893 (1917). Braceros were employed under a series of revised international agreements dated March 25 and April 2, 1947, February 21, 1948, and August 1, 1949. See also, Bevans, Treaties, 9: 1232, 1229, 1258.

Braceros employed during the years 1947 and 1949 enjoyed less protection than before. The contractor was no longer the United States government, but the individual employer. Nor did the government continue to guarantee work contracts which differed considerably from those of the war period.<sup>14</sup> While employers approved of limited federal interference, Mexico opposed it. The administration of President Miguel Alemán wanted to restore the government-sponsored program. The result was a new executive agreement, negotiated in the summer of 1949. It was thorough, over fifty pages long, and stated specific conditions of employment and rights of Mexican agricultural workers. With few changes, this 1949 agreement was to remain in effect for the next fifteen years.<sup>15</sup>

Significant parts of the new agreement dealt with the ever-present problem of illegal aliens. One section excluded employers from the use of braceros if they employed illegal aliens. Mojados already in the United States were once again made legal, if there was a need for them. If not, they were to be promptly returned to Mexico.<sup>16</sup> This legalizing process

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<sup>14</sup>House, Admission of Aliens, p. 34. In 1945, the minimum hourly rate had been set at 37 cents per hour. From 1947 to 1949 no minimum hourly rate or minimum guarantees of piece-rate earnings were specified.

<sup>15</sup>Richard B. Craig, The Bracero Program: Interest Groups and Foreign Policy (Austin: University of Texas Press, 1971), p. 63. See also U.S., Department of State, United States Treaties and Other International Agreements, vol. 22, pt. 1, "Mexican Agricultural Workers," TIAS No. 2260, 1 August 1949, (hereafter cited as State, U.S. Treaties, volume and number).

<sup>16</sup>Ibid.

reduced the number of workers contracted from the interior of Mexico, but it also rewarded those who broke the law.

In conjunction with the executive agreement of 1949, regulations governing the admission of Mexican workers were spelled out in a booklet published jointly by the Commissioner of Immigration and Naturalization Service and the Director of the United States Employment Service. Here, for the first time, mention was made of what would later be known as "adverse effect" criteria. Briefly, aliens could not be admitted and hired if their employment would be detrimental to the labor market or result in the displacement of American farmworkers.<sup>17</sup> These stop-gap measures, the executive agreement and the pamphlet, pointed to a particular need for comprehensive federal legislation which would create long-term governmental control in place of vacillating policies.

The need was apparent when the Korean War brought another agricultural labor shortage. As in 1942, the diplomatic advantage lay with Mexico. Once again, the State Department was eager to please Mexico in order to secure braceros. Negotiations in early 1951 extended the 1949 agreement to June 30, 1951. Mexico City approved the extension on the condition that the United States Congress would work toward the formulation of a permanent government-sponsored plan.

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<sup>17</sup>The booklet was entitled "Information Relative to Temporary Admission of Nationals of Mexico to the United States to Engage in Agricultural Employment Under the Agreement of August 1, 1949, Governing the Migration of Mexican Agricultural Workers." See also House, Admission of Aliens, p. 35.

Mexico repeated its desire to have contracting carried out by an agency of the United States government, and during winter negotiations indicated that the international agreement of 1949 would be terminated if this could not be accomplished. Representing agricultural interests in Congress, Senator Allen Ellender of Louisiana and Congressman W.R. Poage of Texas assured Mexico that a bill would be submitted immediately to Congress authorizing the contracting of workers "by an agency of the government of the United States."<sup>18</sup>

President Harry S. Truman agreed. In a message to Congress, he asked for "a comprehensive program to bring badly needed improvements in living and working conditions to migratory farmworkers, both foreign and domestic." He acknowledged Mexico's threat to terminate the agreement if a stronger government approach was not taken. Regarding contract violations, Truman recommended that American agriculturalists cease employing illegal aliens and increase the use of domestic workers.<sup>19</sup> Capitol Hill and the White House supported Mexico City's desire for change and a new era was at hand.

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<sup>18</sup>Craig, Bracero Program, p. 67; U.S., Department of State, "U.S. and Mexico Reach Agreement on Agricultural Workers," The Department of State Bulletin, 19 February 1951, 24: 300. (hereafter cited as DSB).

<sup>19</sup>"Congress Asked for Further Measures on Illegal Entry of Migrant Workers: Violations of Contract Terms with Mexico Cause Concern." DSB 30 July 1951, 25: 197-98.

### Federal Control

Concern for the migrant worker was mounting. President Truman appointed a commission to study the problem, and its findings, released in March of 1951, criticized the use of braceros on grounds that it had a detrimental effect on domestic wages and working conditions.<sup>20</sup> Further, Mexican nationals were to be paid the "prevailing wage," but without federal guidelines the "prevailing wage" was what employers, not the government, established. The commissioners also objected to the process by which the need for braceros was determined. Often, the committee found, wages were so low as to discourage local workers. Thus an artificial "labor shortage," directly related to insufficient wages, had developed. The President's commission concluded that the program which had operated from 1948 to 1951 favored employers and braceros to the detriment of American farmworkers.<sup>21</sup>

Other criticisms followed. Delegates to the annual convention of the American Federation of Labor requested a conference with Mexican unions to discuss problems. They recommended the establishment of a three-member board, including union representatives, to determine the need for

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<sup>20</sup>The Commission was appointed in June of 1950 and was composed of Noble Clark, William Leisenson, Robert Lucey, Peter Odegard, and Maurice von Hecke. They conducted twelve public hearings during 1950. Two were held in Texas, one in Brownsville and the other in El Paso. Craig, Bracero Program, p. 67.

<sup>21</sup>Ibid.

imported labor. Congressmen heard complaints that agricultural interest groups desirous of cheap labor were exercising too much influence.<sup>22</sup> While critics were urging control, bracero employers, the element most opposed to federal involvement, remained surprisingly quiet.

Activity mounted. Numerous bills were introduced in Congress, and hearings were held. The Department of Agriculture, represented by Under Secretary Clarence J. McCormick, supported legislation governing imported labor, but emphasized the need to utilize domestic workers first. Representatives W.R. Poage and George Mahon of Texas both favored legislative control, as did the American Farm Bureau.<sup>23</sup> The wartime labor shortage made clear, even to opponents of federal control, the need for a dependable labor force.

Mexico, however, felt that Congress was not moving quickly enough, and in June of 1951 renounced the international agreement. Congress then passed one of several measures which had been proposed, Senate Bill 984, introduced by Louisiana's Senator Allen Ellender, a member of a delegation to Mexico earlier that year. President Truman was disappointed in the measure, since he had hoped that it would contain penalties for employers of illegal aliens. Despite his

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<sup>22</sup>New York Times, 26 September 1951; "Wetbacks, Cotton, and Korea," Nation, May 5, 1951, p. 408.

<sup>23</sup>Craig, Bracero Program, p. 76.

reservations, the President put pen to paper, and Public Law (P.L.) 78 took effect on July 13, 1951.<sup>24</sup>

This statute, the basis of the Mexican Farm Labor program for the next thirteen years, was an amendment to Title V of the Agricultural Act of 1949. Initially, it was to expire on December 31, 1953, but was repeatedly extended. In brief, P.L. 78 authorized the Secretary of Labor to establish and operate reception centers at or near points of entry and to provide workers recruited there with subsistence, emergency medical care, and even burial expenses. Transportation to and from the reception centers to place of employment was provided. The Secretary of Labor could assist workers and employers in negotiating contracts and was to guarantee that employers observed the provisions of the law.<sup>25</sup> In addition, employers of Mexican nationals, by agreement with the United States government, had to accept prescribed terms. Among other things, the contractor was required to reimburse the federal government for every worker not returned to the reception center upon expiration of the contract.<sup>26</sup> This stipulation encouraged farmers to supervise closely the activities of braceros while in their employ.

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<sup>24</sup>Ibid.

<sup>25</sup>65 Stat. 119 (1951). Braceros were free to accept or decline employment with any eligible employer and to choose the type or agricultural work they desired.

<sup>26</sup>The reception center was the place to which braceros were brought from Mexico to be assigned to employers. En route back to Mexico, they were to pass through this center once again. Ibid.



Under another essential provision of Public Law 78, Mexican workers could not be hired unless the Secretary of Labor determined that sufficient able, willing, and qualified domestic workers were not available; and that reasonable efforts had been made to attract Americans under terms comparable to those offered braceros. Furthermore, employment of Mexican nationals was not to "adversely effect" the wages and working conditions of domestic workers similarly employed. Mexicans were to be subject to immigration laws. They could be contracted if they were legal immigrants already residing in the United States, or if they were illegal aliens who had entered the country during the previous five years. Employers of illegal aliens, however, were prohibited from participation in the program.<sup>27</sup>

In return, Mexico agreed to negotiate another international treaty if President Truman would recommend to Congress legislation to curb illegal alien traffic. The result was the six-month "The Migrant Labor Agreement of 1951," the basis for future recruitment. As a control measure, stations were created in Mexico to supplement reception centers earlier established in the United States. The agreement prohibited discrimination, and Mexicans were not to be employed in areas where domestic workers could be utilized.<sup>28</sup>

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<sup>27</sup> Ibid.

<sup>28</sup> The branch of the Mexican government responsible for the recruitment was not named, but it was assumed that it was to be the Ministry of Labor. State, U.S. Treaties, 2: 2331.

The 1951 agreement prescribed a detailed recruitment process. The Mexican government was to receive at least thirty days' notice as to the number of workers needed. At centers in Mexico, the United States Department of Labor would designate prospective braceros who had passed Mexican Public Health Service physical examinations. Next, they had to pass physical examinations conducted by the United States Public Health Service and security checks administered by the Department of Justice.<sup>29</sup>

The six-month nature of the agreement was designed to pressure Congress into enacting an anti-illegal alien measure. Such legislation was passed on March 20, 1952, as Public Law 283, an amendment to the Immigration Act of 1917. It made importation, transportation, or harboring of mojados a felony offense punishable by a maximum fine of \$2,000 and up to five years in prison. Employment of illegal aliens, however, was not considered a violation.<sup>30</sup>

As a result, a revised bilateral accord took effect on May 19, 1952, and contained guidelines for establishing employer ineligibility. The Secretary of Foreign Relations of Mexico was to furnish the United States Secretary of Labor with a list of employers who had failed to comply with the numerous

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<sup>29</sup>The Mexican government established migratory stations at Aguascalientes, Guadalajara, Irapuato, Guanajuato, Monterrey, Nuevo León, and Chihuahua. Ibid.

<sup>30</sup>66 Stat. 26 (1952).

international provisions and thus could not participate. The agreement's termination date was set at December 31, 1953, the expiration date of P.L. 78.<sup>31</sup> Subsequently, P.L. 78 was renewed without amendment and was to terminate on December 31, 1955.<sup>32</sup> The bilateral agreement was also extended until December 31, 1955, again to concur with the expiration date of the statute.<sup>33</sup> In 1955, P.L. 78 was extended three and one-half years and contained one major change. The Secretary of Labor was directed to consult with employers and laborers in determining the availability of domestic workers and the existence of "adverse effect."<sup>34</sup>

The international agreement was not extended for the three and one-half year period of P.L. 78 but was renewed each year through an exchange of diplomatic notes. During the late 1950s, however, concern developed over the implications of the program. The plight of domestic migrant workers had been exposed through several studies which created doubt as to the necessity of a foreign importation arrangement. In response, the Secretary of Labor appointed a group of consultants to study the program and to recommend changes. Their report, submitted in 1960, surprised and shocked agribusiness.

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<sup>31</sup>State, U.S. Treaties, 3: 2586.

<sup>32</sup>67 Stat. 500 (1953).

<sup>33</sup>State, U.S. Treaties, 5: 2932.

<sup>34</sup>69 Stat. 615 (1955).

The Consultants found that the Mexican Farm Labor program had fallen short of its initial objective--to avoid a detrimental effect on American farmworkers and the American agricultural market--and that revision was urgently needed if the program was to operate beneficially.<sup>35</sup> In the early 1960s, these recommendations became the basis for heated debate over the validity and morality of Mexican labor importation and contributed to its eventual demise.

#### Texas and Mexico--Good Neighbors?

Texas involvement in the Mexican worker importation arrangement was a constant source of controversy during the 1940s. Because of discrimination against Mexican nationals and Mexican-Americans in the state, Mexico excluded Texas from wartime agricultural labor agreements. The attitude of the major growers in Texas influenced Mexico's decision to ban workers. Big agricultural interests wanted a program modeled after informal World War I provisions which had left operations largely in their hands. They disliked the "guarantees" contained in the proposed 1942 agreement, especially the wage guarantee, and feared federal encroachment.<sup>36</sup>

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<sup>35</sup>U.S., Department of Labor, Bureau of Employment Security, "Mexican Farm Labor Program," Consultants Report, October 1959, p. 1 (hereafter cited as Labor, Consultants Report).

<sup>36</sup>Otey M. Scruggs, "Texas and the Bracero Program," Pacific Historical Review 32 (August 1963), p. 251.

Texans had hoped for comprehensive congressional farm legislation that would supersede a diplomatic agreement, reinstate the "open border" policy, and avoid cumbersome regulations. For these reasons, Texas growers chose not to participate in the 1942 accord, even before they were banned from participation.<sup>37</sup> They wanted the border open to immigrant workers until the labor shortage abated in the lower Rio Grande Valley.

Mexico rejected this argument. An open border policy would only add to the injustices already being inflicted upon Mexicans in farm towns throughout Texas. President Manuel Ávila Camacho believed the labor shortage to be an opportune occasion to expose the discrimination against Mexicans and Mexican-Americans. In short, Texas epitomized intolerance.<sup>38</sup> Acts of discrimination abounded. An Anglo-American dentist in Snyder, Texas refused to treat a soldier of Mexican descent. A more brutal incident involved a seventeen-year-old boy who was hit over the head with a Coke bottle when he attempted to purchase a package of cigarettes in a cafe in Levelland, Texas.<sup>39</sup> To the Mexican government, therefore, an open border policy was not acceptable.

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<sup>37</sup>Bevans, Treaties, 9: 1069.

<sup>38</sup>Otey M. Scruggs, "Texas Good Neighbor?" Southwestern Social Science Quarterly 43 (September 1962): 120.

<sup>39</sup>Carey McWilliams, North From Mexico, The Spanish-Speaking People of the United States, 2nd ed. (New York: Monthly Review Press, 1961), pp. 269-70.

In 1943, significant changes occurred. The original executive agreement was modified to extend wage guarantees to piece-rate laborers, and all alien workers were to be provided hygienic lodgings.<sup>40</sup> The comprehensive farm bill that Texas farmers desired from Congress also passed as Public Law 45. It suited large farm interests since, in effect, it re-established the hoped-for open border. Section 5(g) allowed the importation of agricultural workers from North, South, and Central America and gave the Commissioner of Immigration and Naturalization the authority, with the approval of the Attorney General, to import workers in furtherance of the war effort.<sup>41</sup> While upset over the altered diplomatic accord, Texas agriculturists were pleased with Public Law 45.

The open border policy, however, clearly contradicted the international agreement. Mexico had stated that workers would be withheld if provisions of the agreement were not met, and any attempt to import workers under Section 5(g) would likely produce conflict.<sup>42</sup>

Cause for conflict did result. During the spring of 1943, Texas growers near the border appealed countless times to immigration officials to loosen their control on labor importation. Mexican workers learned of their appeals and flooded border towns in anticipation of a more liberal policy.

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<sup>40</sup>Bevans, Treaties, 9: 1129.

<sup>41</sup>57 Stat. 73 (1943).

<sup>42</sup>Scruggs, "Texas and the Bracero Program," p. 252.

Succumbing to the pressure and acting under the authority of Section 5(g), the Immigration Service, on May 11, 1943, authorized border officials to supply Mexicans with cards permitting them to enter the United States for one year. The farmers were delighted and rushed across the border at El Paso to recruit eager workers.<sup>43</sup>

Mexico reacted firmly. The bilateral agreement of April 1942 would be terminated unless all Mexican laborers were placed under its provisions. On May 28, 1943, after a series of conferences in Washington, the State Department announced that Section 5(g) was not applicable to Mexican laborers. The Ávila Camacho government agreed to allow those already in the United States to remain one year.<sup>45</sup> The utilization of Section 5(g) to secure farmworkers was part of an effort by Texas growers to circumvent the conditions of the exclusionary agreement.

Mexican anger toward Texas farmers continued because of the El Paso incident and alleged discrimination against Mexicans in the state. The Ávila Comacho administration announced that because of the widespread intolerance, no more braceros would be sent to Texas. Although not in immediate need of workers, Texans feared the future consequences of such exclusion. Governor Coke Stevenson, in an attempt to ease tense

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<sup>43</sup>Ibid.

<sup>44</sup>San Antonio Texas Express, 12 May 1943.

<sup>45</sup>Scruggs, "Texas and the Bracero Program," p. 253.

relations, persuaded the Texas legislature to pass the "Caucasian Race Relations Resolution Number 105." It affirmed the right of all caucasians within Texas to equal protection under the law. Offenders would be considered in violation of the good neighbor policy announced by Franklin Roosevelt in 1933.<sup>46</sup>

Mexico did not consider this action to be sufficient. On June 12, 1943 Governor Stevenson wrote to Foreign Minister Ezequiel Padilla acknowledging injustice in Texas. He also reiterated the desire for legal workers in Texas and promised to try to eliminate discrimination against Mexicans and to consider the creation of an agency to hear complaints. Padilla replied that such promises did not go far enough; laws and penalties were needed. Though Stevenson agreed to prompt action on such measures, the Mexican government would not consider the request for workers until Stevenson publicly announced the creation of a committee to deal with discrimination.<sup>47</sup> Though Governor Stevenson quickly created the Good Neighbor Commission<sup>9</sup> to promote Texas-Mexican goodwill, it did not organize until September, and only then with limited funding. While the Commission stalled and the ban on braceros continued, Texas growers finished the 1943 season utilizing all available workers, many of them illegal aliens.<sup>48</sup>

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<sup>46</sup> Nellie Ward Kingrea, History of the First Ten Years of the Texas Good Neighbor Commission (Fort Worth, Texas: Texas Christian University Press, 1954), pp. 27, 32.

<sup>47</sup> Scruggs, "Texas and the Bracero Program," p. 256.

<sup>48</sup> Kingrea, Good Neighbor Commission, pp. 34, 67.



Continued requests for braceros were made in the following year, but Mexico stood fast. President Ávila Camacho and Minister Padilla considered sending workers, but they feared that anti-discrimination measures would not be enforced. The situation had apparently improved so little following the formation of the Good Neighbor Commission and Governor Stevenson's assurances, that a Mexican publication, Fraternidad, ran a column entitled, "¿Texas, Buen Vecino?" ("Texas, Good Neighbor?") It cited instances of injustices in the hope of convincing the Mexican government that braceros should be withheld--which they were.<sup>49</sup>

Agricultural demands in Texas decreased after 1944. A program to improve conditions for domestic workers, initiated in January of 1945 by the Texas State Extension Service, was partially responsible. Additionally, more mojados were used. Late in 1946, the Mexican government released statistics indicating that 119,000 illegal aliens were residing in the border area of the United States. A minimum of 50,000 were thought to be in the Lower Rio Grande Valley of Texas.<sup>50</sup> Apparently the trans-Rio Grande traffic could not be stopped,

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<sup>49</sup>Scruggs, "Texas and the Bracero Program," p. 260. Fraternidad was a publication of the government agency, Comite Mexicana contra el Rasismo.

<sup>50</sup>Pauline Kibbe, "The American Standard For All Americans," Common Ground (Fall 1949), p. 6., cited by Kingrea, Good Neighbor Commission, p. 67. See also, Scruggs, "Texas and the Bracero Program," p. 261. Pauline Kibbe, Executive Secretary for the Texas Good Neighbor Commission, travelled throughout Mexico during 1946 to better Mexican-Texan relations.

and sentiment to Mexico came to support international agreements which would legalize wetbacks. In light of this opinion, a temporary diplomatic accord of April 28, 1947, allowed legalization.

After 1947 the need for Mexican workers diminished, and Mexico's bargaining position was not as advantageous as it had been during the war years. The Texas Good Neighbor Commission became a permanent state agency in 1947. Its purpose was three-fold: to study problems in Texas; to formulate plans for permanent solutions; and to put these plans into effect with the assistance of state agencies, community organizations, and religious groups. Though it heard cases of alleged discrimination against Mexicans, lack of funds and personnel limited the Commission's success.<sup>51</sup>

Another border conflict developed in the fall of 1948. While concrete legislation was pending, workers were to be admitted to the United States through 1949 under the provisions of the Immigration Act of 1917. The objective was to aid American growers in making the transition from wartime to

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<sup>51</sup>Pauline R. Kibbe, Latin Americans in Texas, (Albuquerque: University of New Mexico Press, 1946), pp. 252-53. Kibbe served as Executive Secretary of the Texas Good Neighbor Commission from its conception until 1947. She was concerned about discrimination in the state and about Mexican labor in Texas, both legal and illegal. She made a trip to the Rio Grande Valley in April 1947 and was frank in her criticism of employment practices there. Her comments offended large Valley growers who made their unhappiness known to officials in Austin. Amid controversy and possible dismissal, Pauline Kibbe resigned her post in September of 1947. Kingrea, Good Neighbor Commission, pp. 70-71.

peacetime agriculture. Immediately, wages caused controversy. Mexican negotiators demanded that \$3.00 per hundred weight of cotton be paid rather than the existing \$2.50. Texas growers demanded workers and were enraged at the position taken by the Mexican government. They contended that their right to set wages had never been challenged by their own government, let alone that of a foreign country. Most important, the Texas cotton crop was at stake.<sup>52</sup>

Don Larin, acting for the United States Department of Labor, agreed with the growers. He appeared in El Paso to cooperate with the Immigration and Naturalization Service in resolving the controversy. Larin charged that Mexico had violated prior agreements by demanding more than the prevailing wage. "These Mexican officials," he complained, "were pointing a pistol at the American farmer's head." Realizing that Texas growers needed workers for their fall harvest, Larin helped to arrange the opening of the border to eager Mexicans willing to pick cotton at any price. In addition, workers were led to believe that they should hurry to get work as braceros, since Mexico meant to close the border. Many jumped the gun and crossed the border the evening before recruitment was to begin on October 14. Hopeful workers waded across the shallow Rio Grande and were transported to the Texas Employment Commission. Some were sent by train to

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<sup>52</sup>Austin (Tex.) American, 18 October 1948. See also, Galarza, Merchants of Labor, p. 49.

sugar beet fields in Colorado, Wyoming, and Nebraska. Others went by truck to West Texas and New Mexico cotton fields.<sup>53</sup>

Grover Wilmoth, District Director of Immigration, estimated that 4,000 braceros were contracted from October 13 to October 17, and others crossed on the final day, October 18. Paul Cortez, national president of the League of United Latin American Citizens, decried the incident. He stated that the influx of alien workers would "lower wage standards to almost peonage levels."<sup>54</sup> Mexico City also objected, and on October 18 ended the migrant labor agreement. This action was justified because of the "tacit U.S. approval of mass illegal entries of braceros into Texas."<sup>55</sup>

Incidents such as these did not improve relations between Texas and the Mexican government. Discrimination continued, but legal braceros were permitted after the passage of Public Law 78 with its worker guarantees. Increasingly, Texas farmers came to depend on braceros as reliable farm labor. Therefore, when controversy developed over the extension of the program during the succeeding decade, Texas would be directly affected.

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<sup>53</sup>Austin (Tex.) American, 18 October 1948.

<sup>54</sup>Ibid., See also, San Antonio Express, 19 October 1948.

<sup>55</sup>San Antonio Express, 19 October 1948.

## CHAPTER II

### CONTROVERSY AND COUNSEL

The year 1959 proved to be monumental. For the first time the bracero program underwent a thorough investigation. The Secretary of Labor appointed four investigators to study the effect of labor importation. They did, and their findings proved damaging to bracero advocates. Public Law 78 had fallen short of its original goals; domestic workers had suffered; and changes were needed if the program was to continue. In retrospect, this report signaled the beginning of the end for P.L. 78.

#### Conflict and Consultants

The bracero program inspired debate. Supporters argued that it helped Mexico and furthered binational harmony. The agricultural worker, who received higher wages in the United States than in Mexico, returned home, spent his earnings, and pumped capital into the Mexican economy. Opponents stressed the program's injustice. American agriculture, they contended, was preying on a poorer people, but more importantly, the importation of foreign workers was detrimental to this nation's chronically underemployed. These conflicting views were expressed poignantly in three nationally circulated United

Press International articles which were inserted in the Congressional Record of July 15, 1959.

Proponents maintained that braceros were "better off than they were in Mexico. They are happy with their wages. They don't know any better. Why spoil them with money they wouldn't know how to spend and comforts they have never enjoyed." Sentiment held that braceros were "illiterate people, discovering indoor plumbing for the first time, and living in labor camps in Hidalgo, Texas where living conditions were better than those of many industrial workers." The opposing view, excerpted from an article in the major dailies of Sunday, July 5, 1959, held that it could not be denied that "many braceros, and many of our native migrant workers, live and toil under conditions that are an affront to human dignity and a disgrace in a free democratic society."<sup>1</sup>

Noteworthy also was the developing friction between the Departments of Agriculture and Labor over maintenance of the program. Under Agriculture, large farmers, or agribusiness, were allowed more latitude. Once Labor took over, following the passage of Public Law 78, more rigid administration replaced the former permissiveness. More safeguards for Mexican workers were written into the law, and more restrictions were placed on employers. Proponenets and opponents

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<sup>1</sup>U.S., Congress, House, 86th Cong., 2d sess., 15 July 1959, Congressional Record 105: 13519 (hereafter cited as Cong. Rec., volume, page.) The articles were carried throughout the country, but no specific newspapers were cited.

alike believed that Public Law 78 gave the Secretary of Labor vast discretionary power. They insisted that this power should be explicitly defined and detailed in an act of Congress. The controversy was confused and many-sided, and it included those who favored continuation of the program, termination, and continuation with restrictions. Though battlelines were not clearly drawn, the conflict would proceed.

Because of the debate, and because of the awakening social consciousness of concerned Americans, Secretary of Labor James P. Mitchell took action. In 1959, which would prove to be a critical year, he appointed a group of consultants to study the existing bracero program and to review the feasibility of its continuation. The Secretary's choices were distinguished men of varied backgrounds and political persuasions. Edward J. Thye was a former United States Senator from Minnesota; the Very Reverend Monsignor George C. Higgins was Director for Social Action of the National Catholic Welfare Conference; Glenn E. Garrett was Chairman of the Texas Council on Migrant Labor; and Rufus B. von Kleinsmid was Chancellor of the University of Southern California. When released, their recommendations would become the basis for more controversy at a time when the liberal voice was growing louder in behalf of civil rights. Anything construed as social injustice, such as the employment of Mexican agricultural labor, was open to attack. The Consultants report and recommendations would also serve as a

basis for later committee hearings and lengthy debates over the extension of the Mexican Farm Labor Program. And they would contribute significantly to its eventual demise.

The Consultants studied the Mexican Farm Labor program for several months, viewed its operation firsthand, and in October 1959 submitted their report. As stated in the document's introduction, the purpose of Public Law 78 was two-fold: to "obtain agricultural workers from Mexico to meet peak seasonal labor shortages" and to "insure that our own domestic farmworkers will not be adversely affected by the employment of Mexicans." A review of the eight-year Department of Labor administration of the program indicated that the first objective was achieved. About one half million Mexican workers were imported in 1958 in an organized and orderly fashion. But Labor was "much less successful" in fulfilling the second. Especially had it been difficult to administer Section 503 of the act which prohibited the use of Mexican laborers unless the Secretary of Labor had determined that:

- 1) domestic workers are not available
- 2) the use of Mexicans will not adversely affect wages and working conditions of domestic farmworkers, and
- 3) reasonable efforts have been made to attract domestic workers at wages and standard hours of work comparable to those offered Mexican workers.<sup>2</sup>

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<sup>2</sup>U.S., Department of Labor, Bureau of Employment Security, Mexican Farm Labor Program, Consultants Report (Washington, D.C.: Government Printing Office, 1959), p. 1. (hereafter cited as Consultants Report).



In appointing the Consultants, Secretary Mitchell pointed to four problem areas that needed further study. Accordingly, their report was directed at these topics:

- 1) ADVERSE EFFECT: Does the availability of braceros restrict the employment opportunities for domestic workers? Does it adversely affect wages and the availability of family housing? If there are adverse effects arising out of the importation program, what should be done to meet the problem?
- 2) EXTENSIVE USE OF MEXICANS: Should foreign labor be limited to specific crops? Should they be used in year-round skilled or machine jobs? Are there other ways in which the use of foreign labor should be limited?
- 3) INTERNATIONAL ASPECTS OF THE PROGRAM: What is the attitude of the Mexican government toward the present importation program? What alternative importation procedures are there?
- 4) CONTINUATION OF THE PROGRAM: Should the foreign labor program be renewed for a specified time or made permanent? Under what conditions?

To better understand the problems, the Consultants became familiar with, and developed a statement regarding, the program's background. After field visits and conferences with Department of Labor personnel, six main aspects of the bracero issue were stated: adverse effect, extensive use of Mexican nationals, wages, conditions of employment, recruitment and availability of domestic workers, and international relations.<sup>3</sup> Each point will be considered in some detail.

#### Braceros: Effect and Use

Concerning adverse effect, Section 503(2) of P.L. 78 prohibited the Department of Labor from making Mexican workers

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<sup>3</sup>Ibid., p. 3.

available unless it could be determined that their employment would not produce a decline in wages and working conditions of "domestic workers similarly employed." Adverse effect was not easily defined, as stated in the report:

Neither law nor legislative history can explain definitely what is meant by adverse effect or how Congress intended the determination of adverse effect to be made. This, therefore, has been a very controversial and difficult area of administration.<sup>4</sup>

Nor was adverse effect easily interpreted. In a very strict sense, the term could encompass "depriving American workers of jobs, lowering wages, or impairing conditions of employment that may already exist in the area." As such, the Department of Labor's obligation would be only to assure that there was no worsening of the status quo for American workers. Another impact of Mexicans might have been the prevention of "wages and working conditions from reaching a point they would have reached under the play of forces in the free labor market if Mexican nationals were not employed in the area."<sup>5</sup> In this sense, Labor's job would be to insure that wages remained consistent in areas employing braceros as compared to areas that did not.

Another view held that any interpretation based on Department of Labor expectations could make a case for adverse effect, since the program interfered with the invisible laws

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<sup>4</sup>Ibid.

<sup>5</sup>Ibid.

of economics. In labor-scarce areas, adjustments in wage rates, conditions of employment, and production methods would restore a balance of worker supply and demand. The use of Mexican nationals, then, could provide a "cushion" to slow the impact of these adjustments on farm employers. Thus, adverse effect existed where corrective tendencies were prevented from operating and brought about reduction in pay, increased reliance on Mexican labor, displacement of American workers, reluctant recruitment efforts, and failure to improve housing and working conditions.<sup>6</sup>

Despite conflicting interpretations, the Department of Labor did establish procedures designed to minimize negative impact. Specifically, several safeguards were intended to reduce potential adverse effects:

- 1) a pre-season supply-demand analysis to determine labor shortages,
- 2) an interstate clearance to meet shortages from available surpluses of domestic labor,
- 3) requirement that employers of foreign labor meet acceptable standards of housing and working conditions,
- 4) requirement that employers of foreign nationals pay the "prevailing wage" to protect domestic wage standards while preventing exploitation of foreign workers,
- 5) requirement that employers using foreign workers hire qualified U.S. workers who become unemployed in the area, either in addition to, or in place of, Mexican nationals?<sup>7</sup>

Evidence indicated employment displacement as an adverse effect. Many employers expressed a preference for Mexican

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<sup>6</sup>Ibid.

<sup>7</sup>Ibid., pp. 3-4.

workers since they represented an assured work force of "premium adult male labor."<sup>8</sup> Because of the many restrictions and contract guarantees, the use of braceros relieved the farmer of the worry of losing his labor force during peak harvest time. In addition, the cost of housing for foreign workers was less than for domestic workers, since the great majority of them were males who came alone, while domestic migrant workers generally travelled in family groups. In such a competitive situation, farmers sought economic advantages, one of which was the use of Mexican nationals at harvest time. In reality, domestic labor could not compete where braceros were extensively employed.

Duration of employment was another aspect of adverse effect. Because of short harvest periods, year-round employment for most farmworkers was not possible. If braceros were available, "seasons of agricultural employment may be further compressed," thus reducing seasons for domestic workers.<sup>9</sup> Simply, availability of braceros "weakens the domestic workers' bargaining position and contributes to depression of area wage levels." The Consultants found that

studies made by the Department of Labor show that wage rates in activities in which Mexicans are employed have lagged behind the rising wage level for farm work generally. Studies also show that wages paid by employers who use braceros tend to average lower than those paid non-users in the same area.<sup>10</sup>

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<sup>8</sup>Ibid.

<sup>9</sup>Ibid., p. 4.

<sup>10</sup>Ibid., p. 5.

A second major concern relative to the program was the extensive use of Mexican nationals. While P.L. 78 did not clearly limit the use of braceros to seasonal occupations, the history of the act implied this intent. Approximately twenty thousand Mexicans, known as "specials," were employed in 1959 on a year-round basis. For the most part, they possessed much-needed knowledge and skills. They were specifically requested at reception centers, and their contracts were renewed every six months. Most of the "specials" worked in the border towns of Texas as tractor operators, vegetable packers, or ranch hands, and they even entered more demanding occupations. The Department's sole legal authority governing Mexican nationals in skilled occupations applied to cases where

- 1) qualified domestic workers were available at the time and place needed, or
- 2) when a determination could be made under paragraph two of section 503 "that the use of Mexicans adversely effects the wages and working conditions of domestic workers similarly employed."<sup>11</sup>

Difficulties arose in the application of these criteria. For instance, if a bracero was used in the packing and sorting of vegetables in the field, his employment displaced an American packinghouse worker. Because packinghouse employees were not usually transferred to field jobs, and because the grower wanted his vegetables packed in the field, the need existed in the field, not in the packing sheds.

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<sup>11</sup>Ibid., pp. 5-6.

Thus braceros were requested, and higher-paid domestics were indirectly replaced by braceros who thus filled an artificial labor shortage.<sup>12</sup>

According to P.L. 78, foreign workers would be utilized in crops which the Secretary of Agriculture deemed "essential." But evidence revealed that the Secretary did not always declare commodities "non-essential," even if they were in surplus supply.<sup>13</sup> It appeared, therefore, that the Department of Agriculture was more sympathetic to the demands of the growers than to the needs of American farmworkers.

#### Braceros: Their Wages

Section 503, paragraph 2, of P.L. 78 gave the Department of Labor the responsibility of assuring that the use of braceros would not adversely affect wages. This act, and the accompanying international accord, stipulated that braceros wages were to correspond with those of similarly employed domestic workers.<sup>14</sup> The prevailing scale in a given area was to be determined through frequent surveys of employers of domestic workers who also employed braceros; and individual workers were questioned regarding pay for

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<sup>12</sup>Ibid., p. 6.

<sup>13</sup>Ibid.

<sup>14</sup>Ibid. In a small number of cases (less than five percent), where no single scale applied to forty percent of the workers, an alternate formula was used. In such instances, the range of wages was compiled. The "prevailing wage" as then determined by starting with the lowest figure and proceeding upward until fifty-one percent of the workers in the area were included.

specific tasks. According to the formula adopted in 1958, the wage rate of forty percent of the workers in a given area was considered the "prevailing wage." (See table 2.)

Where braceros were employed, they did affect wages. Bureau of Employment Security studies showed that rates in crop categories which utilized braceros did not keep pace with general farm wage trends. According to the Department of Agriculture, hourly rates rose fourteen percent from 1953 to 1959. Yet when state agencies examined wage surveys undertaken where domestic workers and braceros were employed, they discovered that in three-fifths of the cases, the average pay of Americans remained unchanged or decreased.<sup>15</sup> In the analysis, each wage survey was given equal weight, despite variations in the number of workers employed. If the findings had been weighted, the indication of a downward trend would have been even greater. Over half of all braceros were employed in the cotton crop, and in three-fourths of all cases, wage rates for cotton workers were unchanged or lowered during these five years. (See table 3.)

From 1950 to 1959, the wage differential between agriculture and industry steadily widened, and it is plausible to infer that the use of foreign workers in agriculture was partly responsible. If the Department of Labor's obligation was merely to prevent wage levels from declining below those

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<sup>15</sup>As a point of reference, the average hourly farm wage in 1960 was \$.97. Wages in the state employing braceros were considerably lower.

TABLE 2

WAGES PAID DOMESTIC FARMWORKERS  
IN AREAS EMPLOYING MEXICAN NATIONALS, 1960

Major Mexican- using states*	Hourly wage rates paid U.S. workers in work in which Mexican nationals were employed.		Average hourly farm wage rate without room or board, 1960
	Lowest rate	Most common	
Texas	\$0.40	\$0.50	\$0.78
California	.75	1.00	1.23
Arkansas	.35	.50	.73
Arizona	.70	.70	.97
New Mexico	.60	.60	.85
Michigan	.75	.85	1.07
		1.00	
Colorado	.65	.75	1.09
Montana	**	**	1.13
Nebraska	.85	.85	1.10
Georgia	**	**	.66
Wyoming	**	**	1.12
Wisconsin	.80	1.00	1.09
Tennessee	.50	.50	.63
Indiana	.75	.80	1.06

\*According to U.S. Department of Agriculture figures, the U.S. average hourly farm wages in 1960, without room and board, was \$.97 per hour.

\*\*No hourly rates were reported in 1960.

SOURCE: Bureau of Employment Security  
As cited in Cong. Rec., 107: 18787.



TABLE 3

WAGES FOR COTTONPICKING (HAND), PER 100 POUNDS, SOUTH-  
WESTERN AND SOUTHEASTERN STATES, 1950 AND 1959

	Average rates		Percent change, 1950-59
	1950	1959	
United States	\$2.65	\$2.80	+5.7
Southwest	2.87 $\frac{1}{2}$	2.79	-2.9
California	3.45	3.20	-7.3
New Mexico	2.50	2.25	-10.0
Texas	2.45	2.45	0
Arizona	3.10	3.25	+4.8
Southeast	2.49	2.92 $\frac{1}{2}$	+17.6
Georgia	2.45	2.85	+16.3
Alabama	2.30	2.75	+19.6
South Carolina	2.35	2.70	+14.9
North Caroling	2.85	3.40	+19.3

SOURCE: U.S. Department of Agriculture, Agricultural Market-  
ing Service, Crop Reporting Board, Farm Labor, Nov. 1, 1959  
p. 7. (Adapted and arranged.)

As cited in U.S., Congress, House, Committee on Agriculture,  
Extension of Mexican Farm Labor Program, Hearings before  
Subcommittee on H.R. 9869 and Others, 86th Cong., 2d sess.,  
1960, p. 208.

that existed at the time Mexican nationals were introduced to a particular area, the prevailing wage concept might have been adequate. If, on the other hand, the Department was charged with restoring wages to levels they would have reached if foreign workers had not entered the area, or keeping pace with wage trends in areas in which foreign workers were not employed, the procedures were inadequate.<sup>16</sup>

Special problems developed in both locations and activities where braceros predominated. Often prevailing wage determinations were almost meaningless in lettuce, citrus, melons, and carrots in parts of Arizona; tomatoes, citrus fruits, beans, peppers, cucumbers, and cotton in Texas; cotton in New Mexico; pickles and lettuce in Colorado; and sugar beets in several states.<sup>17</sup> The Department of Labor policy in areas dominated by braceros was to compare their wages with those in regions in which braceros were not in the majority. This method proved impractical because of the difficulties in finding comparable areas that were similar enough to be acceptable substitutes, but which had not been influenced by the employment of braceros.

On paper, the prevailing wage was to be based on the rate paid forty percent of domestic workers in a particular location, regardless of whether they worked on farms employing Mexican nationals. The Bureau of Employment Security studies revealed that in the same locale, and for the same activities, employers

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<sup>16</sup>Contultants Report, p. 7.

<sup>17</sup>Ibid., p. 8.

who used braceros tended to pay less than non-users in almost one-half of the wage surveys examined between January 1957 and May 1959. No difference was reported in one-third of the cases, and in one-fifth of the instances, users of braceros paid more than non-users. The Consultants concluded that prevailing wages were based on rates which were partially influenced by the presence of Mexican nationals.<sup>18</sup>

In the negotiations that produced P.L. 78, the Mexican government had been concerned with wages. One of its contract demands was a fifty cent minimum for braceros who were paid by the hour. Though this rate was below existing levels in most areas of the United States where foreign laborers were employed, it exceeded the prevailing rates in parts of New Mexico, the Arkansas Delta, and the lower Rio Grande Valley of Texas. For the many braceros paid on a piece rate basis, Department of Labor surveys indicated that their wage was not equivalent to the fifty cent minimum. Because of this condition, the Bureau of Employment Security, in 1958, adopted a policy whereby workers of "reasonable diligence" must make the equivalent of fifty cents an hour and piece rates would be adjusted accordingly.<sup>19</sup>

The "reasonable diligence" criterion for piece-rate workers hindered the creation of an absolute minimum wage, since ten percent of the workers presumed to be less diligent

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<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

were allowed to earn less than fifty cents per hour. Adjustments of piece rates were generally accomplished through negotiations with growers. The Bureau of Employment Security also adopted a policy of comparing average hourly earnings of Mexican piece-rate workers with those who performed similar work; then the Bureau made recommendations to employers who paid workers less than the prevailing hour rate.<sup>20</sup>

#### Contracts, Domestic Workers, and International Harmony

Evaluation of conditions of employment provided further insights. The Consultants found that Americans received less favorable terms than aliens, a condition that created a shortage of domestic workers. Contract guarantees gave Mexicans several advantages. One related to transportation costs, which ofr braceros were paid from a revolving fund to which employers contributed. Cost of the trip from immigration centers in Mexico to the border was underwritten, as were expenditures for subsistence. Employers arranged for transportation from the border to the work site in vehicles which were to conform to rigid safety standards. They also were responsible for conveying workers from the work site back to their homes in Mexico. Conversely, domestic migrant workers usually supplied, and paid for, their own transportation. Occasionally, employers would advance money for this purpose and reimburse themselves through payroll deductions. In some cases, employers would

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<sup>20</sup> Ibid., p. 9.

offer return transportation to American workers who stayed until the end of the season.<sup>21</sup>

Foreign workers also enjoyed contractual advantages. The individual bracero's agreement guaranteed the opportunity to work at least three-fourths of the work days in the contract period, or usually no less than six weeks. If the employer failed to provide the prescribed number of work days, the braceros was, nevertheless, paid for the entire stipulated term.<sup>22</sup>

Minimum wage guarantees also favored braceros. Besides the implicit minimum wage, an additional protection was written into the law. If the prevailing wage was higher than the contract minimum, the bracero was to be paid the higher wage. If paid on a piece-rate basis, he had to make at least two dollars per day for the first forty-eight hours of employment while learning. Americans were without such protections, since the Fair Labor Standards Act did not cover agricultural workers. State minimum wage laws did not extend to them except in Alaska, Hawaii and Puerto Rico, where braceros were not employed.<sup>23</sup>

Mexican nationals also received insurance coverage, which employers were required to provide; or, if they did not, they were to guarantee "sufficient financial responsibility to cover major occupational risks." Employers were obligated to pay all hospital, medical, and surgical costs plus workers'

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<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

subsistence on days off which resulted from occupational injury or disease. Americans were denied such coverage, and only in Ohio and California did compulsory workmen's compensation extend to farmworkers. In Arizona, those engaged in mechanized farm occupations were covered by insurance, but field hands were not.<sup>24</sup>

The Consultants were also concerned with the recruitment and availability of domestic workers. Section 503, paragraph 3 of P.L. 78 provided that as a condition in recruiting braceros, "reasonable efforts" were to be made to attract domestic workers at wages and hours comparable to those offered aliens. Bureau of Employment Security procedures required that employers desiring bracero labor had to file orders of request for foreign workers. These requests were circulated throughout various states as a means of attracting domestic workers to fill the waiting jobs. Generally, orders were not filled because of transportation difficulties, and because when they were distributed, many domestics were temporarily employed.<sup>25</sup>

Regarding recruitment and availability of domestic labor, the law, contended the Consultants, should have allowed the Secretary of Labor to take action necessary to guarantee active competition for an available supply of domestics. The Secretary's main objective was to reduce employers reliance

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<sup>24</sup>Ibid., pp. 10-11.

<sup>25</sup>Ibid., p. 11.

on braceros, by reducing the ratio of Mexicans to domestic workers and limiting the number of Mexicans in any particular crop area to a specific proportion based upon need.<sup>26</sup>

Once braceros were secured, the prevailing wage had to be posted in a public place. If, during the contract period, qualified domestic workers were available, the nearest state employment office was required to refer them to employers using braceros. In short, the Bureau of Employment Security's policy was to cause employers of braceros to attempt to secure domestics. Employers who hired Americans had to offer competitive wages, suitable family housing, and transportation. Many employers, the Consultants determined, did not make the effort. In addition, lower wages and unsuitable housing (built for single males) often created artificial labor shortages that foreign workers filled.<sup>27</sup>

A final area of investigation was the bracero program's impact on international relations. Would the non-renewal of P.L. 78 be detrimental to American-Mexican harmony? On the one hand, Mexico welcomed the economic aspects of the program, especially the influx of dollars. On the other, many of the abuses which resulted, such as discrimination, were repugnant. All in all, the Consultants felt that Mexico would "regret and possibly resent" the termination of P.L. 78 when it came up for renewal in 1961. If it were ended, illegal aliens

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<sup>26</sup>Ibid.

<sup>27</sup>Ibid., pp. 11-12.

might increase; and Mexican nationals might be recruited under Public Law 414, the Immigration and Nationality Act, which afforded fewer worker protections.<sup>28</sup>

#### Renewal or Reform?

The closing section of the Consultants Report contained recommendations for improvement which amounted to a general criticism of P.L. 78 and identified necessary changes which should accompany its extension. The Consultants rejected the argument that domestic workers could not meet the needs of American agriculture. The shortage of domestic agricultural labor did not constitute a real emergency, except in select areas, and even then shortages might be overcome. If more satisfactory wages and working conditions were offered to domestics, and if the farm labor market operated on a more rational basis, the scarcity of domestic agricultural labor could, in large measure, be remedied.<sup>29</sup>

Housing requirements produced further discrepancy. Braceros received free housing that met minimum standards of sanitation, space, and cleanliness, as prescribed by the Bureau of Employment Security. Blankets and bedding were provided, as were kitchen facilities (separate from sleeping quarters) in camps that lacked central messes. American workers usually carried their own bedding and cooking utensils, and they lived in small cabins or partitioned rooms in public

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<sup>28</sup>Ibid., p. 13.

<sup>29</sup>Ibid., p. 14.



camps or in nearby towns. Some states set housing standards, but even then inspections of facilities were limited. Among the states accommodating large numbers of aliens and domestics in agriculture, Arizona, California and New Mexico had codes; Texas and Michigan did not. Where braceros and domestics worked together, the presence of foreign workers often improved the lot of domestic workers, since equivalent housing was offered to both on the same farm.<sup>30</sup>

Public Law 78 was to expire on June 30, 1961. Renewal without amendments would, believed the Consultants, postpone "the adoption of necessary reforms that would tend to increase rather than diminish the shortage of domestic farm labor."<sup>31</sup> Several opinions existed. The statute could be renewed without changes; it could be renewed with changes designed to protect domestic workers; or it could be terminated. The Consultants admitted that in 1959, when their report was submitted, the case for renewal was stronger than that for termination. Under the existing act, however, adverse effect on domestic workers was probably unavoidable.<sup>32</sup>

Therefore, they recommended changes which would provide the Secretary of Labor with the authority to insure an orderly and effective importation program. First of all, foreign labor should be confined to unskilled, non-machine jobs, and

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<sup>30</sup>Ibid.

<sup>31</sup>Ibid.

<sup>32</sup>Ibid.

laborers should be restricted to necessary crops on a temporary basis. To accomplish these ends, amendments were proposed which would:

- a) prohibit employment of Mexicans in specific occupations involving year-round employment such as ranch hands, general farm hands, and other types of non-seasonal employment.
- b) prohibit the employment of Mexicans in machine operations such as sorting and packing machines; tractors, irrigation equipment, etc;
- c) delete present provisions authorizing the Secretary of Agriculture to designate "necessary" crops in which Mexicans can be used, unless this provision can be clarified and implemented.

To avoid undue hardship for employers using braceros in categories (a) and (b), a one-year gradual termination of such employment was suggested.<sup>33</sup>

In addition, the test of availability of domestic labor needed to be clarified and strengthened. The law should clearly state that the "primary responsibility for the recruitment of domestic workers rests with the employer . . . ." As amended, the act should direct the Secretary of Labor to certify that domestic workers were not available and permit alien workers only if:

- 1) Employers have undertaken positive and direct recruitment efforts in addition to the efforts of the public employment offices. Such efforts should be made sufficiently in advance of need. They might include but not be restricted to, publicizing needs, providing adjustments; housing and transportation;
- 2) employment conditions offered are equivalent to those provided by other employers in the area who successfully recruit and retain domestic workers;

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<sup>33</sup>Ibid., p. 15.

- 3) domestic workers are provided with benefits which are equivalent to those given Mexican nationals, i.e., transportation, housing, insurance, subsistence, employment guarantees, etc.
- 4) employers of Mexican nationals offer to pay domestic workers in their employment no less than the wage rate paid to Mexican labor.<sup>34</sup>

Another proposed change would more clearly define the test for adverse effect on wages. In this vein, the Secretary of Labor would be directed to establish concrete criteria which would include:

- a) the failure of wages and earnings in activities and areas using Mexicans to advance with wages and increases generally;
- b) the relationship between Mexican employment trends in areas using Mexican workers;
- c) the difference in wages and earning levels of workers on farms using Mexican labor compared with non-users.

The Secretary would also establish wages for Mexicans at no less than the prevailing wage in a particular area, such rates to be no lower than was necessary to avoid adverse effect on the domestic wage rate.<sup>35</sup>

Further, the amended law should clearly define the authority of the Department of Labor. As of 1959, P.L. 78 allowed the Secretary to issue implementary regulations. This general power should be replaced with a specific provision authorizing the Secretary to apply necessary rules and regulations only to meet particular requirements of the law.<sup>36</sup>

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<sup>34</sup>Ibid., p. 16.

<sup>35</sup>Ibid.

<sup>36</sup>Ibid.

## CHAPTER III

### PUBLIC LAW 78 EXTENDED: 1960 AND 1961

Public Law 78 was to expire in 1961. The issue of its extension began to take shape shortly after publication of the Consultants Report, and by 1960 congressional sides were drawn. During 1960 and 1961, numerous bills were introduced. Hearings were held, and committee reports written. Instead of the two-year extension bracero proponents had desired, only six months of new life were granted by the Eighty-Sixth Congress. Further study began early in the next session, and after much discussion and the deliberations of a conference committee, a two-year extension was agreed upon. For pro-bracero groups, however, this was to be their final victory.

#### The Opening Round

The initial hearings began in the House, on March 22, 1960, after sixteen bills dealing with importation of foreign workers had been introduced.<sup>1</sup> They were of three separate types, two intended to restrict the power of the Labor Department, and the other intended to increase protections for American farm labor. The committee decided to choose one

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<sup>1</sup>These measures were numbered H.R. 9869, H.R. 9875, H.R. 10093, H.R. 10601, H.R. 9871, H.R. 11211, H.R. 11239, H.R. 11291, H.R. 11296, H.R. 11312, H.R. 11225, H.R. 11313, H.R. 11367, H.R. 11373, H.R. 11429, and H.R. 11536.

of each type for consideration. One, H.R. 9871, from E.C. Gathings of Arkansas, Chairman of the Committee on Agriculture, was aimed at limiting the power of the Secretary of Labor. The bracero accord would be jointly administered by the Departments of Agriculture and Labor, and no adverse effect determinations could be made without consultation between both departments. Public Law 78 would be extended until June 30, 1963.<sup>2</sup>

The second proposal, H.R. 9869, also intended to limit the power of the Secretary of Labor. It was essentially the same as H.R. 9871, except that an even more restrictive amendment was added to Section 508 to the effect that "nothing in this act . . . is intended to confer any authority upon the Secretary of Labor to regulate the wages, hours, perquisites or other conditions of employment of domestic farmworkers." Like H.R. 9871, H.R. 9869 would extend P.L. 78 for two years.<sup>3</sup>

George McGovern of South Dakota authored the remaining bill, H.R. 11211. It was intended to lessen the effects of foreign importation on domestic farmworkers and to protect the family farm from the unfair competition of corporate

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<sup>2</sup>U.S., Congress, House, Committee on Agriculture, Extension of Mexican Farm Labor Program, Hearings before Subcommittee on H.R. 9869 and Others, 86th Cong., 2d sess., 1960, p. 2.

<sup>3</sup>Ibid., pp. 2-3. Representative Henry Dixon of Utah introduced H.R. 9869.

agriculture. McGovern proposed that employers of braceros must offer domestic workers comparable wages. This measure also called for a "phasing out" period, beginning July 1, 1961, and ending June 30, 1966, during which braceros would be reduced by twenty percent each year.<sup>4</sup>

The committee's first witness was Matt Triggs, Assistant Legislative Director of the American Farm Bureau. He was concerned over the authority of the Department of Labor, whose role in the importation of Mexican nationals, he believed, should be clearly defined. The American Farm Bureau strongly favored a two-year extension of the program, its joint management under the Department of Labor and Agriculture, and a curtailment of the authority of the Secretary of Labor, whose influence was too great.<sup>5</sup>

Organized labor was heard from next. The AFL-CIO sent Andrew J. Bieuwiller, Director of its Department of Legislation, and Henry Anderson, Director of Research, to testify on March 24. They urged the passage of McGovern's H.R. 11211 and inserted into the record a statement, adopted by the AFL-CIO at their convention in September 1959, which held that American farmworkers had been overlooked. No laws

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<sup>4</sup>Ibid., pp. 4-5.

<sup>5</sup>Ibid., p. 4. New regulations clarifying the Department of Labor's role in administering P.L. 78 were issued under the Wagner-Peyser Act in November of 1959. The act gave Labor vague authority to establish regulations for employers wishing to utilize the services of state and federal employment services. This control was a source of concern to those who desired to lessen Labor's role in favor of Agriculture.

gave them the right to organize, bargain collectively, or collect unemployment compensation. They lived in poverty and worked in "blue-sky sweatshops," the witnesses contended.<sup>6</sup> Braceros complicated an already difficult situation, and big labor advocated that the United States, free of wartime manpower shortages, be concerned with domestic workers. While Mexico's economy should be spared the wrenching effects of an abrupt halt to the existing program, the goal of Congress should be "the ultimate termination of all foreign labor importation. . ."<sup>7</sup>

In addition, American agricultural workers should enjoy the benefits of the Federal Fair Labor Standards Act and state minimum wage laws. They asserted emphatically that since farm employers displayed "no intention" of assuring the welfare of their workers, state and federal authorities must assume responsibility. At this point, the witnesses introduced Department of Agriculture statistics which contained wage scales for cotton-pickers before and after passage of P.L. 78 and compared wages in the Southeast with those in the Southwest. Prior to enactment, the Southwestern scale was higher, but by 1959 the situation was reversed.<sup>8</sup> (See table 2.)

On March 25, Jean Kirkland and Bill Fletcher, representing the Lower Rio Grande Valley Ginners Association, lent

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<sup>6</sup>Ibid., p. 198.

<sup>7</sup>Ibid., p. 200.

<sup>8</sup>Ibid., pp. 201, 208.

support to the existing program. Kirkland stated a fact of life in South Texas: the bracero was "as important to the Valley cotton farmer as his tractor or his plow;" in fact he was a "savior to many small cotton farmers" who could not afford machinery.<sup>9</sup> Since farmers needed reasonable assurance of labor at harvest time, extension of the program during the current Congress was recommended. Like the Farm Bureau, the Valley Ginners Association felt that the Agriculture and Labor departments should share the authority over importation, and they opposed granting Labor total control on grounds that it was engaged in wage-fixing. By advocating joint administration, the Rio Grande Valley farmers would gain a certain degree of "protection against decisions made by the Secretary of Labor."<sup>10</sup> When questioned by Representative W.R. Poage of Texas, Kirkland stated additional realities along the border. Termination could result in the revival of illegal alien traffic. His analogy was this:

It would be similar to taking a small child and drawing a line and putting a box of candy on the other side and telling him not to reach over there and get any of it. We have got a shallow river separating the United States from Mexico. You have the Mexican laborers who are ready, willing, and able to do this work. You have got growers on the other side who need the work to be done so it takes an awful lot of doing to keep these people from getting together.<sup>11</sup>

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<sup>9</sup>Ibid., p. 271.

<sup>10</sup>The Department of Labor had increased the wage for cotton picking in 1959. Ibid., p. 272.

<sup>11</sup>Ibid., p. 273.



Newell Brown, Assistant Secretary of Labor, presented his agency's view. He cited the Rio Grande Valley as an area of grave concern, because domestic workers could not compete with lower-paid braceros. He went on to cite 1958 Department of Labor findings which showed that "a substantial proportion" of Valley braceros, who picked cotton at \$2.05 per hundredweight, realized "less than fifty cents an hour."<sup>12</sup> An hourly figure of less than fifty cents, according to the Department of Labor, exercised "adverse effect" on domestic workers. Brown continued, on the basis of Labor statistics, to illustrate that wages of domestic workers remained static or actually declined in areas where both Americans and Mexicans were employed.<sup>13</sup> (See tables 2 and 3.)

The plight of domestic migrant workers, unable to compete with braceros, was addressed. Department of Labor testimony identified five major routes that domestic workers, in areas where Mexican nationals were concentrated, followed in search of work. Along the East Coast, about 60,000 annually moved northward from Florida and other southeastern states to Pennsylvania, New York, and New England. In the Middle West, two streams were apparent: the first, involving some 75,000 people, began in Texas in April and worked fruit and sugar beets in the mountains, plains, and Pacific Northwest; the

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<sup>12</sup>Ibid., p. 374.

<sup>13</sup>Ibid., p. 376.

second, which emanated from northern Texas, was the path which took approximately 50,000 to the wheat and small grain harvests as far north as Montana and North Dakota. Some of the 100,000 cotton-pickers in the Southwest proceeded from South and Central Texas to the Panhandle, while others headed west into New Mexico, Arizona, and Southern California. Traversing California, Oregon, and Washington, more than 100,000 migrants harvested several different crops each year.<sup>14</sup>

The Reverend Monsignor George Higgins, Director of the Social Action Department of the National Catholic Welfare Conference and one of the Consultants who reported to the Secretary of Labor in 1959, reviewed the findings that he and his colleagues had submitted. Though a farm employer was not on the committee, he believed the report was objective. He denied that the Consultants felt undue influence from the Department of Labor and explained that information for the document was compiled from sources other than those from the Department. For example, data was included from field trips to various agricultural areas in the United States and Mexico.<sup>15</sup> He added that committee members unanimously approved the report, though personally he would have preferred more drastic changes in the bracero agreement. The report "makes it quite clear," he emphasized, that the program has "hurt our American citizens who labor in the fields to earn their daily bread." In some

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<sup>14</sup>Ibid., p. 381.

<sup>15</sup>Ibid., pp. 381, 403.

areas, because growers preferred Mexican workers, braceros performed almost all seasonal work and shortened the work period for domestic field labor.<sup>16</sup> The Consultants, he concluded, were also concerned with the effect of Mexicans on farm wages, which averaged \$.80 per hour in 1959, compared with an industrial average of \$2.22.<sup>17</sup> (See table 4.)

#### Extension: 1960

Following the hearings, another bill, H.R. 12759, was introduced, and both House and Senate committees reported on the measure. They called for a simple two-year extension, without amendments, terminating on June 30, 1963. The House Committee on Agriculture recommended passage, since the proposed expiration date fell within the active season for many crops, and a simple extension would insure the availability of workers when they were needed. Farmers would also be able to make plans for their 1961 harvests, and during the next regular session Congress could consider amendments and negotiate changes with Mexico. The committee concluded that a two-year extension was "the most effective deterrent to the illegal migration" and sent the bill to the full House.<sup>18</sup>

Beginning on June 28, 1960, House debate produced conflict. John Fogarty of Rhode Island condemned the bill on financial

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<sup>16</sup>Ibid., p. 404.

<sup>17</sup>Ibid., p. 405.

<sup>18</sup>U.S., Congress, House, Farm Labor Program, H.R. Rept. 1954, 86th Cong., 2d sess., 1960, pp. 1-2.

TABLE 4

AVERAGE HOURLY WAGES OF HIRED FARMWORKERS AS A  
PERCENTAGE OF AVERAGE HOURLY WAGES OF FACTORY WORKERS, 1910-59

Year	Average hourly earnings in dollars		Percent farm wage of factory wage
	Farm	Factory	
1910 - 1914	\$0.14	\$0.21	67
1915 - 1919	.22	.34	64
1920 - 1924	.24	.52	47
1925 - 1929	.23	.55	41
1930 - 1934	.14	.50	29
1935 - 1939	.15	.61	25
1940 - 1944	.28	.85	33
1945	.477	1.023	47
1946	.520	1.086	48
1947	.553	1.237	45
1948	.580	1.350	43
1949	.559	1.401	40
1950	.561	1.465	38
1951	.625	1.59	39
1952	.661	1.67	40
1953	.672	1.77	38
1954	.661	1.81	36
1955	.675	1.88	36
1956	.705	1.98	36
1957	.728	2.07	35
1958	.757	2.13	36
1959	.798	2.22	36

Preliminary.

SOURCE: Farm and factory earnings: 1910-1940. Migratory Farm Labor in American Agriculture, report on the President's Commission on Migratory Labor, 1951, p. 130. Factory earnings 1941-49. Economic report on the President 1959, p. 167. Farm earnings, 1941-47. Farm Labor, Serial CCC, House Agriculture Subcommittee hearings, 1958, p. 512; 1948-59, USDA, AMS, monthly report, Farm Labor, February, p. 7.

As cited in U.S., Congress, House, Committee on Agriculture, Extension of Mexican Farm Labor Program, Hearings before Subcommittee on H.R. 9869 and Others, 86th Cong., 2d sess., 1960, p. 405.

grounds. Calling it "class legislation," he criticized a program that cost taxpayers over 2.5 million dollars and benefitted "only two percent of the farmers of our nation or about 51,000 out of the entire farm population." Furthermore, three-fourths of the workers who would be paid as low as fifty cents an hour would be employed in two states, Texas and California. Congressman McGovern's opposition was moral in nature. Public Law 78 was detrimental to American agricultural labor. "America's 2,300 farmworkers" were, he contended, "the most underprivileged, the most poverty stricken, and the most underemployed group" in the nation.<sup>19</sup> McGovern also believed that P.L. 78 created unfair competition, since the employer of braceros could flood the market with goods which cheaper labor produced and thus drive down prices for all farmers. He voiced support for his earlier H.R. 11211, which incorporated the Consultants' recommendations for changes in the program. California Representative James Roosevelt, agreed essentially with McGovern's stand.<sup>20</sup>

Congressman B.F. Sisk, author of the bill, and Congressman Charles Teague, both of California, supported H.R. 12759. They disputed the claim that only large farmers benefitted from imported labor. Sisk stated that in his district, the small farmer relies on bracero labor, because he "simply

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<sup>19</sup>House, Cong. Rec., 106: 14802.

<sup>20</sup>Ibid., 14803, 14810.

cannot harvest . . . fruits and vegetables without a large amount of labor at certain times." Teague added that large farms had the capital to mechanize, whereas the small farms depended on human labor.<sup>21</sup>

E.C. Gathings, Chairman of the House Agricultural Committee, opposed any changes in the program under P.L. 78. There was no problem, he stated. Farmworkers were receiving decent wages. He favored a simple extension of the bill, principally because the use of braceros helped ease the problem of illegal immigration and fostered "good will across the border."<sup>22</sup>

As debate continued, an article from the Houston Chronicle of June 20, 1960, entitled, "Higher Pay, Not Massachusetts Bracero Program Is Proper Solution," was placed in the Congressional Record. The article criticized P.L. 78 in its present form and advocated raising wages as a solution to the labor shortage in agriculture. Because American farmworkers in the Southwest found it difficult to live on fifty cents an hour paid to braceros, many were forced to migrate northward in search of better wages.<sup>23</sup>

Texas House members favored a simple extension of P.L. 78. They were critical of the power which the Secretary of Labor had already assumed, and they did not favor granting more authority.

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<sup>21</sup>Ibid., 14806-807.

<sup>22</sup>Ibid., 14972.

<sup>23</sup>Ibid., 14974.

authority. Congressman W.R. Poage, of Waco, exemplified this position and pointed up the enduring East-West rivalry in his statement opposing amendments to the program:

The gentleman (Fogarty) from Rhode Island and others were a long way from these conditions. . . . It is obvious they do not know anything about the Mexican workers problem. . . . They get what is happening by reading a bunch of newspapers about wetbacks. . . . These braceros are doing all right, and there is no reason for sobbing about the bracero.

Poage added that importing non-married braceros was better than importing no braceros at all. "If we ended the program, Mexicans would immigrate and bring their families." Then the United States would "have to support the whole group of them."<sup>24</sup> Representative George Mahon, of Lubbock , also favored a simple extension. In his view, the foreign worker arrangement had resulted in an overall improvement of wages and working conditions for domestic workers. Because of the bracero, he contended, the domestic laborer was demanding and getting better pay and "enjoying a higher standard of living in my congressional district than he otherwise would. . . ."<sup>25</sup>

On June 29, 1960, H.R. 12759, the simple extension of P.L. 78, was put to a voice vote and passed. The existing program was continued until June 30, 1963.<sup>26</sup> The next step was for the Senate to decide whether or not changes should be made.

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<sup>24</sup>Ibid., 14977.

<sup>25</sup>Ibid., 14980.

<sup>26</sup>Ibid., 14991.

On August 23, 1960, the Senate Committee on Agriculture and Forestry reported on H.R. 12759 and recommended that the program be extended for six months, not two years. Since the current version of the act would expire on June 30, 1961, in the midst of the harvest season, the Senate committee believed that it should be extended to meet seasonal requirements, although problems need to be resolved before the importation accord could receive blanket extension.<sup>27</sup> The Labor and Agriculture Departments differed in their views. Labor wanted consideration of extension to be deferred for a year or so that the possibility of implementing the Consultants' recommendations might be explored. Agriculture believed that the present law contained ample protection for braceros and stood fast against changes.<sup>28</sup> Because of the controversy and the late hour, the Senate passed the six-month extension, during which time the two departments might resolve their differences.<sup>29</sup>

When the amended bill reached the House, debate ensued. A report based on New York Congressman Alfred Santangelo's recent fact-finding trip through the Southwest was entered into the Congressional Record. In California, he found living and working conditions satisfactory and wages adequate.<sup>30</sup>

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<sup>27</sup>U.S., Congress, Mexican Farm Labor, S. Rept., 1901, 86th Cong., 2d sess., 1960, p. 1.

<sup>28</sup>Ibid., p. 3.

<sup>29</sup>Senate, Cong. Rec., 106: 18630. The following day, September 1, 1960, marked the end of the second session of the Eighty-Sixth Congress.

<sup>30</sup>House, Cong. Rec., 106: 17541.



The situation in the Mississippi Delta area of Arkansas was quite different, however. Housing was poor; some of the facilities were so unsanitary that he recommended they be closed; and wages for braceros were as low as fifty cents an hour for chopping cotton.<sup>31</sup> Although representatives from border states disputed the findings of the Santangelo Report, a majority agreed that further investigation was needed. On August 31, 1960, the House concurred with the Senate amendment. Public Law 78 was extended for six months, its future contingent upon more thorough study.<sup>32</sup>

Extension: 1961--House

As expected, the issue arose again in the succeeding Eighty-Seventh Congress. Main consideration centered on H.R. 2010, a bill to provide a four-year extension of the bracero program. It proposed to extend the importation agreement until December 31, 1965.<sup>33</sup> Hearings before the House Subcommittee on Equipment, Supplies and Manpower began on March 6, 1961, just months after the passage of the six-month extension. Incorporated into the record was a letter from the Texas Committee on Migrant Farm Workers, a group of migrants and concerned citizens from various parts of the

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<sup>31</sup>Ibid., 17541-542.

<sup>32</sup>Ibid., 18904.

<sup>33</sup>U.S., Congress, House, Committee on Agriculture, Extension of Mexican Farm Labor Program, Hearings before Subcommittee on H.R. 2010. 87th Cong., 1st sess., 1961, p. 1.

state. Simply, they believed that Public Law 78 undermined domestic workers:

It is our feeling that the artificial surplus of labor created yearly in Texas by the importation of alien workers forces thousands of our domestic workers to leave their homes in search of work in other parts of Texas and the United States. Our domestic farm workers cannot compete with the Mexican workers who can afford to work for much lower wages and who are willing to work in less desirable conditions than are our Texas workers.

The Texas group advocated termination of the program within three years. In the meantime, they felt that employers of domestic workers should be compelled to meet the same standards as those who hired aliens.<sup>34</sup>

The National Consumer's League, represented by legal scholar, Dr. Daniel Pollitt, also opposed importing foreign labor. Citing low wages as a reason for an "artificial" shortage of workers, Pollitt proposed that P.L. 78 be gradually terminated. He recommended that as soon as possible the law should be amended so as to guarantee that wages would neither be depressed nor prevented from rising, in accordance with supply and demand, as if no braceros were used.<sup>35</sup>

The testimony of George W. Pfeittenberger of Lubbock, Texas, representing the Plains Cotton Growers, Incorporated, presented a different view. On behalf of his group, he urged

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<sup>34</sup>Ibid., pp. 51-52.

<sup>35</sup>Ibid., p. 101.

the passage of H.R. 2010, which would extend the program, unamended, for four years. Pfeittenberger spoke of an "absolute need for bracero workers because of an acute shortage and unavailability of domestic workers at critical times." If the bracero program were discontinued, it would wipe out over half of the farm labor force in his association's area. The employment of domestics was preferred, but, according to the Plains Growers, they were not available when needed.<sup>36</sup>

Pfeittenberger found an ally in Frank Schuster, a vegetable and cotton grower from the Rio Grande Valley of Texas. On behalf of himself and other small farmers, he also urged the passage of H.R. 2010, because the bracero accord was a deterrent to illegal aliens. "A few years ago," he related,

tens of thousands of Mexicans crossed the border in the area in which my farm is located to seek employment in the United States. Today, to my knowledge, not a single wetback enters the United States . . . in this area. If the bracero program were to be terminated, I would expect the picture to revert to pre-Public Law 78 conditions. The pressure of desperate need among Mexican workers for employment would issue a revival of the wetback movement.<sup>37</sup>

Another Texas farmer, Howard Hurd, also favored foreign importation. On behalf of the West Texas Agricultural Employers Group, he attacked critics of the program, many of

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<sup>36</sup>Ibid., p. 143.

<sup>37</sup>Ibid., p. 146.

whom, he believed, were ill-informed, biased and unsympathetic to the needs of crop-raisers. Braceros were dependable; their domestic counterparts were not.<sup>38</sup>

Although other bills to amend the program were introduced, the Committee on Agriculture urged passage of H.R. 2010. Only the expiration date of the law should be changed, from December 31, 1965, to December 31, 1963. The committee report stated that P.L. 78 was not an emergency measure, but rather an instrument to solve an acute and continuing shortage of agricultural workers.<sup>39</sup> Discontinuance would especially hurt small farmers. Large operators had more available capital, and in an emergency were better able to mechanize quickly or carry on costly recruitment of labor. Furthermore, the program benefitted many--the braceros, the farmers who employed them, and the economy of Mexico. The report criticized the Department of Labor's recommendations, which were not only impractical but would give a Labor excessive regulatory power.<sup>40</sup>

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<sup>38</sup>Ibid., pp. 148, 172.

<sup>39</sup>The original bill introduced in the House of Representatives provided for a four-year extension, but the Committee on Agriculture changed the four-year to a two-year extension. The present bill was due to expire on December 31, 1961.

<sup>40</sup>U.S., Congress, House, Continuation of the Mexican Farm Labor Program, H.R. Rept. 274, 87th Cong., 1st sess., 1961, pp. 2-3. The Department of Labor recommended that its power be increased so that employers of braceros be required to maintain a specified percentage of domestic workers and offer domestic workers exactly the same terms and conditions of employment as braceros. These proposals were not accepted.

Beginning on May 10, 1961, the House took up H.R. 2010. Texans were not vocal in the debate, although they supported the bill with their votes. On May 11, the measure, with its two-year extension, was approved, 231 to 157.<sup>41</sup> The matter now rested with the Senate.

Extension: 1961--Senate

Senate consideration began on May 23, 1961. Substantial sentiment existed for a full review of the program's impact, as opposed to a pro forma blanket extension. Eugene McCarthy of Minnesota introduced a bill, S. 1945, which would change the existing accord. Its co-sponsors were Hubert Humphrey of Minnesota, William Proxmire of Wisconsin, and Edmund Muskie, of Maine, three prominent Senate leaders. This measure would extend the program for two years but would incorporate the Department of Labor recommendations. A wage formula would be used to raise wages in areas where the Labor Department had found them to be substandard. Employers in no instances would be required to raise their wages more than ten cents per hour in any one year. The McCarthy bill was referred to the Senate Committee on Agriculture, and the Subcommittee on Agricultural Research and General Legislation began hearings on June 12, 1961.<sup>42</sup>

In introducing his bill, McCarthy cited three reasons why the program should be thoroughly evaluated. First, it

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<sup>41</sup>House, Cong. Rec. 107: 7871.

<sup>42</sup>Senate, Cong. Rec., 107: 8596-97.

had greatly expanded. From 1951 to 1959, the number of foreign workers jumped from 192,000 to 437,857, a gain of over 200,000. Second, the use of braceros took place during a time in which the employment of domestic farmworkers declined. And third, the utilization of foreign labor was not equally distributed throughout the United States. Farmers using braceros constituted only two percent of the country's total, and seventy percent of these workers were found in two states, Texas and California.<sup>43</sup>

Although other bills were proposed, it was evident early that main interest would be centered around two; H.R. 2010 and S. 1945. The second of these was also called the administration bill, since it incorporated what President Kennedy and Secretary of Labor Arthur Goldberg felt were needed changes. During committee hearings, Senator McCarthy testified in behalf of his proposal and stressed the need for changes in the existing program.<sup>44</sup>

Much had been made of the contention that the bracero program deterred illegal immigration. McCarthy refuted that argument. He cited a statement of J.M. Swing, Commissioner of the Immigration and Naturalization Service, which expressed

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<sup>43</sup>Ibid. In 1960, the number of braceros declined, but the decline was most likely due to increased automation, especially in cotton production.

<sup>44</sup>U.S., Congress, Senate, Committee on Agriculture and Forestry, Extension of Mexican Farm Labor Program, Hearings before Subcommittee on S. 1466, S. 1945, H.R. 2010. 87th Cong., 1st sess., 1961, p. 87.

the opinion that P.L. 78 was unrelated to the decreased influx of illegal aliens. Swing argued that for at least three years following the enactment of P.L. 78, the number of illegals rose appreciably. Therefore it was the increased efficiency of the Immigration and Naturalization Service, not the existing legislation, that forced growers to rely on braceros.<sup>45</sup>

As discussion progressed, the differences between the House and Senate measures became clear. The House measure (2010) was a simple extension of P.L. 78, with no additional safeguards for domestic workers; conversely, S. 1945 contained provisions to protect American labor. It would authorize the Secretary of Labor to limit the number of braceros any one employer could hire, and they were to be restricted to seasonal and non-mechanized (or unskilled) jobs. To be eligible to employ braceros, growers were first required to offer comparable wages and conditions of employment to domestic workers. Also, foreign workers were to receive at least as much as the average state or national hourly wage for domestic labor, whichever was lower. Yearly wage increases were limited to ten cents an hour.<sup>46</sup>

Several church groups testified in opposition to the program in its present form. Martin Work, who spoke for a group of Protestant, Catholic, and Jewish leaders, expressed

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<sup>45</sup>Ibid.

<sup>46</sup>Ibid., p. 150.

concern for domestic migrant workers, "who to this day, remain bereft of the benefits of most labor and social legislation enacted in recent years." His constituents urged the passage of S. 1945; and if P.L. 78 were extended without the desired safeguards, the President should veto it. Tilford Eli Dudley, representing the Council for Christian Action, United Church of Christ, reiterated this sentiment.<sup>47</sup>

Secretary of Labor Goldberg expressed his support of the McCarthy bill. He stated explicitly that his agency did not want to end the importation agreement, but that the plight of the domestic migrant worker had to be considered. "At a time when we are engaged in a bitter struggle to advance the cause of democracy throughout the world," he asserted, "this social blight at home has become a matter of embarrassment to the United States." The Department of Labor would oppose any extension of the program if the welfare of domestic migrants was not addressed.<sup>48</sup>

One of the major arguments in support of imported labor was that field work, or "stoop labor" was so tedious that Americans would not do it, no matter the wages and working conditions. Goldberg refuted this argument, since in states that did not hire braceros, such as Mississippi and Louisiana, domestics were stoop laborers. Even in the four states using

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<sup>47</sup>Ibid., pp. 149, 155.

<sup>48</sup>Ibid., pp. 159-160.



the greatest number of Mexicans (Texas, California, Arkansas, and Arizona), the majority of farmworkers were still Americans, an indication that some domestics were not averse to this type of work.<sup>49</sup>

Walter Mason, speaking for the AFL-CIO, strongly opposed continuing the existing program and urged adoption of S. 1945. Organized labor wanted further limitations on the employment of braceros and specific prohibition against their use as strike-breakers. Foreign workers, said union leaders, were detrimental to American agricultural laborers.<sup>50</sup>

Taking a similar stand was the Committee on Migratory Labor of the American G.I. Forum. Their representative, R.P. Sánchez of McAllen, Texas, explained the situation in his area. He testified that the Rio Grande Valley was a "hotbed of alien and domestic farmworker clashes." The current program, he maintained, caused "displacement of . . . the farm labor force." The G.I. Forum, composed mainly of Mexican-Americans, opposed H.R. 2010 and supported the changes proposed in S. 1945.<sup>51</sup>

In contrast, S. 1945 was also criticized. Matt Triggs of the American Farm Bureau testified in support of H.R. 2010, as he had in earlier House hearings. Other organizations in favor of simple extension were the Agricultural Council of Arkansas

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<sup>49</sup>Ibid., p. 253.

<sup>50</sup>Ibid.

<sup>51</sup>Ibid., pp. 299-300.

and the West Texas Agricultural Employers Group. F.P. King, the Group's spokesman, pleaded the cause for braceros and added that there had never been an adequate supply of domestic workers to harvest crops in his part of Texas. To deprive farmers of braceros would disrupt agriculture "throughout the country." Simply, the amendments included in S. 1945 would make it more difficult for farmers to secure braceros at crucial times.<sup>52</sup>

In July of 1961, the Senate Committee on Agriculture and Forestry recommended the passage of H.R. 2010, although it added several amendments which would alter the original statute. Several of the proposed changes were minor and involved only rewording of important passages. But two new sections would restrict the use of braceros and strengthen the position of American workers. The committee favored H.R. 2010, with the added amendments, since S. 1945 was considered too cumbersome.<sup>53</sup>

The two new sections were numbered 504 and 505. The first restricted the use of braceros to temporary or seasonal occupations and prohibited them from operating or maintaining power-driven machinery, unless special permission were obtained from the Secretary of Labor.<sup>54</sup> The second, aimed at protecting American workers, permitted employers to participate only if

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<sup>52</sup>Ibid., pp. 341-42.

<sup>53</sup>Senate, Cong. Rec., 107: 18768.

<sup>54</sup>U.S., Congress, Senate, Mexican Farm Labor Program, S. Rept. 619, 87th Cong., 1st sess., 1961, pp. 11-12.

they paid both American and foreign workers "not less than the prevailing wage paid in the area to domestic workers engaged in similar work." It concurred in the House amendment and recommended that the program be extended until December 31, 1963.<sup>55</sup>

Those favoring S. 1945 were not satisfied with these two amendments to H.R. 2010. When the committee report reached the Senate floor, Senate McCarthy introduced an additional amendment that he hoped would equalize wages. Since Texas in recent years had employed the largest number of braceros, and paid some of the lowest wages, McCarthy directed his criticism at that state:

The average hourly farm wage rate without room or board in Texas was seventy-eight cents in 1960. My amendment would have the effect of requiring the growers of Texas to pay Mexican nationals at least seventy cents an hour, or ninety percent of the prevailing wage rate for agricultural wages in the state of Texas.

He also indicated the need for additional administrative control, which grew from the phenomena of "displaced Texans," or Texas migrant workers who sought work elsewhere.<sup>56</sup> (See tables 2 and 5.)

Texan John Tower countered that additional amendments were unnecessary. Increased Department of Labor control would be excessive since the Department, he believed, was discriminating against the farmers through increased regulations.

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<sup>55</sup>Ibid., pp. 12-13.

<sup>56</sup>Senate, Cong. Rec., 107: 18773-74.

For instance, it was attempting to impose inappropriate industrial wage standards on agriculture, a radically different economic activity. Additional controls, he believed, might result in the death of the entire bracero accord.<sup>57</sup>

The McCarthy amendment proposed that no braceros could be hired unless employers paid a minimum of ninety percent of the average state or national wage, whichever was lower.<sup>58</sup> Inclusion of the amendment was put to a vote and narrowly passed, 42 to 40. Texas Senators Tower and Yarborough were against.<sup>59</sup> Next came H.R. 2010, with the amendments of the Agriculture Committee and Senator McCarthy. It, too, won approval, 76 to 9, with Tower and Yarborough in the affirmative.<sup>60</sup>

#### Extension: 1961--Joint Agreement

The House was dissatisfied with the Senate amendments, but after much debate, agreed to a conference committee and yet another report.<sup>61</sup> The conference report largely sustained the Senate Agriculture Committee's changes, although it

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<sup>57</sup>Ibid., pp. 18791-92.

<sup>58</sup>Ibid., p. 18770.

<sup>59</sup>Ibid., p. 18902.

<sup>60</sup>Ibid., p. 18906.

<sup>61</sup>Conferees appointed from the House were W.R. Poage, E.C. Gathings, Watkins M. Abbit, Page Belcher, and Charles M. Teague; from the Senate, Allen Ellender, Olin Johnston, Spessard Holland, B. Everette Jordon, George Aiken, Milton Young, and Bourke Hickenlooper.

TABLE 5

## DISTRIBUTION OF BRACEROS

Major Mexican-using States	Employment of Mexican nationals, 1960
	Employed at peak
Texas	103,680
California	73,430
Arkansas	31,296
Arizona	14,312
New Mexico	11,357
Michigan	11,151
Colorado	6,539
Montana	2,563
Nebraska	2,310
Georgia	1,264
Wyoming	1,213
Wisconsin	1,004
Tennessee	659
Indiana	612

SOURCE: Bureau of Employment Security  
 As cited in Senate, Cong. Rec., 107: 18790.

eliminated the McCarthy minimum wage amendment. Conferees called for a House-Senate compromise so that the bill could pass.<sup>62</sup>

The Conference Report produced mixed emotions from Texas House members. Representative Poage, a conferee, urged passage of the bill with the restrictive amendments, so that the program might continue. On the other hand, George Mahon was critical. He stated that many of his constituents who employed braceros favored no bill at all over the measure at hand.<sup>63</sup> Debate continued. The pro-bracero faction urged rejection because the amendments were too restrictive. Opponents urged rejection on grounds that it was not sufficiently restrictive. The middle of the road prevailed, and H.R. 2010, as recommended by the conference committee, was agreed to by a voice vote.<sup>64</sup>

Shortly thereafter, the scene shifted to the upper chamber. Since the Senate had already agreed to the McCarthy amendment, which the Conference Report had excluded, the wage guarantee became a major issue. Senator Tower agreed with fellow Texan Mahon in the House; if the bill passed, the program would become ineffective. He was, he reaffirmed, sympathetic to the bracero program, but he could not accept

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<sup>62</sup>U.S., Congress, House, Conference Report to Accompany H.R. 2010, H.R. Rept. 1198, 87th Cong., 1st sess., 1961, pp. 1,3.

<sup>63</sup>House, Cong. Rec., 107: 19797-98.

<sup>64</sup>Ibid., p. 19802.

H.R. 2010.<sup>65</sup> On September 23, 1961, the Senate finally voted. The measure, as reported by the conference committee, was approved. Of the Texans, Yarborough voted against and Tower sustained.<sup>66</sup>

The act emerging from the Eighty-Seventh Congress disappointed proponents and opponents alike. Questions remained unanswered, problems remained unsolved. President Kennedy signed the bill, but with added reservations:

The adverse effect of the Mexican farm labor program as it has operated in recent years on the wage and employment conditions of domestic farm workers is clear and cumulative in its impact. We cannot afford to disregard it. We do not condone it. Therefore, I sign this bill with the assurance that the Secretary of Labor will, by every means at his disposal, use the authority vested under the law to prescribe the standards and to make the determinations essential for the protection of the wages and working conditions of domestic agricultural workers.<sup>67</sup>

Thus, P.L. 78 was extended another two years, until December 31, 1963. The issue, far from resolved, was left to smolder, to generate heat for another clash of views.

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<sup>65</sup>Senate, Cong. Rec., 107:20643.

<sup>66</sup>Ibid., p. 20963.

<sup>67</sup>House, Admission of Aliens, p. 41.

## CHAPTER IV

### CHANGING ROLE AND TERMINATION

Despite the two-year extension, the opposition was gaining strength. The Secretary of Labor exercised his power and made adverse effect determinations regarding wages which all workers were to be paid in a particular area if foreign workers were to be permitted. Mexico approved of the new regulations, but agribusiness did not. Hearings, which began early in 1962, reflected the diversity of opinion. Bracero opponents wanted to add further restrictions to the law; proponents wanted to curtail the power that the Department of Labor had already assumed. Differences appeared irresoluble. The compromise that emerged was a one-year extension, but both sides agreed that it would be the last. The bracero program was doomed.

#### A New Administration

When John F. Kennedy assumed the Presidency, in 1961, a new era of government involvement began. The New Frontier was intended to alleviate poverty and suffering at home. In the sphere of foreign relations, the Alliance for Progress was directed toward Latin America as a means of overcoming hemispheric problems, an area to which Truman and Eisenhower had given scant attention. President Kennedy announced this



new direction in his Inaugural Address, in which he pledged assistance and promised "to convert our good works into good deeds."<sup>1</sup> He deemed the Alliance for Progress a logical extension of Franklin Roosevelt's Good Neighbor Policy and assured American financial support for social and economic development. A task force was appointed under the direction of the State Department to coordinate inter-American affairs and activate the Alianza.<sup>2</sup>

The immediate concern in 1961 was the Castro take over in Cuba and the possible spread of Communism throughout Latin America. In this light, goodwill was both necessary and practical, a conviction that was evident among the United States delegates to the Inter-American Conference at Punta Del Este, Uruguay, late in the summer of 1961. At this gathering, a charter for the Alianza was adopted which expressed numerous goals in the realm of economic development.<sup>3</sup> In May of 1962, Mexican representatives in Washington heard Secretary of State Dean Rusk urge cooperation between the United States and Mexico so that mutual problems might be

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<sup>1</sup>"The Inaugural Address of President Kennedy," DSB 6 February 1961, 154: 175.

<sup>2</sup>"Alliance for Progress," *ibid.*, 6 March 1961, 154: 342. The task force consisted of Adolf A. Berle, Department of State, Chairman; Theodore C. Achilles, Special Assistant to the Secretary of State; John M. Leddy, Assistant for International Affairs, Department of Treasury; and Lincoln Gordon, Consultant, Harvard University.

<sup>3</sup>Joint News Conference of Secretary Rusk and Secretary of the Treasury Douglas Dillon, August 22," *ibid.*, 11 September 1961, 155:441.

appreciated. President and Mrs. Kennedy visited Mexico in late June of the same year, and after a series of talks with Mexican President López Mateos, a new basis for understanding appeared imminent. Bilateral goals were discussed, and the talks marked, according to official statements, "a new era in understanding and friendship between the United States and Mexico."<sup>4</sup>

The bracero program was not discussed during this visit, yet the ideals of individual liberty and personal dignity which were expressed did apply to the new international agreement subsequently negotiated between the two governments in December of 1961.<sup>5</sup> This accord began the final phase of the bracero program. Once again, the expiration date was set to coincide with the expiration of P.L. 78, December 31, 1963, and further restrictions were added. Three new stipulations affected employers. First, braceros were prohibited from remaining in the United States for more than nine months. Second, occupational insurance benefits were increased. Third, wages were to be no less than the domestic

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<sup>4</sup>"The United States and Mexico-Partners in a Common Task," *ibid.*, 4 June 1962, 156: 919; "Presidents of U.S. and Mexico Reaffirm Traditional Friendship," *ibid.*, 23 July 1962, 157: 135.

<sup>5</sup>*Ibid.* See also, U.S., Department of Labor, Bureau of Employment Security, "Use of Foreign Labor Declined in 1962," Farm Labor Market Developments, March 1963, p. 2. Farm Labor Market Developments is a periodical published several times a year by the Department of Labor, Bureau of Employment Security. The name was shortened to Farm Market Developments in October, 1964.

minimum set by the Secretary of Labor. The intent here was to avoid adverse effect. Growers strongly opposed regulations, and the new authority granted to the Secretary of Labor would greatly affect the future number of braceros employed in Texas.<sup>6</sup>

Although P.L. 78 had been extended until December 31, 1963, many problems were left unsolved, and the issue arose again in the next session of Congress. In January of 1962, the House Committee on Agriculture began hearings which included the National Farm Labor Users Committee (NFLUC), an organization of bracero employers. This group contended that the program had become too restrictive and submitted a statement highly critical of the Department of Labor on behalf of growers in Texas, California, and New Mexico. According to the NFLUC, the Secretary of Labor had exceeded his delegated power. He was, they believed, attempting to set an arbitrary minimum wage, since he had determined prevailing wages in given areas without consulting growers.<sup>7</sup> In short, they objected to the provisions of the new international accord which had granted the Secretary increased power. In testimony before a House subcommittee, Secretary of Labor Willard Wirtz defended his agency. It could not and did not

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<sup>6</sup>State, U.S. Treaties, 13, 5160.

<sup>7</sup>U.S., Congress, House, Committee on Agriculture, Mexican Farm Labor Program, Hearings before the Subcommittee on Equipment, Supplies and Manpower, 87th Cong., 2d sess., 1962, pp. 2-3.

set a minimum wage; rather it measured adverse effect, or the impact of braceros on domestic farmworkers. The Department's major responsibility, he concluded, was to insure that a foreign worker did not fill a job which an American could fill.<sup>8</sup>

The hearings produced no solutions, and the issue was tabled. It would surface again, however, in the next session of Congress, and the bracero would become a part of a larger issue: the American migrant worker. The plight of domestic agricultural labor became a focal point in the Kennedy administration, and a presidential committee was created to study the matter. This body came to view the employment of braceros as a deterrent to the progress of domestic labor. They recommended that the recruitment of domestic workers should be increased and that Mexican nationals should be replaced with Americans.<sup>9</sup> The position of the new administration was clear and boded ill for the bracero program.

#### A Hint of Change

Following the hearings of the House, Secretary Writz made a crucial move. In the spring of 1962, adverse effect

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<sup>8</sup>Ibid., pp. 38, 40.

<sup>9</sup>Senate, Cong. Rec., 108: 2569. Serving on the committee were Arthur Goldberg, former Secretary of Labor and Chairman of the Committee; Orville Freeman, Secretary of Agriculture; Stewart Udall, Secretary of the Interior; Abraham Ribicoff, Secretary of Health, Education and Welfare; and Robert C. Weaver of the Home Finance Agency. Committee members appeared to represent an Executive point of view.

determinations were issued prohibiting the use of braceros at an hourly rate below the Department of Labor standards, which varied from sixty cents to a dollar an hour depending on the area. (See table 6.) The wage which was applied to Texas was seventy cents, a figure many growers felt was too high. By the end of 1962 the use of braceros in the state had declined to less than eleven percent of total farm labor, as opposed to a high of thirty percent in 1959. (See tables 6 and 7.) The Labor Department's action simply accelerated the long-term trend toward mechanized harvesting, especially in the cotton fields of West Texas. The same shift was also apparent among vegetable and citrus growers in the Rio Grande Valley. While wages of braceros increased, their total numbers fell.<sup>10</sup>

The intent of the Department of Labor was clear, to raise the pay of foreign workers thereby increasing domestic farm wages, in the hope that more Americans would be hired. But despite the decline in the use of imported labor, there was little change in the numbers of domestic workers employed in 1962. Nationwide, in fact, domestic employment was virtually the same as in 1961. Texas accounted for more than two-thirds of the national decline in foreign workers, and domestic employment in Texas was down five percent from the previous year. (See table 7.) Machines, not American workers, were replacing braceros in Texas. By

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<sup>10</sup>Farm Labor Market Developments, March 1963, pp. 2-3.

TABLE 6

## STATE ADVERSE-EFFECT RATES\* (HOURLY)

Arizona	\$ .95	Nevada	\$1.00
Arkansas	.60	New Hampshire	1.00
California	1.00	New Jersey	1.00
Colorado	.90	New Mexico	.75
Connecticut	1.00	New York	1.00
Florida	.95	North Dakota	1.00
Georgia	.75	Oregon	1.00
Illinois	1.00	Rhode Island	1.00
Indiana	1.00	South Dakota	1.00
Iowa	1.00	Tennessee	.65
Kansas	1.00	Texas	.70
Kentucky	.80	Utah	1.00
Maine	1.00	Vermont	1.00
Massachusetts	1.00	Virginia	.75
Michigan	1.00	West Virginia	.80
Minnesota	1.00	Wisconsin	1.00
Montana	1.00	Wyoming	1.00
Nebraska	1.00		

\*Determinations of 1962 and 1963.

SOURCE: Farm Labor Market Developments, June 1964, p. 13.

TABLE 7

AVERAGE FOREIGN-WORKER EMPLOYMENT AS PERCENT OF  
AVERAGE SEASONAL EMPLOYMENT  
UNITED STATES AND SELECTED STATES

State	1959	1960	1961	1962	1963
(Percent)					
United States	18	16	14	10	8
Arizona	39	36	35	29	25
Arkansas	21	22	17	7	6
California*	32	30	25	24	22
Colorado	14	15	18	20	24
Florida	13	15	14	14	14
Michigan	8	7	8	7	8
New Mexico	78	74	70	46	24
Texas	30	26	24	11	7

\*Based on revised figures for domestic employment.

SOURCE: Farm Labor Market Developments, March 1964, p. 6.

mid-January of 1962, California growers, not Texans, were the leading employers of braceros.<sup>11</sup>

Despite the numerical decrease, imported agricultural labor was still an issue, and inspired introduction of numerous bills in Congress. The character of the proposals reflected the continued diversity of opinion. Beginning in late March of 1963, the House Subcommittee on Equipment, Supplies and Manpower of the Committee on Agriculture once again held hearings. Two major bills were studied. One, H.R. 1836, called for a simple two-year extension of the program, until December 31, 1965. The other, H.R. 2009, would also continue the program for two years, but it would limit the power of the Secretary of Labor, a reflection of the criticism leveled against the Department.<sup>12</sup>

Secretary Writz again defended recent administration of the law as being more effective than in the past and more in keeping with the wishes of the administration. Since the present bill was due to expire at the end of 1963, he recommended a one-year extension to aid growers who were still dependent on foreign labor. But because large numbers

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<sup>11</sup>Ibid., p. 5; "Employment of Foreign Workers in 1963." *ibid.*, March 1964, p. 10.

<sup>12</sup>Adverse effect would be redefined so that it negated the adverse effect determinations made by the Secretary of Labor. U.S., Congress, House, Committee on Agriculture, Mexican Farm Labor Program, Hearings before a Subcommittee on H.R. 1836 and H.R. 2009. 88th Cong., 2d sess., 1963, pp. 1-2. Both bills were introduced early in the session. Charles Teague of California introduced H.R. 1836 on January 14, 1963. Three days later, E.C. Gathings of Arkansas, Chairman of the Committee on Agriculture, introduced H.R. 2009.



of domestics were still out of work in states employing braceros, jobs had to be made more available and more attractive to Americans. To this end, the Secretary proposed an amendment to Title V of the Agricultural Act of 1949 which would extend to domestics workmen's compensation insurance, as well as housing and transportation guarantees comparable to those offered braceros. He opposed H.R. 2009, which would limit the Department's authority, because, he believed, it would revive older abuses.<sup>13</sup>

From a national standpoint, the testimony of two groups illustrated the conflict over the issue. The National Farmers Union (NFU), representing 250,000 small farmers, opposed imported labor. Large farmers employed foreign workers at low wages, and their crops were sold more cheaply than those of small competitors. The result, said the NFU, was depressed market prices which, in effect, allowed "the family farm operator a wage comparable to that of Mexican workers."<sup>14</sup> On the other side, the American Farm Bureau opposed any further restriction of the program, desired more than a one-year extension, and supported the continued use of braceros.<sup>15</sup>

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<sup>13</sup>Ibid., pp. 3-6.

<sup>14</sup>Ibid., p. 232.

<sup>15</sup>Ibid., p. 29.

Testimony from Texas adhered to both positions. The Texas Citrus and Vegetable Growers Association, of Harlingen, Texas, sent Willis Deines, Executive Vice-President, to plead its case. He argued that domestic workers would not perform "stoop labor." To terminate or greatly restrict the use of braceros would be a mistake for several reasons. It would encourage the influx of illegal aliens, create a labor shortage, increase prices of fresh fruits and vegetables, and would speed up the process of farm mechanization. In a not-so-subtle twist of logic, he reasoned that since small farmers would have difficulty in raising the capital for the purchase of expensive equipment, only large operations would survive.<sup>16</sup>

Two Texas Congressmen agreed and testified in favor of extension without restrictive amendments. West Texas Representative Ed Foreman deemed the bracero accord a "necessity" in his district, where a tremendous shortage of domestic workers existed. He also stressed the benefits of the program as a "peace corps in reverse," an argument heard before. He urged the passage of H.R. 2009, so as to reduce the power of the Secretary of Labor.<sup>17</sup> Another West Texas Representative, George Mahon of Lubbock, was of like mind. Importing Mexican laborers was, he contended, "one of the finest things we have ever done in the way of

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<sup>16</sup>Ibid., p. 44.

<sup>17</sup>Ibid., pp. 81-82.

trying to support the economy of our friendly country to the South." He saw "no sense" in a one-year extension and urged passage of H.R. 2009. Because his district used more braceros than any other in the state, Mahon was particularly critical of the Department of Labor's proposed amendment to increase benefits for American workers. He accused Secretary Wirtz of trying "to use this bracero program as a means of regulating, controlling, and regimenting domestic labor from the standpoint of housing, (and) transportation . . ." <sup>18</sup>

Another Texan, Henry B. González of San Antonio, disagreed with his colleagues and urged rejection of any bill to extend P.L. 78. He disputed the testimony of Texas growers that American farmworkers were unavailable and unreliable. The utilization of Texas migrants on northern and western farms proved that they were a willing and dependable work force. "It is because they cannot find work in Texas," that "thousands of people" from the southwestern part of Texas had to seek jobs "hundreds and even thousands of miles from home." The effect of P.L. 78, he concluded, was to depress the farm labor market nationwide. <sup>19</sup> A letter from the Laredo, Texas, AFL-CIO lent substance to this stand. This group claimed that Mexican nationals were replacing domestic workers. From the Laredo area alone,

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<sup>18</sup>Ibid., pp. 84-85.

<sup>19</sup>Ibid., p. 319.

12,000 persons were migrating each year, and the unemployment rate exceeded thirteen percent.<sup>20</sup>

Following the hearings, the House Committee on Agriculture recommended that the bracero program be continued, but it supported a new enabling measure, H.R. 5497, a simple extension which would expire on December 31, 1965. The majority believed that impending termination would disastrously affect small farmers who employed braceros, whose numbers would continue to decline without a major change in existing legislation. The proposed extension, read the committee report, was justified on grounds that "benefits of the Mexican farm labor program have substantially outweighed its disadvantages." The same arguments heard in previous years were used to support extension: unavailability of domestic workers, alleviation of the illegal alien problem, and economic aid to Mexico.<sup>21</sup> The report also criticized the Department of Labor and its adverse effect determinations. In short, the Department was trying to legislate, a power delegated to Congress. According to the document, the Secretary of Labor, "under the guise of making a determination relating to wages of Mexican workers," was

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<sup>20</sup>Ibid., p. 343.

<sup>21</sup>U.S., Congress, House, Continuation of Mexican Farm Labor Program, H.R. Rept. 274, 88th Cong., 1st sess., 1963, pp. 3-6.

"actually establishing a minimum wage for domestic, agricultural labor."<sup>22</sup>

The committee did not speak with one voice, however. A minority statement, signed by Benjamin Rosenthal of New York, Alec Olson of Minnesota, and Spark Matsunga of Hawaii, was attached to the majority report. Because of declining farm employment, they believed that Congress should not consider extending P.L. 78. Since it provided an inexhaustible supply of labor, it did not allow the free enterprise laws of supply and demand to operate. Further, the program was a "great moral wrong." It fed on "unemployment and poverty in the United States."<sup>23</sup>

In late May of 1963, after publication of the committee report, debate began in the House and followed a similar pattern. Once again Texas Representative González opposed extension, which he called an insult to the dignity of domestic farm labor. American workers were available, but the low pay they received in Texas, which had no minimum farm wage, caused them to seek jobs elsewhere.<sup>24</sup> Vocal proponents from Texas were Representatives Foreman, Mahon, and Poage. Each viewed continuation as vital to Texas agriculture. Foreman claimed to favor hiring domestic workers but contended that many in Texas were "loafing on

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<sup>22</sup>Ibid., p. 7.

<sup>23</sup>Ibid., pp. 10-11.

<sup>24</sup>House, Cong. Rec., 109: 9809.

welfare" and would not work in the fields.<sup>25</sup> Poage argued that rejection would increase the entry of illegal aliens termed importation a foreign aid program to help "our sister republic."<sup>26</sup> Mahon held that the presence of braceros had helped, not hindered, the progress of domestic agricultural labor, and he found it difficult to understand those who opposed extension.<sup>27</sup>

Contrary to Mahon's view, wage levels and standards had not increased. According to statistics from the Department of Agriculture and Labor, wages were lower in 1961, 1962, and 1963 throughout states importing braceros, excepting California, than in other key agricultural states. This condition prevailed despite the 1961 amendments to the law. (See table 8.)<sup>28</sup>

Voting on continuation of the bracero program took place in the House on May 29, 1963. The principle bill was now H.R. 5497, a simple two-year extension. The opposition prevailed, and the measure was rejected by a narrow margin of 174 to 158. An even hundred members did not vote. Texas Representatives in favor of the bill were Fisher, Foreman, Kilgore, Mahon, Rogers, Teague, Thompson, Thornberg, and Wright; those against were González and Patman.<sup>29</sup>

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<sup>25</sup>Ibid., p. 9808.

<sup>26</sup>Ibid., p. 9810.

<sup>27</sup>Ibid., p. 9823.

<sup>28</sup>Ibid., pp. 9811-13.

<sup>29</sup>Ibid., pp. 9833-34. W.R. Poage did not vote.

TABLE 8  
FARM WAGE RATES

Composite Rate Per Hour	1961	1962	1963
State or Region	1961	1962	1963
Maine	\$1.73	\$1.15	\$1.14
New Hampshire	1.16	1.20	1.23
Vermont	1.14	1.17	1.19
Massachusetts	1.24	1.31	1.35
Rhode Island	1.23	1.27	1.36
Connecticut	1.32	1.36	1.36
New England	1.19	1.22	1.30
New York	1.15	1.17	1.17
New Jersey	1.16	1.19	1.17
Pennsylvania	1.07	1.09	1.09
Middle Atlantic	1.13	1.15	1.15
Ohio	1.09	1.10	1.11
Indiana	1.07	1.09	1.11
Illinois	1.12	1.16	1.15
Michigan	1.09	1.10	1.11
Wisconsin	1.10	1.13	1.12
East North Central	1.10	1.12	1.12
Minnesota	1.10	1.15	1.14
Iowa	1.16	1.20	1.19
Missouri	1.07	1.05	1.05
North Dakota	1.04	1.09	1.04
South Dakota	1.05	1.09	1.07
Nebraska	1.13	1.17	1.18
Kansas	1.14	1.17	1.16
West North Central	1.10	1.14	1.12
Delaware	1.00	1.05	1.05
Maryland	1.04	1.04	1.06
Virginia	.84	.85	.87
West Virginia	.78	.80	.79
North Carolina	.72	.75	.78
South Carolina	.53	.55	.59
Georgia	.67	.69	.73
Florida	.86	.85	.90
South Atlantic	.74	.76	.81
Kentucky	.87	.85	.84

TABLE 8 Continued

Tennessee	.65	.67	.67
Alabama	.61	.63	.66
Mississippi	.53	.59	.59
East South Central	.65	.66	.68
Arkansas	.73	.77	.77
Louisiana	.66	.69	.70
Oklahoma	1.01	1.02	1.04
Texas	.80	.83	.89
West South Central	.78	.81	.85
Montana	1.16	1.19	1.23
Idaho	1.20	1.27	1.28
Wyoming	1.14	1.15	1.28
Colorado	1.13	1.15	1.17
New Mexico	.87	.89	.94
Arizona	.99	1.00	1.04
Utah	1.23	1.28	1.25
Nevada	1.19	1.25	1.30
Mountain	1.09	1.12	1.07
Washington	1.30	1.33	1.35
Oregon	1.23	1.26	1.26
California	1.27	1.29	1.30
Pacific	1.27	1.29	1.30
United States	.99	1.01	1.05
			(1.13)*

\*U.S.D.A. 1963 farm wage average was estimated at \$1.13.  
 U.S.D.A. figures compiled in 1967 indicated that the 1963  
 average wage was \$1.05.

SOURCE: House, Cong. Rec., 109: 9811-13.



Reaction to the outcome was varied. Growers were irate and surprised that the House had defeated the bill, since it had supported their position in the past. The most noteworthy outcry came from Mexico. During subsequent Senate consideration, a letter from Ambassador Antonio Flores was inserted into the Congressional Record and stated clearly his country's position. Although the Mexican government was wary of the abuses of importation, it opposed sudden termination for several reasons. Mexico was concerned about the immigration of Mexican citizens to the United States, both legal and illegal, and termination would undoubtedly cause illegal traffic to increase, as well as the number of Mexican farmworkers applying for permanent visas. In addition, the economic and diplomatic impact would be severe. Thus, a gradual reduction of braceros would enable the Mexican economy to reabsorb workers. If halted on December 31, 1963, approximately 200,000 persons would be out of work. From a diplomatic standpoint, the bracero accord had fostered good relations between the two countries. What the end would bring was uncertain.<sup>30</sup>

#### Final Extension

In the wake of House rejection, numerous bills appeared in both houses of Congress. Several called for

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<sup>45</sup> Senator William Fullbright of Arkansas placed the letter in the Record. Senate, Cong. Rec., 109: pp. 15203-204.

three-to-five-year "phasing out" periods. Main consideration in the Senate centered around S. 1703, a one-year extension. The Senate Committee on Agriculture studied the problem of continuation, and in late July, 1963 its report recommended passage. It stated that domestic workers had been adequately protected under the Department of Labor's 1962 restrictions and, since the need for workers still existed, recommended a one-year extension.<sup>31</sup>

Because of the availability of a sufficient work force was uncertain, the Department of Labor had also recommended the one-year extension provided in S. 1703. It went further, however, and proposed that the act should include a provision that employers of braceros be required to offer domestic workers occupational, or workmen's compensation, as well as housing and transportation expenses comparable to those furnished Mexican nationals. The committee report had not included this recommendation on grounds that the one-year extension made added restrictions unnecessary.<sup>32</sup>

The Senate debate which began on August 15, 1963, sounded a familiar ring. Eugene McCarthy of Minnesota offered an amendment to S. 1703 which incorporated the Department of Labor's desired guarantees for domestic workers.

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<sup>31</sup>U.S., Congress, Senate, Extension of Mexican Farm Labor Program, S. Rept. 372, 88th Cong., 1st sess., 1963, pp. 2-3.

<sup>32</sup>Ibid., pp. 4-5.

By a single vote, the McCarthy amendment passed.<sup>33</sup> Debate continued. Senator Tower of Texas opposed the McCarthy amendment but favored importation. The bill, he said, was needed; braceros were vital to farm production. He also stressed the diplomatic significance of the program and included testimony from earlier hearings to support his position. Rejection would harm Mexican-American relations.<sup>34</sup>

A vote was taken on August 15. The bill, S. 1703, with the McCarthy amendment, won strong approval (65 to 25). The vote ran not along strict party lines; rather it indicated that the bracero program was fast becoming an ideological issue.<sup>35</sup>

Inclusion of the McCarthy amendment caused concern throughout Congress. Based on earlier experience, many believed that the amendment doomed a one-year extension in the House.<sup>36</sup> This notion was current when, in August of 1963, the Subcommittee on Equipment, Supplies and Manpower of the House Committee on Agriculture conducted a one-day

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<sup>33</sup>Senate, Cong. Rec., 109: 15201. The count was 44 to 43, with a dozen members not voting. Senators Yarborough and Tower voted nay.

<sup>34</sup>*Ibid.*, pp. 15211-12.

<sup>35</sup>*Ibid.*, p. 15219. Tower voted in favor, Yarborough against.

<sup>36</sup>*Ibid.*

hearing. The Departments of Labor, Agriculture and State submitted testimony, and each desired a one-year extension.<sup>37</sup>

In early September, the full House Committee on Agriculture issued its report, which proposed a final, one-year extension embodied in H.R. 8195. The committee rejected the equal conditions amendment, as passed by the Senate, contending that the inclusion of the workmen's compensation guarantees was a state, not a federal, matter. Further, the Secretary of Labor already possessed adequate authority; the McCarthy amendment would be a dangerous enlargement.<sup>38</sup> Again a minority view was voiced. Representatives Rosenthal, Olson, and Matsunga, along with James Morrison of Louisiana, disagreed. Critical of any extension, they termed P.L. 78 "bad" and "immoral." The bracero program, they said, was a government measure designed "to help the strong exploit the weak" and constituted a violation of the "basic beliefs of our Nation."<sup>39</sup>

The decision on a one-year extension, contained in H.R. 8195, was at hand. The House required but one day to act. Debate aired the majority and minority views of the

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<sup>37</sup>U.S., Congress, House, Committee on Agriculture, Extend the Mexican Farm Labor Program, Hearing before Subcommittee on H.R. 7185, H.R. 7191, and S. 1703. 88th Cong., 1st sess., 1963, pp. 5-38.

<sup>38</sup>U.S., Congress, House, One Year Extension of Mexican Farm Labor Program, H.R. Rept. 722, 88th Cong., 1st sess., 1963, pp. 1-2.

<sup>39</sup>Ibid., p. 34.

committee and followed earlier patterns--with one major exception: proponents and opponents agreed that, if approved, this extension would be the last. By a vote of 173 to 160, H.R. 8195 was approved.<sup>40</sup> Senate reaction was also predictable. Reluctance to approve any extension without the McCarthy amendment was apparent, but so too was the belief that this debate would be final. Passage occurred, 50 to 36, but not without reservations. Senator Ralph Yarborough summed up the feelings of many colleagues:

In the past I have voted for the correction of abuses in the bracero program, for the employment of American labor. Under the emergency now existing I will vote for a 1-year extension of it, for this year only . . . I will vote for this 1-year extension to enable American farmers to adjust their labor supply, to search for domestic labor, and to lighten the disruption caused by the too-sudden termination of the program.<sup>41</sup>

Congressional action had provided a one-year transition for bracero employers.

The international agreement was also extended to coincide with the expiration of Public Law 78.<sup>42</sup> Even though the extension was granted, the bracero program was dead. Imported labor had gradually become a moral question, so politically volatile as to warrant termination.

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<sup>40</sup>House, Cong. Rec., 109: 20691-731.

<sup>41</sup>Senate, Cong. Rec., 109: 23223.

<sup>42</sup>State, U.S. Treaties, 14, 5492.

## CHAPTER V

### YEAR OF TRANSITION: 1965

Once the decision was made to discontinue foreign importation, the next step was to replace foreign workers. The year 1965--the first year without braceros--was crucial for southwestern agriculture. Growers' progress during the year was studied, and most of the findings were favorable. Domestic wages increased, working conditions improved, and crop losses were negligible. The Labor Department and agribusiness made a sincere effort to recruit new workers. Many were non-traditional farmworkers, such as college and high school students and housewives. Less encouraging were the statistics indicating that after legal importation ended, illegal immigration increased. Jobs were available. Overall, however, the real effect of undocumented workers remained difficult to determine.

#### Replacement of Workers

After Congress extended P.L. 78 for the last time, all that remained was to oversee the final year of its operation. In preparation for termination, employers contracted and recontracted fewer braceros in 1964 than in

1963.<sup>1</sup> (See table 9.) In addition, growers shifted their attention to the Immigration and Nationality Act, P.L. 414 (1952), which also allowed importation of foreign workers.<sup>2</sup> The Department of Labor embarked upon a strict enforcement of this act, however. It set wage rates at \$1.15 to \$1.40 per hour and insisted that growers meet these rates before foreign labor could be contracted. (See table 10.) Even so, lower wage levels were permitted during the first three months of 1965 in states where braceros were widely used.<sup>3</sup> Nonetheless, growers' attempts to replace P.L. 78 with P.L. 414 were thwarted.

With termination imminent, the year 1965 was the subject of a Labor Department study entitled Year of Transition. It compared the final year (1964) under P.L. 78 to the first year (1965) without the program. The absence of

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<sup>1</sup>Bracero employment declined 4.5% from 1963 to 1964. With the end of the program, foreign employment declined 83% between 1964 and 1965. House, Cong. Rec., 113: 3553.

<sup>2</sup>Admission of non-immigrants was permitted under Section 214 (C) of P.L. 414, after consultation between the Attorney General and the department requesting admission. The Secretary of Labor placed regulations on such admission, however. Workers could be admitted only if "reasonable efforts" had been made to attract domestic workers at the prevailing wage in the area. (See table 8.) Further, domestic workers were to be offered terms and conditions comparable to those offered to braceros, as provided in the Migrant Labor Agreement of 1951. U.S., Department of Labor, Report from the Secretary of Labor, Year of Transition, Seasonal Farm Labor, 1965, p. 3 (hereafter cited as Year of Transition.)

<sup>3</sup>Texas wages were kept at \$.90 per hour for the first three months of 1965, but by April 1, \$1.15 was established. New York Sun, 20 December 1964.

TABLE 9

## NUMBER OF FOREIGN WORKERS ADMITTED

1960	334,729
1961	310,375
1962	271,010
1963	209,218
1964	200,022
1965	35,871
1966	23,524

SOURCE: U.S. Immigration Service as cited in House,  
Congressional Record; 113: 3553.



TABLE 10

DEPARTMENT OF LABOR WAGE RATES  
JANUARY TO APRIL 1965

<u>State</u>	SCHEDULE A	<u>Wage Rate</u>
Arizona		\$1.05
California		1.25
Connecticut		1.25
Florida		.95
Massachusetts		1.25
New Mexico		.90
Texas		.90
<u>State</u>	SCHEDULE B	<u>Wage Rate</u>
Arizona		\$1.25
Arkansas		1.15
California		1.40
Colorado		1.30
Connecticut		1.40
Florida		1.15
Indiana		1.25
Kansas		1.40
Maine		1.25
Massachusetts		1.30
Michigan		1.25
Minnesota		1.40
Montana		1.40
Nebraska		1.40
New Hampshire		1.30
New Jersey		1.30
New Mexico		1.15
New York		1.30
Oregon		1.30
Rhode Island		1.30
South Dakota		1.40
Texas		1.15
Utah		1.40
Vermont		1.30
Virginia		1.15
West Virginia		1.15
Wisconsin		1.30
Wyoming		1.25

SOURCE: Year of Transition, Appendice.

legal braceros exercised a fourfold impact. First, there was an 83 percent reduction in the use of foreign labor. Second, "tens of thousands" of additional jobs were created for American farmworkers with significant improvements in terms and conditions of employment. Third, labor shortages developed in only three crops. And fourth, in 1965, market prices for fruits and vegetables harvested previously by braceros were, on the whole, less than in 1964, despite the fact that the general cost of living rose during the year. The report also dealt with the response of agribusiness, which, despite a degree of "protest and indignation," made an earnest and successful effort to adjust.<sup>4</sup> Apparently, growers had accepted the inevitable.

In all, 35,871 foreign workers were admitted in 1965, as compared with 200,022 in 1964.<sup>5</sup> (See table 9.) In Texas, no braceros were employed in 1965, as compared with 15,600 which was peak employment in 1964.<sup>6</sup> Although it is difficult to determine the increase in the number of domestic workers resulting from termination, in Mid-August, 1965, the peak of the season, there were approximately 86,200 more American workers in seasonal employment than in the previous year. For the same month, domestic seasonal employment was up approximately 10,000 or almost seven percent. (See table 11.)

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<sup>4</sup>Year of Transition, pp. 3-4.

<sup>5</sup>House, Cong. Rec., 113: 3553.

<sup>6</sup>Year of Transition, p. 9.

TABLE 11

TEXAS  
NUMBER OF SEASONAL HIRED WORKERS, BY  
ORIGIN, 1964 AND 1965

Date	Total	Domestic			Foreign	
		Total	Local	Intra- state		Inter- state
1964						
Jan.	70,100	67,000	66,900	100	100	3,000
Feb.	71,500	69,900	69,800	0	100	1,600
Mar.	85,900	84,300	84,100	200	100	1,500
Apr.	105,800	103,000	102,500	500	*	2,800
May	129,400	124,200	121,700	2,300	200	5,200
June	156,400	149,400	140,500	7,900	1,000	7,000
July	156,800	149,000	127,500	20,000	1,400	7,900
Aug.	144,800	134,400	117,600	15,800	1,100	10,400
Sept.	113,800	103,800	97,900	5,600	300	10,100
Oct.	129,000	116,800	101,300	14,200	1,200	12,200
Nov.	131,100	117,700	101,200	15,100	1,300	13,500
Dec.	99,500	91,900	86,200	5,300	400	7,500
1965						
Jan.	69,300	69,300	68,700	400	200	0
Feb.	72,300	72,300	72,200	100	0	0
Mar.	85,700	85,700	85,500	200	0	0
Apr.	102,200	102,200	101,400	700	100	0
May	125,100	125,100	122,400	2,500	300	0
June	153,200	153,200	142,800	9,600	800	0
July	146,200	146,200	121,700	23,000	1,600	0
Aug.	143,800	143,800	121,100	21,600	1,200	0
Sept.	108,300	108,300	101,100	6,000	700	0
Oct.	117,800	117,800	101,700	14,000	2,200	0
Nov.	125,300	125,300	101,500	21,600	2,200	0
Dec.	106,300	106,300	88,000	16,700	1,600	0

\*Less than 50.

SOURCE: Year of Transition, Appendice.

The transition to domestic labor, though smooth in many respects, was not problem-free. Despite opposition to foreign labor, the fact remained that laborers were needed to harvest crops. To meet this challenge, the Department of Labor announced, in December of 1964, that it would "undertake the most massive recruiting effort ever made to sign up Americans for seasonal farm work." This campaign was to be directed at black college students, reservation Indians, Puerto Ricans, and unemployed youth in the city slums. In addition, the Labor Department hoped to set up recruitment among rural youth, who had traditionally worked in the summer harvest.<sup>8</sup> As recruitment began, however, employers sought workers who would accept little or no improvement in wages and working conditions, and they continued to argue that American workers would not perform "stoop labor." In California, the State Employment Department, and its Farm Labor Service, took pains to find jobs for the chronically unemployed in the East; black share-croppers in the Deep South; secondary school students; housewives; welfare recipients; and inmates of prisons, reform schools, and mental institutions.<sup>9</sup>

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<sup>7</sup>Ibid., pp. 9-10.

<sup>8</sup>New York Times, 13 December 1964, p. 83, and 19 March 1965, p. 17.

<sup>9</sup>Max Awner, "New Hope for Braceros," The Progressive, August 1964, p. 22.

During the transitional year, state and federal employment agencies increased local, intrastate, and interstate recruitment. Three special youth programs were initiated: a summer job program, which employed 5,000 college students; the "A-team," which employed high school boys; and an experimental program, "Project Growth," intended to rehabilitate disadvantaged young men aged 17 to 21. They were given two to four weeks of pre-job orientation, six to eight weeks of agricultural work, and up to four weeks of counseling and testing. Those who completed the course were referred to other manpower agencies. After a one-year trial, Project Growth did not result in significant additions to the agricultural labor force during the first year, due in part, to insufficient planning. It did show promise, however, as a "vehicle for individual rehabilitation."<sup>10</sup>

Over 100,000 otherwise unemployed Americans drew pay in 1965. Of these, between 15,000 and 25,000 high school and college students took up work, during the summer of 1965, which braceros had previously performed. The Labor Department was pleased with these findings. Investigators speculated that the "reduced use of foreign labor was brought about primarily by the decision of American growers to improve wages and working conditions."<sup>11</sup>

Such a conclusion could prove incomplete, however. During 1965, yet another factor appeared, one that would

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<sup>10</sup>Year of Transition, pp. 13-14.

<sup>11</sup>Ibid., p. 10.

have future implications. In that year, for the first time in a decade, the number of deportable aliens apprehended exceeded 100,000 and since then has consistently increased. The Immigration and Naturalization Service believed the increase was due, at least in part, to the expiration of P.L. 78.<sup>12</sup> (See table 12.)

#### Nationwide Effect

The impact of termination on farm wages was another area of study. The contrast between 1965 and farm and industrial wages during the bracero years was staggering. In 1951, the national average industrial wage was \$1.56 per hour, while the farm wage was \$.77, a difference of \$.79. In 1964, however, the average industrial wage was \$2.54, while the farm wage was \$1.08, a difference of \$1.46. According to a Department of Agriculture survey, farm wages averaged six cents per hour more in 1965 than in the previous year. The increase to \$1.14 was the largest recorded one-year rise in agriculture since the Korean War period.<sup>13</sup> Industrial wages also rose, by seven cents, to \$2.61 per hour. (See table 13.)

Additionally, the end to foreign importation did not produce the disastrous effects that growers had anticipated.

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<sup>12</sup>U.S., Department of Justice, Annual Report of the Immigration and Naturalization Service, 1965 (Washington, D.C.: Government Printing Office, 1965), p. 8.

<sup>13</sup>Year of Transition, pp. 11, 19.

TABLE 12

DEPORTABLE ALIENS LOCATED BY THE  
IMMIGRATION AND NATURALIZATION SERVICE

1954	1,075,168
1955	242,608
1956	72,442
1957	44,451
1958	37,242
1959	30,196
1960	29,651
1961	29,877
1962	30,272
1963	39,124
1964	43,844
1965	55,349
1966	89,751
1967	108,327
1968	151,705
1969	201,636
1970	277,377
1971	348,178
1972	430,213
1973	576,823
1974	709,959
1975	680,392
1976	781,474
1977	954,778

SOURCE: Annual Reports, Immigration and Naturalization Service, 1954-1977.

TABLE 13

## HOURLY FARM WAGE RATE WITHOUT ROOM OR BOARD

1960	\$ .97
1961	.99
1962	1.01
1963	1.05
1964	1.08
1965	1.14
1966	1.23

SOURCE: U.S. Department of Agriculture, as cited in House, Congressional Record, 113: 3553.



Termination meant that while growers had to compete for labor, crop losses did not appear to be significant. The total of "claimed" losses due to labor shortage during 1965 was estimated to be less than "one half of one percent" of the value of crops which had previously utilized bracero labor. Crop losses which were reported pertained to asparagus and strawberries in California and cucumbers in Michigan.<sup>15</sup>

Retail prices for fruits and vegetables did rise slightly in 1965, but increased farm wages were a very small factor. As analyzed, crops which braceros had formerly harvested both increased and decreased in price in 1965. The principle determinants were the size of the harvest and the marketing apparatus. Only in the case of asparagus and strawberries were any appreciable price increases linked to the shift to domestic labor. Wholesale prices of fresh asparagus in 1965 were two percent below the 1964 figure. Retail prices for fresh asparagus, however, increased by 9.1 percent; those for canned asparagus rose by 6.2 percent.<sup>16</sup>

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<sup>14</sup>U.S., Department of Commerce, Bureau of the Census, Historical Statistics of the United States to 1970, 2 parts. (Washington, D.C.: Government Printing Office, 1975) p. 169.

<sup>15</sup>Ibid., pp. 15-17.

<sup>16</sup>Braceros who picked lettuce in the Imperial Valley in California were paid a penny a head. In 1965, domestic replacements received a cent and a third, or sometimes a cent and a half. Ibid., pp. 22, 24.

Of greater consequence was the improvement in working conditions for domestic laborers. The Office of Economic Opportunity (OEO), which supplied money for the development of new housing, found, for example, that \$2 million was granted to California for the design and construction of new living units. Improved housing, sanitation, day care, and education were the purpose of sixty-five projects funded by OEO during the last nine months of 1965. Grants to twenty states totaled \$26 million.<sup>17</sup>

In 1965, California passed the nation's first adequate state law establishing standards for field sanitation. The measure provided for toilet and handwashing facilities and for the maintenance and location of required equipment. During the same year, Michigan and Indiana passed important legislation giving state health departments the authority to set sanitation standards for farm labor camps.<sup>18</sup>

In 1967, two years after the end of P.L. 78, a leading congressional opponent, Representative Jeffrey Cohelan of California, reviewed the post-termination farm labor situation. He asserted that the entire country had benefitted and that American workers were replacing braceros.

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<sup>17</sup>In some areas, former bracero barracks were converted for use as family housing. Among the projects funded were reception and information centers in New Mexico and Arizona. Day care and adult and family education programs were started in Texas, California, Oregon, Washington, and Michigan. Ibid., p. 20.

<sup>18</sup>Ibid., p. 21.

To prove his point, he stated that in 1966 the net income for farmers reached a twenty-year high of \$16.2 billion, \$317 more per capita than in 1964. Wages rose despite the fact that prices had remained basically the same, proof that American farmworkers were available if their pay was decent. Cohelan did admit that there was an increase in the number of illegal aliens from Mexico after 1965, but he added that it was the result of enforcement problems, not the end of the bracero accord.<sup>19</sup>

#### Effects in Texas

In Texas, a major employer of braceros, the impact of termination received close study. In 1967, the Economic Development Division of the Economic Research Service issued a report based upon a series of field trips made in the spring of 1966. Its findings, derived from firsthand observation and from meetings with growers, processors, farmworkers, and research and extension workers, indicated that termination was felt.<sup>20</sup>

Since the state supplied seasonal labor to more than thirty other states, new demands accompanied the end of the program. Efforts of Texas growers to employ in-state labor were successful, since in the fall of 1965 outside

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<sup>19</sup>House, Cong. Rec., 113: 3551-54.

<sup>20</sup>U.S., Department of Agriculture, Economic Research Service, The Farm Labor Situation in Selected States, 1965-1966, Agriculture Economic Report No. 110 (Washington, D.C.: Government Printing Office, 1967), p. i.

recruiters were unable to obtain all the workers that they needed from this usually ample source. In fact, Texas experienced both a labor shortage and a surplus. Human requirements were reduced through mechanization in cotton and cucumber production, yet at the same time there were shortages of irrigators, ranch hands, cotton-stompers, and field hands in okra and melons. These shortages were anticipated, however, since the jobs were the least desirable and lowest paid.<sup>21</sup>

Texas growers met shortages in four ways. First, the recruitment of local women and youth was increased, especially in the cucumber and melon harvests. Second, more mechanical aids were used, such as conveyor belts in the melon harvest. Third, wages were increased. (Although raises in the state amounted to only six percent between 1964 and 1965, much of the increase was due to higher wages for jobs previously assigned to braceros.) And fourth, the improvement of jobs to make them more acceptable.<sup>22</sup>

So as to keep Texas workers at home, growers tried to meet competition from the outside by offering comparable job guarantees and pay. Wage increases were larger in the northern part of the state where labor was scarcest.

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<sup>21</sup>Ibid., p. 10.

<sup>22</sup>For example, irrigators had previously been required to be on the job twelve to fourteen hours a day, but were paid only for the time, usually six hours, when they were moving irrigation pipes. To remedy this, other work was devised for irrigators to fill out their workday. Ibid., p. 16.

Growers along the Mexican border were still able to obtain border-crossing workers for hourly rates as low as \$.45 to \$.50. But these low wages did not extend far from the border. The statewide average for 1965 was \$.98. While the most measurable gains related to wages, conditions of employment also improved. Guarantees as to length of employment also became important. Irrigators and ranch hands, for instance obtained better working hours, prescribed job methods, and housing. The study concluded that growers in Texas had responded to the need to upgrade farm employment.<sup>23</sup>

Because of these changes, the Texas Good Neighbor Commission studied migrant labor in the state during 1966. The effects of the expiration of P.L. 78 were reviewed. The Commission found that although Texas growers were prepared for the termination of the program, they were unprepared for the intensive out-of-state recruitment that took place after the law ended. There was an increase in the number of Texas migrants who left their homes to follow the crops. In 1964, some 129,000 Texans migrated; for 1965, the total was 167,000. Of these, 129,600 went out of the state, leaving 32,500 who migrated entirely within Texas. The indication was that more domestic workers were finding work in agriculture. Although many Texas migrants traditionally left the state, most began their journey in

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<sup>23</sup>Ibid., pp. 16-17.

South Texas and worked their way through the state before heading northward. Though somewhat surprised at out-of-state recruitment, the Commission saw increased competition as an advantage to domestic workers, "since even those that do not migrate to other states, will, in the long run, receive higher wages in Texas than would be the case if there were less competition for their labor from other states."<sup>24</sup>

Texas growers did adjust to the loss of braceros. The trend toward mechanization was accelerated, but, in addition, an increased effort was made to recruit and hold domestic workers for those crops which were not mechanized. More domestic workers found work in Texas, and wages increased. Another factor was present, however: increased reliance on illegal aliens. The impact of their employment remains difficult to discern.

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<sup>24</sup>Texas, The Good Neighbor Commission of Texas, Texas Migrant Labor Annual Report, Texas Migrant Labor, The 1966 Migration, pp. 3-4.

## CHAPTER VI

### ILLEGAL ALIENS OR BRACEROS?: A QUESTION FOR TWO NATIONS

Now more than a decade after the last legal braceros entered the United States, the labor problem in the Southwest continues, unsolved. Illegal immigration has increased steadily. The presence of undocumented workers concerns both nations, yet neither has overcome the problem. Immigration policy is confusing. The United States does not condone illegal entry, yet the level of enforcement indicates a lack of serious commitment to stop it. Labor shortages exist, and undocumented workers respond to them. Mexico believes its northern neighbor needs them. By the end of the 1970s the problem had achieved such magnitude in Texas that Governor William Clements recommended a revival of the bracero accord, so as to give Mexican workers legal protections and to control their numbers. President Jimmy Carter had proposed a "drying-out" for illegal aliens, a notion voiced in the past. The course beyond 1980 is unclear.

#### Illegal Aliens

An end to the legal importation of braceros did not solve the labor problem. After 1965, American growers made genuine efforts to recruit domestic workers, but

illegal aliens and Mexican commuters continued to be hired. A steadily growing concern in the United States grew from the increase in illegal immigration following termination. Leonel J. Castillo, Commissioner of the Immigration and Naturalization Service (INS) from 1977 to 1979, estimated that undocumented aliens in this country in 1979 may have numbered from three to five million. Approximately one million were arrested during 1978-1979, as compared with 55,349 deportable aliens located in 1965, the year after the program ended.<sup>1</sup>

This human movement complicated relations between the United States and Mexico. Obviously, displaced persons relocated for a reason: the economy of Mexico was unable to provide suitable work, a fact which caused them to risk arrest and try their luck in Los Estados Unidos, where many employers offered relatively high wages. Although this massive departure has been an embarrassment to Mexico, official policy in 1980 hints at quiet approval. The "silent immigration," as President José López Portillo termed it, "is something the United States needs and should not complain about."<sup>2</sup> In addition, the exodus has benefitted

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<sup>1</sup>Christian Science Monitor, 14 March 1979 (hereafter cited as C.S.M.). Castillo was the first Mexican-American to head the Immigration and Naturalization Service. While in office, opposition came from two quarters. Mexican-American groups accused him of being too severe in his treatment of illegals, critics within his own department thought him too lenient in enforcing the law.

<sup>2</sup>Austin (Tex.) American-Statesman, 18 February 1979 (hereafter cited as A.A-S.).



Mexico, where annual population growth has averaged 3.3 percent. Should this increase continue, this underdeveloped nation could find itself overburdened with 116,000,000 people by the year 2000. Immigration, legal or illegal, has been, and is, a safety valve for overpopulation and unemployment.<sup>3</sup>

United States immigration policy and its enforcement is currently confused. Although the government has not condoned illegal entry, its approach to the issue has encouraged continuation. American immigration laws are based upon a quota system, which permits a maximum of 20,000 legal immigrants per year to enter the United States from each country. This figure is applied to all countries equally, large or small.<sup>4</sup> Enforcement has added to the confusion. It appears that the government has not been entirely committed to stopping the influx of illegals. For instance, the southern border of the United States, some 1,946 miles in length, has presented a problem for the Immigration and Naturalization Service. Understaffing has been a persistent difficulty. As of 1979, of 31,100 INS

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<sup>3</sup>C.S.M., 7 August 1979.

<sup>4</sup>U.S., Department of Justice, Immigration and Naturalization Service, United States Immigration Laws, General Information (Washington, D.C.: Government Printing Office, 1979), p. 9; C.S.M., 5 September 1979.

agents, 2,100 were assigned to patrolling the border. Simply, the task was, and is, too great.<sup>5</sup>

Yet conditions in 1980, though unfavorable, do not preclude improvement. Former Commissioner Castillo recommended two tactics to strengthen the INS position. First, a joint effort between the Departments of Labor and Justice is needed to identify employers who violate the existing law by employing illegal aliens at substandard wages under inadequate working and living conditions. And second, he recommended, the extension of cooperation between the INS and the Customs Bureau (in the Treasury Department) in such programs as electronic surveillance, intelligence, radio communication, and the general development of new tools to make both agencies more effective in policing the border.<sup>6</sup>

One attempt at stronger enforcement which drew severe criticism, was tabled. Early in 1979, the construction of a total of twenty-seven miles of border fencing was proposed. To be located at popular crossing points (i.e., Tiajuana and El Paso-Juarez), the two-million-dollar barriers were to include sharp edges which would cut off the toes and fingers of potential wire-climbers, or alambristas. The "Tortilla Curtain" created international consternation, and

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<sup>5</sup>Stuart Powell, "Illegal Aliens: Invasion Out of Control," U.S. News and World Report, 29 January 1979, p. 39; A.A-S., 11 September 1979.

<sup>6</sup>C.S.M., 14 March 1979.

President Lopez Portillo held it up as a reminder of the mistreatment of aliens. President Carter rejected the project and maintained that he intended only repairs on the fence. He considered a deterrent that might hurt people a "crazy idea" and quashed it.<sup>7</sup>

With the illegal alien issue in mind, President Carter visited Mexico in February 1979 in an attempt to improve relations. In light of its recently publicized oil reserves, Mexico enjoyed an advantageous bargaining position and made known its resentment over years of neglect from Washington. Carter received a cool reception, due in part to Energy Secretary James Schlesinger's decision to block an agreement to purchase natural gas from Mexico on grounds that the asking price was more than the United States was paying for Canadian gas or allowing American natural gas producers to charge.<sup>8</sup> Both heads of state recognized the illegal alien problem and agreed that it demanded action. President Carter pledged to protect human rights of Mexicans in the United States and offered a proposal to deal with undocumented immigrants. Amnesty would be granted to those who had lived in this country before January 1, 1970. Those in the country on or before January 1, 1977, would be allowed to remain and work legally for five years but then would be required to return to Mexico.<sup>9</sup> The Carter proposal

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<sup>7</sup> A.A-S., 23 March and 11 February 1979; Dallas Morning News, 1 April 1979.

<sup>8</sup> A.A-S., 17 February 1979.

<sup>9</sup> Ibid., 19 February 1979.

met criticism and has yet to be aired in Congress. This delicate question is one of the major challenges confronting newly appointed Ambassador-at-Large, Robert Krueger, a Texan, and Ambassador Julian Nava as they attempt to strengthen United States-Mexican relations.

### Texas and Revival

Although President Carter has not suggested a renewal of the bracero program, Governor William P. Clements of Texas has. Although his use of the phrase "bracero program" stirred old criticisms, the Texas Governor recommended a solution to the problem of illegal aliens, legal importation of Mexican workers who would be guaranteed "adequate pay," working, housing and living conditions." Accorded protection of the law, the new braceros would not be as vulnerable as illegals, who live in fear of immigration authorities, or la migra, and deportation.<sup>10</sup>

By late 1979-early 1980, Texas faced an acute problem. According to the Governor, the state may have contained as many as three million illegals. No longer attracted primarily to the border towns, they dispersed throughout the state. Nor were they confined to agricultural work. Houston's booming construction industry was a primary target, and another was industrializing East Texas which one journalist considered to be "flooded with illegal aliens." Factories in and around Lufkin employed them but insisted

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<sup>10</sup> Ibid., 19 February 1979.

that they did it unknowingly. Yet Texas Employment Commissioner Raymond Fore of Lufkin attributed much of the business expansion in the area in the late 1970s to the presence of unskilled alien workers. He doubted that this growth would have been possible without them.<sup>11</sup> When questioned about the presence of illegals in East Texas, the Immigration and Naturalization Service replied that they were "too busy" with the Houston area to worry about smaller towns. Only seventeen INS agents, nine field officers and eight smuggling investigators, were assigned to thirty-two East Texas counties.<sup>12</sup>

Shortages of primarily unskilled labor continue to exist in Texas industry and agriculture. According to Agriculture Commissioner Reagan Brown, "some sort of policy" is needed which would allow Mexican laborers into the state at harvest time. Out-of-the-way areas, such as Presidio, on the Rio Grande in extreme Southwest Texas, are especially susceptible to labor shortages. Farmers throughout need help with perishable crops, since the domestic work force is not sufficient.<sup>13</sup>

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<sup>11</sup>Ibid., 29 January and 11 September 1979. Guillermo García, correspondent for the Austin American-Statesman experienced first-hand the life of an illegal alien when he travelled to East Texas and posed as an illegal. He recounted his experiences in a five-part series running September 9 to 12, 1979.

<sup>12</sup>Ibid., 11 September 1979.

<sup>13</sup>Ibid., 25 January 1979.

Governor Clements has argued that his plan is different from the old bracero accord and would afford ample protection for workers. Mexican nationals would be recruited to fill jobs in agriculture and industry that American workers would not accept, and such recruitment would be possible through federal issuance of temporary work visas. Mexicans seeking work across the border would be granted six-month permits at wages agreed upon by the United States and Mexico. This new arrangement would differ from P.L. 78 in that workers would not be assigned to particular jobs; rather, they could work anywhere at any type of employment.<sup>14</sup>

The Clements' proposal has not met with substantial approval, perhaps because importation has been closely associated with exploitation. A conference of border state Governors was held in Brownsville, Texas, in June of 1979, for the purpose of discussing common problems. Joining Governor Clements were Bruce Babbitt of Arizona, Bruce King of New Mexico, and Tom Hayden, former campus radical, who represented Governor Edmund G. Brown of California. Clements urged his colleagues to endorse his program, which met with opposition from the other participants and from the outside. Mexican-American groups picketed the meeting site in protest over being denied representation in the deliberations. Rubén Bonilla, a Texan and state Director of the League of United Latin American Citizens, rejected the notion of a new

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<sup>14</sup>C.S.M., 28 June 1979.

importation agreement and asked that the United States "guarantee a similar framework--including possible unionization--to its own citizens first."<sup>15</sup>

As the sessions progressed, Clements was in the minority. Governor Babbitt expressed his opposition with the statement that "the bracero program itself is synonymous with all that has been wrong in our relationship with Mexico." Hayden agreed. Both favored greater development of Mexico's economy to help solve the illegal alien problem. Governor King, a wealthy New Mexico rancher, agreed "in concept" to Clements' plan but reserved judgement on its specifics.<sup>16</sup>

On another level, Texas congressmen who had served during the final phases of P.L. 78 voiced their feelings toward a revival of a bracero-like program. In the late 1970s most of their views accorded with earlier opinions. Among those in favor of Mexican importation were Representatives O.C. Fisher, George Mahon, W.R. Poage, Graham Purcell, and Jim Wright, along with Senators John Tower and Ralph Yarborough. Representative Fisher, of Junction, Texas called termination a "colossal blunder" brought on by politics and "professional laborities."<sup>17</sup> Former Representative Purcell, of Wichita Falls, added that termination was unavoidable because the "general attitude in the U.S. would not allow

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<sup>15</sup>A.A-S., 23 June 1979.

<sup>16</sup>Ibid., 21 June 1979; C.S.M., 28 June 1979.

<sup>17</sup>O.C. Fisher, personal letter, 16 March 1977.

very many people from another country to enter our labor market legally and work below the minimum wage."<sup>18</sup>

When they were asked how farmers participating in the bracero program replaced their workers, their responses identified a number of ways. Mechanization and illegal aliens were most frequently cited. Mahon, of West Texas, and Purcell noted the increased use of machinery in their districts.<sup>19</sup> Poage, of Central Texas, mentioned increased reliance on illegal aliens and added that it would be difficult to "maintain the dairy business in Texas without the use of Mexican nationals."<sup>20</sup> Current members of Congress who favored a new, carefully supervised importation arrangement were Senator Tower, Representatives Pickle of Central Texas, Mahon, Poage, and Omar Burleson of West Texas. Former Representative Purcell also agreed.<sup>21</sup>

In opposition were Representative Henry B. González of San Antonio, and Lee G. Williams, former Assistant Director of the Bureau of Employment Security. Williams' function during the bracero years was to assist the

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<sup>18</sup>Graham Purcell, personal letter, 25 March 1977 (hereafter cited as Purcell letter, the form for subsequent citations of other personal letters.)

<sup>19</sup>George Mahon, personal letter, 7 April 1977; Purcell letter.

<sup>20</sup>W.R. Poage, personal letter, 7 March 1977.

<sup>21</sup>Ibid., Mahon letter; Purcell letter; John Tower, personal letter, 7 November 1979; J.J. Pickle, personal letter, 26 November 1979; Omar Burleson, personal letter, 15 March 1977.



Director of the Farm Labor Service in directing the flow of workers. In this capacity he came to realize that the only reason for the existence of importation programs was to "permit farmers (predominantly large farmers) to make more money." Williams contended that American workers were available for farm work--at a reasonable wage. He added that braceros did replace American workers and that the program itself "humiliated braceros and created ill will toward them on the part of the U.S. farm workers." Thus, revival of such an arrangement would be a mistake.<sup>22</sup>

González, a leader of the opposition forces in Congress during the 1963 debate, restated his earlier stand. He opposed the initial accord on humanitarian grounds; he believed that Mexican braceros were being exploited in the United States. González differed from his colleagues in that he did not attribute the increase in illegal aliens to termination. Rather, he identified two other factors: existing immigration laws made legal immigration difficult; and Mexican overpopulation and unemployment, coupled with high American wages, made immigration under any circumstances very attractive. Mexico required internal development, he contended. "That is what we should be talking about, not bracero programs that exploit the miseries of Mexico's poor against the miseries of our own."<sup>23</sup>

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<sup>22</sup>Lee G. Williams, personal letter, 25 October 1979.

<sup>23</sup>Henry B. González, personal letter, 26 October 1979.

### Prospects and Perspectives

Governor Clements was not alone in advocating definite action. Two Californians in Washington, Senator S.I. Hayakawa and Representative Dan Lungren, have devised a plan. They recommend a federal temporary guest worker visa program for Mexican nationals, one which would authorize the Attorney General to set quotas for importation and determine geographical areas in which Mexicans could not seek employment. Workers entering the country would receive a permit valid for six months, after which time they would return to Mexico. Then they would be required to wait another six months before reapplying for another permit.<sup>24</sup>

In January of 1979, Richard C. White, of West Texas, introduced similar legislation, H.R. 800. This measure amended immigration and nationality laws so as to permit temporary alien workers to enter the United States under three conditions. First, contracts would be negotiated with specific employers and would cover for a period not to exceed one year. The Secretary of Labor could extend contracts for no more than three years. Second, job-seekers would be required to give proof of permanent residence in their native land as a condition of employment. Third, at the expiration of their contracts, workers would be required to report to Immigration and Naturalization Service officials.

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<sup>24</sup>This plan was introduced in the House of Representatives as H.R. 5128, entitled "United States-Mexico Good Neighbor Employment Act of 1979." C.S.M., 24 August 1979.

Failure to comply would be considered a felony offense, punishable by federal imprisonment. Such offenders would be barred from future entry into the United States for a period of five years from the date of violation.<sup>25</sup> To date, however, this bill has not been debated in the House.

The twenty-two year history of Mexican importation brought both positive and negative changes to American agriculture. From an international standpoint, Mexico and the United States worked together on the program. Though relations were strained at times, compromise prevailed, and the two countries cooperated to reconcile differences. Because legal workers were guaranteed protections and the Mexican economy was benefitted, Mexico City believed the program's advantages far outweighed its disadvantages. Thus, Mexico favored continuation as late as 1963, an attitude made clear during the final congressional debate.

To the domestic farmworker, the bracero accord was both a blessing and a curse. Foreign labor played a small part in the agricultural picture and amounted to only two percent of the total employed. In areas where braceros were used, their presence directly affected American workers. Of the five leading bracero states (Texas, California, Arkansas, New Mexico, and Arizona), only California's hourly farm wage exceeded the national average. (See table 8.)

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<sup>25</sup>U.S., Congress, Congressional Research Service, Digest of Public General Bills and Resolutions, 96th Cong., 1st sess., p. E-86.

Hourly wages for domestic workers in areas where braceros were employed were considerably lower even than the state-wide averages. (See table 2.) Clearly, domestic farmworkers in those states were forced to compete with cheap imported labor, and the wage levels of both were adversely affected.

Concern over continued importation exposed a larger problem: the condition of farm labor in America. Attention focused on the fact that while Mexican workers were given employment safeguards, Americans were not. Although braceros did not affect the majority of domestic workers, hired farm labor in general benefitted from the demise of P.L. 78. To protect domestic labor, the Secretary of Labor assumed increased administrative control. After adverse effect rates were established in 1962, wages for all farmworkers improved. (See tables 6 and 8.) In addition, bracero employment declined. (See table 7.) Following termination, wages for American farm labor increased substantially. Hourly wages rose by six cents in 1965 and nine cents in 1966. (See table 13.)

Growers replaced braceros in several ways. Domestic workers were more efficiently utilized. For example, more Texas migrant workers found work in Texas and were not forced to look elsewhere. In a negative sense, however, another form of cheap labor was exploited: illegal aliens, whose numbers increased following termination. (See table 12.) Although the effect of their employment on domestic

workers has not been determined, one fact is clear. If not controlled, their impact on domestic agricultural labor is potentially more dangerous than that of braceros, since undocumented workers are deprived of even minimum legal safeguards.

To be sure, imported Mexican labor has sparked emotion. Nearly two decades later, what lessons does the bracero experience offer? And how can they help solve future difficulties? A review of the problem from a practical standpoint yields five basic issues. First, there is an agricultural labor shortage in the United States. It is confined mainly to unskilled labor and is pronounced in more remote areas. Second, there is domestic unemployment, but not in those regions which experience a scarcity of agricultural labor. Third, there exists, especially in the border states, an available supply of illegal aliens willing to work at substandard pay and under unfavorable conditions, a fact which results in a depressed wage scale for domestic workers similarly employed. Fourth, undocumented aliens, denied protection under law, live in fear and are easy prey for unscrupulous Americans. Fifth, the Immigration and Naturalization Service is currently unable to provide adequate enforcement of existing laws.

To ease tension over labor requirements, several recommendations bear consideration. A new approach toward immigration is necessary. Congress should raise the legal

quota from Mexico from 20,000 to at least 50,000 per year. More funds must be forthcoming if policing of the border is to be effective, and sufficiently severe penalties must be imposed if employers of illegal aliens are to be deterred. Further, the establishment of a federal domestic recruitment program, directed by the Department of Labor in close association with state employment agencies, is a necessary requirement. Also, the establishment of state minimum wage laws for agricultural labor is long overdue. And finally, to fill future labor shortages, a new foreign worker system, carefully researched and scrupulously maintained, should be instituted.

In retrospect, the bracero program of the post-war years contained many faults, and its demise was predictable and long overdue. Braceros adversely affected Americans; they replaced domestic workers; and their presence contributed to low wage levels. At times, braceros were exploited. Abuses were evident. Perhaps these abuses grew from the administration of the program, not from the substance of the program. For many years, corporate agriculture played a dominant role in setting wage levels and operational procedures, a condition which yielded many unfortunate results. These mistakes need not recur, however. A tightly administered, adequately funded accord could prove beneficial for two nations currently seeking to establish a new relationship built on equality. Without these essential ingredients, revival would be futile. Although legal importation is not

a cure-all for the problems confronting the United States and Mexico, it could alleviate tensions and display a willingness to cooperate, a necessary factor in creating lasting compatibility between two close, but often far-distant, neighbors.

## BIBLIOGRAPHY



## SOURCES CONSULTED

### PRIMARY SOURCES

#### Government Documents

Bevans, Charles I., comp. Treaties and Other International Agreements of the United States of America, 1776-1949. 12 vols. Washington, D.C.: Government Printing Office, 1972.

Statutes at Large. vols. 39, 57, 61, 65.

Texas. The Good Neighbor Commission of Texas, Texas Migrant Labor Annual Report, Texas Migrant Labor, The 1966 Migration.

U.S. Congress. Congresssional Record, 106-115, 1959-1967.

U.S. Congress. Congressional Research Service. Digest of Public General Bills and Resolutions, 86th Cong., 1st sess., 1979.

U.S. Congress. House. Committee on Agriculture. Extension of Mexican Farm Labor Program: Hearings before Subcommittee on H.R. 9869 and Others, 86th Cong., 2d sess., 1960.

\_\_\_\_\_. Committee on Agriculture. Extension of Mexico Farm Labor Program: Hearings before Subcommittee on H.R. 2010, 87th Cong., 1st sess., 1961.

\_\_\_\_\_. Committee on Agriculture. Mexican Farm Labor Program: Hearings before Subcommittee on Equipment, Supplies and Manpower, 87th Cong., 2d sess., 1962.

\_\_\_\_\_. Committee on Agriculture. Mexican Farm Labor Program: Hearings before Subcommittee on H.R. 1836 and H.R. 2009, 88th Cong., 2d sess., 1963.

\_\_\_\_\_. Committee on Agriculture. Extend the Mexican Farm Labor Program: Hearing before Subcommittee on H.R. 7185, H.R. 7191, and S. 1703, 88th Cong., 1st sess., 1963.

- \_\_\_\_\_. Committee on the Judiciary. Admission of Aliens Into the United States for Temporary Employment, and "Commuter Workers." Hearings before Subcommittee 1, 88th Cong., 1st sess., 1963.
- \_\_\_\_\_. Farm Labor Program. H.R. Rept. 1954, 86th Cong., 2d sess., 1960.
- \_\_\_\_\_. Continuation of the Mexican Farm Labor Program. H.R. Rept. 274, 87th Cong., 1st sess., 1961.
- \_\_\_\_\_. Conference Report to Accompany H.R. 2010. H.R. 1198, 87th Cong., 1st sess., 1961.
- \_\_\_\_\_. Continuation of Mexican Farm Labor Program. H.R. Rept. 274, 88th Cong., 1st sess., 1963.
- \_\_\_\_\_. One Year Extension of Mexican Farm Labor Program. H.R. Rept. 722, 88th Cong., 1st sess., 1963.
- U.S. Congress. Senate. Committee on Agriculture and Forestry. Extension of Mexican Farm Labor Program: Hearings before Subcommittee on S. 1466, S. 1945, and H.R. 2010, 87th Cong., 1st sess., 1961.
- \_\_\_\_\_. Mexican Farm Labor Program. S. Rept. 1901, 86th Cong., 2d sess., 1960.
- \_\_\_\_\_. Mexican Farm Labor Program. S. Rept. 619, 87th Cong., 1st sess., 1961.
- \_\_\_\_\_. Extension of Mexican Farm Labor Program. S. Rept. 372, 88th Cong., 1st sess., 1963.
- U.S. Department of Agriculture. Economic Research Service. The Farm Labor Situation in Selected States, 1965-1966, Agriculture Economic Report No. 110. Washington, D.C.: Government Printing Office, 1967.
- U.S. Department of Commerce. Bureau of the Census. Historical Statistics of the United States, Colonial Times to 1957. Washington, D.C.: Government Printing Office, 1960.
- \_\_\_\_\_. Bureau of the Census. Historical Statistics of the United States, Colonial Times to 1970. 2 parts. Washington, D.C.: Government Printing Office, 1975.
- \_\_\_\_\_. Bureau of the Census. Immigrants and Their Children, 1850-1950. New York: John Wiley and Sons, 1956.

U.S. Department of Justice. Immigration and Naturalization Service, Annual Report of the Immigration and Naturalization Service, 1965. Washington, D.C.: Government Printing Office, 1965.

\_\_\_\_\_. Immigration and Naturalization Service. Immigration and Nationality Laws and Regulations as of March 1, 1944. Washington, D.C.: Government Printing Office, 1944.

\_\_\_\_\_. Immigration and Naturalization Service. United States Immigration Laws, General Information. Washington, D.C.: Government Printing Office, 1979.

U.S. Department of Labor. Bureau of Employment Security, Mexican Farm Labor Program, Consultants Report. Washington, D.C.: Government Printing Office, 1959.

\_\_\_\_\_. Bureau of Employment Security. "Use of Foreign Labor Declined in 1962," Farm Labor Market Developments, March 1963.

\_\_\_\_\_. Bureau of Employment Security. "Employment of Foreign Workers in 1963," Farm Labor Market Developments, March 1964.

\_\_\_\_\_. Report from the Secretary of Labor, Year of Transition, Seasonal Farm Labor Force, 1965. Washington, D.C.: Government Printing Office, 1966.

U.S. Department of State. United States Treaties and Other International Agreements. 29 vols. Washington, D.C.: Government Printing Office, 1952-1979.

\_\_\_\_\_. The Department of State Bulletin, vols. 24-25, 154-156, 1951-1962.

#### Newspapers

Austin (Tex) American, 18 October 1948.

Austin (Tex) American-Statesman, January-June 1979.

Christian Science Monitor, March-September 1979.

Dallas Morning News, 1 April 1979.

New York Sun, 20 December 1964.

New York Times, 26 September 1951, and 13 December 1964.

San Antonio (Tex) Express, 12 May 1943, and 19 October 1948.

### Correspondence

Burleson, Omar, personal letter, 15 March 1977.  
 Fisher, O.C., personal letter, 16 March 1977.  
 González, Henry B., personal letter, 26 October 1979.  
 Mahon, George., personal letter, 7 April 1977.  
 Pickle, J.J., personal letter, 26 November 1979.  
 Poage, W.R., personal letter, 7 March 1977.  
 Purcell, Graham., personal letter, 25 March 1977.  
 Tower, John., personal letter, 7 November 1979.  
 Williams, Lee G., personal letter, 25 October 1979.

### SECONDARY SOURCES

#### Books

Craig, Richard B. The Bracero Program: Interest Groups and Foreign Policy, Austin: University of Texas Press, 1971.  
 Galarza, Ernesto. Merchants of Labor: The Mexican Bracero Story. San José: The Rosicrucian Press, 1965.  
 Gamio, Manuel. The Mexican Immigrant: His Life Story. Chicago: University of Chicago Press, 1930.  
 Grebler, Leo; Moore, Joan W.; and Guzman, Ralph C. The Mexican-American People: The Nation's Second Largest Minority. New York: The Free Press, 1970.  
 Hoffman, Abraham. Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939. Tuscon: University of Arizona Press, 1974.  
 Kibbe, Pauline R. Latin Americans in Texas. Albuquerque: University of New Mexico Press, 1946.  
 Kingrea, Nellie Ward. History of the First Ten Years of the Texas Good Neighbor Commission. Fort Worth: Texas Christian University Press, 1954.

- McWilliams, Carey. Ill Fares the Land: Migrants and Migratory Labor in the United States. London: Faber and Faber Limited, 1945.
- \_\_\_\_\_. North From Mexico, The Spanish-Speaking People of the United States, 2nd ed. New York: Monthly Review Press, 1961.
- Reisler, Mark. By the Sweat of their Brow: Mexican Immigrant Labor in the United States, 1900-1940. Westport, Connecticut: Greenwood Press, 1976.
- Samora, Julian. Los Mojados: The Wetback Story. Notre Dame: Notre Dame University Press, 1971.
- Taylor, Paul S. An American-Mexican Frontier: Nueces County, Texas. Chapel Hill: University of North Carolina Press, 1934.
- \_\_\_\_\_. Mexican Labor in the United States, 2 vols. New York: Arno Press, 1970.

#### Journals

- Alvarez, José Hernandez. "A Demographic Profile of Mexican Immigration to the United States, 1910-1950." Journal of Inter-American Studies 8 (July 1966): 471-96.
- Bogardus, Emory S. "Mexican Repatriates." Sociology and Social Research 18 (November-December 1933): 74-80.
- Coalson, George O. "Mexican Contract Labor in American Agriculture." Southwestern Social Science Quarterly 33 (December 1952): 228-38.
- Gómez-Quíñones, Juan. "The First Steps: Chicago Labor Conflict and Organization, 1900-1920." Aztlan 3 (Spring 1973): 13-49.
- Hawley, Ellis. "The Politics of the Mexican Labor Issue, 1950-1965." Agricultural History 40 (July 1966): 157-76.
- Kiser, George C. "Mexican American Labor Before World War II." Journal of Mexican American History 2 (Spring 1973): 122-34.
- Romo, Richard. "The Urbanization of Southwestern Chicanos in the Early Twentieth Century." New Scholar 6 (May 1977): 157-80.

Scruggs, Otey M. "Texas and the Bracero Program," Pacific Historical Review 32 (August 1963): 251-64.

\_\_\_\_\_. "Texas, Good Neighbor?" Southwestern Social Science Quarterly 43 (September 1962): 118-25.

\_\_\_\_\_. "The First Farm Labor Program." Arizona and the West 2 (Winter 1960): 319-26.

\_\_\_\_\_. "United States, Mexico and the Wetbacks, 1942-1947." Pacific Historical Review 30 (May 1961): 149-64.

Taylor, Paul S. "Notes on Streams of Immigration." American Journal of Sociology 36 (September 1930): 287-88.

#### Periodicals

Awner, Max. "New Hope for Braceros." The Progressive. 19 March 1965.

Powell, Stuart. "Illegal Aliens: Invasion Out of Control," U.S. News and World Report, 29 January 1979.

"Wetbacks, Cotton, and Korea." Nation, 5 May 1951.

