

U.S. Employers Accused of Mistreating Latin American Workers

By Alex Meneses Miyashita

Sixteen temporary H2B visa workers have filed a complaint pressing Mexico's government to tell the U.S. government to enforce labor pacts the countries signed as part of the North American Free Trade Agreement.

The workers, who filed the petition April 13 in Mexico City, claim their labor rights were violated by U.S. employers and were unable to access federal legal aid. They maintain that under NAFTA's labor agreement, all guestworkers are entitled to the workplace protections U.S. citizens enjoy.

Currently, H2B visa holders are not eligible for federal legal aid, but the petitioners requested that all seasonal workers have access to the federally funded legal

representation they should be entitled to.

Most of the 15 Mexicans and one Panamanian workers labored in Idaho between 2000 and 2002. Their allegations range from being paid wages as low as one dollar per hour to suffering serious physical injury. Many described living under unsafe housing conditions.

Mexican Dan Morales, contracted to work in Texas and Arkansas watermelon fields in the summer of 2001, cited his experience. After he became ill, his employer transferred him to a warehouse where, with no training or prior experience, he was assigned to operate a forklift. Morales had an accident that cost him his right leg.

"I think it's important for the Mexican and

U.S. governments to realize what's going on and join to do something about it," Laura Abel, an attorney with the Brennan Center for Justice, which is representing the workers in the complaint, told Weekly Report.

Abel explained that in addition to not receiving federal legal aid, barriers such as language and lack of familiarity with the legal system make it hard for temporary workers to access the courts.

The Idaho Migrant Council, National Immigration Law Center, Oregon Law Center, *Pineros y Campesinos del Noroeste* and five Mexican immigrant rights and labor groups have also joined the workers' petition. The Mexican government will hold hearings this spring.

Minuteman Founders Link With Tancredo's Immigration Caucus

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At a Congressional Hispanic Caucus briefing, Border Network for Human Rights director Fernando García told Weekly Report that there is not enough recognition of immigrants' contributions to society and the economy. "We need to give immigrants a face," he declared.

García added that border control groups advocate misguided policies that restrict workers but fail to improve national security. Criminals and terrorists most often come through legal ports of entry, not an open southern border, he stated.

Minutemen Project co-founders Chris Simcox and Jim Gilchrist spoke at many of the border control events, calling for a military presence at the border and announced the expansion of their group to other border states.

They appeared with Congressional Immigration Reform Caucus members, including Tom Tancredo (R-Colo.), Virgil Goode (R-Va.), J.D. Hayworth (R-Ariz.) and Scott

Garrett (R-N.J.) at an April 27 news conference.

The congressmen praised the Minuteman Project for enforcing immigration laws that they say the federal government has neglected. They also supported placing troops near the southern U.S. border. Gilchrist thanked Tancredo for his support, and, overcome by emotion, broke into tears.

Afterwards, Goode explained to Weekly Report, "My legislation (H.R. 277) would authorize but not mandate troops to supplement the Border Patrol."

Simcox told Weekly Report at an April 26 press conference that he hopes by October to have simultaneous border state patrols in Arizona, California, New Mexico and Texas, with patrols along the U.S. border to follow. "We are going to franchise our border patrol,"

he stated.

Since April 1, the Minuteman Project has had 970 volunteers who have completed eight-hour patrol shifts. It says it notified the U.S. Border Patrol of the presence of some 330 immigrants.

Asociación Tepeyac de New York executive director Joel Magallán told Weekly Report that border patrols fail to solve immigration problems. "We need to change the immigration system to help those who are coming to work in the United States," he stated, adding that the legislation of immigrant workers makes it less likely that criminals will remain unidentified by the community and law enforcement.

A Hispanic woman from Tucson, Ariz., whose husband is an undocumented immigrant, told Weekly Report, "The main problem facing Hispanic community is fear. Fear that they will be deported and fear that they will be harmed."

She added there is a lot of misunderstanding about immigrants as a threat to communities, when they really move to find work.



GILCHRIST

National Archives Unveils Monthly Series to Display Latino Contributions to U.S.

By Edwin Reyes

The National Archives and Records Administration in Washington, D.C., will inaugurate a landmark series of monthly events this spring to detail the Hispanic contribution to this country.

The programs will cover the Hispanic experience in areas ranging from political empowerment to contributions in science to military heroism.

The first, on the community's fight for equal education, will be held May 12 at the Archives headquarters near the White House. Its panel of speakers, moderated by California Superior Court Judge Frederick Aguirre, will include former Cali-

fornia Supreme Court Justice Cruz Reynoso, University of Texas-Austin law professor Norma Cantú and retired U.S. District Court Judge James DeAnda, lead counsel in several landmark education cases in Texas.

Cantú served as Assistant Secretary of Education for Civil Rights for eight years under President Clinton.

The events break new ground for NARA.

Mimi Lozano, president of the Society of Hispanic Historical and Ancestral Research in Midway City, Calif., is credited with pressing the Archives and other federal agencies to acknowledge publicly the significant contributions of Hispanics nationwide.

"There are too many such stories long ignored, but there's still time to add them to the nation's historical record for future generations to integrate our historical contribu-

tions into the history and development of the U.S. We have been viewed as separate and apart, when in fact we provided a foundation. These events will reveal that truth of our continual presence and support," she told Weekly Report.

DATE	PROGRAM
May 12	Hispanics and the Civil Rights Movement (Education)
June 16	Hispanics and the Formation of the American People, Science & Technology
July 3-4	Colonial Spaniards in Support of the American Revolution
Sept. 7	Hispanics in the Federal Service
Sept. 24	Hispanic Family History Conference
Oct. 12	Latino Blood, American Heart, Hispanics in America's Defense
Nov. (tba)	Hispanics in the Military, World War II
Dec. (tba)	Spanish Colonial Folk Theater in the Americas

For more information, please go to <http://www.somosprimos.com/nara/nara.htm>

The Day My Mother Almost Hanged Me

My father left my mother Eva to raise me and my younger sister Maye when we were little kids. Year round, she worked in the fields and canneries and orchards near our home in Dixon, a small agricultural town at the northern end of California's San Joaquin Valley.

She abided by a strong work ethic and worshipped education, something she didn't have access to as a child in her native Mexico.



LOPEZ

She and everyone else called me *Chito*, short for *muchachito*, little boy.

There was the day, maybe 110-degrees hot, when she took me into the tomato fields with her. "If you don't do well in school," she said in Spanish, her language, "this is where you'll spend your life." So I became a good student.

I was a stocky eight-year-old and I liked to play with older neighborhood boys who had toys like BB-guns.

There was another day when my mother had gone off to a meeting up the street with some *comadres* who were raising money for the church by making and selling *tamales*. She was the treasurer. She left a dozen tantalizing *tamales* on our kitchen counter.

I went outside and joined four older boys, almost teenagers, up the street. One of them asked if I wanted to play a game of "sneak around." The object was to move around the neighborhood without being seen.

When we neared my home, the same boy asked me to open the rear sliding glass door. I did, and right away they all rushed in and started opening bedroom drawers, pulling things out of closets and even poking under our mattresses.

'WHO ATE MY DOZEN TAMALES?'

"Hey! What are you doing! You shouldn't be doing that!" I told them. Looking at the mess they made, I feared getting "*la sogá*." *La sogá* was the long rope with a loop on one end that Mom used when I wasn't honest or didn't finish my chores.

"My mom's coming back real soon!"

When I finally got the big boys out of the house, they parted with the warning, "Don't tell anyone we were here or we'll beat you up."

When Mom, a small lady with a strong voice, returned home, I was in the front yard playing by myself. No sooner had she gone inside than I heard her through the walls.

"¡CHITO, VENTE!" Get in here!

"¿Qué pasó aquí?" Who's been in the house? she demanded. "Who ate my *tamales*?" She repeated it louder when I didn't answer fast enough. "Who ate my *tamales*?"

Finally, I stammered, "I did, Mom. I ate them."

"You ate 12 big *tamales*?"

"I ate them, Mom. I ate them all."

"No you didn't. Who was in the house?"

"Tenía mucha hambre, Mamá." I was really hungry.

Remembering the big boys' threats, I stuck to my story through the grilling. Eventually, she sent me outside again, but I knew I'd feel *la sogá* later.

"¡CHITO!" Again, my mom's command.

I rushed indoors. She was waving *la sogá*.

"Someone was in the house!" At the time, I didn't realize three hundred dollars — all of the church moms' *tamal* money — was gone.

"No, Mom, nobody was in the house!"

Like Calamity Jane, she twirled the rope and looped a noose at one end. And put it around my neck!

FACING PUBLIC EXECUTION, I WAS HYSTERICAL

She pulled me out the front door to our almond tree and stood me on a small metal bucket. She threw the loose end over a thin, low branch, about a foot higher than me and my bucket, and she jerked on it.

By now, the neighborhood mothers and all their small children rushed from their yards to see what was going on.

"Eva, no, Eva, don't hang the child!"

"¡Díos mío, you're going to kill that boy!"

Facing public execution, I was near hysterical.

"Por el amor de Díos, Eva," the women were pleading.

Until then I feared the big boys more than my mom, but amid the pandemonium, I surrendered. "It was the *Flacos* and the *Yucatecos*," I screamed.

The two families lived four or five houses up the block. My mom removed the rope from over the branch and, with the noose still around my neck, dragged me like a goat to where the *Flacos* and the *Yucatecos* lived. The screaming neighbors trailed behind us.

The startled father of two of the boys appeared as my mother banged on his door. She told him about the money and the *tamales*. He closed the door and we waited.

THE SCREAMS SHIFTED TO INSIDE

Within a couple of minutes, the screams shifted from outside to inside the house. When the father reappeared, a chorus of youthful sobs and cries were audible behind him.

He handed my mother her \$300 and I was spared.

She quickly forgave my sins, and the boys had their fathers to answer to if they dared touch me.

A few years later, we moved away. Occasionally I visit an aunt and uncle who still live a couple of houses from our old place. Many of our old neighbors are there, too. They still tease me about the day my mother almost hanged me.

Mom? She still makes some great *tamales*. But maybe this Mother's Day, I'll buy her a dozen from our neighborhood *tortillería*. *Hechos a mano*. Handmade, of course.

(José López grew up to be a civil engineer. He and his wife Carol are raising two daughters and a son in Roseville, Calif.)

Sin pelos en la lengua

TOASTING RAUL: We were there to pay homage to Raúl Yzaguirre and his decades of devotion to *La Raza*. The banquet room overflowed and the hotel crew at the Capital Hilton kept adding limited-view tables in the adjacent foyer to accommodate the overflow crowd. The mix spread over generations — from pioneers like **Hermán Gallegos** and **Armando de León** to Raúl's grandchildren, scampering among the tightly clustered tables. Some day they'll realize the night's full significance and brag that they were a part of it.

The mix included many, like **Arabella Martínez**, **Emily McKay** and

Rita DiMartino who helped Raúl through endless early struggles.

The *testigos* crossed political lines -- from veteran Rep. **Lincoln Díaz-Balart** to freshly minted Sen. **Ken Salazar**.

La Raza staff, past and present, were there *en masse*.

The minutes flew and descriptives flowed: courageous, fearless, generous, just, modest, tenacious, visionary, unifier, wise.

A big screen showed Raúl at various stages of his life, with family, with friends, with presidents. One showed him with second son **Roberto**, then tiny, first walking on the mall, then with the boy wrapped around his neck. An older Roberto explained that when he needed a boost, his dad would lift him onto his shoulders.

"He did that for a lot of people," he reminded us. --Kay Bárbaro