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Mexico Protests U.S. Program to Repatriate Undocumented Workers

by LADB Staff
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The US and Mexican governments became embroiled in another dispute regarding immigration policy after US authorities implemented a controversial plan to deport undocumented immigrants at points far from where they crossed. The plan, which US government officials called a pilot program, was implemented on Sept. 8 and concluded at the end of September.

The US Bureau of Customs and Border Protection (BCBP) and the US Border Patrol targeted the scheme known as the Lateral Repatriation Program at undocumented immigrants who crossed through the Arizona desert. Authorities detained more than 5,500 undocumented immigrants in Arizona and transported them on charter flights to Laredo, McAllen, Brownsville, and El Paso, Texas. Upon their arrival in Texas, buses transported the migrants to border bridges, where they were given hamburgers and a drink and sent packing across the Rio Grande River into Mexico. Each flight cost the government about US$28,000, not including the costs of fuel, charter buses, and other administrative expenses.

The program, said BCBP officials, was a success because it reduced the incidence of deaths in remote desert areas in Arizona. "Since the program started, we haven't had a single migrant death" in the Arizona desert, said Border Patrol spokesperson Frank Amarillas. The limited success in reducing deaths of undocumented immigrants in Arizona during September masks the trends for the rest of the year. Border Patrol statistics show that 346 immigrants died along the expanse of the US-Mexico border during their trek to the US in the first several months of 2003, the highest level in three years.

The Lateral Repatriation Program was met with vigorous protests from President Vicente Fox's administration, which accused the US government of violating the rights of undocumented immigrants, who were often restrained with handcuffs and shackles. At the onset of the program, Mexico's Foreign Relations Secretary Luis Ernesto Derbez said the Secretaria de Relaciones Exteriores (SRE) sent a "strongly worded" protest to the US Department of Homeland Security.

Interior Secretary Santiago Creel Miranda later demanded that the US end the program. "We have insisted on the immediate cancellation of lateral repatriation, given that it is a violation of human rights," Creel told reporters. Local officials on both sides of the US-Mexico border also protested the plan. "We don't like Juarez being used as a point for massive deportations," city spokesperson Ricardo Chavez told reporters. "The city is not prepared to deal with this, and there is already a shortage of jobs here. It's a bad situation. People are sleeping in parks and under bridges."

US Rep. Henry Bonilla (R-TX), whose district includes an 800-mile stretch along the Texas-Mexico border, also expressed his vigorous opposition to the plan. "This is a terrible idea," said Bonilla. "In
many cases, [migrants will] have no place to go except to run back into the United States." Bonilla said he has introduced legislation that would forbid further such migrant flights into Texas or any other domestic destination. Mexico's protest gained support from Inter-American Court of Human Rights (IACHR), a unit of the Organization of American States (OAS). The court issued a statement urging the US government to respect the dignity of migrants.

The BCBP halted the lateral repatriations at the end of September, prompting some Mexican officials to claim victory. "We take this decision as a response to the demands of the Mexican government on this issue," Interior Secretary Creel told a news conference. The US immigration agency, however, said the protests from the Mexican government and others had nothing to do with the decision because the lateral repatriation scheme was only a pilot program. BCBP spokesperson Gloria Chavez said the agency would study the results and decide whether to resume the deportations in the spring when temperatures in Arizona start to rise again. "[We want] to see if a program of this nature could be possible in the future," said Chavez.

**US Congress proposes to legalize undocumented farm workers**

Recent developments on immigration policy are not all negative for Mexico. In late September, a coalition of Republican and Democratic legislators proposed an immigration-reform plan that would allow an estimated 500,000 undocumented farm workers to become legal US residents. The lead sponsors of the measure are Sens. Ted Kennedy (D-MA) and Larry Craig (R-ID) in the Senate and Reps. Chris Cannon (R-UT) and Howard Berman (D-CA) in the House. "It's an impressive coalition," said a spokesman for Sen. Kennedy. If enacted, the bipartisan plan would be one of the most significant steps to revise immigration law since Congress approved a sweeping amnesty for illegal immigrants in 1986.

The latest initiative is much narrower than the 1986 initiative because it only applies to about 500,000 farm workers out of the estimated 8 million to 10 million undocumented workers who reside in the US. Farm workers who want to qualify for temporary legal status would have to prove 100 days of agricultural employment in the 18-month period that ended Aug. 31 and meet certain other conditions. Then, to obtain permanent residence, they would have to show 360 days of additional farm work during the next six years.

In Mexico, some legislators said they were encouraged by the proposed US legislation. Federal Deputy Roberto Pedraza, a member of the former governing Partido Revolucionario Institucional (PRI), said the Chamber of Deputies should approve a resolution supporting the move by its counterparts in the US. Additionally, said Pedraza, the Congress should approve a bill allowing Mexican states to negotiate immigration agreements with US states, rather than making these types of negotiations the sole domain of the federal government.

**US Treasury endorses consular identification card**

In other developments, the US Treasury issued a statement endorsing the identification cards issued by the embassies and consulates of Mexico and other countries for citizens residing in the US. In the case of Mexico, the document is known as the matricula consular. The US Congress approved legislation in July of this year to impose tighter restrictions on the document, thus forcing the Treasury to review its regulations.
In September, the Treasury said the matricula consular is an acceptable identification for immigrants to open savings accounts and access other financial services. In a statement, Treasury said it "concluded that the risk-based approach taken by the final rules, combined with the ability to notify financial institutions if concerns arise with specific identification documents, provide an ample mechanism to address any security concerns."

The access to financial services is important to many undocumented Mexicans residing in the US, since this expands their options for sending money back to relatives in Mexico. In January-August, Mexican expatriates sent almost US$8.4 billion to relatives in Mexico, an increase of 30% from the same eight-month period in 2002. Remittances are expected to reach about US$12 billion for the entire year. "The 20 million Mexicans in the United States generate a gross product that is slightly higher than the US$600 billion generated by Mexicans in Mexico," President Fox said during a recent visit to New York.

The increase in the remittances has prompted financial institutions with branches in both the US and Mexico to increase the services provided to the communities of Mexicans in the US. For example, Grupo Financiero Banamex and Banco Santander Serfin have begun to issue special credit cards targeted toward expatriate communities in the US. The increased competition for these funds could force financial institutions to reduce fees. The banks are not only competing among themselves but with wire-transfer operations.

Still, some policymakers feel that the fees charged for sending money back to Mexico remain excessive. In testimony before the House Financial Services Committee, assistant Treasury secretary Wayne Abernathy said the US government is working with the private sector and the governments of recipient countries to bring down transmission costs, which take as much as 20% amounts being sent. Some House members are making parallel efforts to assist in this goal. Reps. Barney Frank (D-MA) and Luis Gutierrez (D-IL) have sponsored legislation that direct US financial regulators to issue rules requiring financing institutions or money-transfer operations to disclose information about fees and exchange rates, including the exact amount of money the recipient will get from the transaction. (Sources: Reforma, 09/19/03, 09/26/03; Copley news service, 09/28/03; Associated Press, 09/17/03, 09/24/03, 09/25/03, 09/27/03, 09/30/03; La Cronica de Hoy, 09/20/03, 09/26/03, 09/30/03; Associated Press, 04/10/03, 09/21/03; The Washington Post, 09/22/03, 09/30/03; The Dallas Morning News, 04/21/03, 09/18/03, 09/29/03, 09/30/03, 10/01/03; El Sol de Mexico, 09/25/03, 09/26/03, 10/01/03; Reuters, 10/01/03; La Jornada, 09/25/03, 09/30/03, 10/02/03; Notimex, 09/22/03, 09/29/03, 10/07/03; The Herald, 09/19/03, 09/23/03, 09/30/03, 10/01-03/03; Los Angeles Times, 09/19/03, 10/08/03; El Universal, 09/19/03, 09/23/03, 09/29/03, 10/08/03; Milenio Diario, 09/19/03, 09/23/03, 09/26/03, 09/30/03, 10/01/03, 10/02/03, 10/06-08/03; Unomasuno, 09/26/03, 10/01/03, 10/08/03)

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