

Testimony of

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June 30, 2005

A Case for Sub-Regional Engagement--Mexico-Central America and the United States--in Creating a More Favorable Migration Environment

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Testimony before the Immigration, Border Security, and Citizenship Sub-Committee of the U.S. Senate

Hearing on "The Need for Comprehensive Immigration Reform: Securing the Cooperation of Participating Countries"
June 30, 2005

We firmly believe that the status quo on migration between Mexico and the United States is no longer acceptable. Moreover, since the infamous terrorist attacks of 9-11, the conditions have only been aggravated. Because of the current situation, we appreciate the opportunity to share our ideas with the Senate Sub-Committee on Immigration, Border Security, and Citizenship. These hearings evidence the willingness of the Sub-Committee to begin a dialogue with Mexico and its citizens.

It is necessary to act promptly to develop a new migration paradigm on Mexican and Central American migration to the United States. Almost 75 percent of the current migration flow to the United States comes from Mexico and Central America. Therefore, I will focus the majority of my testimony on these areas.

In Mexico and Central America, we fully appreciate the efforts of this Sub-Committee to promote a migration reform. This testimony consists of five elements that we believe should be considered in the migration debate that is taking place in this legislative chamber: shared responsibility, comprehensive reform, Mexico's Southern border, sub-regional engagement for migration affairs, and areas of Mexican involvement.

1. Shared responsibility. The new migration status quo should be based on shared responsibility between the receiving country -the U.S.- and the countries with intense rates of migration -Mexico, El Salvador, Guatemala, Honduras and Nicaragua.

The current limited dialogue and cooperation between Mexico and the United States on migration matters makes no sense. Mexico and the United States are highly integrated and sophisticated trade and economic partners. This level of cooperation and communication should extend into migration affairs. A good example of this lack of cooperation on migration affairs is the lack of management of the H2A (visas for agricultural workers) and H2B (visas for service workers). Last year, the U.S. granted 28,683 agricultural visas and 31,774 service visas to Mexican workers. Unfortunately, there was practically no involvement of the Mexican and U.S. governments on allocating these visas. U.S. private recruiters are in charge of the entire recruiting process and the travel arrangements of the workers. Very often, these profitable recruiters collude with migrant smugglers or coyotes. Typically, there are very little or no security checks on the recruiters or on the recruited workers.

There is an urgency to change the paradigm in which Mexico and the United States operate on migration matters. Traditionally, U.S. migration policy has been considered as a domestic issue; thus, U.S. authorities have unilaterally

managed migration affairs. For its part, Mexico for many years had a policy of not having a policy. During the Fox and Bush administrations, there have been timid steps to engage in new migration dialogue and cooperation. Much more has to be done.

Mexico and the United States must increase their level of cooperation in both managing the flow of migrants, as well as in creating a more secure and efficient border. There is a pressing need to decrease border regulations at the U.S.-Mexico border. The U.S.-Canada border is an appropriate example to follow.

It is also necessary to revise the U.S.-Mexico institutional framework for dealing with the border and migration. After 9-11 the U.S. undertook a major transformation of its governmental structures with the creation of the Homeland Security Department. These major changes have implicated important bureaucratic disruptions. Mexico, on the other hand, has kept most of its governmental structures intact. Because of these differences, there are obvious institutional and practical problems for bilateral coordination. After 9-11, an efficient bilateral coordination on security and border matters is a priority. Therefore, a summit involving all the agencies in the U.S. and Mexico dealing with security, borders, and migration should take place. The summit would not only foster dialogue on policies and actions, but it would also create a new bi-national mechanism for security, migration, and border cooperation.

2. Comprehensive Reform. For security matters and given the complicated nature of the migration phenomenon, a comprehensive migration reform is necessary. This reform cannot only partially address the different challenges and problems posed by the high levels of Mexican and Central American migration to the United States; it must deal with needs of both sending and receiving countries.

At the outset of his presidency, President Vicente Fox initiated a conversation with President Bush on the subject of a comprehensive migration agreement. The window of opportunity for that agreement closed with 9/11. Nevertheless, the Fox proposal helped to create a consensus among Mexican analysts, business persons, and policy makers for the need of a broad change in the U.S.-Mexico status quo. This explains why the Kennedy-McCain initiative, "Secure America and Orderly Immigration Act," has been welcome in Mexico and in some Central American countries, such as El Salvador.

In addressing five major issues, the Kennedy-McCain bill, can be considered a comprehensive reform. The Kennedy McCain bill seeks to:

- A. Create a three year guest worker program.
- B. Allow access for undocumented immigrants in the U.S. to enter the guest worker program and eventually earn permanent residence after paying a \$2,000 fine.
- C. Support tougher law enforcement with the creation of a new electronic work authorization system.
- D. Create a public-private foundation to promote citizenship and to fund civics and English language lessons for immigrants.
- E. Encourage economic incentives for temporary workers to return home by requiring foreign governments to enter into migration agreements with the U.S. to help control the circular flow of their nationals to the U.S.

Mexican analysts and advocacy groups, such as the National Migration Institute Citizen Council, have urged the Mexican government as well as congress to engage in the Kennedy-McCain effort for comprehensive reform. Since migration has become a high priority for every political force and political party in Mexico, there is a generally positive attitude in Mexico for a U.S.-based comprehensive approach to migration reform.

3. The creation of an efficient and secure Mexican Southern Border. The border between Mexico and Guatemala and Belize is not simply porous, it is wide open. Historically, there has been a high economic interdependence between southern Mexico and Northern Guatemala. This resembles the case of the U.S.- Mexico Northern border. For example, the city of Tapachula, Chiapas, is highly dependent on the Guatemalan agricultural and service workers, as well as trade with Guatemala. For many decades an open Mexican Southern border did not represent a major problem. But this is no longer the case in the post-9/11 security-oriented atmosphere.

In the year 2002, Mexican migration officials deported 138,000 persons, mostly from Guatemala, El Salvador, Honduras and Nicaragua. Last year the number of deportations increased to 215,000. This can be explained by two factors: the economic depression in Central America caused by the late 1990s natural disasters, such as Hurricane Mitch of 1998, and the 9/11 security requirements. Mexican officials have strengthened their efforts to stop undocumented migrants coming not only from Central America, but also from many other countries, including some considered by Washington to be high terrorist risks.

Mexico can not replicate the California experience of the late 1990s of trying to stop the entry of migrants by building walls and fences and highly increasing the number of border patrol agents. After a decade, it is quite clear that those policies only brought about negative consequences.

Besides entering into a dialogue with Central American and U.S. authorities, the Mexican government has to implement a major effort to strengthen the National Migration Institute and organize the different police corps and the military operating at the Southern border. Corruption among Mexican officers must be stopped, both for humanitarian and security reasons.

4. Formalize a sub-regional dialogue on migration issues. The migration patterns of the last two decades have formed a new hemispheric sub-region composed of Mexico, the United States, and four Central American countries - Nicaragua, El Salvador, Honduras and Guatemala. Mexico and these four Central American countries account for almost 75 percent total migration coming into the United States. In the past two decades, and especially in the previous one, the migration rate from these countries to the United States has accelerated. In the chart below, Jeffrey Passel, from Pew Hispanic Center, indicates the growing numbers of Mexican born migrants.

Source: Jeffrey S. Passel. "Estimates of the Size and Characteristics of the Undocumented Population." Pew Hispanic Center Report. March 21, 2005, pp. 7-8. Estimates based on March 2004 Current Population Survey. Includes an allowance for persons omitted from the CPS.

The chart below shows estimates of the unauthorized migrant population as of March 2004 subdivided the country/region of birth. Of these, about 5.9 million (56%) are from Mexico. The rest of those of Latin American origin are mainly from Central America and account for another 2.5 million or about one quarter of the total.

These accelerated rates of migration explain some new dynamics that are specific to this sub-region. The emergence of transnational young gangs, such as la Mara Salvatrucha and the Barrio 18, is one example. These gangs represent a threat to the security of the entire sub-region. The gangs have been surprisingly resistant to national efforts to cope with them. When the government of the former president of El Salvador, Francisco Flores, implemented a policy of zero tolerance (*mano dura*), the Mara Salvatrucha spread to Honduras, Guatemala, and Mexico. In addition, some of its leaders returned to the United States. In this case as in many others, it is necessary to develop sub-regional approaches to cope effectively with the specific challenges of this region.

5. Areas in which Mexico should engage to strengthen the possibilities of a successful migration reform in the United States.

? Return to the circular patterns of migration. The Mexican government as well as the business community should aspire for the economic conditions and implement the proper incentives to motivate migrants to return to Mexico. The willingness of Mexican workers to return is the core of a successful temporary worker program. Mexican financial officials should seek the cooperation of their U.S. counterparts to create savings accounts with tax preferential rates and a retirement system tailored for migrants.

? Improve the health and education coverage of the Mexican nationals including those who migrate to the United States. One of the most controversial aspects of the migration debate in the U.S. centers on the costs to the tax payer associated with migrant health and education. Mexico should aim to strengthen its health coverage programs such as the Seguro Popular, a public health program for low income families not covered by traditional private or

public programs. In addition, Mexico should seek to develop a bi-national health insurance plan. Private firms in both countries have already shown interest.

In regards to education, there is a lot Mexico can do. This spans from basic reform to strengthening the learning of English as a second language, to the use of new technology in classrooms, especially the internet, to collaboration with U.S. school districts that have a high concentration of Spanish speaking migrants.

? Improving security. The initiative created at the recent summit in Waco, Texas, The Security and Prosperity Partnership of North America, has outlined a series of measures that should be taken by the three North American countries to strengthen the security of the region. In some situations, such as the Mexican Southern border, as argued above, Central America should be taken into consideration and included in regional security measures.

? Border safety. Finally, the Mexican government should engage in some activities to prevent the numerous accidents at the U.S.-Mexican border. For example, it could prevent the entrance of Mexican nationals into dangerous zones, such as some areas on the Arizona-Sonora border. In addition, Mexican authorities should strengthen cooperation with their U.S. counterparts regarding the deportation of those know as OTMs (other than Mexicans). The two countries could also cooperate on the expansion and institutionalization of the program for voluntary repatriation to the interior of Mexico.